

7/2/20  
2020 KCCP  
Striking Amendment S3

ea/am/jn/jt	Sponsor:	<u>Dembowski</u>
	Proposed No.:	<u>2019-0413</u>

1   **STRIKING AMENDMENT S3 TO PROPOSED ORDINANCE 2019-0413,**  
2   **VERSION 1**

3   On page 3, beginning on line 58, strike everything through page 147, line 3033, and  
4   insert:

5       "BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

6       **SECTION 1. Findings:**

7       A. Ordinance 18810 adopted the 2018 update to the 2016 King County  
8   Comprehensive Plan. The 2018 update included a restructure of the county's  
9   comprehensive planning process, including shifting from a four-year to an eight-year  
10   update schedule to match the Growth Management Act ("the GMA") mandated review  
11   and update schedule and modifications to the subarea planning program established in the  
12   2016 King County Comprehensive Plan. Ordinance 18810 also authorized adoption of a  
13   limited "midpoint" update to the 2016 King County Comprehensive Plan in 2020.

14       B. Motion 15329 adopted the scope of work for the 2020 update to the 2016 King  
15   County Comprehensive Plan. The scope of work required development of text and policy  
16   proposals, area zoning and land use proposals, code studies and reports that could be  
17   included in the 2020 update. The scope of work also included the public outreach plan  
18   and State Environmental Policy Act process for the 2020 update.

19 C. As part of the 2020 update, modifications to the urban growth area boundary  
20 are included. One change expands the urban growth area boundary adjacent to the city of  
21 Woodinville to allow the city to annex a right-of-way. Another change expands the  
22 urban growth area boundary adjacent to the city of Maple Valley to allow the city to  
23 annex existing utility tracts. Both of these changes facilitate the provision of urban  
24 services and are authorized by K.C.C. 20.18.130. The third change removes three parcels  
25 from the urban growth area. This redesignation to rural land outside the urban growth  
26 area is consistent with countywide planning policy DP-18 and as authorized by K.C.C.  
27 20.18.130.

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

32 E. The operation of fossil fuel facilities carries risk of explosion, leaks, spills and  
33 pollution of air and water. Burning of fossil fuels is a major source of environmental  
34 pollution and carbon dioxide contributing to climate change in King County. King  
35 County has responsibility for upholding the public health, safety and welfare of all  
36 residents while mitigating and preparing for natural and human-caused disasters,  
37 protecting and preserving natural systems and supporting economic development.  
38 According to the Impacts of Climate Change on Human Health in the United States  
39 report prepared by the United States Global Climate Change Program, health impacts  
40 from smoke and air pollution and heat-related illnesses can lead to grave health  
41 conditions, especially for vulnerable populations including children, seniors, and people

42 with pre-existing health conditions such as asthma. The policies and development  
43 regulations place limits on the development and operation of fossil fuel facilities in order  
44 to address those impacts to the residents of King County.

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

48 G. The last statutory update required by RCW 36.70A.130(4)(a) was met with the  
49 2012 King County Comprehensive Plan that was adopted by Ordinance 17485.  
50 Engrossed Substitute House Bill 2342, passed by the legislature and signed into law as  
51 Chapter 113, Laws of Washington 2020, by the governor as a result of 2020 legislative  
52 session, modified the schedule for the GMA-mandated updates to Comprehensive Plans.  
53 As a result, RCW 36.70A.130(5)(a) requires King County and the cities within King  
54 County to complete a review of their comprehensive plans on or before June 30, 2024,  
55 and every eight years thereafter. This 2020 update does not serve as the statutory update  
56 required by RCW 36.70A.130.

57 H. The GMA and the King County Code generally allow the adoption of  
58 comprehensive plan updates only once per year. The amendments to policies and text in  
59 to this ordinance constitute the 2020 update to the 2016 King County Comprehensive  
60 Plan. The GMA requires that King County adopt development regulations to be  
61 consistent with and implement the Comprehensive Plan. The changes to development  
62 regulations in this ordinance are needed to maintain conformity with the King County  
63 Comprehensive Plan. They bear a substantial relationship to, are necessary for, the  
64 public health, safety and general welfare of King County and its residents.

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

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

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

L. The 2016 King County Comprehensive Plan launched a Community Service Areas subarea planning program. Community Service Area ("CSA") subarea plans are expected to be created for the six rural CSAs and for the five remaining large urban

unincorporated potential annexation areas over a thirteen-year schedule. The CSA subarea planning program recognizes the county's role as a local service provider in the unincorporated area, including for localized long-range planning. Many areas of unincorporated King County have not had subarea planning since the 1990s or earlier. The CSA subarea planning program as restructured in the 2018 update and refined in the 2020 update will provide improved coordination, accountability and service delivery in the area of long-range planning for unincorporated areas of King County.

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

N. As part of the 2020 update, this ordinance adopts the Skyway-West Hill Land Use Strategy, Phase 1 of the Skyway-West Hill Subarea Plan. Initially the Strategy was drafted as a CSA subarea plan. However, the equity impact analysis completed for the Strategy identified potential equity impacts of the plan as drafted. Further, the focus of the Strategy on land use did not fully reflect the community's priorities and would not implement the community's vision and guiding principles. As a result, the Strategy is adopted as an interim measure while the CSA subarea plan is developed by the county consistent with the refinements in the 2020 update to improve coordination, accountability and service delivery to unincorporated King County.

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

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

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

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

C. The elements of the King County Shoreline Master Program in sections 65, 66, 67 and 68 of this ordinance, in King County Comprehensive Plan chapter six of Attachment A to this ordinance, and in Attachments E and H to this ordinance are hereby amended to read as set forth in this ordinance and are incorporated herein by this reference.

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

E. The land use and zoning amendments in sections 78, 79, 80, 81 and 86 of this ordinance and Attachment D to this ordinance are hereby adopted as amendments to

Appendix A to Ordinance 12824, as amended, and as the official land use and zoning controls for those portions of unincorporated King County defined in those sections of this ordinance and attachments to this ordinance.

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

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

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

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

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

2. Preparing forecasts of and monitor revenues;

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

4. Developing and preparing expenditure plans and ordinances to manage the implementation of the operating and capital project budgets throughout the fiscal period;

5. Formulating and implementing financial policies regarding revenues and expenditures for the county and other applicable agencies;

6. Performing program analysis, and contract and performance evaluation review;

157           7. Developing and transmitting to the council, concurrent with the biennial  
158 proposed budget, supporting materials consistent with K.C.C. chapter 4A.100;

159           8. Performance management and accountability:

160           a. providing leadership and coordination of the performance management and  
161 accountability system countywide;

162           b. overseeing the development of strategic plans and business plans for each  
163 executive branch department and office;

164           c. providing technical assistance on the development of strategic plans and  
165 business plans for agencies;

166           d. developing and using community-level indicators and agency performance  
167 measures to monitor and evaluate the effectiveness and efficiency of county agencies;

168           e. overseeing the production of an annual performance report for the executive  
169 branch;

170           f. coordinating performance review process of executive branch departments  
171 and offices;

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

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

177           i. developing and transmitting to the council a biennial report on April 30 in  
178 odd-numbered years about the benefits achieved from technology projects. The report  
179 shall include information about the benefits obtained from completed projects and a



comparison with benefits that were projected during different stages of the project. The report shall also include a description of the expected benefits from those projects not yet completed. The report shall be approved by the council by motion. The report and motion shall be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers;

9. Strategic planning and interagency coordination:

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

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

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

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

10. Business relations and economic development:

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

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

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

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

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

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

210 11. Continuous improvement:

211 a. leading, coordinating and implementing a program of continuous  
212 improvement, including the provision of leadership development, transformational  
213 improvement and capacity building in Lean thinking; and

214 b. providing annual reports to the council on the implementation of the  
215 continuous improvement program, including but not limited to a description of the  
216 number of people and agencies that have received training, the processes changed as a  
217 result of Lean implementation and the budget and other impacts of these changes; and

218 12. Regional planning:

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

222 b. coordinating countywide planning at the Growth Management Planning  
223 Council consistent with the Washington state Growth Management Act, including

leading the Growth Management Planning Council's interjurisdictional staff team in  
accordance with the interlocal agreement authorized by King County Motion 8495;

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

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

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

f. coleading with the department of local services, permitting division, an  
interbranch regional planning team that supports the council and executive through the  
provision of information and data, development of policy proposals and options for  
regional issues related to growth management, economic development and transportation.  
Participation in the interbranch regional planning team shall include executive,  
department and council staff as designated by the respective branches.

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

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

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

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

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

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

253 6. Providing resources for labor relations training for county agencies, the  
254 executive, the council and others, in collaboration with the department of human  
255 resources.

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

260 a. liquor licenses under chapter 66.20 RCW; and

261 b. licenses for marijuana producers, processors or retailers under chapter 69.50  
262 RCW.

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

267 3. For each application reviewed under subsection D.1.b. of this section, the  
268 executive shall transmit to the county council a copy of the application received with the

applicant's name and proposed license application location, a copy of all comments received under subsection D.2. of this section and the executive's recommendation to the Washington state Liquor and Cannabis board.

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

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

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

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

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

3. Develop and implement programs and strategies that emphasize:

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

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

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

- 311 a. be based on a scope of work established with the community;
- 312 b. establish a long-range vision and policies to implement that vision. Policies  
313 in the subarea plan shall be consistent with and not redundant to policy direction in the  
314 Comprehensive Plan;

315 c. establish performance metrics and monitoring for implementation of the  
316 subarea plan;

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

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

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

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

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

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

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

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

2. Each community needs list shall:

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

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

c. be developed, reviewed, prioritized, amended, adopted and implemented using tools and resources developed by the office of equity and social justice, including, but not limited to, community engagement, language access and equity impact review



tools. The county shall use, at minimum, the "County engages in dialogue" and "County and community work together" levels of engagement as outlined in the office of equity and social justice's Community Engagement Guide for the development, review, amendment, adoption and implementation of the community needs list. The county shall include as an appendix to the community needs list information detailing the community engagement completed during the development of the community needs list and how the community engagement meets the requirements of this subsection C.2.c.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

e. identify public meetings for the area;

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

g. establish an ongoing communications and community engagement plan using tools and resources developed by the office of equity and social justice, including,

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

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

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

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

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

2. Service partnerships agreements shall:

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

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

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

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

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

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

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

and

(2) service level goals for each program, service or facility;

d. performance metrics to monitor progress of implementing the outcomes and service level goals for each program, service or facility;

e. use of the community service area program in local service delivery by the partner agency; and

f. the current adopted community needs list and associated performance metrics for monitoring and reporting on the progress the county agencies have made on items on the list that they are responsible for.

4. A schedule for completing the service partnership agreements with county agencies shall be established as part of the executive's proposed 2021-2022 biennial

496 budget and is subject to council approval by motion. The schedule is expected to show  
497 service partnership agreements with all required agencies in effect no later than  
498 transmittal of the executive's proposed 2023-2024 biennial budget.

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

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

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

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

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

522                   e.)) participating on the interbranch regional planning team as specified in  
523 K.C.C. 2.16.025;

524                   ~~((d.))~~ d. administering the state Environmental Policy Act and acting as lead  
525 agency, including making the threshold determinations, determining the amount of  
526 environmental impact and reasonable mitigation measures and coordinating with other  
527 departments and divisions in the preparation of county environmental documents or in  
528 response to environmental documents from other agencies;

529                   ~~((e.))~~ d. effective processing and timely review of land development proposals,  
530 including zoning variance and reclassification, master drainage plans, variances from the  
531 surface water design manual and the King County road standards, critical area,  
532 subdivision, right-of-way use, urban planned development, clearing and grading,  
533 shoreline, special use and conditional use applications;

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

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



540           (~~(H-))~~ G. developing and implementing an inspection program to identify fire  
541 hazards and require conformance with K.C.C. Title 17, reviewing building plans and  
542 applications for compliance with K.C.C. Title 17 and conducting inspections, including  
543 inspections of new construction, for compliance with K.C.C. Title 17.

544           2. The permitting division manager shall be the:  
545           a. county planning director;  
546           b. zoning adjuster;  
547           c. responsible official for purposes of administering the state Environmental  
548 Policy Act;  
549           d. county building official; and  
550           e. county fire marshal.

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

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

558           1. Designing, constructing and maintaining county roads, bridges and associated  
559 drainage facilities;  
560           2. Designing, installing and maintaining county traffic signs, markings and  
561 signals;  
562           3. Designing, installing and maintaining bicycle and pedestrian facilities;

563           4. Managing intergovernmental contracts or agreements for services related to  
564 road maintenance and construction and to other transportation programs supporting the  
565 transportation plan;

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

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

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

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

577           9. Preparing and administering multiyear roads maintenance and capital  
578 construction plans and periodic updates;

579           10. Administering the transportation concurrency and mitigation payment  
580 programs; and

581           11.a. Performing the duties of the office of the county road engineer, which is  
582 hereby established as an administrative office of the road services division. The office of  
583 the county road engineer shall be an office of record, supervised by the county road  
584 engineer hired in accordance with RCW 36.80.010 and reporting to the manager of the

road services division. The office of the county road engineer shall be located within the corporate limits of the county seat.

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

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

SECTION 5. Ordinance 263, Article 2, Section 1, as amended, and K.C.C. 20.12.010 are hereby amended to read as follows:

~~((A.))~~ Under the King County Charter, the state Constitution and the Washington state Growth Management Act, chapter 36.70A RCW, King County adopted the 1994 King County Comprehensive Plan via Ordinance 11575 and declared it to be the Comprehensive Plan for King County until amended, repealed or superseded. The Comprehensive Plan has been reviewed and amended multiple times since its adoption in 1994. Amendments to the 1994 Comprehensive Plan to-date are currently reflected in the 2016 King County Comprehensive Plan, as adopted in Ordinance 18427 and as amended by Ordinance 18623,

Ordinance 18810 ~~((and))~~, Ordinance 19034 and this ordinance. The Comprehensive Plan shall be the principal planning document for the orderly physical development of the county and shall be used to guide subarea plans, functional plans, provision of public facilities and services, review of proposed incorporations and annexations, development regulations and land development decisions.

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

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

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

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

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

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

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

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

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

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

631           Appendix H: Amendments to East Sammamish Community Plan P-Suffix  
632   Conditions.

633           Appendix I: Amendments to Snoqualmie Valley Community Plan P-Suffix  
634   Conditions.

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

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

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

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

640           Appendix N: Amendments to Resource Lands Community Plan P-Suffix  
641   Conditions.

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

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

644           B. Area zoning adopted by Ordinance 11653, including potential zoning, is  
645   contained in Appendices A and O. Amendments to area-wide P-suffix conditions  
646   adopted as part of community plan area zoning are contained in Appendices B through N.  
647   Existing P-suffix conditions whether adopted through reclassifications or community  
648   plan area zoning are retained by Ordinance 11653 except as amended in Appendices B  
649   through N.

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

652           D. The 1995 area zoning amendments attached to Ordinance 12061 in Appendix  
653   A are adopted as the official zoning control for those portions of unincorporated King

County defined therein.

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

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

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

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

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

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

680 K. The special district overlays, as designated on the map attached to Ordinance  
681 12809 in Appendix A, are hereby adopted pursuant to K.C.C. 21A.38.020 and  
682 21A.38.040.

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

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

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

694 2. All ordinances adopting individual zone reclassifications effective ((prior to))  
695 before February 2, 1995, including but not limited to Ordinances 43, 118, 148, 255, 633,  
696 1483, 1543, 1582, 1584, 1728, 1788, 2487, 2508, 2548, 2608, 2677, 2701, 2703, 2765,  
697 2781, 2840, 2884, 2940, 2958, 2965, 2997, 3239, 3262, 3313, 3360, 3424, 3494, 3496,  
698 3501, 3557, 3561, 3641, 3643, 3744, 3779, 3901, 3905, 3953, 3988, 4008, 4043, 4051,  
699 4053, 4082, 4094, 4137, 4289, 4290, 4418, 4560, 4589, 4703, 4706, 4764, 4767, 4867,

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

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

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

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

b. The Shoreline Community Plan Area Zoning, attached to Ordinance 5080 as



723 Appendix B, as amended, is hereby repealed.

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

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

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

730 f. The Revised Vashon Community Plan Area Zoning, attached to Ordinance  
731 7837 as Appendix B, as amended, is hereby repealed.

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

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

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

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

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

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

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

n. The West Hill Community Plan Area Zoning adopted in Ordinance  
((~~HHH6~~)) 11166, as amended, is hereby repealed; and

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

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

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

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

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

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

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

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

771           ~~((A.))~~ The West Hill Community Plan, a bound and published document, as  
772 revised in the Attachments to Ordinance 11166, as supplemented by the Skyway-West Hill  
773 Land Use Strategy, Phase 1 of the Skyway-West Hill Subarea Plan, dated July 2020, is  
774 adopted as an ~~((amplification and augmentation))~~ element of the King County  
775 Comprehensive Plan ~~((for King County))~~ and, as such, constitutes official county policy for  
776 the geographic area of unincorporated King County defined ~~((therein))~~ in the plan and  
777 strategy. In the case of conflict between the West Hill Community Plan and the Skyway-  
778 West Hill Land Use Strategy, Phase 1 of the Skyway-West Hill Subarea Plan, the Skyway-  
779 West Hill Land Use Strategy, Phase 1 of the Skyway-West Hill Subarea Plan, controls.

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

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

- 787           1. Emergencies;
- 788           2. An appeal of the plan filed with the Central Puget Sound Growth Management  
789 Hearings Board or with the court;
- 790           3. The initial adoption of a subarea plan, which may amend the urban growth area  
791 boundary only to redesignate land within a joint planning area;

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

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

796 B. Every year the Comprehensive Plan may be (~~amended~~) updated to address  
797 technical updates and corrections, to adopt community service area subarea plans and to  
798 consider amendments that do not require substantive changes to policy language or do not  
799 require changes to the urban growth area boundary, except as permitted in subsection B.9.  
800 and 11. of this section. The review may be referred to as the annual update. The  
801 Comprehensive Plan, including subarea plans, may be amended in the annual update only  
802 to consider the following:

803 1. Technical amendments to policy, text, maps or shoreline environment  
804 designations;

805 2. The annual capital improvement plan;

806 3. The transportation needs report;

807 4. School capital facility plans;

808 5. Changes required by existing Comprehensive Plan policies;

809 6. Changes to the technical appendices and any amendments required thereby;

810 7. Comprehensive updates of subarea plans initiated by motion;

811 8. Changes required by amendments to the Countywide Planning Policies or state  
812 law;

813 9. Redesignation proposals under the four-to-one program as provided for in this  
814 chapter;

815           10. Amendments necessary for the conservation of threatened and endangered  
816 species;

817           11. Site-specific land use map amendments that do not require substantive change  
818 to Comprehensive Plan policy language and that do not alter the urban growth area  
819 boundary, except to correct mapping errors;

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

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

827           14. Adoption of community service area subarea plans;

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

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

834           C. Every eighth year beginning in ((2023)) 2024, the county shall complete a  
835 comprehensive review of the Comprehensive Plan in order to update it as appropriate and  
836 to ensure continued compliance with the GMA. This review may provide for a cumulative  
837 analysis of the twenty-year plan based upon official population growth forecasts,

838 benchmarks and other relevant data in order to consider substantive changes to ~~((policy~~  
839 ~~language))~~ the Comprehensive Plan and changes to the urban growth area boundary. The  
840 comprehensive review shall begin one year in advance of the transmittal and may be  
841 referred to as the eight-year update. The urban growth area boundaries shall be reviewed in  
842 the context of the eight-year update and in accordance with countywide planning policy G-  
843 1 and RCW 36.70A.130.

844 D.1. ~~((If there is a scope of work adopted by motion to perform))~~ At the midpoint  
845 of the eight-year update process, a limited update to the Comprehensive Plan to address  
846 time-sensitive issues ~~((prior to))~~ before the next eight-year update, may be authorized by  
847 motion. The update may be referred to as the midpoint update. The midpoint update may  
848 include those substantive changes to the Comprehensive Plan and amendments to the urban  
849 growth area boundary ~~((may also be considered at the midpoint of the eight-year update~~  
850 ~~cycle. This update can include substantive changes and amendments as authorized by~~  
851 ~~motion may be referred to as the midpoint update))~~ that are identified in the scope of work.  
852 The midpoint update may also include additions or amendments to the Comprehensive Plan  
853 Workplan related to a topic identified in the scope of work.

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

860 3. If the executive proposes a midpoint update, the executive shall transmit to the

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

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

shall have until the last business day of ~~((June))~~ July 2020 to adopt the 2020 Comprehensive Plan update.

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

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

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



907 accordance with this chapter.

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

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

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

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

- 926           1. Applicant information, including signature, telephone number and address;  
927           2. The applicant's interest in the property, such as owner, buyer or consultant; and  
928           3. Property owner concurrence, including signature, telephone number and  
929 address.

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

- 933 1. Name and address of the owner or owners of record;
- 934 2. Description of the proposed amendment;
- 935 3. Property description, including parcel number, property street address and  
936 nearest cross street;
- 937 4. County assessor's map outlining the subject property; and
- 938 5. Related or previous permit activity.

939 D. Upon initiation of a site-specific land use map or shoreline master program map  
940 amendment, an initial review conference shall be scheduled by the department of local  
941 services, permitting division. The owner or owners of record of the property shall be  
942 notified of and invited to attend the initial review conference. At the initial review  
943 conference, the department of local services, permitting division, shall review the proposed  
944 amendment's consistency with applicable county policies or regulatory enactments  
945 including specific reference to Comprehensive Plan policies, countywide planning policies  
946 and state Growth Management Act requirements. The proposed amendment will be  
947 classified in accordance with K.C.C. 20.18.040 and the classification shall be provided at  
948 the initial review conference or in writing to the owner or owners of record within thirty  
949 days after the initial review conference.

950 E. If a proposed site-specific land use map or shoreline master program map  
951 amendment is initiated by property owner application, the property owner shall, following  
952 the initial review conference, submit the completed application including an application fee

and an environmental checklist to the department of local services, permitting division, to proceed with review of the proposed amendment.

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

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

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

I. A property-owner-initiated docket request for a site-specific land use map or shoreline master program map amendment may be accompanied by an application for a zone reclassification to implement the proposed amendment, in which case administrative

review of the two applications shall be consolidated to the extent practical consistent with this chapter and K.C.C. chapter 20.20. The council's consideration of a site-specific land use map or shoreline master program map amendment is a legislative decision that should be determined before and separate from its consideration of a zone reclassification, which is a quasi-judicial decision. If a zone reclassification is not proposed in conjunction with an application for a site-specific land use map or shoreline master program map amendment and the amendment is adopted, the property shall be given potential zoning. A zone reclassification in accordance with K.C.C. 20.20.020 is required in order to implement the potential zoning.

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

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

2. A waiver by the executive shall be considered after the proponent has

submitted a docket request in accordance with K.C.C. 20.18.140. The executive shall render a waiver decision within forty-five days of receiving a docket request and shall mail a copy of this decision to the proponent.

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

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

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

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

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

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

3. Compatibility with the surrounding development pattern.

B. Site-specific land use map amendments for which recommendations have been issued by the hearing examiner by January 15 shall be submitted to the executive and the council by the hearing examiner by January 15. The department will provide for a

cumulative analysis of these recommendations and such analysis will be included in the annual March transmittal. All such amendments will be considered concurrently by the council committee charged with the review of the ~~((e))~~Comprehensive ~~((p))~~Plan. Following this review, site-specific land use map amendments which are recommended by this committee will be incorporated as an attachment to the adopting ordinance transmitted by the executive for consideration by the full council. Final action by the council on these amendments will occur concurrently with the annual ~~((amendment))~~ update to the ~~((e))~~Comprehensive ~~((p))~~Plan.

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

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

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

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

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

1045 approved motion.

1046 C. Beginning in ~~((2022))~~ 2023 and every eighth year thereafter, the executive shall  
1047 transmit to the council by the last business day of June a proposed ordinance ~~((amending))~~  
1048 updating the Comprehensive Plan, except that the capital improvement program and the  
1049 ordinances adopting updates to the transportation needs report and the school capital  
1050 facility plans shall be transmitted no later than the biennial budget transmittal and shall be  
1051 adopted in conjunction with the budget. However, in those years when there is only a  
1052 midbiennium review of the budget, the ordinances adopting the capital improvement plan  
1053 and the school capital facility plans shall be transmitted by October 1 and adopted no later  
1054 than the midbiennium review under K.C.C. 4A.100.010. All transmittals shall be  
1055 accompanied by a public participation note, identifying the methods used by the executive  
1056 to ensure early and continuous public participation in the preparation of amendments. The  
1057 council shall have until June 30 of the following year to adopt ~~((the amendments))~~ an  
1058 update to the Comprehensive Plan, in accordance with RCW 36.70A.130.

1059 SECTION 12. Ordinance 13147, Section 23, as amended, and K.C.C. 20.18.070  
1060 are hereby amended to read as follows:

1061 A. The executive shall transmit to the council ~~((any proposed amendments for))~~ the  
1062 annual update by the last business day of June, except that the capital improvement  
1063 program and the ordinances adopting updates to the transportation needs report and the  
1064 school capital facility plans shall be transmitted no later than the biennial budget transmittal  
1065 and shall be adopted in conjunction with the budget. However, in those years when there is  
1066 only a midbiennium review of the budget, the ordinances adopting the capital improvement  
1067 plan and the school capital facility plans shall be transmitted by October 1, and adopted no

later than the midbiennium review under K.C.C. 4A.100.010.

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

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

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

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

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

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

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



1090 4. Type 4 decisions are quasi-judicial decisions made by the council based on the  
1091 record established by the hearing examiner.

1092 B. Except as provided in K.C.C. 20.44.120A.7. and 25.32.080 or unless otherwise  
1093 agreed to by the applicant, all Type 2, 3 and 4 decisions included in consolidated permit  
1094 applications that would require more than one type of land use decision process may be  
1095 processed and decided together, including any administrative appeals, using the highest-  
1096 numbered land use decision type applicable to the project application.

1097 C. Certain development proposals are subject to additional procedural requirements  
1098 beyond the standard procedures established in this chapter.

1099 D. Land use permits that are categorically exempt from review under SEPA do not  
1100 require a threshold determination (determination of nonsignificance ["DNS"] or  
1101 determination of significance ["DS"]). For all other projects, the SEPA review procedures  
1102 in K.C.C. chapter 20.44 are supplemental to the procedures in this chapter.

1103 E. Land use decision types are classified as follow:

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

		K.C.C. 21A.24.070.B; preliminary determinations under K.C.C. 20.20.030.B; decisions to approve, condition or deny alteration exceptions under K.C.C. chapter 21A.24; extractive operations under K.C.C. 21A.22.050; binding site plan; waivers from the moratorium provisions of K.C.C. 16.82.140 based upon a finding of special circumstances; <u>sea level rise risk area variance adopted in K.C.C. chapter 21A.xx (the new chapter established by section 61 of this ordinance).</u>
TYPE 3 <sup>1</sup>	(Recommendation by director, hearing and decision by hearing examiner, appealable to county council on the record)	Preliminary plat; plat alterations; preliminary plat revisions.
TYPE 4 <sup>1,4</sup>	(Recommendation by director, hearing and recommendation by hearing examiner decision by county council on the record)	Zone reclassifications; shoreline environment redesignation; urban planned development; special use; amendment or deletion of P suffix conditions; plat vacations; short plat vacations; deletion of special district overlay.

1104 <sup>1</sup> See K.C.C. 20.44.120.C. for provisions governing procedural and substantive SEPA  
1105 appeals and appeals of Type 3 and 4 decisions to the council.

1106 <sup>2</sup> When an application for a Type 2 decision is combined with other permits requiring  
1107 Type 3 or 4 land use decisions under this chapter, the examiner, not the director, makes  
1108 the decision.

1109 <sup>3</sup> A shoreline permit, including a shoreline variance or conditional use, is appealable to  
1110 the state Shorelines Hearings Board and not to the hearing examiner.

1111 <sup>4</sup> Approvals that are consistent with the Comprehensive Plan may be considered by the  
1112 council at any time. Zone reclassifications that are not consistent with the  
1113 Comprehensive Plan require a site-specific land use map amendment and the council's  
1114 hearing and consideration shall be scheduled with the amendment to the Comprehensive  
1115 Plan under K.C.C. 20.18.040 and 20.18.060.

1116 F. The definitions in K.C.C. 21A.45.020 apply to this section.

1117 SECTION 14. Ordinance 13147, Section 34, as amended, and K.C.C. 20.22.170  
1118 are hereby amended to read as follows:

1119 A. Upon initiation of a site-specific land use map amendment to the  
1120 Comprehensive Plan under K.C.C. 20.18.050, the examiner shall conduct a public hearing  
1121 to consider the department's written recommendation and to take testimony and receive  
1122 additional evidence relating to the proposed amendment. The examiner may consolidate  
1123 hearings in accordance with K.C.C. 20.22.110 to the extent practicable. No later than thirty  
1124 days after closing the public hearing on the site-specific land use map amendment, the  
1125 examiner shall prepare a recommendation that contains written findings and conclusions  
1126 regarding whether:

1127 1. Under K.C.C. 20.18.040, a proposed site-specific land use map amendment  
1128 may be considered as part of ~~((an))~~ the annual ~~((review cycle))~~ update; and

1129 2. A site-specific land use map amendment is consistent with the applicable  
1130 review criteria.

1131 B. The office of the hearing examiner shall compile the written recommendations  
1132 on all site-specific land use map amendments made in a year into a single report. The  
1133 report shall be filed by January 15 in the form of a paper original and an electronic copy  
1134 with the clerk of the council, who shall retain the original and provide an electronic copy to  
1135 all councilmembers, the council chief of staff and the lead staff for the ~~((transportation,~~  
1136 ~~economy and environment))~~ council committee ~~((or its successor))~~ charged with the review  
1137 of the Comprehensive Plan.

1138 SECTION 15. Ordinance 10870, Section 5, as amended, and K.C.C. 21A.01.070  
1139 are hereby amended to read as follows:

1140 A. The council directs the department to prepare proposed new zoning maps  
1141 applying the 1993 King County Zoning Code and transmit within ten months of June 28,  
1142 1993, for council review and adoption.

1143 B. The department shall use the table in subsection C. of this section and the  
1144 guidelines of this section in preparing an ordinance or ordinances to convert each area  
1145 zoning document to the 1993 Zoning Code, with modifications appropriate to be consistent  
1146 with the ~~((e))~~Comprehensive ~~((p))~~Plan land use map and policies, so as to implement the  
1147 ~~((e))~~Comprehensive ~~((p))~~Plan and convert old outright and potential ~~((zone designations))~~  
1148 zoning classifications to new ones in a consistent manner. ~~((The provisions of t))~~This

1149 section also shall apply to conversion of the resource lands area zoning adopted pursuant to  
 1150 K.C.C. 20.12.390.

1151 C. Conversion table. The following conversion table and criteria contained therein  
 1152 shall be used by the department in converting the zoning maps adopted pursuant to  
 1153 Resolution 25789 to the 1993 Zoning Code:

<b>RESOLUTION 25789 ZONING MAP SYMBOLS</b>	<b>1993 ZONING CODE MAP SYMBOLS</b>	<b>ADDITIONAL CRITERIA</b>
F	F	In Forest Production or Rural Areas
FR	F or RA	Use zone most consistent with the ((€)) <u>C</u> omprehensive ((P)) <u>P</u> lan
A, A-10 A-35	A-10 A-35 or A-60	In Agricultural or Rural Areas Use zone most consistent with the ((€)) <u>C</u> omprehensive ((P)) <u>P</u> lan
Q-M	M	Designated Mining Sites
AR-2.5 AR-5 AR-10	RA-2.5 RA-5 RA-10 or RA-20	In Rural Areas Use zone most consistent with the ((€)) <u>C</u> omprehensive ((P)) <u>P</u> lan
GR-5, GR-2.5, G-5	UR RA	Only in designated urban areas In areas not designated urban
G	R-1 RA	Only in designated urban areas In areas not designated urban

SE, S-C	R-1	Only in designated urban areas or Rural Towns
SR/RS15000,SR/RS 9600	R-4	Only in designated urban areas or Rural Towns
SR7200, RS7200	R-6	Only in designated urban areas or Rural Towns
SR5000, RS5000	R-8	Only in designated urban areas or Rural Towns
RMHP	R-4 through R-48	Use zone closest to zoning on adjacent property or midrange if adjacent zones vary
RD3600, RT3600	R-12	
RM2400, RT2400	R-18	
RT, RM1800, RT1800	R-24	
RM900	O or R-48	Apply zoning closest to  ((€))Comprehensive ((P))Plan land use designations
RM 900 P	O or R-48	According to P-suffix limitations

		allowing only office or residential uses
B-N, BR-N	NB or RB	
B-C, BR-C	CB or RB	
C-G	RB	
M-L, M-P, M-H	I	

1154 D. Unclassified Use Permit Mining Operations. In addition to the conversions  
 1155 set out in the table in subsection C. of this section, all sites legally operating pursuant to  
 1156 an unclassified use permit for mining operations shall be zoned M (Mineral).

1157 E. Resolution of map conflicts. In cases of ambiguity or conflict between a  
 1158 community or ~~((e))~~Comprehensive ~~((p))~~Plan ~~((map))~~ land use designation and the  
 1159 ~~((zone))~~ zoning classification applied under the old code, the department shall use the  
 1160 following guidelines and procedures in recommending new zones:

1161 1. As a general rule, the outright or potential zoning ~~((designation))~~  
 1162 classification applied shall be that which is consistent with the 1994 King County  
 1163 Comprehensive Plan; adopted community plans, where they do not conflict, may be used  
 1164 to provide additional guidance;

1165 2. If the application of the guidelines in this subsection leads the department to  
 1166 propose applying an outright or potential ~~((zone))~~ zoning classification from the 1993  
 1167 Zoning Code that is not functionally equivalent to a classification from the old code as  
 1168 defined in the table in subsection C. of this section, the department shall notify the owner  
 1169 of the property proposed for reclassification no later than the council introduction date of



the ordinance amending said property, and the property owner may request a change in the area zoning in a manner consistent with the procedures used for council review of a community plan and area zoning.

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

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

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

1. As provided in subsection E. of this section;

1193           2. When an applicant can demonstrate that the department's proposal incorrectly  
1194 implements an adopted ((e))Comprehensive ((p))Plan map designation or policy in  
1195 converting existing zoning to a new ((zone)) zoning classification; or

1196           3. The site is the subject of an application for a Master Planned Development or  
1197 Urban Planned Development, and conversion to the 1993 Zoning Code is requested as  
1198 part of such application. Rezoning of such sites during the conversion, area zoning  
1199 otherwise shall be to Urban Reserve with the urban planned development overlay district  
1200 as provided in K.C.C. chapter 21A.38.

1201           I. Requests which do not meet one of the criteria of subsection H. of this section  
1202 shall be treated as quasi-judicial reclassification requests which must be formally applied  
1203 for according to the process provided for such requests and shall be subject to the criteria  
1204 in K.C.C. 20.22.150.

1205           J. Requests for quasi-judicial reclassification that are consistent with the  
1206 conversion table illustrated in subsection C. of this section and requests for quasi-judicial  
1207 reclassification to the M zone, shall not be subject to the criteria in K.C.C. 20.22.150.

1208           K. Bear Creek MPD's. The following transition provisions shall apply to the  
1209 Master Plan Development applications in the Bear Creek Community Plan (BCCP).

1210           1. An applicant may either continue to utilize the procedural provisions of the  
1211 BCCP or may utilize the procedural provisions of K.C.C. chapter 21A.39.

1212           2. If an applicant utilizes the procedural provisions of K.C.C. 21A.39, the Pre-  
1213 Development Applications previously submitted for the Blakely Ridge MPD and the  
1214 Northridge MPD are deemed the equivalent of and accepted as complete applications for  
1215 "UPD Permits" under Chapter 21A.39 of the 1993 zoning code.

1216           3. The substantive provisions of the BCCP Area Zoning MPD P-Suffix  
1217 conditions and conditions precedent to rezoning set forth in Section 1C of the BCCP Area  
1218 Zoning (page 140) shall remain in effect for purposes of considering the UPD  
1219 applications, under either the BCCP or K.C.C. chapter 21A.39.

1220           4. The applicants may elect either one base zone pursuant to K.C.C. 21A.39, or  
1221 multiple zones pursuant to the Bear Creek Community Plan, applying the equivalent zone  
1222 and potential (~~((zone designations))~~) zoning classifications of the 1993 zoning code.

1223           5. The Novelty Hill Master Plan sites and urban designation adopted and  
1224 delineated in the Bear Creek Community Plan and Bear Creek Area zoning shall be  
1225 considered "UPD Special District Overlays" and "UPD boundary delineations" for  
1226 purposes of applying K.C.C. 21A.38.020, 21A.38.070B.1, and (~~((070B-))~~)2, and K.C.C.  
1227 21A.39.020.

1228           SECTION 16. Ordinance 10870, Section 21, and K.C.C. 21A.02.110 are hereby  
1229 amended to read as follows:

1230           A. Except when such areas are specifically (~~((designated))~~) classified on the zoning  
1231 map as being classified in one of the zones provided in this title, land contained in rights-  
1232 of-way for streets or alleys, or railroads shall be considered unclassified.

1233           B. Within street or alley rights-of-way, uses shall be limited to street purposes as  
1234 defined by law.

1235           C. Within railroad rights-of-way, allowed uses shall be limited to tracks, signals or  
1236 other operating devices, movement of rolling stock, utility lines and equipment, and  
1237 (~~((facilities accessory to and used directly for the delivery and distribution of services to~~  
1238 ~~abutting property))~~) freight-rail dependent uses.

1239 D. Where such right-of-way is vacated, the vacated area shall have the ~~((zone))~~  
1240 zoning classification of the adjoining property with which it is first merged.

1241 SECTION 17. Ordinance 10870, Section 22, as amended, and K.C.C.

1242 21A.04.010 are hereby amended to read as follows:

1243 In order to accomplish the purposes of this title the following zoning

1244 ~~((designations))~~ classifications and zoning map symbols are established:

<b>ZONING <del>((DESIGNATIONS))</del></b> <b><u>CLASSIFICATIONS</u></b>	<b>MAP SYMBOL</b>
Agricultural	A (10 -or 35 acre minimum lot size)
Forest	F
Mineral	M
Rural Area	RA (2.5-acre, 5-acre, 10-acre or 20-acre minimum lot size)
Urban Reserve	UR
Urban Residential	R (base density in dwellings per acre)
Neighborhood Business	NB
Community Business	CB
Regional Business	RB
Office	O
Industrial	I
Regional Use	Case file number following zone's map symbol
Property-specific development	-P(suffix to zone's map symbol)



1256           A. The purposes of the urban reserve zone (UR) are to phase growth and demand  
1257 for urban services, and to reserve large tracts of land for possible future growth in  
1258 portions of King County designated by the Comprehensive Plan for future urban growth  
1259 while allowing reasonable interim uses of property; or to reflect designation by the  
1260 Comprehensive Plan of a property or area as part of the urban growth area when a  
1261 detailed plan for urban uses and densities has not been completed(~~(; or when the area has~~  
1262 ~~been designated as a site for a potential urban planned development or new fully~~  
1263 ~~contained community, as provided in K.C.C. 21A.38.070)).~~ These purposes are  
1264 accomplished by:

- 1265           1. Allowing for rural, agricultural and other low-density uses;
- 1266           2. Allowing for limited residential growth, either contiguous to existing urban  
1267 public facilities, or at a density supportable by existing rural public service levels; and
- 1268           3. Requiring clustered residential developments where feasible, to prevent  
1269 establishment of uses and lot patterns which may foreclose future alternatives and impede  
1270 efficient later development at urban densities.

1271           B. Use of this zone is appropriate in urban areas, rural towns or in rural city  
1272 expansion areas designated by the Comprehensive Plan, when such areas do not have  
1273 adequate public facilities and services or are not yet needed to accommodate planned  
1274 growth, do not yet have detailed land use plans for urban uses and densities, or are  
1275 designated as sites for a potential urban planned development or new fully contained  
1276 communities.

1277           SECTION 20. Ordinance 10870, Section 35, and K.C.C. 21A.04.140 are hereby  
1278 amended to read as follows:

1279           The purpose of the regional use ((~~designation~~)) classification (case file number  
1280 following underlying zone's map symbol) is to provide for individual review of certain  
1281 proposed uses with unique characteristics and adverse impacts on neighboring properties.  
1282 Regional uses are of a size and involve activities which require individual review to  
1283 determine compatibility with surrounding uses.

1284           SECTION 21. Ordinance 10870, Section 36, as amended, and K.C.C.  
1285 21A.04.150 are hereby amended to read as follows:

1286           The purpose of the property-specific development standards ((~~designation~~))  
1287 classification (-P suffix to zone's map symbol) is to indicate that conditions beyond the  
1288 minimum requirements of this title have been applied to development on the property,  
1289 including but not limited to increased development standards, limits on permitted uses or  
1290 special conditions of approval. Property-specific development standards are adopted in  
1291 either a reclassification or area zoning ordinance and are shown in a geographic  
1292 information system data layer for an individual property maintained by the department.  
1293 Regardless of the form in which a property-specific development standard is adopted, the  
1294 P-suffix shall be shown on the official zoning map maintained by the department and as a  
1295 notation in a geographic information system data layer, which shall be updated as soon as  
1296 possible after the effective date of the adopting ordinance adopting a P-suffix standard.

1297           SECTION 22. Ordinance 10870, Section 37, as amended, and K.C.C.  
1298 21A.04.160 are hereby amended to read as follows:

1299           The purpose of the special district overlay ((~~designation~~)) classification (-SO suffix  
1300 to zone's map symbol) is to carry out Comprehensive Plan and community, subarea or  
1301 neighborhood plan policies that identify special opportunities for achieving public benefits

by allowing or requiring alternative uses and development standards that differ from the general provisions of this title. Special district overlays are generally applied to a group of individual properties or entire community, subarea or neighborhood planning areas and are ~~((designated))~~ classified primarily through the area zoning process. Regardless of the form in which a special district overlay is adopted, the -SO suffix shall be shown on the official zoning map maintained by the department and as a notation in a geographic information system data layer, which shall be updated as soon as possible after the effective date of the adopting ordinance adopting an overlay.

SECTION 23. Ordinance 10870, Section 38, as amended, and K.C.C. 21A.04.170 are hereby amended to read as follows:

A. The purpose of the potential zone (dashed box surrounding zone's map symbol) is to ~~((designate))~~ classify properties potentially suitable for future changes in land uses or densities once additional infrastructure, project phasing or site-specific public review has been accomplished. Potential zones are ~~((designated))~~ classified by either area zoning or individual zone reclassification. Area zoning may ~~((designate))~~ classify more than one potential zone on a single property if the community plan designates alternative uses for the site. Potential zones are actualized in accordance with K.C.C. chapter 20.20.

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

1. Phase development based on availability of public facilities and services or infrastructure improvements, such as roads, utilities and schools;
2. Prevent existing development from becoming a nonconforming use in areas that are in transition from previous uses;



1325           3. Allow for future residential density increases consistent with a community  
1326 plan; and  
1327           4. Provide for public review of proposed uses on sites where some permitted uses  
1328 in a ((~~zone designation~~)) zoning classification may not be appropriate.

1329           SECTION 24. Ordinance 10870, Section 39, and K.C.C. 21A.04.180 are hereby  
1330 amended to read as follows:

1331           The purpose of the interim ((~~zone designation~~)) zoning classification (\* suffix to  
1332 zone's map symbol) is to identify areas where zoning has been applied for a limited period  
1333 of time in order to preserve the county's planning options and to protect the public safety,  
1334 health and general welfare during an emergency or pending a community, comprehensive  
1335 or functional plan amendment process. Any of the zones set forth in this chapter, with or  
1336 without -P suffix conditions, may be applied as interim zones. The adopting ordinance  
1337 shall state the reasons for the interim zoning and provide for its expiration upon a certain  
1338 date or the adoption of a new plan, plan amendment or area zoning.

1339           SECTION 25. Ordinance 10870, Section 42, and K.C.C. 21A.06.010 are hereby  
1340 amended as follows:

1341           Accessory living quarters: living quarters in an accessory building for the use of  
1342 the occupant or persons employed on the premises, or for temporary use ((~~of~~)) by guests  
1343 of the occupant. Such quarters ((~~have no kitchen~~)) do not include an area for the  
1344 preparation or storage of food and are not ((~~otherwise~~)) used as a separate dwelling unit.

1345           SECTION 26. Ordinance 10870, Section 43, as amended and K.C.C. 21A.06.015  
1346 are hereby amended as follows:

1347           Accessory use, commercial/industrial: an accessory use to a commercial or  
1348 industrial use, including, but not limited to:  
1349           A. Administrative offices;  
1350           B. Employee exercise facilities;  
1351           C. Employee food service facilities;  
1352           D. Incidental storage of raw materials and finished products sold or manufactured  
1353 on-site;  
1354           E. Business owner or caretaker residence;  
1355           F. Cogeneration facilities; ~~((and))~~  
1356           G. Ground maintenance facilities; and  
1357           H. Consumer-scale renewable energy systems.

1358           SECTION 27. Ordinance 10870, Section 44, as amended and K.C.C. 21A.06.020  
1359 are hereby amended as follows:

1360           Accessory use, residential: an accessory use to a residential use, including, but  
1361 not limited to:  
1362           A. Accessory living quarters and dwellings;  
1363           B. Fallout or bomb shelters;  
1364           C. Keeping household pets or operating a hobby cattery or hobby kennel;  
1365           D. On-site rental office;  
1366           E. Pools, private docks or piers;  
1367           F. Antennae for private telecommunication services;  
1368           G. Storage of yard maintenance equipment;  
1369           H. Storage of private vehicles, such as motor vehicles, boats, trailers or planes;

1370 I. Greenhouses;

1371 J. Recreation space areas required under K.C.C. 21A.14.180 and play areas  
1372 required under K.C.C. 21A.14.190; (~~and~~)

1373 K. Home occupations and home industries under K.C.C. chapter 21A.30; and

1374 L. Consumer-scale renewable energy systems.

1375 SECTION 28. Ordinance 10870, Section 45, as amended and K.C.C. 21A.06.025  
1376 are hereby amended as follows:

1377 Accessory use, resource: an accessory use to a resource use, including, but not  
1378 limited to:

1379 A. Housing of agricultural workers; (~~and~~)

1380 B. Storage of agricultural products or equipment used on site; and

1381 C. Consumer-scale renewable energy systems.

1382 NEW SECTION. SECTION 29. There is hereby added to K.C.C. chapter 21A.06  
1383 a new section to read as follows:

1384 Consumer-scale renewable energy system: a facility that produces on-site energy  
1385 using renewable resources, such as solar, wind or geothermal, for the property on which  
1386 the facility is located. A consumer-scale renewable energy system does not include  
1387 energy generated at a scale for sale or donation to others, excluding net metering.

1388 SECTION 30. K.C.C. 21A.06.150, as amended by this ordinance, is hereby  
1389 recodified as a new section in K.C.C. chapter 21A.06.

1390 SECTION 31. Ordinance 11157, Section 29, and K.C.C. 21A.06.150 are hereby  
1391 amended to read as follows:

1392           (~~(Bulk)~~) Local distribution gas storage tank(~~(s)~~): (~~(A)~~)a tank from which  
1393 illuminating, heating, or liquefied gas is distributed by piping directly to individual users.

1394   A local distribution gas storage tank is not a fossil fuel facility.

1395           SECTION 32. Ordinance 13319, Section 3, and K.C.C. 21A.06.197 are hereby  
1396 amended to read as follows:

1397           Coal mine by-products stockpile(~~(s)~~): an accumulation, greater than five hundred  
1398 cubic yards and five feet of vertical depth, of undisturbed waste and/or byproduct materials  
1399 having greater than fifty percent, as measured by weight, of (~~(mineral)~~) coal or coal shale  
1400 as a component and which resulted from historic coal mining.

1401           NEW SECTION. SECTION 33. There is hereby added to K.C.C. chapter 21A.06  
1402 a new section to read as follows:

1403           Fossil fuels: petroleum and petroleum products, coal and natural gas, such as  
1404 methane, propane and butane, derived from prehistoric organic matter and used to generate  
1405 energy. Fossil fuels do not include:

1406           A. Petrochemicals that are used primarily for non-fuel products, such as asphalt,  
1407 plastics, lubricants, fertilizer, roofing and paints;

1408           B. Fuel additives, such as denatured ethanol and similar fuel additives, or  
1409 renewable fuels, such as biodiesel or renewable diesel with less than five percent fossil  
1410 fuel content; or

1411           C. Methane generated from the waste management process, such as wastewater  
1412 treatment, anaerobic digesters, landfill waste management, livestock manure and  
1413 composting processes.

1414           NEW SECTION. SECTION 34. There is hereby added to K.C.C. chapter 21A.06

1415 a new section to read as follows:

1416 Fossil fuel facility: a commercial facility used primarily to receive, store, refine,  
1417 process, transfer, wholesale trade or transport fossil fuels, such as, but not limited to, bulk  
1418 terminals, bulk storage facilities, bulk refining and bulk handling facilities. Fossil fuel  
1419 facilities do not include: individual storage facilities of up to thirty thousand gallons and  
1420 total cumulative facilities per site of sixty thousand gallons for the purposes of retail or  
1421 direct-to-consumer sales, facilities or activities for local consumption; noncommercial  
1422 facilities, such as storage for educational, scientific or governmental use; or uses preempted  
1423 by federal rule or law.

1424 SECTION 35. Ordinance 10870, Section 201, and K.C.C. 21A.06.805 are hereby  
1425 amended to read as follows:

1426 Non\_hydro((-))electric generation facility: an establishment for the generation of  
1427 electricity by nuclear reaction, burning fossil fuels((;)) or other electricity generation  
1428 methods, excluding renewable energy.

1429 NEW SECTION. SECTION 36. There is hereby added to K.C.C. chapter  
1430 21A.06 a new section to read as follows:

1431 Renewable energy generation facility: a solar energy system, including a  
1432 community solar project, geothermal system or a wind generator, used for generating  
1433 electricity. Renewable energy generation facility does not include consumer-scale  
1434 renewable energy systems.

1435 NEW SECTION. SECTION 37. There is hereby added to K.C.C. chapter  
1436 21A.06 a new section to read as follows:

1437 Sea level rise protection elevation: three feet above the base flood elevation  
1438 identified in the Flood Insurance Study and Flood Insurance Rate Map, dated August 19,  
1439 2020, for the adjacent coastal high hazard area flood zone. The sea level rise protection  
1440 elevation only applies to Vashon-Maury Island.

1441 NEW SECTION. SECTION 38. There is hereby added to K.C.C. chapter 21A.06  
1442 a new section to read as follows:

1443 Sea level rise risk area: lands on Vashon-Maury Island adjacent to a coastal high  
1444 hazard area that extend landward to an elevation three feet above the base flood elevation  
1445 identified in the Flood Insurance Study and Flood Insurance Rate Map, dated August 19,  
1446 2020, for the adjacent coastal high hazard area flood zone.

1447 SECTION 39. Ordinance 10870, Section 310, and K.C.C. 21A.06.1350 are  
1448 hereby amended to read as follows:

1449 Utility facility: a facility for the distribution or transmission of services, including:

1450 A. Telephone exchanges;

1451 B. Water pipelines, pumping or treatment stations;

1452 C. Electrical substations;

1453 D. Water storage reservoirs or tanks;

1454 E. Municipal groundwater well-fields;

1455 F. Regional surface water flow control and water quality facilities;

1456 G. Natural gas pipelines, gate stations and limiting stations, limited to local  
1457 distribution service and excluding fossil fuel facilities;

1458 H. Propane, compressed natural gas and liquefied natural gas storage tanks serving  
1459 multiple lots or uses from which fuel is distributed directly to individual users, limited to

1460 local distribution service and excluding fossil fuel facilities;

1461 I. Wastewater pipelines, lift stations, pump stations, regulator stations or odor

1462 control facilities; and

1463 J. Communication cables, electrical wires and associated structural supports.

1464 SECTION 40. Ordinance 10870, Section 315, and K.C.C. 21A.06.1375 are

1465 hereby amended to read as follows:

1466 Warehousing and wholesale trade: establishments involved in the storage and/or

1467 sale of bulk goods for resale or assembly, excluding establishments offering the sale of

1468 bulk goods to the general public which is classified as a retail use in K.C.C. 21A.08.070

1469 and excluding local distribution gas storage tanks. These establishments shall include only

1470 SIC Major Group Nos. 50 and 51 and SIC Industry Group Nos. 422 and 423, excluding

1471 fossil fuels and fossil fuel facilities.

1472 SECTION 41. Ordinance 10870, Section 330, as amended, and K.C.C.

1473 21A.08.030 are hereby amended to read as follows:

1474 A. Residential land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12 -48	NB	CB	RB	O	I
	DWELLING UNITS, TYPES:												
*	Single Detached	P C12	P2		P C12	P C12	P C12	P C12	P15				
*	Townhouse				C4	C4	P11 C12	P	P3	P3	P3	P3	
*	Apartment				C4	C4	P5	P	P3	P3	P3	P3	

						C5						
*	Mobile Home Park			S13		C8	P					
*	Cottage Housing					P15						
	<b>GROUP RESIDENCES:</b>											
*	Community Residential Facility-I			C	C	P14. a C	P	P3	P3	P3	P3	
*	Community Residential Facility-II					P14. b	P	P3	P3	P3	P3	
*	Dormitory			C6	C6	C6	P					
*	Senior Citizen Assisted Housing				P4	P4	P	P3	P3	P3	P3	
	<b>ACCESSORY USES:</b>											
*	Residential Accessory Uses	P7	P7	P7	P7	P7	P7	P7	P7	P7	P7	
*	Home Occupation	P18	P18	P18	P18	P18	P18	P18	P18	P18	P18	
*	Home Industry	C		C	C	C						
	<b>TEMPORARY LODGING:</b>											
7011	Hotel/Motel (1)								P	P	P	
*	Bed and Breakfast Guesthouse	P9		P9	P9	P9	P9	P9	P10	P10		
7041	Organization Hotel/Lodging Houses					P17				P		

1475 B. Development conditions.

1476 1. Except bed and breakfast guesthouses.

1477 2. In the forest production district, the following conditions apply:

1478 a. Site disturbance associated with development of any new residence shall be  
1479 limited to three acres. Site disturbance shall mean all land alterations including, but not  
1480 limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage  
1481 disposal systems and driveways. Additional site disturbance for agriculture, including



1482 raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be  
1483 approved only if a farm management plan is prepared in accordance with K.C.C. chapter  
1484 21A.30. Animal densities shall be based on the area devoted to animal care and not the  
1485 total area of the lot;

1486           b. A forest management plan shall be required for any new residence in the  
1487 forest production district, that shall be reviewed and approved by the King County  
1488 department of natural resources and parks before building permit issuance; and

1489           c. The forest management plan shall incorporate a fire protection element that  
1490 includes fire safety best management practices developed by the department.

1491           3. Only as part of a mixed use development subject to the conditions of K.C.C.  
1492 chapter 21A.14, except that in the NB zone on properties with a land use designation of  
1493 commercial outside of center (CO) in the urban areas, stand-alone townhouse  
1494 developments are permitted subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060 and  
1495 21A.14.180.

1496           4. Only in a building listed on the National Register as an historic site or  
1497 designated as a King County landmark subject to K.C.C. chapter 21A.32.

1498           5.a. In the R-1 zone, apartment units are permitted, if:

1499                   (1) At least fifty percent of the site is constrained by unbuildable critical  
1500 areas. For purposes of this subsection, unbuildable critical areas includes wetlands,  
1501 aquatic areas and slopes forty percent or steeper and associated buffers; and

1502                   (2) The density does not exceed a density of eighteen units per acre of net  
1503 buildable area.

1504           b. In the R-4 through R-8 zones, apartment units are permitted if the density

1505 does not exceed a density of eighteen units per acre of net buildable area.

1506 c. If the proposal will exceed base density for the zone in which it is proposed,  
1507 a conditional use permit is required.

1508 6. Only as accessory to a school, college, university or church.

1509 7.a. Accessory dwelling units are subject to the following standards:

1510 (1) Only one accessory dwelling per primary single detached dwelling or  
1511 townhouse unit;

1512 (2) Only allowed in the same building as the primary dwelling unit ~~((on))~~,  
1513 except that detached accessory dwelling units are allowed when there is no more than one  
1514 primary dwelling unit on the lot, and the following conditions are met:

1515 (a) ~~((an urban lot that is less than five thousand square feet in area))~~ the lot  
1516 must be three thousand two hundred square feet or greater if located in the urban area or a  
1517 rural town; or

1518 (b) ~~((except as otherwise provided in subsection B.7.a.(5) of this section, a~~  
1519 ~~rural lot that is less than the minimum lot size; or~~

1520 ~~e. a lot containing more than one primary dwelling))~~ the lot must meet the  
1521 minimum lot area for the applicable zone if located in the rural area but not in a rural  
1522 town, except that if one transferable development right is purchased from the Rural Area  
1523 or Natural Resource Lands under K.C.C. chapter 21A.37, a detached accessory dwelling  
1524 unit is allowed on an RA-5 zoned lot that is two and one-half acres or greater;

1525 (3) ~~((The primary dwelling unit or the accessory dwelling unit shall be owner~~  
1526 ~~occupied;~~

1527                   ~~(4)(a) Except as otherwise provided in subsection B.7.a.(5) of this section,~~  
1528 ~~one of them)~~The accessory dwelling unit(s) shall not exceed one thousand square feet of  
1529 heated floor area and one thousand square feet of unheated floor area except:

1530                   (a) when ((one of)) the accessory dwelling unit(s) is wholly contained  
1531 within a basement or attic, this limitation does not apply; ((and))

1532                   (b) ((When the primary and accessory dwelling units are located in the same  
1533 building, or in multiple buildings connected by a breezeway or other structure, only one  
1534 entrance may be located on each street;

1535                   ~~(5) On))~~ for detached accessory dwelling units, the floor area contained in a  
1536 basement does not count toward the floor area maximum; or

1537                   (c) on a site zoned RA((:  
1538                   ~~(a) If~~if one transferable development right is purchased from the Rural Area  
1539 or Natural Resource Lands under K.C.C. chapter 21A.37, the ((smaller of the)) accessory  
1540 dwelling unit(s) is permitted a maximum heated floor area ((up to)) of one thousand  
1541 five hundred square feet and one thousand five hundred square feet of unheated floor  
1542 area; ((and

1543                   ~~(b) If one transferable development right is purchased from the Rural Area~~  
1544 ~~or Natural Resource Lands under K.C.C. chapter 21A.37, a detached accessory dwelling~~  
1545 ~~unit is allowed on an RA-5 zoned lot that is at least two and one-half acres and less than~~  
1546 ~~three and three-quarters acres;~~

1547                   ~~(6) One additional off street parking space shall be provided;))~~

1548                   (4) Accessory dwelling units that are not wholly contained within an existing  
1549 dwelling unit shall not exceed the base height established in 21A.12.030;

1550                   (5) When the primary and accessory dwelling units are located in the same  
1551 building, or in multiple buildings connected by a breezeway or other structure, only one  
1552 entrance may front a street;

1553                   (6) No additional off-street parking spaces are required for accessory  
1554 dwelling units;

1555                   (7) The primary dwelling unit or the accessory dwelling unit shall be  
1556 occupied either by the owner of the primary dwelling unit or by an immediate family  
1557 member of the owner. Immediate family members are limited to spouses, siblings,  
1558 parents, grandparents, children and grandchildren, either by blood, adoption or marriage,  
1559 of the owner. The accessory dwelling unit shall be converted to another permitted use or  
1560 shall be removed if ~~((one of the))~~ neither dwelling unit~~((s ceases to be owner))~~ is  
1561 occupied by the owner or an immediate family member; ~~((and))~~

1562                   (8) An applicant seeking to build an accessory dwelling unit shall file a notice  
1563 approved by the department of executive services, records and licensing services  
1564 division, that identifies the dwelling unit as accessory. The notice shall run with the land.  
1565 The applicant shall submit proof that the notice was filed before the department ~~((shall))~~  
1566 approves any permit for the construction of the accessory dwelling unit. The required  
1567 contents and form of the notice shall be set forth in administrative rules~~((If an accessory~~  
1568 ~~dwelling unit in a detached building in the rural zone is subsequently converted to a~~  
1569 ~~primary unit on a separate lot, neither the original lot nor the new lot may have an~~  
1570 ~~additional detached accessory dwelling unit constructed unless the lot is at least twice the~~  
1571 ~~minimum lot area required in the zone))~~; and

1572                   (9) Accessory dwelling units ~~((and accessory living quarters))~~ are not allowed

1573 in the F zone.

1574 b. Accessory living quarters:

1575 (1) are limited to one per lot;

1576 (2) are allowed only on lots of three thousand two hundred square feet or  
1577 greater when located in the urban area or a rural town;

1578 (3) shall not exceed the base height as established in K.C.C. 21A.12.030;

1579 (4) shall not exceed one thousand square feet of heated floor area and one  
1580 thousand square feet of unheated floor area; and

1581 (5) are not allowed in the F zone.

1582 c. One single or twin engine, noncommercial aircraft shall be permitted only

1583 on lots that abut, or have a legal access that is not a county right-of-way, to a waterbody

1584 or landing field, but only if there are:

1585 (1) no aircraft sales, service, repair, charter or rental; and

1586 (2) no storage of aviation fuel except that contained in the tank or tanks of the  
1587 aircraft.

1588 ~~((e-))~~ d. Buildings for residential accessory uses in the RA and A zone shall not  
1589 exceed five thousand square feet of gross floor area, except for buildings related to  
1590 agriculture or forestry.

1591 8. Mobile home parks shall not be permitted in the R-1 zones.

1592 9. Only as accessory to the permanent residence of the operator, and:

1593 a. Serving meals shall be limited to paying guests; and

1594 b. The number of persons accommodated per night shall not exceed five,

1595 except that a structure that satisfies the standards of the International Building Code as

1596 adopted by King County for R-1 occupancies may accommodate up to ten persons per  
1597 night.

1598 10. Only if part of a mixed use development, and subject to the conditions of  
1599 subsection B.9. of this section.

1600 11. Townhouses are permitted, but shall be subject to a conditional use permit if  
1601 exceeding base density.

1602 12. Required before approving more than one dwelling on individual lots,  
1603 except on lots in subdivisions, short subdivisions or binding site plans approved for  
1604 multiple unit lots, and except as provided for accessory dwelling units in subsection B.7.  
1605 of this section.

1606 13. No new mobile home parks are allowed in a rural zone.

1607 14.a. Limited to domestic violence shelter facilities.

1608 b. Limited to domestic violence shelter facilities with no more than eighteen  
1609 residents or staff.

1610 15. Only in the R4-R8 zones (~~((limited to))~~) subject to the following standards:

1611 a. (~~((developments no larger than one acre;~~

1612 b. ~~not adjacent to another cottage housing development such that the total~~

1613 ~~combined land area of the cottage housing developments exceeds one acre;~~

1614 c. ~~All units must be~~) Developments shall contain only cottage housing units

1615 with no (~~((less))~~) fewer than three units (~~((and no more than sixteen units, provided that if))~~).

1616 If the site contains an existing home that is not being demolished, the existing house is

1617 not required to comply with the height limitation in K.C.C. 21A.12.020.B.25. or the floor

1618 area and footprint limits in K.C.C. 21A.14.025.B.;

1619                    b. Cottage housing developments should consider including a variety of  
1620 housing sizes, such as units with a range of bedroom sizes or total floor area; and  
1621                    ((~~e~~)) c. Before filing an application with the department, the applicant shall  
1622 hold a community meeting in accordance with K.C.C. 20.20.035.

1623                    16. The development for a detached single-family residence shall be consistent  
1624 with the following:

1625                    a. The lot must have legally existed before March 1, 2005;  
1626                    b. The lot has a Comprehensive Plan land use designation of Rural  
1627 Neighborhood Commercial Center or Rural Area; and  
1628                    c. The standards of this title for the RA-5 zone shall apply.

1629                    17. Only in the R-1 zone as an accessory to a golf facility and consistent with  
1630 K.C.C. 21A.08.040.

1631                    18. Allowed if consistent with K.C.C. chapter 21A.30.

1632                    SECTION 42. Ordinance 10870, Section 333, as amended, and K.C.C.  
1633 21A.08.060 are hereby amended to read as follows:  
1634                    A. Government/business services land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			RU RA L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1- 8	R12 -48	NB	CB	RB	O	I (30)
	<b>GOVERNMENT SERVICES:</b>												
*	Public agency or utility office				P3 C5	P3 C5	P3 C	P3 C	P	P	P	P	P16
*	Public agency or utility				P27	P27	P27	P27			P		P

	yard												
*	Public agency archives										P	P	P
921	Court									P4	P	P	
9221	Police Facility				P7	P7	P7	P7	P7	P	P	P	P
9224	Fire Facility				C6 and 33	C6	C6	C6	C6	P	P	P	P
*	Utility Facility	P2 9 C2 8	P2 9 C2 8	P2 9 C2 8	P29 C28 and 33	P29 C28	P29 C28	P29 C28	P	P	P	P	P
*	Commuter Parking Lot				C 33 P19	C P19	C P19	C 19	P	P	P	P	P35
*	Private Stormwater Management Facility	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8
*	Vactor Waste Receiving Facility	P	P	P	P18	P18	P18	P18	P31	P31	P31	P31	P
	<b>BUSINESS SERVICES:</b>												
*	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							P14	P37	P	P	P	P
4221 4222	Farm Product Warehousing, Refrigeration and Storage (38)												P
*	Log Storage (38)		P		P26 and								P



					33								
47	Transportation Service												P39
473	Freight and Cargo Service										P	P	P
472	Passenger Transportation Service									P	P	P	
48	Communication Offices										P	P	P
482	Telegraph and other Communications									P	P	P	P
*	General Business Service								P	P	P	P	P16
*	Professional Office								P	P	P	P	P16
7312	Outdoor Advertising Service										P	P17	P
735	Miscellaneous Equipment Rental									P17	P	P17	P
751	Automotive Rental and Leasing									P	P		P
752	Automotive Parking								P20a	P20b	P21	P20 a	P
*	Off-Street Required Parking Lot				P32	P32	P32	P32	P32	P32	P32	P32	P32
7941	Professional Sport Teams/Promoters										P	P	
873	Research, Development and Testing										P2	P2	P2
*	Heavy Equipment and Truck Repair												P
	<b>ACCESSORY USES:</b>												
*	Commercial/Industrial Accessory Uses			P	P22				P22	P22	P	P	P
*	Helistop					C23	C23 3	C23	C23	C23	C24	C23	C24

1635

B. Development conditions.

1636

1. Except self-service storage.

1637                2. Except SIC Industry No. 8732-Commercial Economic, Sociological, and  
1638 Educational Research, see general business service/office.

1639                3.a. Only as a reuse of a public school facility or a surplus nonresidential facility  
1640 subject to K.C.C. chapter 21A.32; or

1641                b. only when accessory to a fire facility and the office is no greater than one  
1642 thousand five hundred square feet of floor area.

1643                4. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter  
1644 21A.32.

1645                5. New utility office locations only if there is no commercial/industrial zoning  
1646 in the utility district, and not in the RA-10 or RA-20 zones unless it is demonstrated that  
1647 no feasible alternative location is possible, and provided further that this condition  
1648 applies to the UR zone only if the property is located within a designated unincorporated  
1649 Rural Town.

1650                6.a. All buildings and structures shall maintain a minimum distance of twenty  
1651 feet from property lines adjoining rural area and residential zones;

1652                b. Any buildings from which fire-fighting equipment emerges onto a street  
1653 shall maintain a distance of thirty-five feet from such street;

1654                c. No outdoor storage; and

1655                d. Excluded from the RA-10 and RA-20 zones unless it is demonstrated that no  
1656 feasible alternative location is possible.

1657                7. Limited to storefront police offices. Such offices shall not have:

1658                a. holding cells;

1659                b. suspect interview rooms (except in the NB zone); or

1660 c. long-term storage of stolen properties.

1661 8. Private stormwater management facilities serving development proposals

1662 located on commercial/industrial zoned lands shall also be located on

1663 commercial/industrial lands, unless participating in an approved shared facility drainage

1664 plan. Such facilities serving development within an area designated urban in the King

1665 County Comprehensive Plan shall only be located in the urban area.

1666 9. No outdoor storage of materials.

1667 10. Limited to office uses.

1668 11. Limited to self-service household moving truck or trailer rental accessory to

1669 a gasoline service station.

1670 12. Limited to self-service household moving truck or trailer rental accessory to

1671 a gasoline service station and SIC Industry No. 4215-Courier Services, except by air.

1672 13. Limited to SIC Industry No. 4215-Courier Services, except by air.

1673 14. Accessory to an apartment development of at least twelve units provided:

1674 a. The gross floor area in self service storage shall not exceed the total gross

1675 floor area of the apartment dwellings on the site;

1676 b. All outdoor lights shall be deflected, shaded and focused away from all

1677 adjoining property;

1678 c. The use of the facility shall be limited to dead storage of household goods;

1679 d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or

1680 similar equipment;

1681 e. No outdoor storage or storage of flammable liquids, highly combustible or

1682 explosive materials or hazardous chemicals;

1683 f. No residential occupancy of the storage units;  
1684 g. No business activity other than the rental of storage units; and  
1685 h. A resident director shall be required on the site and shall be responsible for  
1686 maintaining the operation of the facility in conformance with the conditions of approval.  
1687 i. Before filing an application with the department, the applicant shall hold a  
1688 community meeting in accordance with K.C.C. 20.20.035.

1689 15. Repealed.

1690 16. Only as an accessory use to another permitted use.

1691 17. No outdoor storage.

1692 18. Only as an accessory use to a public agency or utility yard, or to a transfer  
1693 station.

1694 19. Limited to new commuter parking lots designed for thirty or fewer parking  
1695 spaces or commuter parking lots located on existing parking lots for churches, schools, or  
1696 other permitted nonresidential uses that have excess capacity available during  
1697 commuting; provided that the new or existing lot is adjacent to a designated arterial that  
1698 has been improved to a standard acceptable to the department of local services;

1699 20.a. No tow-in lots for damaged, abandoned or otherwise impounded vehicles,  
1700 and

1701 b. Tow-in lots for damaged, abandoned or otherwise impounded vehicles shall  
1702 be:

1703 (1) permitted only on parcels located within Vashon Town Center;  
1704 (2) accessory to a gas or automotive service use; and  
1705 (3) limited to no more than ten vehicles.

1706           21. No dismantling or salvage of damaged, abandoned or otherwise impounded  
1707 vehicles.

1708           22. Storage limited to accessory storage of commodities sold at retail on the  
1709 premises or materials used in the fabrication of commodities sold on the premises.

1710           23. Limited to emergency medical evacuation sites in conjunction with police,  
1711 fire or health service facility. Helistops are prohibited from the UR zone only if the  
1712 property is located within a designated unincorporated Rural Town.

1713           24. Allowed as accessory to an allowed use.

1714           25. Limited to private road ambulance services with no outside storage of  
1715 vehicles.

1716           26. Limited to two acres or less.

1717           27a. Utility yards only on sites with utility district offices; or  
1718           b. Public agency yards are limited to material storage for road maintenance  
1719 facilities.

1720           28. Limited to ((~~bulk~~)) local distribution gas storage tanks that pipe to individual  
1721 residences but excluding liquefied natural gas storage tanks.

1722           29. Excluding ((~~bulk~~)) local distribution gas storage tanks.

1723           30. For I-zoned sites located outside the urban growth area designated by the  
1724 King County Comprehensive Plan, uses shall be subject to the provisions for rural  
1725 industrial uses in K.C.C. chapter 21A.12.

1726           31. Vactor waste treatment, storage and disposal shall be limited to liquid  
1727 materials. Materials shall be disposed of directly into a sewer system, or shall be stored  
1728 in tanks (or other covered structures), as well as enclosed buildings.

1729           32. Provided:

1730           a. Off-street required parking for a land use located in the urban area must be

1731 located in the urban area;

1732           b. Off-street required parking for a land use located in the rural area must be

1733 located in the rural area; and

1734           c.(1) Except as provided in subsection B.32.c.(2) of this section, off-street

1735 required parking must be located on a lot that would permit, either outright or through a

1736 land use permit approval process, the land use the off-street parking will serve.

1737           (2) For a social service agency allowed under K.C.C. 21A.08.050B.13.b. to

1738 be located on a site in the NB zone, off-street required parking may be located on a site

1739 within three hundred feet of the social service agency, regardless of zoning classification

1740 of the site on which the parking is located.

1741           33. Subject to review and approval of conditions to comply with trail corridor

1742 provisions of K.C.C. chapter 21A.14 when located in an RA zone.

1743           34. Limited to landscape and horticultural services (SIC 078) that are accessory

1744 to a retail nursery, garden center and farm supply store. Construction equipment for the

1745 accessory use shall not be stored on the premises.

1746           35. Allowed as a primary or accessory use to an allowed industrial-zoned land

1747 use.

1748           36. Repealed.

1749           37. Use shall be limited to the NB zone on parcels outside of the Urban Growth

1750 Area, Rural Towns and Rural Neighborhoods and the building floor area devoted to such

1751 use shall not exceed ten thousand square feet.

1752 38. If the farm product warehousing, refrigeration and storage, or log storage, is  
 1753 associated with agriculture activities it will be reviewed in accordance with K.C.C.  
 1754 21A.08.090.

1755 39. Excluding fossil fuel facilities.

1756 SECTION 43. Ordinance 10870, Section 335, as amended, and K.C.C.

1757 21A.08.080 are hereby amended to read as follows:

1758 A. Manufacturing land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1 -8	R12 -48	NB	CB	RB	O	I (11)
20	Food and Kindred Products (28)								P2	P2	P2 C		P2 C
*	Winery/Brewery /Distillery Facility I				P32								
*	Winery/Brewery /Distillery Facility II	P3			P3 C30				P17	P17	P29		P31
	Winery/Brewery /Distillery Facility III	C12			C12				C29	C29	C29		C31
*	Materials Processing Facility		P1 3 C	P1 4 C1 5	P16 C								P
22	Textile Mill Products												C
23	Apparel and other Textile Products										C		P
24	Wood Products, except furniture	P4 P1	P4 P1		P4 P18 C5	P4					C6		P

		8	8 C5										
25	Furniture and Fixtures		P1 9		P19						C		P
26	Paper and Allied Products												C
27	Printing and Publishing							P7	P7	P7C	P7 C		P
*	Marijuana Processor I	P2 0			P27				P21 C22	P21 C22			
*	Marijuana Processor II								P23 C24	P23 C24			P25 C26
28	Chemicals and Allied Products												C
2911	Petroleum Refining  ( <del>and Related</del> <del>Industries</del> )) (33)												C
30	Rubber and Misc. Plastics Products												C
31	Leather and Leather Goods									C			P
32	Stone, Clay, Glass and Concrete Products								P6	P9			P
33	Primary Metal Industries												C
34	Fabricated Metal Products												P
35	Industrial and Commercial Machinery												P
351- 55	Heavy Machinery and Equipment												C
357	Computer and									C	C		P



	Office Equipment											
36	Electronic and other Electric Equipment									C		P
374	Railroad Equipment											C
376	Guided Missile and Space Vehicle Parts											C
379	Miscellaneous Transportation Vehicles											C
38	Measuring and Controlling Instruments									C	C	P
39	Miscellaneous Light Manufacturing									C		P
*	Motor Vehicle and Bicycle Manufacturing											C
*	Aircraft, Ship and Boat Building											P10 C
7534	Tire Retreading									C		P
781- 82	Movie Production/Distribut ion									P		P

1759 B. Development conditions.

1760 1. Repealed.

1761 2. Except slaughterhouses.

1762 3.a. In the A zone, only allowed on sites where the primary use is SIC Industry

1763 Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small

1764 Animals;

1765 b. Only allowed on lots of at least two and one-half acres, except that this

1766 requirement shall not apply on Vashon-Maury Island to winery, brewery or distillery

1767 business locations in use and licensed to produce by the Washington state Liquor and  
1768 Cannabis Board before January 1, 2019, and that in the RA zone, for sites that contain a  
1769 building designated as historic resource under K.C.C. chapter 20.62, only allowed on lots  
1770 of at least two acres;

1771 c. The aggregated floor area of structures and areas for winery, brewery,  
1772 distillery facility uses shall not exceed three thousand five hundred square feet, unless  
1773 located in whole or in part in a structure designated as historic resource under K.C.C.  
1774 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to  
1775 winery, brewery, distillery facility uses shall not exceed seven thousand square feet in the  
1776 RA zone and five thousand square feet in the A zone. Decks that are not occupied and  
1777 not open to the public are excluded from the calculation for maximum aggregated floor  
1778 area;

1779 d. Structures and parking areas for winery, brewery, distillery facility uses  
1780 shall maintain a minimum distance of seventy-five feet from interior property lines  
1781 adjoining rural area and residential zones, unless located in a building designated as  
1782 historic resource under K.C.C. chapter 20.62, except that on Vashon-Maury Island this  
1783 setback requirement shall not apply to structures and parking areas in use on December 4,  
1784 2019, by existing winery, brewery or distillery business locations licensed to produce by  
1785 the Washington state Liquor and Cannabis Board before January 1, 2019;

1786 e. In the A zone, sixty percent or more of the products processed must be  
1787 grown on-site. At the time of the initial application under K.C.C. chapter 6.74, the  
1788 applicant shall submit a projection of the source of products to be produced;

1789               f. At least two stages of production of wine, beer, cider or distilled spirits, such  
1790 as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the  
1791 Washington state Liquor and Cannabis Board production license, shall occur on-site. At  
1792 least one of the stages of production occurring on-site shall include crushing, fermenting  
1793 or distilling;

1794               g. In the A zone, structures and area for non-agricultural winery, brewery,  
1795 distillery facility uses shall be located on portions of agricultural lands that are unsuitable  
1796 for agricultural purposes, such as areas within the already developed portion of such  
1797 agricultural lands that are not available for direct agricultural production, or areas without  
1798 prime agricultural soils. No more than one acre of agricultural land may be converted to  
1799 a nonagricultural accessory use;

1800               h. Tasting and retail sales of products produced on-site may occur only as  
1801 accessory to the primary winery, brewery, distillery production use and may be provided  
1802 in accordance with state law. The area devoted to on-site tasting or retail sales shall be  
1803 limited to no more than thirty percent of the aggregated floor area and shall be included  
1804 in the aggregated floor area limitation in subsection B.3.c. of this section. The limitation  
1805 on tasting and retail sales of products produced on-site shall not apply on Vashon-Maury  
1806 Island to winery, brewery, or distillery business locations in use and licensed to produce  
1807 by the Washington state Liquor and Cannabis Board before January 1, 2019, or on sites  
1808 in the RA zone that contain a building designated as historic resource under K.C.C.  
1809 chapter 20.62. Incidental retail sales of merchandise related to the products produced on-  
1810 site is allowed subject to the restrictions described in this subsection B.3. Hours of  
1811 operation for on-site tasting of products shall be limited as follows: Mondays, Tuesdays,

1812 Wednesdays and Thursdays, tasting room hours shall be limited to 11:00 a.m. through  
1813 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours shall be limited to  
1814 11:00 a.m. through 9:00 p.m.;

1815 i. Access to the site shall be directly to and from an arterial roadway, except  
1816 that this requirement shall not apply on Vashon-Maury Island to winery, brewery,  
1817 distillery facility business locations in use and licensed to produce by the Washington  
1818 state Liquor and Cannabis Board before January 1, 2019;

1819 j. Off-street parking is limited to a maximum of one hundred fifty percent of  
1820 the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

1821 k. The business operator shall obtain an adult beverage business license in  
1822 accordance with K.C.C. chapter 6.74;

1823 l. Events may be allowed with an approved temporary use permit under K.C.C.  
1824 chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.; and

1825 m. The impervious surface associated with the winery, brewery, distillery  
1826 facility use shall not exceed twenty-five percent of the site, or the maximum impervious  
1827 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,  
1828 whichever is less.

1829 4. Limited to rough milling and planing of products grown on-site with portable  
1830 equipment.

1831 5. Limited to SIC Industry Group No. 242-Sawmills and SIC Industry No.  
1832 2431-Millwork. For RA zoned sites, if using lumber or timber grown off-site, the  
1833 minimum site area is four and one-half acres.

1834 6. Limited to uses found in SIC Industry No. 2434-Wood Kitchen Cabinets and

1835 No. 2431-Millwork, (excluding planing mills).

1836 7. Limited to photocopying and printing services offered to the general public.

1837 8. Only within enclosed buildings, and as an accessory use to retail sales.

1838 9. Only within enclosed buildings.

1839 10. Limited to boat building of craft not exceeding forty-eight feet in length.

1840 11. For I-zoned sites located outside the urban growth area designated by the

1841 King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C.

1842 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for

1843 rural industrial uses as set forth in K.C.C. chapter 21A.12.

1844 12.a. In the A zone, only allowed on sites where the primary use is SIC Industry

1845 Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small

1846 Animals;

1847 b. The aggregated floor area of structures and areas for winery, brewery,

1848 distillery facility uses shall not exceed a total of eight thousand square feet. Decks that

1849 are not occupied and not open to the public are excluded from the calculation for

1850 maximum aggregated floor area;

1851 c. Only allowed on lots of at least four and one-half acres. If the aggregated

1852 floor area of structures for winery, brewery, distillery uses exceeds six thousand square

1853 feet, the minimum site area shall be ten acres;

1854 d. Wineries, breweries and distilleries shall comply with Washington state

1855 Department of Ecology and King County board of health regulations for water usage and

1856 wastewater disposal, and must connect to an existing Group A water system. The

1857 definitions and limits of Group A water systems are described in K.C.C. 13.24.007, and  
1858 provision of water service is described in K.C.C. 13.24.138, 13.24.140 and 13.24.142;

1859 e. Structures and parking areas for winery, brewery distillery facility uses shall  
1860 maintain a minimum distance of seventy-five feet from interior property lines adjoining  
1861 rural area and residential zones, unless located in a building designated as historic  
1862 resource under K.C.C. chapter 20.62;

1863 f. In the A Zone, sixty percent or more of the products processed must be  
1864 grown on-site. At the time of the initial application under K.C.C. chapter 6.74, the  
1865 applicant shall submit a projection of the source of products to be processed;

1866 g. At least two stages of production of wine, beer, cider or distilled spirits,  
1867 such as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized  
1868 by the Washington state Liquor and Cannabis Board production license, shall occur on-  
1869 site. At least one of the stages of on-site production shall include crushing, fermenting or  
1870 distilling;

1871 h. In the A zone, structures and areas for non-agricultural winery, brewery,  
1872 distillery facility uses shall be located on portions of agricultural lands that are unsuitable  
1873 for agricultural purposes, such as areas within the already developed portion of such  
1874 agricultural lands that are not available for direct agricultural production, or areas without  
1875 prime agricultural soils. No more than one acre of agricultural land may be converted to  
1876 a nonagricultural accessory use;

1877 i. Tasting and retail sales of products produced on-site may occur only as  
1878 accessory to the primary winery, brewery, distillery production use and may be provided  
1879 in accordance with state law. The area devoted to on-site tasting or retail sales shall be

1880 limited to no more than thirty percent of the aggregated floor area and shall be included  
1881 in the aggregated floor area limitation in subsection B.12.b. and c. of this section.

1882 Incidental retail sales of merchandise related to the products produced on-site is allowed  
1883 subject to the restrictions described in this subsection. Hours of operation for on-site  
1884 tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and  
1885 Thursdays, tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and  
1886 Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m.  
1887 through 9:00 p.m.;

1888           j. Access to the site shall be directly to and from an arterial roadway;

1889           k. Off-street parking maximums shall be determined through the conditional  
1890 use permit process, and should not be more than one hundred fifty percent of the  
1891 minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

1892           l. The business operator shall obtain an adult beverage business license in  
1893 accordance with K.C.C. chapter 6.74;

1894           m. Events may be allowed with an approved temporary use permit under  
1895 K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.;

1896 and

1897           n. The impervious surface associated with the winery, brewery, distillery  
1898 facility use shall not exceed twenty-five percent of the site, or the maximum impervious  
1899 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,  
1900 whichever is less.

1901           13. Only on the same lot or same group of lots under common ownership or  
1902 documented legal control, which includes, but is not limited to, fee simple ownership, a

1903 long-term lease or an easement:

1904 a. as accessory to a primary forestry use and at a scale appropriate to process

1905 the organic waste generated on the site; or

1906 b. as a continuation of a sawmill or lumber manufacturing use only for that

1907 period to complete delivery of products or projects under contract at the end of the

1908 sawmill or lumber manufacturing activity.

1909 14. Only on the same lot or same group of lots under common ownership or

1910 documented legal control, which includes, but is not limited to, fee simple ownership, a

1911 long-term lease or an easement:

1912 a. as accessory to a primary mineral use; or

1913 b. as a continuation of a mineral processing use only for that period to

1914 complete delivery of products or projects under contract at the end of mineral extraction.

1915 15. Continuation of a materials processing facility after reclamation in

1916 accordance with an approved reclamation plan.

1917 16. Only a site that is ten acres or greater and that does not use local access

1918 streets that abut lots developed for residential use.

1919 17.a. The aggregated floor area of structures and areas for winery, brewery,

1920 distillery facility uses shall not exceed three thousand five hundred square feet, unless

1921 located in whole or in part in a structure designated as historic resource under K.C.C.

1922 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to

1923 winery, brewery, distillery facility uses shall not exceed five thousand square feet. Decks

1924 that are not occupied and not open to the public are excluded from the calculation for

1925 maximum aggregated floor area;



1926                   b. Structures and parking areas for winery, brewery, distillery facility uses  
1927 shall maintain a minimum distance of seventy-five feet from interior property lines  
1928 adjoining rural area and residential zones, unless located in a building designated as  
1929 historic resource under K.C.C. chapter 20.62;

1930                   c. Tasting and retail sale of products produced on-site, and merchandise related  
1931 to the products produced on-site, may be provided in accordance with state law. The area  
1932 devoted to on-site tasting or retail sales shall be included in the aggregated floor area  
1933 limitation in subsection B.17.a. of this section;

1934                   d. Off-street parking for the tasting and retail areas shall be limited to a  
1935 maximum of one space per fifty square feet of tasting and retail areas;

1936                   e. The business operator shall obtain an adult beverage business license in  
1937 accordance with K.C.C. chapter 6.74; and

1938                   f. Events may be allowed with an approved temporary use permit under K.C.C.  
1939 chapter 21A.32.

1940                   18. Limited to:

1941                   a. SIC Industry Group No. 242-Sawmills and SIC Industry No. 2431-  
1942 Millwork, as follows:

1943                   (1) If using lumber or timber grown off-site, the minimum site area is four  
1944 and one-half acres;

1945                   (2) The facility shall be limited to an annual production of no more than one  
1946 hundred fifty thousand board feet;

1947                   (3) Structures housing equipment used in the operation shall be located at  
1948 least one-hundred feet from adjacent properties with residential or rural area zoning;

1949 (4) Deliveries and customer visits shall be limited to the hours of 8:00 a.m. to  
1950 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

1951 (5) In the RA zone, the facility's driveway shall have adequate entering sight  
1952 distance required by the 2007 King County Road Design and Construction Standards. An  
1953 adequate turn around shall be provided on-site to prevent vehicles from backing out on to  
1954 the roadway that the driveway accesses; and

1955 (6) Outside lighting is limited to avoid off-site glare; and

1956 b. SIC Industry No. 2411-Logging.

1957 19. Limited to manufacture of custom made wood furniture or cabinets.

1958 20.a. Only allowed on lots of at least four and one-half acres;

1959 b. Only as an accessory use to a Washington state Liquor Control Board

1960 licensed marijuana production facility on the same lot;

1961 c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1962 d. Only with documentation that the operator has applied for a Puget Sound

1963 Clean Air Agency Notice of Construction Permit. All department permits issued to either

1964 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1965 Clean Air Agency Notice of Construction Permit be approved before marijuana products

1966 are imported onto the site; and

1967 e. Accessory marijuana processing uses allowed under this section are subject

1968 to all limitations applicable to marijuana production uses under K.C.C. 21A.08.090.

1969 21.a. Only in the CB and RB zones located outside the urban growth area;

1970 b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1971 c. Only with documentation that the operator has applied for a Puget Sound

1972 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1973 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1974 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1975 are imported onto the site;

1976 d. Per lot, the aggregated total gross floor area devoted to the use of, and in  
1977 support of, processing marijuana together with any separately authorized production of  
1978 marijuana shall be limited to a maximum of two thousand square feet; and

1979 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
1980 every marijuana-related entity occupying space in addition to the two-thousand-square-  
1981 foot threshold area on that lot shall obtain a conditional use permit as set forth in  
1982 subsection B.22. of this section.

1983 22.a. Only in the CB and RB zones located outside the urban growth area;

1984 b. Per lot, the aggregated total gross floor area devoted to the use of, and in  
1985 support of, processing marijuana together with any separately authorized production of  
1986 marijuana shall be limited to a maximum of thirty thousand square feet;

1987 c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.; and

1988 d. Only with documentation that the operator has applied for a Puget Sound  
1989 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1990 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1991 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1992 are imported onto the site.

1993 23.a. Only in the CB and RB zones located inside the urban growth area;

1994 b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1995                   c. Only with documentation that the operator has applied for a Puget Sound  
1996 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1997 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1998 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1999 are imported onto the site;

2000                   d. Per lot, the aggregated total gross floor area devoted to the use of, and in  
2001 support of, processing marijuana together with any separately authorized production of  
2002 marijuana shall be limited to a maximum of two thousand square feet; and

2003                   e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
2004 every marijuana-related entity occupying space in addition to the two-thousand-square-  
2005 foot threshold area on that lot shall obtain a conditional use permit as set forth in  
2006 subsection B.24. of this section.

2007                   24.a. Only in the CB and RB zones located inside the urban growth area;

2008                   b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

2009                   c. Only with documentation that the operator has applied for a Puget Sound  
2010 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
2011 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
2012 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
2013 are imported onto the site; and

2014                   d. Per lot, the aggregated total gross floor area devoted to the use of, and in  
2015 support of, processing marijuana together with any separately authorized production of  
2016 marijuana shall be limited to a maximum of thirty thousand square feet.

2017                   25.a. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

2018                   b. Only with documentation that the operator has applied for a Puget Sound  
2019 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
2020 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
2021 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
2022 are imported onto the site; and

2023                   c. Per lot, limited to a maximum aggregate total of two thousand square feet of  
2024 gross floor area devoted to, and in support of, the processing of marijuana together with  
2025 any separately authorized production of marijuana.

2026                   26.a. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

2027                   b. Only with documentation that the operator has applied for a Puget Sound  
2028 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
2029 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
2030 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
2031 are imported onto the site; and

2032                   c. Per lot, limited to a maximum aggregate total of thirty thousand square feet of  
2033 gross floor area devoted to, and in support of, the processing of marijuana together with  
2034 any separately authorized production of marijuana.

2035                   27.a. Marijuana processors in all RA zoned areas except for Vashon-Maury  
2036 Island, that do not require a conditional use permit issued by King County, that receive a  
2037 Washington state Liquor and Cannabis Board license business (~~((prior to))~~) before October 1,  
2038 2016, and that King County did not object to within the Washington state Liquor and  
2039 Cannabis Board marijuana license application process, shall be considered nonconforming  
2040 as to subsection B.27.e. of this section, subject to the provisions of K.C.C. 21A.32.020

2041 through 21A.32.075 for nonconforming uses;

2042                   b. Only with a lighting plan that complies with K.C.C. 21A.12.220.G.;

2043                   c. Only with documentation that the operator has applied for a Puget Sound

2044 Clean Air Agency Notice of Construction Permit. All department permits issued to either

2045 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

2046 Clean Air Agency Notice of Construction Permit be approved before marijuana products

2047 are imported onto the site;

2048                   d. Only allowed on lots of at least four and on-half acres on Vashon-Maury

2049 Island;

2050                   e. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,

2051 except on Vashon-Maury Island;

2052                   f. Only as an accessory use to a Washington state Liquor Cannabis Board

2053 licensed marijuana production facility on the same lot; and

2054                   g. Accessory marijuana processing uses allowed under this section are subject to

2055 all limitations applicable to marijuana production uses under K.C.C. 21A.08.090.

2056                   28. If the food and kindred products manufacturing or processing is associated

2057 with agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

2058                   29.a. Tasting and retail sales of products produced on-site, and merchandise

2059 related to the products produced on-site, may be provided in accordance with state law;

2060                   b. Structures and parking areas for winery, brewery, distillery facility uses

2061 shall maintain a minimum distance of seventy-five feet from interior property lines

2062 adjoining rural area and residential zones, unless located in a building designated as

2063 historic resource under K.C.C. chapter 20.62;

2064 c. For winery, brewery, distillery facility uses that do not require a conditional  
2065 use permit, off-street parking for the tasting and retail areas shall be limited to a  
2066 maximum of one space per fifty square feet of tasting and retail areas. For winery,  
2067 brewery, distillery facility uses that do require a conditional use permit, off-street parking  
2068 maximums shall be determined through the conditional use permit process, and off-street  
2069 parking for the tasting and retail areas should be limited to a maximum of one space per  
2070 fifty square feet of tasting and retail areas;

2071 d. The business operator shall obtain an adult beverage business license in  
2072 accordance with K.C.C. chapter 6.74; and

2073 e. Events may be allowed with an approved temporary use permit under  
2074 K.C.C. chapter 21A.32.

2075 30.a. Only allowed on lots of at least two and one-half acres;

2076 b. The aggregated floor area of structures and areas for winery, brewery,  
2077 distillery facility uses shall not exceed three thousand five hundred square feet, unless  
2078 located in whole or in part in a structure designated as historic resource under K.C.C.  
2079 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to  
2080 winery, brewery, distillery facility uses shall not exceed five thousand square feet. Decks  
2081 that are not occupied and not open to the public are excluded from the calculation for  
2082 maximum aggregated floor area;

2083 c. Structures and parking areas for winery, brewery, distillery facility uses  
2084 shall maintain a minimum distance of seventy-five feet from interior property lines  
2085 adjoining rural area and residential zones, unless located in a building designated as  
2086 historic resource under K.C.C. chapter 20.62;

2087               d. Tasting and retail sales of products produced on-site may only occur as  
2088   accessory to the primary winery, brewery, distillery production use and may be provided  
2089   in accordance with state law. The area devoted to on-site tasting or retail sales shall be  
2090   limited to no more than thirty percent of the aggregated floor area and shall be included  
2091   in the aggregated floor area limitation in subsection B.30.b. of this section. Incidental  
2092   retail sales of merchandise related to the products produced on-site is allowed subject to  
2093   the restrictions described in this subsection. Hours of operation for on-site tasting of  
2094   products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays,  
2095   tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays,  
2096   Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00  
2097   p.m.;

2098               e. Access to the site shall be directly to and from a public roadway;

2099               f. Off-street parking is limited to a maximum of one hundred fifty percent of  
2100   the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

2101               g. The business operator shall obtain an adult beverage business license in  
2102   accordance with K.C.C. chapter 6.74;

2103               h. Events may be allowed with an approved temporary use permit under  
2104   K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.;

2105               i. At least two stages of production of wine, beer, cider or distilled spirits, such  
2106   as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the  
2107   Washington state Liquor and Cannabis Board production license, shall occur on-site. At  
2108   least one of the stages of production occurring on-site shall include crushing, fermenting  
2109   or distilling; and



2110               j. The impervious surface associated with the winery, brewery, distillery  
2111 facility use shall not exceed twenty-five percent of the site, or the maximum impervious  
2112 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,  
2113 whichever is less.

2114               31.a. Limited to businesses with non-retail brewery and distillery production  
2115 licenses from the Washington state Liquor and Cannabis board. Wineries and remote  
2116 tasting rooms for wineries shall not be allowed;

2117               b. Tasting and retail sale of products produced on-site and merchandise related  
2118 to the products produced on-site may be provided in accordance with state law. The area  
2119 devoted to on-site tasting or retail sales shall not exceed one thousand five hundred  
2120 square feet;

2121               c. Structures and parking areas for brewery and distillery facility uses shall  
2122 maintain a minimum distance of seventy-five feet from interior property lines adjoining  
2123 rural area and residential zones, unless located in a building designated as historic  
2124 resource under K.C.C. chapter 20.62;

2125               d. For brewery and distillery facility uses that do not require a conditional use  
2126 permit, off-street parking for the tasting and retail areas shall be limited to a maximum of  
2127 one space per fifty square feet of tasting and retail areas. For brewery and distillery  
2128 facility uses that do require a conditional use permit, off-street parking maximums shall  
2129 be determined through the conditional use permit process, and off-street parking for the  
2130 tasting and retail areas should be limited to a maximum of one space per fifty square feet  
2131 of tasting and retail areas;

2132               e. The business operator shall obtain an adult beverage business license in

2133 accordance with K.C.C. chapter 6.74; and

2134 f. Events may be allowed with an approved temporary use permit under K.C.C.

2135 chapter 21A.32.

2136 32.a. The aggregated floor area of structures and areas for winery, brewery,

2137 distillery facility uses shall not exceed one thousand five hundred square feet;

2138 b. Structures and parking areas for winery, brewery, distillery facility uses

2139 shall maintain a minimum distance of seventy-five feet from interior property lines

2140 adjoining rural area and residential zones, unless located in a building designated as

2141 historic resource under K.C.C. chapter 20.62;

2142 c. One on-site parking stall shall be allowed for the winery, brewery, distillery

2143 facility I use;

2144 d. The business operator shall obtain an adult beverage business license in

2145 accordance with K.C.C. chapter 6.74;

2146 e. At least two stages of production of wine, beer, cider or distilled spirits, such

2147 as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the

2148 Washington state Liquor and Cannabis Board production license, shall occur on-site. At

2149 least one of the stages of production occurring on-site shall include crushing, fermenting

2150 or distilling;

2151 f. No product tasting or retail sales shall be allowed on-site;

2152 g. Events may be allowed in accordance with K.C.C. 21A.32.120.B.6; and

2153 h. The impervious surface associated with the winery, brewery, distillery

2154 facility use shall not exceed twenty-five percent of the site or the maximum impervious

2155 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,

2156 whichever is less.

2157 33. Excluding fossil fuel facilities.

2158 SECTION 44. Ordinance 10870, Section 336, as amended, and K.C.C.

2159 21A.08.090 are hereby amended to read as follows:

2160 A. Resource land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1 -8	R12- 48	NB	CB	RB	O	I
12	Coal Mining												
13	Oil and Gas Extraction												
	<b>AGRICULTURE:</b>												
01	Growing and Harvesting Crops	P	P		P	P	P						P
02	Raising Livestock and Small Animals (6)	P	P		P	P							P
*	Agricultural Activities	P24 C	P2 4C		P24 C	P24 C							
*	Agricultural Support Services	P25 C	P2 5C		P26 C	P26 C	P2 6C		P27 C2 8	P27 C28			
*	Marijuana producer	P15 C2 2			P16 C17					P18 C19	P18 C19		P20 C2 1
*	Agriculture Training Facility	C1 0											
*	Agriculture-related special needs camp	P12											
*	Agricultural Anaerobic Digester	P13											

	<b>FORESTRY:</b>												
08	Growing & Harvesting Forest Production	P	P	P7	P	P	P						P
*	Forest Research		P		P	P						P2	P
	<b>FISH AND WILDLIFE MANAGEMENT:</b>												
0921	Hatchery/Fish Preserve (1)	P	P		P	P	C						P
0273	Aquaculture (1)	P	P		P	P	C						P
*	Wildlife Shelters	P	P		P	P							
	<b>MINERAL:</b>												
10,((12;)) 14	Mineral Extraction and Processing		P9 C	P C1 1									
2951, 3271, 3273	Asphalt/Concrete Mixtures and Block		P8 C1 1	P8 C1 1									P
	<b>ACCESSORY USES:</b>												
*	Resource Accessory Uses	P3 P23	P4	P5	P3	P3							P4
*	Farm Worker Housing	P14			P14								

- 2161 B. Development conditions.
- 2162 1. May be further subject to K.C.C. chapter 21A.25.
- 2163 2. Only forest research conducted within an enclosed building.
- 2164 3. Farm residences in accordance with K.C.C. 21A.08.030.
- 2165 4. Excluding housing for agricultural workers.
- 2166 5. Limited to either maintenance or storage facilities, or both, in conjunction
- 2167 with mineral extraction or processing operation.

2168                   6. Allowed in accordance with K.C.C. chapter 21A.30.

2169                   7. Only in conjunction with a mineral extraction site plan approved in  
2170 accordance with K.C.C. chapter 21A.22.

2171                   8. Only on the same lot or same group of lots under common ownership or  
2172 documented legal control, which includes, but is not limited to, fee simple ownership, a  
2173 long-term lease or an easement:

2174                   a. as accessory to a primary mineral extraction use;

2175                   b. as a continuation of a mineral processing only for that period to complete  
2176 delivery of products or projects under contract at the end of a mineral extraction; or

2177                   c. for a public works project under a temporary grading permit issued in  
2178 accordance with K.C.C. 16.82.152.

2179                   9. Limited to mineral extraction and processing:

2180                   a. on a lot or group of lots under common ownership or documented legal  
2181 control, which includes but is not limited to, fee simple ownership, a long-term lease or  
2182 an easement;

2183                   b. that are located greater than one-quarter mile from an established residence;  
2184 and

2185                   c. that do not use local access streets that abut lots developed for residential  
2186 use.

2187                   10. Agriculture training facilities are allowed only as an accessory to existing  
2188 agricultural uses and are subject to the following conditions:

2189                   a. The impervious surface associated with the agriculture training facilities  
2190 shall comprise not more than ten percent of the allowable impervious surface permitted

2191 under K.C.C. 21A.12.040;

2192 b. New or the expansion of existing structures, or other site improvements,  
2193 shall not be located on class 1, 2 or 3 soils;

2194 c. The director may require reuse of surplus structures to the maximum extent  
2195 practical;

2196 d. The director may require the clustering of new structures with existing  
2197 structures;

2198 e. New structures or other site improvements shall be set back a minimum  
2199 distance of seventy-five feet from property lines adjoining rural area and residential  
2200 zones;

2201 f. Bulk and design of structures shall be compatible with the architectural style  
2202 of the surrounding agricultural community;

2203 g. New sewers shall not be extended to the site;

2204 h. Traffic generated shall not impede the safe and efficient movement of  
2205 agricultural vehicles, nor shall it require capacity improvements to rural roads;

2206 i. Agriculture training facilities may be used to provide educational services to  
2207 the surrounding rural/agricultural community or for community events. Property owners  
2208 may be required to obtain a temporary use permit for community events in accordance  
2209 with K.C.C. chapter 21A.32;

2210 j. Use of lodging and food service facilities shall be limited only to activities  
2211 conducted in conjunction with training and education programs or community events  
2212 held on site;

2213 k. Incidental uses, such as office and storage, shall be limited to those that

2214 directly support education and training activities or farm operations; and

2215           1. The King County agriculture commission shall be notified of and have an

2216 opportunity to comment upon all proposed agriculture training facilities during the permit

2217 process in accordance with K.C.C. chapter 21A.40.

2218           11. Continuation of mineral processing and asphalt/concrete mixtures and block

2219 uses after reclamation in accordance with an approved reclamation plan.

2220           12.a. Activities at the camp shall be limited to agriculture and agriculture-

2221 oriented activities. In addition, activities that place minimal stress on the site's

2222 agricultural resources or activities that are compatible with agriculture are permitted.

2223           (1) passive recreation;

2224           (2) training of individuals who will work at the camp;

2225           (3) special events for families of the campers; and

2226           (4) agriculture education for youth.

2227           b. Outside the camp center, as provided for in subsection B.12.e. of this

2228 section, camp activities shall not preclude the use of the site for agriculture and

2229 agricultural related activities, such as the processing of local food to create value-added

2230 products and the refrigeration and storage of local agricultural products. The camp shall

2231 be managed to coexist with agriculture and agricultural activities both onsite and in the

2232 surrounding area.

2233           c. A farm plan shall be required for commercial agricultural production to

2234 ensure adherence to best management practices and soil conservation.

2235           d.(1) The minimum site area shall be five hundred acres. Unless the property

2236 owner has sold or transferred the development rights as provided in subsection B.12.c.(3)

2237 of this section, a minimum of five hundred acres of the site must be owned by a single  
2238 individual, corporation, partnership or other legal entity and must remain under the  
2239 ownership of a single individual, corporation, partnership or other legal entity for the  
2240 duration of the operation of the camp.

2241 (2) Nothing in subsection B.12.d.(1) of this section prohibits the property  
2242 owner from selling or transferring the development rights for a portion or all of the site to  
2243 the King County farmland preservation program or, if the development rights are  
2244 extinguished as part of the sale or transfer, to a nonprofit entity approved by the director;

2245 e. The impervious surface associated with the camp shall comprise not more  
2246 than ten percent of the allowable impervious surface permitted under K.C.C. 21A.12.040;

2247 f. Structures for living quarters, dining facilities, medical facilities and other  
2248 nonagricultural camp activities shall be located in a camp center. The camp center shall  
2249 be no more than fifty acres and shall depicted on a site plan. New structures for  
2250 nonagricultural camp activities shall be clustered with existing structures;

2251 g. To the extent practicable, existing structures shall be reused. The applicant  
2252 shall demonstrate to the director that a new structure for nonagricultural camp activities  
2253 cannot be practicably accommodated within an existing structure on the site, though  
2254 cabins for campers shall be permitted only if they do not already exist on site;

2255 h. Camp facilities may be used to provide agricultural educational services to  
2256 the surrounding rural and agricultural community or for community events. If required  
2257 by K.C.C. chapter 21A.32, the property owner shall obtain a temporary use permit for  
2258 community events;

2259 i. Lodging and food service facilities shall only be used for activities related to



2260 the camp or for agricultural education programs or community events held on site;

2261 j. Incidental uses, such as office and storage, shall be limited to those that

2262 directly support camp activities, farm operations or agricultural education programs;

2263 k. New nonagricultural camp structures and site improvements shall maintain a

2264 minimum set-back of seventy-five feet from property lines adjoining rural area and

2265 residential zones;

2266 l. Except for legal nonconforming structures existing as of January 1, 2007,

2267 camp facilities, such as a medical station, food service hall and activity rooms, shall be of

2268 a scale to serve overnight camp users;

2269 m. Landscaping equivalent to a type III landscaping screen, as provided for in

2270 K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures

2271 and site improvements located within two hundred feet of an adjacent rural area and

2272 residential zoned property not associated with the camp;

2273 n. New sewers shall not be extended to the site;

2274 o. The total number of persons staying overnight shall not exceed three

2275 hundred;

2276 p. The length of stay for any individual overnight camper, not including camp

2277 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

2278 q. Traffic generated by camp activities shall not impede the safe and efficient

2279 movement of agricultural vehicles nor shall it require capacity improvements to rural

2280 roads;

2281 r. If the site is adjacent to an arterial roadway, access to the site shall be

2282 directly onto the arterial unless the county road engineer determines that direct access is

2283 unsafe;

2284 s. If direct access to the site is via local access streets, transportation

2285 management measures shall be used to minimize adverse traffic impacts;

2286 t. Camp recreational activities shall not involve the use of motor vehicles

2287 unless the motor vehicles are part of an agricultural activity or are being used for the

2288 transportation of campers, camp personnel or the families of campers. Camp personnel

2289 may use motor vehicles for the operation and maintenance of the facility. Client-specific

2290 motorized personal mobility devices are allowed; and

2291 u. Lights to illuminate the camp or its structures shall be arranged to reflect the

2292 light away from any adjacent property.

2293 13. Limited to digester receiving plant and animal and other organic waste from

2294 agricultural activities, and including electrical generation, as follows:

2295 a. the digester must be included as part of a Washington state Department of

2296 Agriculture approved dairy nutrient plan;

2297 b. the digester must process at least seventy percent livestock manure or other

2298 agricultural organic material from farms in the vicinity, by volume;

2299 c. imported organic waste-derived material, such as food processing waste,

2300 may be processed in the digester for the purpose of increasing methane gas production for

2301 beneficial use, but not shall exceed thirty percent of volume processed by the digester;

2302 and

2303 d. the use must be accessory to an operating dairy or livestock operation.

2304 14. Farm worker housing. Either:

2305 a. Temporary farm worker housing subject to the following conditions:

2306 (1) The housing must be licensed by the Washington state Department of  
2307 Health under chapter 70.114A RCW and chapter 246-358 WAC;

2308 (2) Water supply and sewage disposal systems must be approved by the  
2309 Seattle King County department of health;

2310 (3) To the maximum extent practical, the housing should be located on  
2311 nonfarmable areas that are already disturbed and should not be located in the floodplain  
2312 or in a critical area or critical area buffer; and

2313 (4) The property owner shall file with the department of executive services,  
2314 records and licensing services division, a notice approved by the department identifying  
2315 the housing as temporary farm worker housing and that the housing shall be occupied  
2316 only by agricultural employees and their families while employed by the owner or  
2317 operator or on a nearby farm. The notice shall run with the land; or

2318 b. Housing for agricultural employees who are employed by the owner or  
2319 operator of the farm year-round as follows:

2320 (1) Not more than:

2321 (a) one agricultural employee dwelling unit on a site less than twenty acres;

2322 (b) two agricultural employee dwelling units on a site of at least twenty  
2323 acres and less than fifty acres;

2324 (c) three agricultural employee dwelling units on a site of at least fifty acres  
2325 and less than one-hundred acres; and

2326 (d) four agricultural employee dwelling units on a site of at least one-  
2327 hundred acres, and one additional agricultural employee dwelling unit for each additional  
2328 one hundred acres thereafter;

2329                   (2) If the primary use of the site changes to a nonagricultural use, all  
2330 agricultural employee dwelling units shall be removed;

2331                   (3) The applicant shall file with the department of executive services, records  
2332 and licensing services division, a notice approved by the department that identifies the  
2333 agricultural employee dwelling units as accessory and that the dwelling units shall only  
2334 be occupied by agricultural employees who are employed by the owner or operator year-  
2335 round. The notice shall run with the land. The applicant shall submit to the department  
2336 proof that the notice was filed with the department of executive services, records and  
2337 licensing services division, before the department approves any permit for the  
2338 construction of agricultural employee dwelling units;

2339                   (4) An agricultural employee dwelling unit shall not exceed a floor area of  
2340 one thousand square feet and may be occupied by no more than eight unrelated  
2341 agricultural employees;

2342                   (5) To the maximum extent practical, the housing should be located on  
2343 nonfarmable areas that are already disturbed;

2344                   (6) One off-street parking space shall be provided for each agricultural  
2345 employee dwelling unit; and

2346                   (7) The agricultural employee dwelling units shall be constructed in  
2347 compliance with K.C.C. Title 16.

2348                   15. Marijuana production by marijuana producers licensed by the Washington  
2349 state Liquor and Cannabis Board is subject to the following standards:

2350                   a. Only allowed on lots of at least four and one-half acres;

2351                   b. With a lighting plan, only if required by and that complies with K.C.C.

2352 21A.12.220.G.;

2353 c. Only with documentation that the operator has applied for a Puget Sound  
2354 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
2355 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
2356 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
2357 are imported onto the site;

2358 d. Production is limited to outdoor, indoor within marijuana greenhouses, and  
2359 within structures that are nondwelling unit structures that exist as of October 1, 2013,  
2360 subject to the size limitations in subsection B.15.e. of this section;

2361 e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
2362 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
2363 aggregated total of two thousand square feet and shall be located within a fenced area or  
2364 marijuana greenhouse that is no more than ten percent larger than that combined area, or  
2365 may occur in nondwelling unit structures that exist as of October 1, 2013;

2366 f. Outdoor production area fencing as required by the Washington state Liquor  
2367 and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall  
2368 maintain a minimum street setback of fifty feet and a minimum interior setback of thirty  
2369 feet; and

2370 g. If the two-thousand-square-foot-per-lot threshold of plant canopy combined  
2371 with area used for processing under K.C.C. 21A.08.080 is exceeded, each and every  
2372 marijuana-related entity occupying space in addition to the two-thousand-square-foot  
2373 threshold area on that lot shall obtain a conditional use permit as set forth in subsection  
2374 B.22. of this section.

2375           16. Marijuana production by marijuana producers licensed by the Washington  
2376 state Liquor and Cannabis Board is subject to the following standards:

2377           a. Marijuana producers in all RA zoned areas except for Vashon-Maury Island,  
2378 that do not require a conditional use permit issued by King County, that receive a  
2379 Washington state Liquor and Cannabis Board license business ~~((prior to))~~ before October  
2380 1, 2016, and that King County did not object to within the Washington state Liquor and  
2381 Cannabis Board marijuana license application process, shall be considered  
2382 nonconforming as to subsection B.16.d. and h. of this section, subject to the provisions of  
2383 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses;

2384           b. In all rural area zones, only with a lighting plan that complies with K.C.C.  
2385 21A.12.220.G.;

2386           c. Only allowed on lots of at least four and one-half acres on Vashon-Maury  
2387 Island;

2388           d. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,  
2389 except on Vashon-Maury Island;

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

2395           f. Production is limited to outdoor, indoor within marijuana greenhouses, and  
2396 within nondwelling unit structures that exist as of October 1, 2013, subject to the size  
2397 limitations in subsection B.16.g. of this section; and

2398 g. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
2399 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
2400 aggregated total of two thousand square feet and shall be located within a fenced area or  
2401 marijuana greenhouse, that is no more than ten percent larger than that combined area, or  
2402 may occur in nondwelling unit structures that exist as of October 1, 2013;

2403 h. Outdoor production area fencing as required by the Washington state Liquor  
2404 and Cannabis Board and marijuana greenhouses shall maintain a minimum street setback  
2405 of fifty feet and a minimum interior setback of one hundred feet; and a minimum setback  
2406 of one hundred fifty feet from any existing residence; and

2407 i. If the two-thousand-square-foot-per-lot threshold of plant canopy within  
2408 fenced areas or marijuana greenhouses is exceeded, each and every marijuana-related  
2409 entity occupying space in addition to the two-thousand-square-foot threshold area on that  
2410 lot shall obtain a conditional use permit as set forth in subsection B.17. of this section.

2411 17. Marijuana production by marijuana producers licensed by the Washington  
2412 state Liquor and Cannabis Board is subject to the following standards:

2413 a. Only allowed on lots of at least four and one-half acres on Vashon-Maury  
2414 Island;

2415 b. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,  
2416 except on Vashon-Maury Island;

2417 c. In all rural area zones, only with a lighting plan that complies with K.C.C.  
2418 21A.12.220.G.;

2419 d. Only with documentation that the operator has applied for a Puget Sound  
2420 Clean Air Agency Notice of Construction Permit. All department permits issued to either

2421 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
2422 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
2423 are imported onto the site;

2424 e. Production is limited to outdoor and indoor within marijuana greenhouses  
2425 subject to the size limitations in subsection B.17.f. of this section;

2426 f. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
2427 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
2428 aggregated total of thirty thousand square feet and shall be located within a fenced area or  
2429 marijuana greenhouse that is no more than ten percent larger than that combined area;  
2430 and

2431 g. Outdoor production area fencing as required by the Washington state Liquor  
2432 and Cannabis Board, and marijuana greenhouses shall maintain a minimum street setback  
2433 of fifty feet and a minimum interior setback of one hundred feet, and a minimum setback  
2434 of one hundred fifty feet from any existing residence.

2435 18.a. Production is limited to indoor only;

2436 b. With a lighting plan only as required by and that complies with K.C.C.  
2437 21A.12.220.G.;

2438 c. Only with documentation that the operator has applied for a Puget Sound  
2439 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
2440 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
2441 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
2442 are imported onto the site; and

2443 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with



2444 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
2445 aggregated total of two thousand square feet and shall be located within a building or  
2446 tenant space that is no more than ten percent larger than the plant canopy and separately  
2447 authorized processing area; and

2448 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
2449 every marijuana-related entity occupying space in addition to the two-thousand-square  
2450 foot threshold area on that parcel shall obtain a conditional use permit as set forth in  
2451 subsection B.19. of this section.

2452 19.a. Production is limited to indoor only;

2453 b. With a lighting plan only as required by and that complies with K.C.C.  
2454 21A.12.220.G.;

2455 c. Only with documentation that the operator has applied for a Puget Sound  
2456 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
2457 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
2458 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
2459 are imported onto the site; and

2460 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
2461 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
2462 aggregated total of thirty thousand square feet and shall be located within a building or  
2463 tenant space that is no more than ten percent larger than the plant canopy and separately  
2464 authorized processing area.

2465 20.a. Production is limited to indoor only;

2466 b. With a lighting plan only as required by and that complies with K.C.C.

2467 21A.12.220.G.;

2468 c. Only with documentation that the operator has applied for a Puget Sound  
2469 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
2470 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
2471 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
2472 are imported onto the site;

2473 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
2474 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
2475 aggregated total of two thousand square feet and shall be located within a building or  
2476 tenant space that is no more than ten percent larger than the plant canopy and separately  
2477 authorized processing area; and

2478 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
2479 every marijuana-related entity occupying space in addition to the two-thousand-square-  
2480 foot threshold area on that lot shall obtain a conditional use permit as set forth in  
2481 subsection B.21. of this section.

2482 21.a. Production is limited to indoor only;

2483 b. With a lighting plan only as required by and that complies with K.C.C.

2484 21A.12.220.G.;

2485 c. Only with documentation that the operator has applied for a Puget Sound  
2486 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
2487 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
2488 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
2489 are imported onto the site; and

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

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

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

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

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

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

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

2513 2013;

2514 f. On lots ten acres or more, per lot, the plant canopy, as defined in WAC 314-  
2515 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be  
2516 limited to a maximum aggregated total of ten thousand square feet, and shall be located  
2517 within a fenced area or marijuana greenhouse that is no more than ten percent larger than  
2518 that combined area, or may occur in nondwelling unit structures that exist as of October 1,  
2519 2013; and

2520 g. Outdoor production area fencing as required by the Washington state Liquor  
2521 and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall maintain  
2522 a minimum street setback of fifty feet and a minimum interior setback of one hundred feet,  
2523 and a minimum setback of one hundred fifty feet from any existing residence.

2524 23. The storage and processing of non-manufactured source separated organic  
2525 waste that originates from agricultural operations and that does not originate from the site,  
2526 if:

2527 a. agricultural is the primary use of the site;

2528 b. the storage and processing are in accordance with best management practices  
2529 included in an approved farm plan; and

2530 c. except for areas used for manure storage, the areas used for storage and  
2531 processing do not exceed three acres and ten percent of the site.

2532 24.a. For activities relating to the processing of crops or livestock for commercial  
2533 purposes, including associated activities such as warehousing, storage, including  
2534 refrigeration, and other similar activities and excluding winery, brewery, distillery facility I,  
2535 II, III and remote tasting room:

2536 (1) limited to agricultural products and sixty percent or more of the products  
2537 processed must be grown in the Puget Sound counties. At the time of initial application,  
2538 the applicant shall submit a projection of the source of products to be produced;

2539 (2) in the RA and UR zones, only allowed on sites of at least four and one-  
2540 half acres;

2541 (3) (a) as a permitted use, the floor area devoted to all processing shall not  
2542 exceed two thousand square feet, unless located in a building designated as an historic  
2543 resource under K.C.C. chapter 20.62. The agricultural technical review committee, as  
2544 established in K.C.C. 21A.42.300, may review and approve an increase in the processing  
2545 floor area as follows: up to three thousand five hundred square feet of floor area may be  
2546 devoted to all processing in the RA zones or on farms less than thirty-five acres located in  
2547 the A zones or up to seven thousand square feet on farms greater than thirty-five acres in  
2548 the A zone; and

2549 (b) as a permitted use, the floor area devoted to all warehousing,  
2550 refrigeration, storage or other similar activities shall not exceed two thousand square feet,  
2551 unless located in a building designated as historic resource under K.C.C. chapter 20.62.  
2552 The agricultural technical review committee, as established in K.C.C. 21A.42.300, may  
2553 review and approve an increase of up to three thousand five hundred square feet of floor  
2554 area devoted to all warehouseing, storage, including refrigeration, or other similar  
2555 activities in the RA zones or on farms less than thirty-five acres located in the A zones or  
2556 up to seven thousand square feet on farms greater than thirty-five acres in the A zone;

2557 (4) in the A zone, structures and areas used for processing, warehousing,  
2558 refrigeration, storage and other similar activities shall be located on portions of

2559 agricultural lands that are unsuitable for other agricultural purposes, such as areas within  
2560 the already developed portion of such agricultural lands that are not available for direct  
2561 agricultural production, or areas without prime agricultural soils; and

2562 (5) structures and areas used for processing, warehousing, storage, including  
2563 refrigeration, and other similar activities shall maintain a minimum distance of seventy-  
2564 five feet from property lines adjoining rural area and residential zones, unless located in a  
2565 building designated as historic resource under K.C.C. chapter 20.62.

2566 b. For activities relating to the retail sale of agricultural products, except  
2567 livestock:

2568 (1) sales shall be limited to agricultural products and locally made arts and  
2569 crafts;

2570 (2) in the RA and UR zones, only allowed on sites at least four and one-  
2571 half acres;

2572 (3) as a permitted use, the covered sales area shall not exceed two thousand  
2573 square feet, unless located in a building designated as a historic resource under K.C.C.  
2574 chapter 20.62. The agricultural technical review committee, as established in K.C.C.  
2575 21A.42.300, may review and approve an increase of up to three thousand five hundred  
2576 square feet of covered sales area;

2577 (4) forty percent or more of the gross sales of agricultural product sold  
2578 through the store must be sold by the producers of primary agricultural products;

2579 (5) sixty percent or more of the gross sales of agricultural products sold  
2580 through the store shall be derived from products grown or produced in the Puget Sound  
2581 counties. At the time of the initial application, the applicant shall submit a reasonable

2582 projection of the source of product sales;

2583 (6) tasting of products, in accordance with applicable health regulations, is

2584 allowed;

2585 (7) storage areas for agricultural products may be included in a farm store

2586 structure or in any accessory building; and

2587 (8) outside lighting is permitted if there is no off-site glare.

2588 c. Retail sales of livestock is permitted only as accessory to raising

2589 livestock.

2590 d. Farm operations, including quipment repair and related facilities, except

2591 that:

2592 (1) the repair of tools and machinery is limited to those necessary for the

2593 operation of a farm or forest;

2594 (2) in the RA and UR zones, only allowed on sites of at least four and one-

2595 half acres;

2596 (3) the size of the total repair use is limited to one percent of the farm size

2597 in the A zone, and up to one percent of the size in other zones, up to a maximum of five

2598 thousand square feet unless located within an existing farm structure, including but not

2599 limited to barns, existing as of December 31, 2003; and

2600 (4) Equipment repair shall not be permitted in the Forest zone.

2601 e. The agricultural technical review committee, as established in K.C.C.

2602 21A.42.300, may review and approve reductions of minimum site sizes in the rural and

2603 residential zones and minimum setbacks from rural and residential zones.

2604 25. The department may review and approve establishment of agricultural

2605 support services in accordance with the code compliance review process in K.C.C.

2606 21A.42.300 only if:

2607           a. project is sited on lands that are unsuitable for direct agricultural production

2608 based on size, soil conditions or other factors and cannot be returned to productivity by

2609 drainage maintenance; and

2610           b. the proposed use is allowed under any Farmland Preservation Program

2611 conservation easement and zoning development standards.

2612           26. The agricultural technical review committee, as established in K.C.C.

2613 21A.42.300, may review and approve establishment of agricultural support services only

2614 if the project site:

2615           a. adjoins or is within six hundred sixty feet of the agricultural production

2616 district;

2617           b. has direct vehicular access to the agricultural production district;

2618           c. except for farmworker housing, does not use local access streets that abut

2619 lots developed for residential use; and

2620           d. has a minimum lot size of four and one-half acres.

2621           27. The agricultural technical review committee, as established in K.C.C.

2622 21A.42.300, may review and approve establishment of agricultural support services only

2623 if the project site:

2624           a. is outside the urban growth area,

2625           b. adjoins or is within six hundred sixty feet of the agricultural production

2626 district,

2627           c. has direct vehicular access to the agricultural production district,



2628 d. except for farmworker housing, does not use local access streets that abut  
 2629 lots developed for residential use; and

2630 e. has a minimum lot size of four and one-half acres.

2631 28. Only allowed on properties that are outside the urban growth area.

2632 SECTION 45. Ordinance 10870, Section 337, as amended, and K.C.C.

2633 21A.08.100 are hereby amended to read as follows:

2634 A. Regional land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1- 8	R12 -48	NB	CB	RB	O	I (15)
*	Jail						S	S	S	S	S	S	S
*	Jail Farm/Camp	S	S		S	S							
*	Work Release Facility				S19	S19	S	S	S	S	S	S	
*	Public Agency Animal Control Facility		S		S	S					S		P
*	Public Agency Training Facility		S		S3					S3	S3	S3	C4
*	Hydroelectric Generation Facility		C14 S		C14 S	C14 S	C14 S						
*	Non-hydroelectric Generation Facility	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	P12 S
*	<u>Renewable Energy Generation Facility</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
*	<u>Fossil Fuel Facility</u>												<u>S27</u>
*	Communication Facility (17)	C6c S	P		C6c S	C6c S	C6c S	C6c S	C6c S	P	P	P	P
*	Earth Station	P6b	P		C6a	C6a	C6a	C6a	P6b	P	P	P	P

		C			S	S	S	S	C				
((13	Oil and Gas Extraction	S	C	P	S	S	S	S	S	S	S	S	C))
*	Energy Resource Recovery Facility		S	S	S	S	S	S	S	S	S	S	S
*	Soil Recycling Facility		S	S	S								C
*	Landfill		S	S	S	S	S	S	S	S	S	S	S
*	Transfer Station			S	S	S	S	S	S	S	S		P
*	Wastewater Treatment Facility				S	S	S	S	S	S	S	S	C
*	Municipal Water Production	S	P13 S	S	S	S	S	S	S	S	S	S	S
*	Airport/Heliport	S7	S7		S	S	S	S	S	S	S	S	S
*	Regional Transit Authority Facility					P25							
*	Rural Public Infrastructure Maintenance Facility				C23								P
*	Transit Bus Base						S	S	S	S	S	S	P
*	Transit Comfort Facility				P26		P26	P26	P26	P26	P26	P26	P26
*	School Bus Base				C5 S20	C5 S	C5 S	C5 S	S	S	S	S	P
7948	Racetrack				S8	S8	S8	S8	S8	S8	S8	S8	S24
*	Regional Motor Sports Facility												P
*	County Fairgrounds Facility				P21 S22								
*	Fairground									S	S		S
8422	Zoo/Wildlife Exhibit(2)		S9		S9	S	S	S		S	S		
7941	Stadium/Arena										S		S

8221- 8222	College/University( 1)	P10	P10		P10 C11 S18	P10 C11 S18	P10 C11 S	P10 C11 S	P10 C11 S	P	P	P	P
*	Zoo Animal Breeding Facility	P16	P16		P16								

2635 B. Development conditions.

2636 1. Except technical institutions. See vocational schools on general services land  
2637 use table, K.C.C. 21A.08.050.

2638 2. Except arboretum. See K.C.C. 21A.08.040, recreation/cultural land use table.

2639 3. Except weapons armories and outdoor shooting ranges.

2640 4. Except outdoor shooting range.

2641 5. Only in conjunction with an existing or proposed school.

2642 6.a. Limited to no more than three satellite dish antennae.

2643 b. Limited to one satellite dish antenna.

2644 c. Limited to tower consolidations.

2645 7. Limited to landing field for aircraft involved in forestry or agricultural

2646 practices or for emergency landing sites.

2647 8. Except racing of motorized vehicles.

2648 9. Limited to wildlife exhibit.

2649 10. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.

2650 11. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter  
2651 21A.32.

2652 12. Limited to ~~((cogeneration facilities for on-site use only))~~ gas extraction as an  
2653 accessory use to a waste management process, such as wastewater treatment, landfill  
2654 waste management, livestock manure and composting processes.

2655 13. Excluding impoundment of water using a dam.

2656 14. Limited to facilities that comply with the following:

2657 a. Any new diversion structure shall not:

2658 (1) exceed a height of eight feet as measured from the streambed; or

2659 (2) impound more than three surface acres of water at the normal maximum

2660 surface level;

2661 b. There shall be no active storage;

2662 c. The maximum water surface area at any existing dam or diversion shall not

2663 be increased;

2664 d. An exceedance flow of no greater than fifty percent in mainstream reach

2665 shall be maintained;

2666 e. Any transmission line shall be limited to a:

2667 (1) right-of-way of five miles or less; and

2668 (2) capacity of two hundred thirty KV or less;

2669 f. Any new, permanent access road shall be limited to five miles or less; and

2670 g. The facility shall only be located above any portion of the stream used by

2671 anadromous fish.

2672 15. For I-zoned sites located outside the urban growth area designated by the

2673 King County Comprehensive Plan, uses shown as a conditional or special use in K.C.C.

2674 21A.08.100.A, except for waste water treatment facilities and racetracks, shall be

2675 prohibited. All other uses, including waste water treatment facilities, shall be subject to

2676 the provisions for rural industrial uses in K.C.C. chapter 21A.12.

2677 16. The operator of such a facility shall provide verification to the department of

2678 natural resources and parks or its successor organization that the facility meets or exceeds  
2679 the standards of the Animal and Plant Health Inspection Service of the United States  
2680 Department of Agriculture and the accreditation guidelines of the American Zoo and  
2681 Aquarium Association.

2682 17. The following provisions of the table apply only to major communication  
2683 facilities. Minor communication facilities shall be reviewed in accordance with the  
2684 processes and standard outlined in K.C.C. chapter 21A.27.

2685 18. Only for facilities related to resource-based research.

2686 19. Limited to work release facilities associated with natural resource-based  
2687 activities.

2688 20. Limited to projects which do not require or result in an expansion of sewer  
2689 service outside the urban growth area, unless a finding is made that no cost-effective  
2690 alternative technologies are feasible, in which case a tightline sewer sized only to meet  
2691 the needs of the school bus base and serving only the school bus base may be used.  
2692 Renovation, expansion, modernization or reconstruction of a school bus base is permitted  
2693 but shall not require or result in an expansion of sewer service outside the urban growth  
2694 area, unless a finding is made that no cost-effective alternative technologies are feasible,  
2695 in which case a tightline sewer sized only to meet the needs of the school bus base.

2696 21. Only in conformance with the King County Site Development Plan Report,  
2697 through modifications to the plan of up to ten percent are allowed for the following:

2698 a. building square footage;

2699 b. landscaping;

2700 c. parking;

2701           d. building height; or

2702           e. impervious surface.

2703           22. A special use permit shall be required for any modification or expansion of

2704 the King County fairgrounds facility that is not in conformance with the King County

2705 Site Development Plan Report or that exceeds the allowed modifications to the plan

2706 identified in subsection B.21. of this section.

2707           23. The facility shall be primarily devoted to rural public infrastructure

2708 maintenance and is subject to the following conditions:

2709           a. The minimum site area shall be ten acres, unless:

2710               (1) the facility is a reuse of a public agency yard; or

2711               (2) the site is separated from a county park by a street or utility right-of-way;

2712           b. Type 1 landscaping as provided in K.C.C. chapter 21A.16 shall be provided

2713 between any stockpiling or grinding operations and adjacent residential zoned property;

2714           c. Type 2 landscaping as provided in K.C.C. chapter 21A.16 shall be provided

2715 between any office and parking lots and adjacent residential zoned property;

2716           d. Access to the site does not use local access streets that abut residential zoned

2717 property, unless the facility is a reuse of a public agency yard;

2718           e. Structural setbacks from property lines shall be as follows:

2719               (1) Buildings, structures and stockpiles used in the processing of materials

2720 shall be no closer than:

2721               (a) one hundred feet from any residential zoned properties, except that the

2722 setback may be reduced to fifty feet when the grade where the building or structures are

2723 proposed is fifty feet or greater below the grade of the residential zoned property;

2724 (b) fifty feet from any other zoned property, except when adjacent to a  
2725 mineral extraction or materials processing site;

2726 (c) the greater of fifty feet from the edge of any public street or the setback  
2727 from residential zoned property on the far side of the street; and

2728 (2) Offices, scale facilities, equipment storage buildings and stockpiles shall  
2729 not be closer than fifty feet from any property line except when adjacent to M or F zoned  
2730 property or when a reuse of an existing building. Facilities necessary to control access to  
2731 the site, when demonstrated to have no practical alternative, may be located closer to the  
2732 property line;

2733 f. On-site clearing, grading or excavation, excluding that necessary for  
2734 required access, roadway or storm drainage facility construction, shall not be permitted  
2735 within fifty feet of any property line except along any portion of the perimeter adjacent to  
2736 M or F zoned property. If native vegetation is restored, temporary disturbance resulting  
2737 from construction of noise attenuation features located closer than fifty feet shall be  
2738 permitted; and

2739 g. Sand and gravel extraction shall be limited to forty thousand yards per year.

2740 24. The following accessory uses to a motor race track operation are allowed if  
2741 approved as part of the special use permit:

2742 a. motocross;

2743 b. autocross;

2744 c. skidpad;

2745 d. garage;

2746 e. driving school; and

2747 f. fire station.

2748 25. Regional transit authority facilities shall be exempt from setback and height  
2749 requirements.

2750 26. Transit comfort facility shall:

2751 a. only be located outside of the urban growth area boundary;

2752 b. be exempt from street setback requirements; and

2753 c. be no more than 200 square feet in size.

2754 27.a. Required for all new, modified or expanded fossil fuel facilities.

2755 Modification or expansion includes, but is not limited to:

2756 (1) new uses or fuel types within existing facilities;

2757 (2) changes to the type of refining, manufacturing or processing;

2758 (3) changes in the methods or volumes of storage or transport of raw  
2759 materials or processed products;

2760 (4) changes in the location of the facilities on-site;

2761 (5) replacement of existing facilities;

2762 (6) increases in power or water demands; or

2763 (7) increases in production capacity; and

2764 b. Facilities shall:

2765 (1) not be located within one thousand feet from any schools, medical care  
2766 facilities, or places of assembly that have occupancies of greater than one thousand  
2767 persons;

2768 (2) not be located within two hundred fifty feet from a regulated wetland or  
2769 aquatic area, except when a larger buffer is required under K.C.C. chapter 21A.24, the



2770 buffer in K.C.C. chapter 21A.24 shall apply;

2771 (3) maintain an interior setback of at least two hundred feet;

2772 (4) store fossil fuels completely within enclosed structures, tanks or similar

2773 facilities; and

2774 (5) be accessed directly to and from an arterial roadway.

2775 SECTION 46. Ordinance 10870, Section 340, as amended, and K.C.C.

2776 21A.12.030 are hereby amended to read as follows:

2777 A. Densities and dimensions - residential and rural zones.

RURAL					RESIDENTIAL								
STANDARDS	RA-2.5	RA-5	RA-10	RA-20	UR	R-1 (17)	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Base Density:	0.2	0.2	0.1	0.05	0.2	1 du/ ac	4 du/ ac	6	8	12	18	24	48
Dwelling Unit/Acre (15) (28)	du/ac	du/ac	du/ac	du/ac	du/ac (21)		(6)	du/ac	du/ac	du/ac	du/ac	du/ac	du/ac
Maximum Density: Dwelling Unit/Acre (1)	0.4 du/ac (20)						6 du/ ac (22) 8 du/ ac (27)	9 du/ac 12 du/ac (27)	12 du/ac 16 du/ac (27)	18 du/ac 24 du/ac (27)	27 du/ac 36 du/ac (27)	36 du/ac 48 du/ac (27)	72 du/ac 96 du/ac (27)
Minimum Density: (2)							85% (12) (18) (23)	85% (12) (18)	85% (12) (18)	80% (18)	75% (18)	70% (18)	65% (18)
Minimum Lot Area (13)	1.875 ac	3.75 ac	7.5 ac	15 ac									
Minimum Lot Width (3)	135 ft	135 ft	135 ft	135 ft	35 ft (7)	35 ft (7)	30 ft	30 ft	30 ft	30 ft	30ft	30 ft	30 ft
Minimum Street Setback (3)	30 ft (9)	30 ft (9)	30ft (9)	30 ft (9)	30 ft (7)	20 ft (7) (29)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10ft (8)	10 ft (8)

Minimum Interior Setback (3) (16)	5 ft (9)	10ft (9)	10 ft (9)	10 ft (9)	5 ft (7)	5 ft (7) (29)	5 ft	5 ft	5 ft	5 ft	5 ft (10)	5 ft (10)	5 ft (10)
Base Height (4)	40 ft	40 ft	40 ft	40 ft	35 ft	35 ft (29)	35 ft (25)	35 ft	35 ft	60 ft	60 ft 80 ft (14)	60 ft 80 ft (14)	60 ft 80 ft (14)
								45 ft (14) (25)	45 ft (14) (25)				
Maximum Impervious Surface: Percentage (5)	25% (11) (19) (26)	20% (11) (19) (26)	15% (11) (19) (24) (26)	12.5% (11) (19) (26)	30% (11) (26)	30% (11) (26)	55% (26)	70% (26)	75% (26)	85% (26)	85% (26)	85% (26)	90% (26)

2778 B. Development conditions.

2779 1. This maximum density may be achieved only through the application of  
2780 residential density incentives in accordance with K.C.C. chapter 21A.34 or transfers of  
2781 development rights in accordance with K.C.C. chapter 21A.37, or any combination of  
2782 density incentive or density transfer.

2783 2. Also see K.C.C. 21A.12.060.

2784 3. These standards may be modified under the provisions for zero-lot-line and  
2785 townhouse developments.

2786 4.a. Height limits may be increased if portions of the structure that exceed the  
2787 base height limit provide one additional foot of street and interior setback for each foot  
2788 above the base height limit, but the maximum height may not exceed seventy-five feet.

2789 b. Netting or fencing and support structures for the netting or fencing used to  
2790 contain golf balls in the operation of golf courses or golf driving ranges are exempt from  
2791 the additional interior setback requirements but the maximum height shall not exceed  
2792 seventy-five feet, except for recreation or multiuse parks, where the maximum height  
2793 shall not exceed one hundred twenty-five feet, unless a golf ball trajectory study requires

2794 a higher fence.

2795 c. Accessory dwelling units and accessory living quarters shall not exceed base  
2796 heights, except that this requirement shall not apply to accessory dwelling units  
2797 constructed wholly within an existing dwelling unit.

2798 5. Applies to each individual lot. Impervious surface area standards for:

2799 a. Regional uses shall be established at the time of permit review;

2800 b. Nonresidential uses in rural area and residential zones shall comply with  
2801 K.C.C. 21A.12.120 and 21A.12.220;

2802 c. Individual lots in the R-4 through R-6 zones that are less than nine thousand  
2803 seventy-six square feet in area shall be subject to the applicable provisions of the nearest  
2804 comparable R-6 or R-8 zone; and

2805 d. A lot may be increased beyond the total amount permitted in this chapter  
2806 subject to approval of a conditional use permit.

2807 6. Mobile home parks shall be allowed a base density of six dwelling units per  
2808 acre.

2809 7. The standards of the R-4 zone apply if a lot is less than fifteen thousand  
2810 square feet in area.

2811 8. At least twenty linear feet of driveway shall be provided between any garage,  
2812 carport or other fenced parking area and the street property line. The linear distance shall  
2813 be measured along the center line of the driveway from the access point to such garage,  
2814 carport or fenced area to the street property line.

2815 9.a. Residences shall have a setback of at least one hundred feet from any  
2816 property line adjoining A, M or F zones or existing extractive operations. However,

residences on lots less than one hundred fifty feet in width adjoining A, M or F zones or existing extractive operations shall have a setback from the rear property line equal to fifty percent of the lot width and a setback from the side property equal to twenty-five percent of the lot width.

b. Except for residences along a property line adjoining A, M or F zones or existing extractive operations, lots between one acre and two and one-half acres in size shall conform to the requirements of the R-1 zone and lots under one acre shall conform to the requirements of the R-4 zone.

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

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

11. Lots smaller than one-half acre in area shall comply with standards of the nearest comparable R-4 through R-8 zone. For lots that are one-half acre in area or larger, the maximum impervious surface area allowed shall be at least ten thousand square feet. On any lot over one acre in area, an additional five percent of the lot area may be used for buildings related to agricultural or forestry practices. For lots smaller than two acres but larger than one-half acre, an additional ten percent of the lot area may

2840 be used for structures that are determined to be medically necessary, if the applicant  
2841 submits with the permit application a notarized affidavit, conforming with K.C.C.  
2842 21A.32.170A.2.

2843 12. For purposes of calculating minimum density, the applicant may request that  
2844 the minimum density factor be modified based upon the weighted average slope of the  
2845 net buildable area of the site in accordance with K.C.C. 21A.12.087.

2846 13. The minimum lot area does not apply to lot clustering proposals as provided  
2847 in K.C.C. chapter 21A.14.

2848 14. The base height to be used only for projects as follows:

2849 a. in R-6 and R-8 zones, a building with a footprint built on slopes exceeding a  
2850 fifteen percent finished grade; and

2851 b. in R-18, R-24 and R-48 zones using residential density incentives and  
2852 transfer of density credits in accordance with this title.

2853 15. Density applies only to dwelling units and not to sleeping units.

2854 16. Vehicle access points from garages, carports or fenced parking areas shall  
2855 be set back from the property line on which a joint use driveway is located to provide a  
2856 straight line length of at least twenty-six feet as measured from the center line of the  
2857 garage, carport or fenced parking area, from the access point to the opposite side of the  
2858 joint use driveway.

2859 17.a. All subdivisions and short subdivisions in the R-1 zone shall be required to  
2860 be clustered if the property is located within or contains:

2861 (1) a floodplain;

2862 (2) a critical aquifer recharge area;

2863 (3) a regionally or locally significant resource area;  
2864 (4) existing or planned public parks or trails, or connections to such facilities;  
2865 (5) a category type S or F aquatic area or category I or II wetland;  
2866 (6) a steep slope; or  
2867 (7) an urban separator or wildlife habitat network designated by the  
2868 Comprehensive Plan or a community plan.

2869 b. The development shall be clustered away from critical areas or the axis of  
2870 designated corridors such as urban separators or the wildlife habitat network to the extent  
2871 possible and the open space shall be placed in a separate tract that includes at least fifty  
2872 percent of the site. Open space tracts shall be permanent and shall be dedicated to a  
2873 homeowner's association or other suitable organization, as determined by the director,  
2874 and meet the requirements in K.C.C. 21A.14.040. On-site critical area and buffers and  
2875 designated urban separators shall be placed within the open space tract to the extent  
2876 possible. Passive recreation, with no development of recreational facilities, and natural-  
2877 surface pedestrian and equestrian trails are acceptable uses within the open space tract.

2878 18. See K.C.C. 21A.12.085.

2879 19. All subdivisions and short subdivisions in R-1 and RA zones within the  
2880 North Fork and Upper Issaquah Creek subbasins of the Issaquah Creek Basin (the North  
2881 Fork and Upper Issaquah Creek subbasins are identified in the Issaquah Creek Basin and  
2882 Nonpoint Action Plan) and the portion of the Grand Ridge subarea of the East  
2883 Sammamish Community Planning Area that drains to Patterson Creek shall have a  
2884 maximum impervious surface area of eight percent of the gross acreage of the plat.  
2885 Distribution of the allowable impervious area among the platted lots shall be recorded on

2886 the face of the plat. Impervious surface of roads need not be counted towards the  
2887 allowable impervious area. Where both lot- and plat-specific impervious limits apply, the  
2888 more restrictive shall be required.

2889 20. This density may only be achieved on RA 2.5 zoned parcels receiving  
2890 density from rural forest focus areas through a transfer of density credit pursuant to  
2891 K.C.C. chapter 21A.37.

2892 21. Base density may be exceeded, if the property is located in a designated  
2893 rural city urban growth area and each proposed lot contains an occupied legal residence  
2894 that predates 1959.

2895 22. The maximum density is four dwelling units per acre for properties zoned  
2896 R-4 when located in the Rural Town of Fall City.

2897 23. The minimum density requirement does not apply to properties located  
2898 within the Rural Town of Fall City.

2899 24. The impervious surface standards for the county fairground facility are  
2900 established in the King County Fairgrounds Site Development Plan, Attachment A to  
2901 Ordinance 14808 on file at the department of natural resources and parks and the  
2902 department of local services, permitting division. Modifications to that standard may be  
2903 allowed provided the square footage does not exceed the approved impervious surface  
2904 square footage established in the King County Fairgrounds Site Development Plan  
2905 Environmental Checklist, dated September 21, 1999, Attachment B to Ordinance 14808,  
2906 by more than ten percent.

2907 25. For cottage housing developments only:

2908 a. The base height is (~~eighteen~~) twenty-five feet.

b. Buildings have pitched roofs with a minimum slope of six and twelve may extend up to ~~((twenty-five))~~ thirty feet at the ridge of the roof.

26. Impervious surface does not include access easements serving neighboring property and driveways to the extent that they extend beyond the street setback due to location within an access panhandle or due to the application of King County Code requirements to locate features over which the applicant does not have control.

27.a. Only in accordance with K.C.C. 21A.34.040.F.1.g. ~~((and))~~ or F.6.; or

b. Only through the application of transfer of development rights, if all units above one hundred fifty percent of the base density are either:

(1) rental housing permanently priced to serve households with a total household income at or below forty percent of the King County median income, adjusted for household size. A covenant on the property that specifies the income level being served, rent levels and requirements for reporting to King County shall be recorded at final approval; or

(2) housing reserved for income- and asset-qualified home buyers with total household income at or below forty percent of the King County median, adjusted for household size. The units shall be limited to owner-occupied housing with prices restricted based on typical underwriting ratios and other lending standards, and with no restriction placed on resale. Final approval conditions shall specify requirements for reporting to King County on both buyer eligibility and housing prices.

28. On a site zoned RA with a building listed on the national register of historic places, additional dwelling units in excess of the maximum density may be allowed under K.C.C. 21A.12.042.



2932 29. Height and setback requirements shall not apply to regional transit authority  
2933 facilities.

2934 SECTION 47. Ordinance 16267, Section 30, and K.C.C. 21A.12.250 are hereby  
2935 amended to read as follows:

2936 The general personal service use (SIC # 72 except 7216, 7218 and 7261) and the  
2937 office/outpatient clinic use (SIC # 801 - 04) listed in K.C.C. 21A.08.050 are allowed as a  
2938 conditional use, subject to the following requirements:

2939 A. The site shall be zoned R-4 through R-48;

2940 B. The establishment shall be located within one-quarter mile of a rural town,  
2941 unincorporated activity center, community business center or neighborhood business  
2942 center and less than one mile from another commercial establishment;

2943 C. The establishment shall be located in either:

2944 1. ~~((a))~~A legally established single family dwelling in existence on or before  
2945 January 1, 2008. The structure may not be expanded by more than ten percent as  
2946 provided in K.C.C. ~~((21A.30.xxx))~~ 21A.32.065 for the expansion of legally established  
2947 nonconforming uses; or

2948 2. A mixed use development with one hundred percent of the dwelling units  
2949 affordable to households with incomes at or below sixty percent of area median income  
2950 and on-site supportive services consistent with the King County Consortium  
2951 Consolidated Housing and Community Development Plan or successor plan;

2952 D. The maximum on-site parking ratio for establishments and sites shall be ~~((2))~~  
2953 two per ((4000)) one thousand square feet and required parking shall not be located  
2954 between the building and the street; and

2955 E. Sign and landscaping standards for the use apply.

2956 SECTION 48. Ordinance 15032, Section 18, as amended, and K.C.C.

2957 21A.14.025 are hereby amended to read as follows:

2958 For cottage housing developments in the R4-R8 zones:

2959 A. The total area of the common open space must be at least two hundred and  
2960 fifty square feet per unit and at least fifty percent of the units must be clustered around  
2961 the common space.

2962 B. The total floor area of each unit, (~~including~~) except for two hundred and fifty  
2963 square feet of any enclosed parking, is limited to one thousand two hundred square feet.  
2964 The footprint of each unit, including any enclosed parking, is limited to nine hundred  
2965 square feet. A front or wraparound porch of up to one hundred square feet is permitted  
2966 and is not to be included in the floor area or footprint calculation.

2967 C. Fences within the cottage housing unit development are limited to three feet in  
2968 height. Fences along the perimeter of the cottage housing development are limited to six  
2969 feet.

2970 D. Individual cottage housing units must be at least ten feet apart.

2971 E. Each dwelling unit that abuts common open space shall have either a primary  
2972 entry or a covered porch, or both, oriented to the common open space.

2973 F. Each dwelling unit within forty feet of a public right-of-way, not including  
2974 alleys, shall have a facade oriented to the public right-of-way that includes a porch, an  
2975 entrance or a bay window that projects a minimum of six inches and is a minimum of  
2976 four feet in width. If a dwelling unit is within forty feet of more than one public right-of-  
2977 way, the department shall determine which right-of-way towards which the facade

2978 elements shall be oriented. Materials used on this facade shall wrap the corners of the  
2979 unit.

2980 SECTION 49. Ordinance 10870, Section 407, as amended, and K.C.C.

2981 21A.18.030 are hereby amended to read as follows:

2982 A. Except as modified in K.C.C. 21A.18.070.B. through D., off-street parking  
2983 areas shall contain at a minimum the number of parking spaces as stipulated in the  
2984 following table. Off-street parking ratios expressed as number of spaces per square feet  
2985 means the usable or net square footage of floor area, exclusive of non-public areas. Non-  
2986 public areas include but are not limited to building maintenance areas, storage areas,  
2987 closets or restrooms. If the formula for determining the number of off-street parking  
2988 spaces results in a fraction, the number of off-street parking spaces shall be rounded to  
2989 the nearest whole number with fractions of 0.50 or greater rounding up and fractions  
2990 below 0.50 rounding down.

LAND USE	MINIMUM PARKING SPACES REQUIRED
<b>RESIDENTIAL (K.C.C. 21A.08.030.A):</b>	
Single detached/Townhouse	2.0 per dwelling unit
Apartment:	
Studio units	1.2 per dwelling unit
One bedroom units	1.5 per dwelling unit
Two bedroom units	1.7 per dwelling unit
Three bedroom units or larger	2.0 per dwelling unit
Mobile home park	2.0 per dwelling unit

Senior citizen assisted	1 per 2 dwelling or sleeping units
Community residential facilities	1 per two bedrooms
Dormitory, including religious	1 per two bedrooms
Hotel/Motel including organizational hotel/lodging	1 per bedroom
Bed and breakfast guesthouse	1 per guest room, plus 2 per facility
<u>Cottage housing:</u>	
<u>Studio units</u>	<u>1.0 per dwelling unit</u>
<u>One bedroom units</u>	<u>1.5 per dwelling unit</u>
<u>Two bedroom units or larger</u>	<u>2.0 per dwelling unit</u>
<b>RECREATION/CULTURAL (K.C.C. 21A.08.040.A):</b>	
Recreation/culture uses:	1 per 300 square feet
Exceptions:	
Bowling center	5 per lane
Golf course	3 per hole, plus 1 per 300 square feet of club house facilities
Tennis Club	4 per tennis court plus 1 per 300 square feet of clubhouse facility
Golf driving range	1 per tee
Park/playfield/paintball	(director)
Theater	1 per 3 fixed seats
Conference center	1 per 3 fixed seats, plus 1 per 50

	square feet used for assembly purposes without fixed seats, or 1 per bedroom, whichever results in the greater number of spaces.
<b>LAND USE</b>	<b>MINIMUM PARKING SPACES REQUIRED</b>
<b>GENERAL SERVICES (K.C.C. 21A.08.050.A):</b>	
General services uses:	1 per 300 square feet
Exceptions:	
Funeral home/Crematory	1 per 50 square feet of chapel area
Daycare I	2 per facility
Daycare II	2 per facility, plus 1 space for each 20 children
Churches, synagogue, temple	1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes
Outpatient and Veterinary clinic offices	1 per 300 square feet of office, labs and examination rooms
Nursing and personal care Facilities	1 per 4 beds
Hospital	1 per bed
Elementary schools	1 per classroom, plus 1 per 50 students
Secondary schools	
Middle/junior high schools	1 per classroom, plus 1 per 50 students

High schools	1 per classroom, plus 1 per 10 students
High schools with stadiums	greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium
Vocational schools	1 per classroom, plus 1 per five students
Specialized instruction Schools	1 per classroom, plus 1 per two students
Artist Studios	0.9 per 1,000 square feet of area used for studios
<b>GOVERNMENT/BUSINESS SERVICES (K.C.C. 21A.08.060.A):</b>	
Government/business services uses:	1 per 300 square feet
Exceptions:	
Public agency yard	1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas
Public agency archives	0.9 per 1000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas
Courts	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas
Police facility	(director)
Fire facility	(director)

Construction and trade	1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area
Warehousing and storage	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area
Self-service storage	1 per 3,500 square feet of storage area, plus 2 for any resident director's unit
Outdoor advertising services	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area
Heavy equipment repair	1 per 300 square feet of office, plus .9 per 1,000 square feet of indoor repair areas
Office	1 per 300 square feet
<b>LAND USE</b>	<b>MINIMUM PARKING SPACES REQUIRED</b>
<b>RETAIL/WHOLESALE (K.C.C. 21A.08.070.A):</b>	
Retail trade uses:	1 per 300 square feet
Exceptions:	
Food stores, less than 15,000 square feet	3 plus 1 per 350 square feet
Gasoline service stations w/o grocery	3 per facility, plus 1 per service bay
Gasoline service stations w/grocery, no service bays	1 per facility, plus 1 per 300 square feet of store

Restaurants	1 per 75 square feet in dining or lounge areas
Remote tasting rooms	1 per 300 square feet of tasting and retail areas
Wholesale trade uses	0.9 per 1000 square feet
Retail and wholesale trade mixed use	1 per 300 square feet
<b>MANUFACTURING (K.C.C. 21A.08.080.A):</b>	
Manufacturing uses	0.9 per 1,000 square feet
Winery/Brewery/Distillery Facility II and III	0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting and retail areas
<b>RESOURCES (K.C.C. 21A.08.090.A):</b>	
Resource uses	(director)
<b>REGIONAL (K.C.C. 21A.08.100.A):</b>	
Regional uses	(director)

2991 B. An applicant may request a modification of the minimum required number of  
2992 parking spaces by providing that parking demand can be met with a reduced parking  
2993 requirement. In such cases, the director may approve a reduction of up to fifty percent of  
2994 the minimum required number of spaces.

2995 C. When the county has received a shell building permit application, off-street  
2996 parking requirements shall be based on the possible tenant improvements or uses  
2997 authorized by the ((~~zone designation~~)) zoning classification and compatible with the  
2998 limitations of the shell permit. When the range of possible uses result in different parking



2999 requirements, the director will establish the amount of parking based on a likely range of  
3000 uses.

3001 D. Where other provisions of this code stipulate maximum parking allowed or  
3002 reduced minimum parking requirements, those provisions shall apply.

3003 E. In any development required to provide six or more parking spaces, bicycle  
3004 parking shall be provided. Bicycle parking shall be bike rack or locker-type parking  
3005 facilities unless otherwise specified.

3006 1. Off-street parking areas shall contain at least one bicycle parking space for  
3007 every twelve spaces required for motor vehicles except as follows:

3008 a. The director may reduce bike rack parking facilities for patrons when it is  
3009 demonstrated that bicycle activity will not occur at that location.

3010 b. The director may require additional spaces when it is determined that the  
3011 use or its location will generate a high volume of bicycle activity. Such a determination  
3012 will include but not be limited to the following uses:

3013 (1) Park/playfield,

3014 (2) Marina,

3015 (3) Library/museum/arboretum,

3016 (4) Elementary/secondary school,

3017 (5) Sports club, or

3018 (6) Retail business (when located along a developed bicycle trail or  
3019 designated bicycle route).

3020 2. Bicycle facilities for patrons shall be located within 100 feet of the building  
3021 entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a

3022 structure attached to the pavement.

3023 3. All bicycle parking and storage shall be located in safe, visible areas that do  
3024 not impede pedestrian or vehicle traffic flow, and shall be well lit for nighttime use.

3025 4. When more than ten people are employed on site, enclosed locker-type  
3026 parking facilities for employees shall be provided. The director shall allocate the  
3027 required number of parking spaces between bike rack parking and enclosed locker-type  
3028 parking facilities.

3029 5. One indoor bicycle storage space shall be provided for every two dwelling  
3030 units in townhouse and apartment residential uses, unless individual garages are provided  
3031 for every unit. The director may reduce the number of bike rack parking spaces if indoor  
3032 storage facilities are available to all residents.

3033 SECTION 50. Ordinance 10870, Section 435, and K.C.C. 21A.20.150 are hereby  
3034 amended to read as follows:

3035 A. In the event that a billboard owner elects to relocate CB zoned billboards  
3036 outside of the CB zone, the CB (~~(zone designation)~~) zoning classification shall be  
3037 removed and that permit may not later be used to relocate a billboard in the CB zone.

3038 B. Billboards may be relocated only within the zone district identified on the  
3039 valid billboard permit, except the number of billboards permitted within non-CB zone  
3040 district may increase only as a result of billboard relocation from within the CB zone  
3041 district.

3042 SECTION 51. Ordinance 10870, Section 439, as amended, and K.C.C.  
3043 21A.22.010 are hereby amended to read as follows:

The purpose of this chapter is to establish standards that minimize the impacts of mineral extraction ~~((and))~~ or processing, coal mining, materials processing ~~((operations))~~ facilities and fossil fuel facilities upon surrounding properties by:

A. Ensuring adequate review of operating aspects of mineral extraction ~~((and))~~ or processing, coal mining, materials processing facility and fossil fuel facility sites;

B. Requiring project phasing on large sites to minimize environmental impacts;

C. Requiring minimum site areas large enough to provide setbacks and mitigations necessary to protect environmental quality; and

D. Requiring periodic review of mineral extraction ~~((and))~~ or processing, coal mining, materials processing ~~((operations))~~ facilities and fossil fuel facilities to ensure compliance with the approved operating standards.

SECTION 52. Ordinance 10870, Section 440, as amended, and K.C.C. 21A.22.020 are hereby amended to read as follows:

This chapter shall only apply to the following uses or activities ~~((that are))~~:

A. ~~((m))~~Mineral extraction or processing, or both, and including SIC 10 and 14;

B. Coal mining, including SIC 12;

C. ~~((m))~~Materials processing ~~((operations))~~ facilities; and

D. Fossil fuel facilities.

SECTION 53. Ordinance 10870, Section 441, and K.C.C. 21A.22.030 are hereby amended to read as follows:

~~((Extractive))~~ Mineral extraction or processing operations, coal mine operations and materials processing facility operations shall commence only after issuance of a grading permit by the county.

3067            SECTION 54. Ordinance 15032, Section 26, as amended, and K.C.C.  
3068    21A.22.035 are hereby amended to read as follows:

3069            A. Not later than thirty days after the department provides the notice of  
3070    application to the public required by K.C.C. 20.20.060 ~~((on))~~ for a ~~((mineral extraction or~~  
3071    ~~materials processing site))~~ use regulated under this chapter, or for an expansion of an  
3072    existing ~~((mineral extraction or materials processing site or operation))~~ use regulated  
3073    under this chapter beyond the scope of the prior environmental review, the applicant shall  
3074    hold a community meeting. The notice of application shall include notification of the  
3075    date, time and location of the community meeting. At the meeting, the applicant shall  
3076    provide information relative the proposal, including information on existing residences  
3077    and lot patterns within one-quarter mile of potential sites and on alternative haul routes.  
3078    The applicant shall also provide a preliminary evaluation at the meeting of any alternative  
3079    routes that have been provided to the applicant in writing at least five days in advance of  
3080    the meeting. The applicant shall provide to the department within fourteen days after the  
3081    community meeting a written list of meeting attendees and documentation of the meeting.

3082            B. Public notice of the community meeting required by this section shall be  
3083    prepared, posted and distributed in accordance with K.C.C. 20.20.060 at least two weeks  
3084    before the community meeting. In addition, the department shall:

3085            1. Publish a notice of the meeting in a local newspaper of general circulation in  
3086    the affected area;

3087            2. Mail the notice of the meeting to all property owners within one-quarter mile  
3088    of the proposed or expanded site or to at least twenty of the property owners nearest to  
3089    the site, whichever is greater; and

3090 3. Mail the notice of the meeting to all property owners within five hundred feet  
3091 of any proposed haul route from the site to the nearest arterial.

3092 SECTION 55. Ordinance 10870, Section 442, as amended, and K.C.C.

3093 21A.22.040 are hereby amended to read as follows:

3094 To the maximum extent practicable, nonconforming ~~((mineral extraction~~  
3095 ~~operations))~~ uses regulated under this chapter shall be brought into conformance with the  
3096 operating conditions and performance standards of this chapter during permit renewal.

3097 The department shall establish a schedule for conformance during the first periodic  
3098 review of the nonconforming ~~((mineral extraction))~~ operation or facility and  
3099 incorporate~~((d))~~ such a schedule into the permit conditions.

3100 SECTION 56. Ordinance 10870, Section 443, as amended, and K.C.C.

3101 21A.22.050 are hereby amended to read as follows:

3102 A. In addition to the review conducted as part of the annual renewal of a mineral  
3103 extraction or processing operating permit, coal mine permit or materials processing  
3104 facility permit, the department shall conduct a periodic review of mineral extraction  
3105 ~~((and))~~ or processing, coal mine, materials processing ~~((operation))~~ facility or fossil fuel  
3106 facility site design and operating standards at five-year intervals from the date of issuance  
3107 of the permit.

3108 B. The periodic review is a Type 2 land use decision.

3109 C. The periodic review shall ~~((determine))~~:

3110 1. Determine ~~((W))~~whether the site is operating consistent with all existing  
3111 permit conditions and, if not, establish corrective actions; and

3112 2. ~~((That))~~ Apply the most current site design and operating standards ~~((are~~

~~applied~~)) to the site through additional or revised permit conditions as necessary to mitigate identifiable environmental, public health and public safety impacts.

SECTION 57. Ordinance 10870, Section 444, as amended, and K.C.C.

21A.22.060 are hereby amended to read as follows:

Except as otherwise provided (~~((for nonconforming mineral extraction operations))~~ in K.C.C. 21A.22.040, in addition to requirements in this title, all (~~((mineral extraction and materials processing operations))~~) uses regulated under this chapter shall comply with the following standards:

A. The minimum site area (~~((of a mineral extraction or materials processing operation))~~) shall be ten acres;

B. (~~((Mineral extraction or materials processing operations o))~~)On sites larger than twenty acres, activities shall occur in phases to minimize environmental impacts. The size of each phase shall be determined during the review process;

C. If the department determines they are necessary to eliminate a safety hazard, fences or alternatives to fences (~~((approved by the department,))~~) shall be:

1. Provided in a manner that discourages access to areas of the site where:

a. active extracting, processing, stockpiling and loading of materials is occurring;

b. boundaries are in common with residential or commercial zone property or public lands; or

c. any unstable slope or any slope exceeding a grade of forty percent is present;

2. At least six feet in height above the grade measured at a point five feet outside the fence and the fence material shall have no opening larger than two inches;

3136 3. Installed with lockable gates at all openings or entrances;  
3137 4. No more than four inches from the ground to fence bottom; and  
3138 5. Maintained in good repair;

3139 D. Warning and trespass signs advising of the ~~((mineral extraction or materials~~  
3140 ~~processing operation))~~ use shall be placed on the perimeter of the site adjacent to RA, UR  
3141 or R zones at intervals no greater than two hundred feet along any unfenced portion of the  
3142 site where the items noted in subsection C.1.~~((a. through e.))~~ of this section are present;

3143 E. Structural setbacks from property lines shall be as follows:

3144 1. Buildings, structures and stockpiles used in the processing of materials shall  
3145 be no closer than:

3146 a. one hundred feet from any residential zoned properties except that the  
3147 setback may be reduced to fifty feet when the grade where such building or structures are  
3148 proposed is fifty feet or greater below the grade of the residential zoned property;

3149 b. fifty feet from any other zoned property, except when adjacent to another  
3150 ~~((mineral extraction or materials processing site))~~ use regulated under this chapter;

3151 c. the greater of fifty feet from the edge of any public street or the setback from  
3152 residential zoned property on the far side of the street; and

3153 2. Offices, scale facilities, equipment storage buildings and stockpiles, including  
3154 those for reclamation, shall not be closer than fifty feet from any property line except  
3155 when adjacent to another ~~((mineral extraction or materials processing site))~~ use regulated  
3156 under this chapter or M or F zoned property. Facilities necessary to control access to the  
3157 site, when demonstrated to have no practical alternative, may be located closer to the  
3158 property line;

3159 F. On-site clearing, grading or excavation, excluding that necessary for required  
3160 access, roadway or storm drainage facility construction or activities in accordance with  
3161 an approved reclamation plan, shall not be permitted within fifty feet of any property line  
3162 except along any portion of the perimeter adjacent to another (~~((mineral extraction or~~  
3163 ~~materials processing operation))~~ use regulated under this chapter or M or F zoned  
3164 property. If native vegetation is restored, temporary disturbance resulting from  
3165 construction of noise attenuation features located closer than fifty feet shall be permitted;

3166 G. Landscaping consistent with type 1 screening K.C.C. chapter 21A.16, except  
3167 using only plantings native to the surrounding area, shall be provided along any portion  
3168 of the site perimeter where site disturbances (~~((such as site clearing and grading, or~~  
3169 ~~mineral extraction or materials processing is))~~ associated with a use regulated under this  
3170 chapter are performed, except where adjacent to another (~~((mineral extraction, materials~~  
3171 ~~processing or))~~ use regulated under this chapter, forestry operation or M or F-zoned  
3172 property;

3173 H. Relevant clearing and grading operating standards from K.C.C. chapter 16.82  
3174 shall be applied; and

3175 I. Lighting shall:

3176 1. Be limited to that required for security, lighting of structures and equipment,  
3177 and vehicle operations; and

3178 2. Not directly glare onto surrounding properties.

3179 SECTION 58. Ordinance 10870, Section 445, as amended, and K.C.C.

3180 21A.22.070 are hereby amended to read as follows:



3181           Operating conditions and performance standards for all clearing and grading  
3182 activity for a use regulated under this chapter shall be as specified in K.C.C. chapter  
3183 16.82 except:

3184           A.1. Noise levels (~~((produced by a mineral extraction or materials processing~~  
3185 ~~operation))~~) shall not exceed levels specified by K.C.C. chapter 12.86;

3186           2. Hours of operation (~~((for mineral extraction and materials processing~~  
3187 ~~facilities))~~), unless otherwise specified by the director, shall be between 7:00 a.m. and  
3188 7:00 p.m. Monday through Saturday and between 10:00 a.m. and 5:00 p.m. Sunday and  
3189 holidays;

3190           3. Before approving any variation of the hours of operation, the department  
3191 shall:

3192           a. determine whether on-site operations can comply with nighttime noise  
3193 standards in accordance with K.C.C. 12.86.110, and K.C.C. 12.86.120;

3194           b. determine whether the variance would cause significant adverse noise  
3195 impacts to the community in accordance with standards and methodologies developed by  
3196 the Federal Transit Administration, Federal Highway Administration or World Health  
3197 Organization, or any combination thereof, for evaluating noise impacts, or other  
3198 comparable standards and methods; and

3199           c. require mitigation for any identified impacts before the department approves  
3200 a variation in the hours of operation; and

3201           4. The director's decision to approve a variation in the hours of operation shall  
3202 be in writing and shall include a specific finding of compliance with the noise standards,  
3203 the facts and conclusions supporting that finding and any mitigation, conditions or

3204 limitations imposed. All decisions made under this subsection shall be compiled by the  
3205 department and made available for public inspection;

3206 B. Blasting shall be conducted under an approved blasting plan:

3207 1. Consistent with the methods specified in the Office of Surface Mining  
3208 Enforcement and Reclamation 1987 Blasting Guidance Manual in a manner that protects  
3209 from damage all structures, excluding those owned and directly used by the operator, and  
3210 persons in the vicinity of the blasting area, including, but not limited to, adherence to the  
3211 following:

3212 a. Airblast levels shall not exceed one hundred thirty-three decibels measured  
3213 by a two Hz or lower flat response system at the nearest residential property or place of  
3214 public assembly;

3215 b. Flyrock shall not be cast one-half the distance to the nearest residential  
3216 property, place of public assembly or the property boundary, whichever is less. For the  
3217 purposes of this subsection B.1.b., "property boundary" means an imaginary line exterior  
3218 to any enclosed structure, at ground surface, which separates the property of one or more  
3219 persons from that owned by others, and its vertical extension; and

3220 c. Ground motion shall not exceed ground vibration levels damaging to  
3221 structures using one of the four accepted methods in the Office of Surface Mining  
3222 Enforcement and Reclamation 1987 Blasting Guidance Manual;

3223 2. During daylight hours; and

3224 3. According to a time schedule, provided to residents within one-half mile of  
3225 the site, that features regular or predictable times, except in the case of an emergency. If

requested by a resident, the operator shall provide notice of changes in the time schedule at least twenty four hours before the changes take effect;

C.1. Dust and smoke (~~((produced by mineral extraction and materials processing operations))~~) shall be controlled by best management practices to comply with relevant regulations of the Puget Sound Clean Air Agency.

2. Dust and smoke (~~((from process facilities))~~) shall be controlled in accordance with a valid operating permit from the Puget Sound Clean Air Agency, when required. Copies of the permit shall be kept onsite and available for department and public inspection. Copies of the Puget Sound Clean Air Agency monitoring results shall be provided to the department on permit monitoring data submittal dates.

3. Dust and smoke (~~((from process facilities))~~) shall not significantly increase the existing levels of suspended particulates at the perimeter of the site;

D. The applicant shall prevent rocks, dirt, mud and any raw or processed material from spilling from or being tracked by trucks onto public roadways and shall be responsible for cleaning debris or repairing damage to roadways caused by the operation;

E. The applicant shall provide traffic control measures such as flaggers or warning signs as determined by the department during all hours of operation;

F. The operator shall control surface water and site discharges to comply with K.C.C. chapter 9.04 and the surface water design manual and K.C.C. chapter 9.12 and the stormwater pollution prevention manual. For the life of the (~~((mineral resource))~~) operation and until site reclamation is complete, the operator shall maintain a valid Washington state Department of Ecology National Pollutant Discharge Elimination System individual permit or maintain coverage under the sand and gravel general permit.

3249 The operator shall keep onsite and available for department review copies of the erosion  
3250 and sediment control plan, the applicable National Pollution Discharge Elimination  
3251 System individual or general permit and the Stormwater Pollution Prevention Plan. The  
3252 operator shall make the plans and permit available for public inspection upon request.  
3253 The operator shall provide to the department copies of the monitoring results on permit  
3254 monitoring data submittal dates. The department shall make the monitoring results  
3255 available for public inspection. If the department determines that National Pollution  
3256 Discharge Elimination System monitoring frequency or type is not adequate to meet the  
3257 demands of the site and the requirements of this subsection, the department may require  
3258 more frequent and detailed monitoring and may require a program designed to bring the  
3259 site into compliance;

3260 G. The operator shall not excavate below the contours determined through  
3261 hydrologic studies necessary to protect groundwater and the upper surface of the  
3262 saturated groundwater that could be used for potable water supply;

3263 H. If contamination of surface or ground water by herbicides is possible, to the  
3264 maximum extent practicable, mechanical means shall be used to control noxious weeds  
3265 on the site;

3266 I. Upon depletion of ((~~mineral~~)) resources or abandonment of the site, the  
3267 operator shall remove all structures, equipment and appurtenances accessory to  
3268 operations; and

3269 J. If the operator fails to comply with this section, the department shall require  
3270 modifications to operations, procedures or equipment until compliance is demonstrated to

the satisfaction of the department. If the modifications are inconsistent with the approved permit conditions, the department shall revise the permit accordingly.

SECTION 59. Ordinance 1488, Section 12, as amended, and K.C.C. 21A.22.081 are hereby amended to read as follows:

A. A valid clearing and grading permit shall be maintained on a mineral extraction or coal mine site until the reclamation of the site required under chapter 78.44 RCW is completed.

B. A reclamation plan approved in accordance with chapter 78.44 RCW shall be submitted before the effective date of a zone reclassification in Mineral-zoned properties or the acceptance of any development proposal for a subsequent use in Forest-zoned properties. The zone reclassification shall grant potential zoning that is only to be actualized, under K.C.C. chapter 20.22, upon demonstration of successful completion of all requirements of the reclamation plan. Development proposals in the Forest zone for uses subsequent to mineral extraction or coal mine operations shall not be approved until demonstration of successful completion of all requirements of the reclamation plan except that forestry activities may be permitted on portions of the site already fully reclaimed.

C. Mineral extraction and coal mine operations that are not required to have an approved reclamation plan under chapter 78.44 RCW shall meet the following requirements:

1. Upon the exhaustion of minerals or materials or upon the permanent abandonment of the quarrying or mining operation, all nonconforming buildings,

3293 structures, apparatus or appurtenances accessory to the quarrying and mining operation  
3294 shall be removed or otherwise dismantled to the satisfaction of the director;

3295 2. Final grades shall:

3296 a. be such so as to encourage the uses permitted within the primarily  
3297 surrounding zone or, if applicable, the underlying or potential (~~zone~~) zoning  
3298 classification; and

3299 b. result in drainage patterns that reestablish natural conditions of water  
3300 velocity, volume, and turbidity within six months of reclamation and that precludes water  
3301 from collecting or becoming stagnant. Suitable drainage systems approved by the  
3302 department shall be constructed or installed where natural drainage conditions are not  
3303 possible or where necessary to control erosion. All constructed drainage systems shall be  
3304 designed consistent with the Surface Water Design Manual;

3305 3. All areas subject to grading or backfilling shall:

3306 a. incorporate only nonnoxious, nonflammable, noncombustible and  
3307 nonputrescible solids; and

3308 b. except for roads and areas incorporated into drainage facilities, be surfaced  
3309 with soil of a quality at least equal to the topsoil of the land areas immediately  
3310 surrounding, and to a depth of the topsoil of land area immediately surrounding six  
3311 inches, whichever is greater. The topsoil layer shall have an organic matter content of  
3312 eight to thirteen percent and a pH of 6.0 to 8.0 or matching the pH of the original  
3313 undisturbed soil layer. Compacted areas such as pit floors or compacted fill shall be  
3314 tilled or scarified before topsoil placement;

3315           4. All reclaimed slopes shall comprise an irregular sinuous appearance in both  
3316 profile and plan view and blend with adjacent topography to a reasonable extent;

3317           5. Where excavation has penetrated the seasonal or permanent water table  
3318 creating a water body or wetland:

3319           a. All side slopes below the permanent water table and banks shall be graded  
3320 or shaped as to not constitute a safety hazard;

3321           b. Natural features and plantings to provide beneficial wetland functions and  
3322 promote wildlife habitat shall be provided; and

3323           c. Appropriate drainage controls shall be provided to stabilize the water level  
3324 and not create potential flooding hazards;

3325           6. All cleared, graded or backfilled areas, including areas surfaced with topsoil,  
3326 shall be planted with a variety of trees, shrubs, legumes and grasses indigenous to the  
3327 surrounding area and appropriate for the soil, moisture and exposure conditions;

3328           7. Waste or soil piles shall be used for grading, backfilling or surfacing if  
3329 permissible under this section, then covered with topsoil and planted in accordance with  
3330 subsection C.3. and 6. of this section. Waste or soil piles not acceptable to be used for fill  
3331 in accordance with this chapter or as top soil in accordance with subsection C.3. of this  
3332 section shall be removed from the site; and

3333           8. Where excavation has exposed natural materials that may create polluting  
3334 conditions, including, but not limited to, acid-forming coals and metalliferous rock or  
3335 soil, such conditions shall be addressed to the satisfaction of the department. The final  
3336 ground surface shall be graded so that surface water drains away from any such materials  
3337 remaining on the site.

D. The department may modify any requirement of this section when not applicable or if it conflicts with an approved subsequent use for the site.

SECTION 60. Ordinance 15032, Section 34, and K.C.C. 21A.22.085 are hereby amended to read as follows:

The applicant shall mitigate adverse impacts resulting from the ~~((extraction or processing operations))~~ use regulated under this chapter and monitor to demonstrate compliance with this chapter.

SECTION 61. Sections 62 and 63 of this ordinance should constitute a new chapter in K.C.C. Title 21A.

NEW SECTION. SECTION 62. Within the sea level rise risk area the following standards apply:

A. All buildings and substantial improvements to existing buildings shall be elevated on pilings and columns in a manner consistent with applicable floodplain development standards in this title, K.C.C. Title 16, the Federal Emergency Management Agency Coastal Construction Manual and other applicable requirements, and in a manner that provides the following, at a minimum:

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

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



3361 exceeded in any given year; and

3362           3. All utilities that service the building are elevated to or above the flood  
3363 protection elevation.

3364           B. A registered professional engineer licensed by the state of Washington shall  
3365 prepare the structural design, specifications and plans for the building, and shall certify  
3366 that the design and methods of construction to be used are in accordance with accepted  
3367 standards of practice for meeting the provisions of subsection A. of this section, including  
3368 applicable floodplain development standards in this title, K.C.C. Title 16, the Federal  
3369 Emergency Management Agency Coastal Construction Manual and other applicable  
3370 requirements;

3371           C. The applicant shall provide a complete Federal Emergency Management  
3372 Agency elevation certificate on the most current version of the form completed by a land  
3373 surveyor licensed by the state of Washington documenting the elevation of the bottom of  
3374 the lowest structural member of the lowest floor, excluding pilings and columns, of all  
3375 new and substantially improved buildings and additions affixed to the side of a building,  
3376 and whether or not the buildings contain a basement. The department shall maintain the  
3377 Federal Emergency Management Agency elevation certificates required by this section  
3378 for public inspection and for certification under the National Flood Insurance Program;

3379           D. All new buildings and substantial improvements to existing buildings shall  
3380 maintain the space below the lowest floor free of obstruction. Breakaway walls are  
3381 prohibited. The space can include nonsupporting open wood lattice-work or insect  
3382 screening that is intended to collapse under wind and wave loads without causing  
3383 collapse, displacement or other structural damage to the elevated portion of the building

3384 or supporting foundation system. The space below the lowest floor can be used only for  
3385 parking of vehicles, building access or storage of items readily removable in the event of  
3386 a flood warning. The space shall not be used for human habitation;

3387 E. Fill for structural support of buildings is prohibited;

3388 F. All manufactured homes to be placed or substantially improved within the sea  
3389 level rise risk area shall meet the standards in subsections A. through E. of this section;  
3390 and

3391 G. The department shall provide notice to all applicants for new development or  
3392 redevelopment located within the sea level rise risk area that the development may be  
3393 impacted by sea level rise and recommend that the applicant voluntarily consider setting  
3394 the development back further than required by this title to allow for future sea level rise.

3395 NEW SECTION. SECTION 63.

3396 A. The director may approve sea level rise risk area variances to this chapter.

3397 B. In reviewing and evaluating sea level rise risk area variance applications, the  
3398 director shall consider all technical evaluations and relevant factors, including, but not  
3399 limited to:

3400 1. The danger that materials may be swept onto other lands to the injury of

3401 others;

3402 2. The danger to life and property due to coastal flooding or erosion damage;

3403 3. The susceptibility of the proposed building or facility and its contents to flood  
3404 damage and the effect of the damage on the individual owner;

3405 4. The importance of the services provided by the proposed building or facility  
3406 to the community;

3407           5. The necessity to the building or facility of a waterfront location;  
3408           6. The availability of alternative locations for the proposed use that are not  
3409 subject to flooding or erosion damage;  
3410           7. The potential of the proposed development to create an adverse effect on a  
3411 federally or state-protected species or habitat;  
3412           8. The compatibility of the proposed use with existing and anticipated  
3413 development;  
3414           9. The relationship of the proposed use to the Comprehensive Plan, shoreline  
3415 master program and flood hazard management plan;  
3416           10. The safety of access to the property in times of flooding for ordinary and  
3417 emergency vehicles;  
3418           11. The expected heights, velocity, duration, rate of rise, sediment transport of  
3419 the floodwaters and effects of wave action expected at the site;  
3420           12. The costs of providing governmental services during and after flood  
3421 conditions, including emergency management services and maintenance and repair of  
3422 public utilities and facilities such as sewer, gas, electrical, water systems, streets and  
3423 bridges; and  
3424           13. Current and future risks from sea level rise conditions anticipated to occur  
3425 over the next fifty years.

3426           C. The director may only approve a sea level rise risk area variance upon a  
3427 determination that:

3428           1. Failure to grant the sea level rise risk area variance would result in an  
3429 exceptional hardship to the applicant;

3430           2. The granting of a sea level rise risk area variance will not result in additional  
3431 threats to public safety, extraordinary public expense, create nuisances, cause fraud on or  
3432 victimization of the public or conflict with existing laws or ordinances; and

3433           3. The sea level rise risk area variance is the minimum necessary, considering  
3434 the flood or erosion hazard, to afford relief.

3435           D. An applicant for sea level rise risk area variance shall be given a written  
3436 notice that the approval of the sea level rise risk area variance to construct a structure  
3437 below the sea level rise protection elevation established in this chapter in may result in  
3438 higher future flood insurance premium rates up to amounts as high as twenty-five dollars  
3439 per one hundred dollars of coverage and that the construction below the sea level rise  
3440 protection elevation increases risks to life and property.

3441           E.1. An application for a sea level rise risk area variance shall be submitted in  
3442 writing to the permitting division, together with any supporting documentation that  
3443 demonstrates how the proposal meets the criteria in this section.

3444           2. An application for a sea level rise risk area variance under this section shall  
3445 be reviewed as a Type II land use decision in accordance with K.C.C. 20.20.020.

3446           3. Sea level rise risk area variances that allow the establishment of a use not  
3447 otherwise permitted in the zone where the proposal is located shall not be permitted.

3448           4. The variance standards in K.C.C. 21A.44.030 and the alteration exception  
3449 standards in K.C.C. 21A.24.070 shall not be used for variances to the sea level rise risk  
3450 area regulations of this chapter.

3451           5. The department shall maintain in perpetuity a record of all requests for  
3452 variances, including justification for their issuance.

3453            SECTION 64. Ordinance 17539, Section 47, and K.C.C. 21A.24.072 are hereby  
3454 amended to read as follows:

3455            A. As an alternative to an alteration exception under K.C.C. 21A.24.070, during  
3456 review of an application for a single detached dwelling unit, the director may approve an  
3457 alteration to a wetland buffer, aquatic area buffer, steep slope hazard area and associated  
3458 buffer, landslide hazard area and associated buffer and critical area setback as follows:

3459            1. There is no feasible alternative to the development proposal with less adverse  
3460 impact on the critical area;

3461            2. The alteration is the minimum necessary to accommodate residential use of the  
3462 property;

3463            3. The approval does not require the modification of a critical area development  
3464 standard established by this chapter;

3465            4. The development proposal does not pose an unreasonable threat to the public  
3466 health, safety or welfare on or off the development proposal site and is consistent with the  
3467 general purposes of this chapter and the public interest;

3468            5. No more than five thousand square feet or ten percent of the site, whichever is  
3469 greater, are disturbed by structures, building setbacks or other land alteration, including  
3470 grading, utility installations and landscaping, but not including the area used for a driveway  
3471 or for an on-site sewage disposal system. For purposes of this section, areas located within  
3472 the shoreline jurisdiction that are below the ordinary high water mark shall not be included  
3473 in calculating the site area;

3474            6. The applicant submits an approved rural stewardship plan or forest stewardship  
3475 plan prepared in accordance with this chapter that addresses the development proposal and

3476 the proposed use of the property; and

3477 7. The proposal complies with K.C.C. 21A.24.125 and 21A.24.130.

3478 B. The applicant for the waiver of the alteration exception process shall submit any  
3479 critical areas studies, alternatives analysis and other documents requested by the  
3480 department following a preapplication review meeting.

3481 C. Within fourteen calendar days after the department determines the application  
3482 under this section is complete, it shall provide written mailed notice of the proposed  
3483 alteration as provided in K.C.C. ((~~20.20.080.H~~)) 20.20.060.H.

3484 D. The department shall allow twenty-one calendar days for comment before  
3485 making a decision on the request under this section. The department's decision shall be  
3486 mailed to the applicant and to any other person who requests a copy. The decision shall  
3487 state the reasons for the decision and, if approved, shall include any required mitigation or  
3488 conditions.

3489 SECTION 65. Ordinance 10870, Section 478, as amended, and K.C.C.  
3490 21A.24.310 are hereby amended to read as follows:

3491 The following development standards apply to development proposals and  
3492 alterations on sites containing steep slope hazard areas:

3493 A. Except as provided in subsection D. of this section, unless allowed as an  
3494 alteration exception under K.C.C. 21A.24.070, only the alterations identified in K.C.C.  
3495 21A.24.045 are allowed within a steep slope hazard area;

3496 B. A buffer is required from all edges of the steep slope hazard area. To  
3497 eliminate or minimize the risk of property damage or injury resulting from slope  
3498 instability, landsliding or erosion caused in whole or part by the development, the

3499 department shall determine the size of the buffer based upon a critical area report  
3500 prepared by a geotechnical engineer or geologist. The department of local services shall  
3501 adopt a public rule to implement this subsection, including implementing the  
3502 requirements for development and review of a critical area report.

3503         1. For new structures and substantial improvements to existing structures on  
3504 sites where any portion of the steep slope hazard area extends into the coastal high hazard  
3505 area or sea level rise risk area:

3506             a. ((If a)) The critical area report shall include an assessment of current and  
3507 future risks of sea level rise conditions anticipated to occur over the next fifty years and a  
3508 recommended buffer;

3509             b. If a critical area report is not submitted to the department, the minimum  
3510 buffer shall be seventy-five feet;

3511         2. For all other development not identified in subsection B.1.:

3512             a. If a critical area report is not submitted to the department, the minimum  
3513 buffer ((is)) shall be fifty feet((-)); and

3514             b. For building permits for single detached dwelling units only, the department  
3515 may waive the special study requirement and authorize buffer reductions if the  
3516 department determines that the reduction will adequately protect the proposed  
3517 development and the critical area; ((and))

3518         C. Unless otherwise provided in K.C.C. 21A.24.045 or as a necessary part of an  
3519 allowed alteration, removal of any vegetation from a steep slope hazard area or buffer is  
3520 prohibited; and

3521         D. All alterations are allowed in the following circumstance:

3522           1. Slopes which are forty percent or steeper with a vertical elevation change of  
3523 up to twenty feet if no adverse impact will result from the exemption based on King  
3524 County's review of and concurrence with a soils report prepared by a geologist or  
3525 geotechnical engineer; and

3526           2. The approved regrading of any slope which was created through previous  
3527 legal grading activities. Any slope which remains forty percent or steeper following site  
3528 development shall be subject to all requirements for steep slopes.

3529           SECTION 66. Ordinance 15051, Section 179, as amended, and K.C.C.  
3530 21A.24.316 are hereby amended to read as follows:

3531           The following development standards apply to development proposals and  
3532 alterations on sites containing critical aquifer recharge areas:

3533           A. Except as otherwise provided in subsection H. of this section, the following  
3534 new development proposals and alterations are not allowed on a site located in a category  
3535 I critical aquifer recharge area:

3536           1. Transmission pipelines carrying petroleum or petroleum products;

3537           2. Sand and gravel, and hard rock mining unless:

3538           a. the site has mineral zoning as of January 1, 2005; or

3539           b. mining is a permitted use on the site and the critical aquifer recharge area  
3540 was mapped after the date a complete application for mineral extraction on the site was  
3541 filed with the department;

3542           3. Mining of any type below the upper surface of the saturated ground water that  
3543 could be used for potable water supply;

3544           4. Disposal of radioactive wastes, as defined in chapter 43.200 RCW;



3545           5. Hydrocarbon extraction;

3546           6. Commercial wood treatment facilities on permeable surfaces;

3547           7. Underground storage tanks, including tanks that are exempt from the

3548 requirements of chapter 173 WAC, with hazardous substances, as defined in chapter

3549 70.105 RCW, that do not comply with standards of chapter 173-360 WAC and K.C.C.

3550 Title 17;

3551           8. Above-ground storage tanks for hazardous substances, as defined in chapter

3552 70.105 RCW, unless protected with primary and secondary containment areas and a spill

3553 protection plan;

3554           9. Golf courses;

3555           10. Cemeteries;

3556           11. Wrecking yards;

3557           12. Landfills for hazardous waste, municipal solid waste or special waste, as

3558 defined in K.C.C. chapter 10.04; and

3559           13. On lots smaller than one acre, an on-site septic system, unless:

3560           a. the system is approved by the Washington state Department of Health and

3561 has been listed by the Washington State Department of Health as meeting treatment

3562 standard N as provided in WAC chapter 426-((172A))272A; or

3563           b. the Seattle-King County department of public health determines that the

3564 systems required under subsection A.13.a. of this section will not function on the site.

3565           B. Except as otherwise provided in subsection H. of this section, the following

3566 new development proposals and alterations are not allowed on a site located in a category

3567 II critical aquifer recharge area:

3568           1. Mining of any type below the upper surface of the saturated ground water that  
3569 could be used for potable water supply;

3570           2. Disposal of radioactive wastes, as defined in chapter 43.200 RCW;

3571           3. Hydrocarbon extraction;

3572           4. Commercial wood treatment facilities located on permeable surfaces;

3573           5.a. Except for a category II critical aquifer recharge area located over an  
3574 aquifer underlying an island that is surrounded by saltwater, underground storage tanks  
3575 with hazardous substances, as defined in chapter 70.105 RCW, that do not meet the  
3576 requirements of chapter 173-360 WAC and K.C.C. Title 17; and

3577           b. For a category II critical aquifer recharge area located over an aquifer  
3578 underlying an island that is surrounded by saltwater, underground storage tanks,  
3579 including underground storage tanks exempt from the requirements of chapter 173-360  
3580 WAC, with hazardous substances, as defined in chapter 70.105 RCW, that do not comply  
3581 with the standards in chapter 173-360 WAC and K.C.C. Title 17;

3582           6. Above-ground storage tanks for hazardous substances, as defined in chapter  
3583 70.105 RCW, unless protected with primary and secondary containment areas and a spill  
3584 protection plan;

3585           7. Wrecking yards;

3586           8. Landfills for hazardous waste, municipal solid waste, or special waste, as  
3587 defined in K.C.C. chapter 10.04; and

3588           9. On lots smaller than one acre, an on-site septic systems, unless:

3589           a. the system is approved by the Washington state Department of Health and  
3590 has been listed by the Washington state Department of Health as meeting treatment

3591 standard N as provided in WAC chapter 426-~~((172A))~~272A; or

3592           b. the Seattle-King County department of public health determines that the  
3593 systems required under subsection B.9.a. of this section will not function on the site.

3594           C. Except as otherwise provided in subsection H. of this section, the following  
3595 new development proposals and alterations are not allowed on a site located in a category  
3596 III critical aquifer recharge area:

- 3597           1. Disposal of radioactive wastes, as defined in chapter 43.200 RCW;
- 3598           2. Hydrocarbon extraction;
- 3599           3. Commercial wood treatment facilities located on permeable surfaces;
- 3600           4. Underground storage tanks, including tanks exempt from the requirements of  
3601 chapter 173-360 WAC, with hazardous substances, as defined in chapter 70.105 RCW,  
3602 that do not comply with the requirements of chapter 173-360 WAC and K.C.C. Title 17;
- 3603           5. Above ground storage tanks for hazardous substances, as defined in chapter  
3604 70.105 RCW, unless protected with primary and secondary containment areas and a spill  
3605 protection plan;
- 3606           6. Wrecking yards; and
- 3607           7. Landfills for hazardous waste, municipal solid waste, or special waste, as  
3608 defined in K.C.C. chapter 10.04.

3609           D. The following standards apply to development proposals and alterations that  
3610 are substantial improvements on a site located in a critical aquifer recharge area:

- 3611           1. The owner of an underground storage tank, including a tank that is exempt  
3612 from the requirements of chapter 173 WAC, in a category I or III critical aquifer recharge  
3613 area or a category II critical aquifer recharge area located over an aquifer underlying ~~((an~~

~~island that is surrounded by saltwater~~)) Vashon-Maury Island shall either bring the tank into compliance with the standards of chapter 173 WAC and K.C.C. Title 17 or properly decommission or remove the tank; and

2. The owner of an underground storage tank in a category II critical aquifer recharge area not located on located over an aquifer underlying ~~((an island that is surrounded by saltwater))~~ Vashon-Maury Island shall bring the tank into compliance with the standards of chapter 173-360 WAC and K.C.C. Title 17 or shall properly decommission or remove the tank.

E. In any critical aquifer recharge area, the property owner shall properly decommission an abandoned well.

F. On a site located in a critical aquifer recharge area within the urban growth area, a development proposal for new residential development, including, but not limited to, a subdivision, short subdivision, or dwelling unit, shall incorporate best management practices included in the King County Surface Water Design Manual into the site design in order to infiltrate stormwater runoff to the maximum extent practical.

G. ~~((On an island surround by saltwater,))~~ For critical aquifer recharge areas on Vashon-Maury Island:

1. No new groundwater wells are permitted within a coastal high hazard area. A rainwater catchment system may be used as an alternative water supply source for a single family residence if the requirements of K.C.C. 13.04.070 are met;

2. All new groundwater wells within a sea level rise risk area shall include a surface seal that prevents risks of saltwater contamination caused by sea level rise conditions anticipated to occur over the next fifty years; and

3637           3. ((†))The owner of a new well located within ~~((two hundred feet of the~~  
3638 ~~ordinary high water mark of the marine shoreline and within a critical aquifer recharge~~  
3639 ~~area))~~ the sea level rise risk area shall test the well for chloride levels using testing  
3640 protocols approved by the Washington state Department of Health. The owner shall  
3641 report the results of the test to Seattle-King County department of public health and to the  
3642 department of natural resources and parks. If the test results indicate saltwater intrusion  
3643 is likely to occur, the department of natural resources and parks, in consultation with  
3644 Seattle-King County department of public health, shall recommend appropriate measures  
3645 in addition to the minimum requirements of this title to prevent saltwater intrusion.

3646           H. On a site greater than twenty acres, the department may approve a  
3647 development proposal otherwise prohibited by subsections A., B. and C. of this section if  
3648 the applicant demonstrates through a critical area((s)) report that the development  
3649 proposal is located outside the critical aquifer recharge area and that the development  
3650 proposal will not cause a significant adverse environmental impact to the critical aquifer  
3651 recharge area.

3652           I. The provisions relating to underground storage tanks in subsections A. through  
3653 D. of this section apply only when the proposed regulation of underground storage tanks  
3654 has been submitted to and approved by the Washington state department of ecology, in  
3655 accordance with 90.76.040 RCW and WAC 173-360-530.

3656           SECTION 67. Ordinance 15051, Section 185, as amended, and K.C.C.  
3657 21A.24.325 are hereby amended to read as follows:

3658           A. Except as otherwise provided in this section, buffers shall be provided from the  
3659 wetland edge as follows:

3660 1. The buffers shown on the following table apply unless modified in accordance  
 3661 with subsections B., C., D. and E. of this section:

WETLAND CATEGORY AND CHARACTERISTICS	INTENSITY OF IMPACT OF ADJACENT LAND USE		
	HIGH IMPACT	MODERATE IMPACT	LOW IMPACT
<b>Category I</b>			
Wetlands of High Conservation Value	250 feet	190 feet	125 feet
Bog	250 feet	190 feet	125 feet
Estuarine	200 feet	150 feet	100 feet
Coastal Lagoon	200 feet	150 feet	100 feet
Forested	Buffer width to be based on score for habitat functions or water quality functions		
Habitat score from 8 to 9 points (high level of function)	300 feet	225 feet	150 feet
Habitat score from 6 to 7 points (moderate level of function)	150 feet	110 feet	75 feet
Category I wetlands not meeting any of the criteria above	100 feet	75 feet	50 feet
<b>Category II</b>			

Estuarine	150 feet	110 feet	75 feet
Habitat score from 8 to 9 points (high level of function)	300 feet	225 feet	150 feet
Habitat score from 6 to 7 points (moderate level of function)	150 feet	110 feet	75 feet
Category II wetlands not meeting any of the criteria above	100 feet	75 feet	50 feet
<b>Category III</b>			
Habitat score from 8 to 9 points (high level of function)	300 feet	225 feet	150 feet
Habitat score from 6 to 7 points (moderate level of function)	150 feet	110 feet	75 feet
Category III wetlands not meeting any of the criteria above	80 feet	60 feet	40 feet
<b>Category IV</b>	50 feet	40 feet	25 feet

2. For purposes of this subsection A., unless the director determines a lesser level of impact is appropriate based on information provided by the applicant, the intensity of impact of the adjacent land use is determined as follows:

a. High impact includes:

(1) sites zoned commercial or industrial;

3667 (2) commercial, institutional or industrial use on a site regardless of the  
3668 zoning (~~((designation))~~) classification;

3669 (3) nonresidential use on a site zoned for residential use;

3670 (4) high-intensity active recreation use on a site regardless of zoning, such as  
3671 golf courses, ball fields and similar use;

3672 (5) all sites within the Urban Growth Area; or

3673 (6) Residential zoning greater than one dwelling unit per acre;

3674 b. Moderate impact includes:

3675 (1) residential uses on sites zoned residential one dwelling unit per acre or less;

3676 (2) residential use on a site zoned rural area, agriculture or forestry;

3677 (3) agricultural uses without an approved farm management plan;

3678 (4) utility corridors or right-of-way shared by several utilities, including  
3679 maintenance roads; or

3680 (5) moderate-intensity active recreation or open space use, such as paved trails,  
3681 parks with biking, jogging and similar use; and

3682 c. Low impact includes:

3683 (1) forestry use on a site regardless of zoning (~~((designation))~~) classification;

3684 (2) passive recreation uses, such as unpaved trails, nature viewing areas, fishing  
3685 and camping areas, and other similar uses that do not require permanent structures, on a site  
3686 regardless of zoning;

3687 (3) agricultural uses carried out in accordance with an approved farm  
3688 management plan and in accordance with K.C.C. 21A.24.045.D.53. and K.C.C.  
3689 21A.24.045.D.54.; or



3690 (4) utility corridors without a maintenance road and little or no vegetation  
3691 maintenance.

3692 B. The department may approve a modification of the minimum buffer width  
3693 required by this section by averaging the buffer width if:

3694 1. The department determines that:

3695 a. the buffer averaging will improve wetland protection if the wetland has  
3696 significant differences in characteristics that effect habitat functions, such as a wetland with  
3697 a forested component adjacent to a degraded emergent component or a "dual-rated"  
3698 wetland with a Category I area adjacent to a lower-rated area; or

3699 b. averaging includes the corridors of a wetland complex; and

3700 2. The resulting buffer meets the following standards:

3701 a. the total area of the buffer after averaging is equivalent to or greater than the  
3702 area of the buffer before averaging;

3703 b. the additional buffer is contiguous with the standard buffer;

3704 c. the buffer at its narrowest point is never less than either seventy-five percent  
3705 of the required width or seventy-five feet for Category I and II, fifty feet for Category III,  
3706 and twenty-five feet for Category IV, whichever is greater;

3707 d. the averaged buffer will not result in degradation of wetland functions and  
3708 values as demonstrated by a critical area((s)) report from a qualified wetland professional;  
3709 and

3710 e. the buffer is increased adjacent to the higher functioning area of habitat or  
3711 more sensitive portion of the wetland and decreased adjacent to the lower-functioning or

less-sensitive portion as demonstrated by a critical area((s)) report from a qualified wetland professional.

C. Wetland buffer widths shall also be subject to modifications under the following special circumstances:

1. For wetlands containing documented habitat for endangered, threatened or species of local importance, the following shall apply:

a. the department shall establish the appropriate buffer, based on a habitat assessment, to ensure that the buffer provides adequate protection for the sensitive species; and

b. the department may apply the buffer reduction rules in subsection C.6. of this section and the buffer averaging rules in subsection B. of this section;

2. For a wetland buffer that includes a steep slope hazard area or landslide hazard area, the buffer width is the greater of the buffer width required by the wetland's category in this section or the top of the hazard area;

3. For a wetland complex located outside the Urban Growth Area established by the King County Comprehensive Plan or located within the Urban Growth Area in a basin designated as "high" on the Basin and Shoreline Conditions Map, which is included as Attachment A to Ordinance 15051, the buffer width is determined as follows:

a. the buffer width for each individual wetland in the complex is the same width as the buffer width required for the category of wetland;

b. if the buffer of a wetland within the complex does not touch or overlap with at least one other wetland buffer in the complex, a corridor is required from the buffer of that wetland to one other wetland buffer in the complex considering the following factors:

3735 (1) the corridor is designed to support maintaining viable wildlife species that  
3736 are commonly recognized to exclusively or partially use wetlands and wetland buffers  
3737 during a critical life cycle stage, such as breeding, rearing or feeding;

3738 (2) the corridor minimizes fragmentation of the wetlands;

3739 (3) higher category wetlands are connected through corridors before lower  
3740 category wetlands; and

3741 (4) the corridor width is a least twenty-five percent of the length of the corridor,  
3742 but no less than twenty-five feet in width; and

3743 (5) shorter corridors are preferred over longer corridors;

3744 c. wetlands in a complex that are connected by an aquatic area that flows  
3745 between the wetlands are not required to be connected through a corridor;

3746 d. the department may exclude a wetland from the wetland complex if the  
3747 applicant demonstrates that the wetland is unlikely to provide habitat for wildlife species  
3748 that are commonly recognized to exclusively or partially use wetlands and wetland buffers  
3749 during a critical life cycle stage, such as breeding, rearing or feeding; and

3750 e. the alterations allowed in a wetland buffer in K.C.C. 21A.24.045 are allowed  
3751 in corridors subject to the same conditions and requirements as wetland buffers as long as  
3752 the alteration is designed so as not to disrupt wildlife movement through the corridor;

3753 4. Where a legally established roadway transects a wetland buffer, the department  
3754 may approve a modification of the minimum required buffer width to the edge of the  
3755 roadway if the part of the buffer on the other side of the roadway sought to be reduced:

3756 a. does not provide additional protection of the proposed development or the  
3757 wetland; and

3758               b. provides insignificant biological, geological or hydrological buffer functions  
3759 relating to the other portion of the buffer adjacent to the wetland;

3760               5. If the site has an approved rural stewardship plan under K.C.C. 21A.24.055, the  
3761 buffer widths shall be established under the rural stewardship plan and shall not exceed the  
3762 standard for a low impact land use, unless the department determines that a larger buffer is  
3763 necessary to achieve no net loss of wetland ecological function; and

3764               6. The buffer widths required for proposed land uses with high intensity impacts  
3765 to wetlands can be reduced to those required for moderate intensity impacts under the  
3766 following conditions:

3767               a. For wetlands that score moderate or high for habitat, which means six points  
3768 or higher, the width of the buffer can be reduced if both of the following criteria are met:

3769                       (1) A relatively undisturbed vegetated corridor at least one-hundred feet wide  
3770 is protected between the wetland and any other Priority Habitats as defined by the  
3771 Washington state Department of Fish and Wildlife in the priority habitat and species list.  
3772 The corridor must be protected for the entire distance between the wetland and the  
3773 priority habitat and legally recorded via a conservation easement; and

3774                       (2) Measures to minimize the impacts of different land uses on wetlands as  
3775 identified in subsection C.6.b. of this section are applied; and

3776               b. For wetlands that score low for habitat, which means less than six points, the  
3777 buffer width can be reduced to that required for moderate intensity impacts by applying  
3778 measures to minimize impacts of the proposed land uses, as follows:

<b>Disturbance</b>	<b>Measures to minimize impacts</b>
Lights	Direct lights away from wetland.

Noise	Locate activity that generates noise away from wetland. If warranted, enhance existing buffer with native vegetation plantings adjacent to noise source. For activities that generate relatively continuous, potentially disruptive noise, such as certain heavy industry or mining, establish an additional ten-foot heavily vegetated buffer strip immediately adjacent to the outer wetland buffer.
Toxic runoff	Route all new untreated runoff away from wetland while ensuring wetland is not dewatered. Establish covenants limiting use of pesticides within 150 feet of wetland. Apply integrated pest management.
Stormwater runoff	Retrofit stormwater detention and treatment for roads and existing adjacent development. Prevent channelized flow from lawns that directly enters the buffer. Use low impact intensity development techniques identified in the King County Surface Water Design Manual.
Change in water regime	Infiltrate or treat, detain and disperse into buffer new runoff from impervious surfaces and new lawns.
Pets and human disturbance	Use privacy fencing or plant dense vegetation to delineate buffer edge and to discourage disturbance using vegetation appropriate for the ecoregion. Place wetland and its buffer in a separate tract or protect with a conservation easement.
Dust	Use best management practices to control dust.

3779 D. The department may approve a modification to the buffers established in  
3780 subsection A. of this section if the wetland was created or its characterization was upgraded  
3781 as part of a voluntary enhancement or restoration project.

3782 E. If the site is located within the shoreline jurisdiction, the department shall  
3783 determine that a proposal to reduce wetland buffers under this section will result in no net  
3784 loss of shoreline ecological functions.

3785 SECTION 68. Ordinance 3688, Section 303, as amended, and K.C.C.  
3786 21A.25.050 are hereby amended to read as follows:

3787 A. The requirements of the shoreline master program apply to all uses and  
3788 development occurring within the shoreline jurisdiction. The King County shoreline  
3789 jurisdiction consists of shorelines, shorelines of statewide significance, and shorelands as  
3790 defined in RCW 90.58.030 and K.C.C. chapter 21A.06, and the one-hundred-year  
3791 floodplain.

3792 B. The shoreline jurisdiction does not include tribal reservation lands and lands  
3793 held in trust by the federal government for tribes. Nothing in the King County shoreline  
3794 master program or action taken under that program shall affect any treaty right to which  
3795 the United States is a party.

3796 C. The lakes and segments of rivers and streams constituting the King County  
3797 shoreline jurisdiction are set forth in Attachment ((K)) H to ((Ordinance 17485)) this  
3798 ordinance. The King County shoreline jurisdiction is shown on a map adopted in chapter  
3799 6 of the King County Comprehensive Plan. If there is a discrepancy between the map  
3800 and the criteria established in subsection A. of this section, the criteria shall constitute the  
3801 official King County shoreline jurisdiction. The county shall update the shoreline master

program to reflect the new designation within three years of the discovery of the discrepancy.

SECTION 69. Ordinance 10870, Section 539, as amended, and K.C.C. 21A.32.020 are hereby amended to read as follows:

A. ~~((With the exception of))~~ This chapter shall apply to all nonconformances, except:

1. ~~((n))~~Nonconforming ~~((extractive))~~ operations ~~((identified in))~~ regulated by K.C.C. chapter 21A.22~~((, all nonconformances shall be subject to the provisions of this chapter))~~; and

2. Fossil fuel facilities regulated by K.C.C. 21A.08.100.

B. This chapter does not supersede or relieve a property owner from compliance with

1. ~~The International Building and Fire Codes; or~~  
2. ~~The provisions of this code beyond the specific nonconformance addressed by this chapter~~) local, state and federal regulations and laws that apply to the property and structures and uses thereon.

SECTION 70. Ordinance 13274, Section 1, as amended, and K.C.C. 21A.37.010 are hereby amended to read as follows:

A. The purpose of the transfer of development rights program is to transfer residential density from eligible sending sites to eligible receiving sites through a voluntary process that permanently preserves urban, rural~~((;))~~ and resource ~~((and urban separator))~~ lands that provide a public benefit. The TDR provisions are intended to supplement land use regulations, resource protection efforts and open space acquisition

programs and to encourage increased residential development density or increased commercial square footage, especially inside cities, where it can best be accommodated with the least impacts on the natural environment and public services by:

1. Providing an effective and predictable incentive process for property owners of rural, resource and urban separator land to preserve lands with a public benefit as described in K.C.C. 21A.37.020; and

2. Providing an efficient and streamlined administrative review system to ensure that transfers of development rights to receiving sites are evaluated in a timely way and balanced with other county goals and policies, and are adjusted to the specific conditions of each receiving site.

B. The TDR provisions in this chapter shall only apply to TDR receiving site development proposals submitted on or after September 17, 2001, and applications for approval of TDR sending sites submitted on or after September 17, 2001.

SECTION 71. Ordinance 13274, Section 4, as amended, and K.C.C. 21A.37.020 are hereby amended to read as follows:

A. For the purpose of this chapter, sending site means the entire tax lot or lots qualified under ~~((subsection B. of))~~ this subsection. Sending sites ~~((may only be located within rural or resource lands or urban separator areas with R-1 zoning, as designated by the King County Comprehensive Plan, and shall meet))~~ shall:

1. Contain a public benefit such that preservation of that benefit by transferring residential development rights to another site is in the public interest;

2. Meet at least one of the following criteria:

a. designation in the King County Comprehensive Plan or a functional plan as



3848 an agricultural production district or zoned A;

3849 b. designation in the King County Comprehensive Plan or a functional plan as

3850 forest production district or zoned F;

3851 c. designation in the King County Comprehensive Plan as Rural Area, zoned

3852 RA-2.5, RA-5 or RA-10, and meeting the definition in RCW 84.34.020 of open space, of

3853 farm and agricultural land or of timber land;

3854 d. designation in the King County Comprehensive Plan or a functional plan as

3855 a proposed Rural Area or Natural Resource Land regional trail or Rural Area or Natural

3856 Resource Land open space site, through either:

3857 (1) designation of a specific site; or

3858 (2) identification of proposed Rural Area or Natural Resource Land regional

3859 trail or Rural Area or Natural Resource Land open space sites which meet adopted

3860 standards and criteria, and for Rural Area or Natural Resource Land open space sites,

3861 meet the definition of open space land, as defined in RCW 84.34.020;

3862 e. identification as habitat for federally listed endangered or threatened species

3863 in a written determination by the King County department of natural resources and parks,

3864 Washington state Department of Fish and Wildlife, United States Fish and Wildlife

3865 Services or a federally recognized tribe that the sending site is appropriate for

3866 preservation or acquisition;

3867 f. designation in the King County Comprehensive Plan as urban separator and

3868 zoned R-1; or

3869 g.(1) designation in the King County Comprehensive Plan as urban residential

3870 medium or urban residential high;

3871                   (2) zoned R-4, R-6, R-8, R-12, R-18, R-24 or R-48; and  
3872                   (3) approved for conservation futures tax funding by the King County  
3873 council;  
3874                   3. Consist of one or more contiguous lots that have a combined area that meets  
3875 or exceeds the minimum lot area for construction requirements in K.C.C. 21A.12.100 for  
3876 the zone in which the sending site is located. For purposes of this subsection, lots divided  
3877 by a street are considered contiguous if the lots would share a common lot line if the  
3878 street was removed. This provision may be waived by the interagency committee if the  
3879 total acreage of a rural or resource sending site application exceeds one hundred acres;  
3880 and  
3881                   4. Not be in public ownership, ((E))except:  
3882                   a. as provided in K.C.C. 21A.37.110.C.((, or));  
3883                   b. for lands zoned RA that are managed by the Washington state Department  
3884 of Natural Resources as state grant or state forest lands((, land in public ownership may  
3885 not be sending sites. If the sending site consists of more than one tax lot, the lots must be  
3886 contiguous and the area of the combined lots must meet the minimum lot area for  
3887 construction requirements in K.C.C. 21A.12.100 for the zone in which the sending site is  
3888 located. For purposes of this section, lots divided by a street are considered contiguous if  
3889 the lots would share a common lot line if the street was removed; this provision may be  
3890 waived by the interagency committee if the total acreage of a rural or resource sending  
3891 site application exceeds one hundred acres. A sending site shall be maintained in a  
3892 condition that is consistent with the criteria in this section under which the sending was  
3893 qualified.

3894           ~~B. Qualification of a sending site shall demonstrate that the site contains a public~~  
3895   benefit such that preservation of that benefit by transferring residential development  
3896   rights to another site is in the public interest. ~~A sending site must meet at least one of the~~  
3897   following criteria:

3898           ~~1. Designation in the King County Comprehensive Plan or a functional plan as~~  
3899   an agricultural production district or zoned A;

3900           ~~2. Designation in the King County Comprehensive Plan or a functional plan as~~  
3901   forest production district or zoned F;

3902           ~~3. Designation in the King Count Comprehensive Plan as rural residential,~~  
3903   zoned RA 2.5, RA 5 or RA 10, and meeting the definition in RCW 84.34.020 of open  
3904   space, farm and agricultural land, or timber land;

3905           ~~4. Designation in the King County Comprehensive Plan, or a functional plan as~~  
3906   a proposed rural or resource area regional trail or rural or resource area open space site,  
3907   through either:

3908           ~~a. designation of a specific site; or~~

3909           ~~b. identification of proposed rural or resource area regional trail or rural or~~  
3910   resource area open space sites which meet adopted standards and criteria, and for rural or  
3911   resource area open space sites, meet the definition of open space land, as defined in RCW  
3912   84.34.020;

3913           ~~5. Identification as habitat for federal listed endangered or threatened species in~~  
3914   a written determination by the King County department of natural resources and parks,  
3915   Washington state Department of Fish and Wildlife, United States Fish and Wildlife  
3916   Services or a federally recognized tribe that the sending site is appropriate for

3917 ~~preservation or acquisition; or~~

3918 ~~6. Designation in the King County Comprehensive Plan as urban separator and~~  
3919 ~~zoned R-1)); or~~

3920 c. for lands that are managed by King County for purposes of residential or  
3921 commercial development.

3922 ((C.)) B. For the purposes of the TDR program, acquisition means obtaining fee  
3923 simple rights in real property((;)) or a ((less than a fee simple)) property right in a form  
3924 that preserves in perpetuity the public benefit supporting the designation or qualification  
3925 of the property as a sending site. A sending site shall be maintained in a condition that is  
3926 consistent with the criteria in this section under which the sending was qualified.

3927 ((D.)) C. If a sending site has any outstanding code violations, the person  
3928 responsible for code compliance should resolve these violations, including any required  
3929 abatement, restoration, or payment of civil penalties, before a TDR sending site may be  
3930 qualified by the interagency review committee created under K.C.C. 21A.37.070.  
3931 However, the interagency may qualify and certify a TDR sending site with outstanding  
3932 code violations if the person responsible for code compliance has made a good faith  
3933 effort to resolve the violations and the proposal is in the public interest.

3934 ((E.)) D. For lots on which the entire lot or a portion of the lot has been cleared or  
3935 graded in accordance with a Class II, III or IV special forest practice as defined in chapter  
3936 76.09 RCW within the six years ((prior to)) before application as a TDR sending site, the  
3937 applicant must provide an affidavit of compliance with the reforestation requirements of  
3938 the Forest Practices Act, and any additional reforestation conditions of their forest  
3939 practice permit. Lots on which the entire lot or a portion of the lot has been cleared or

graded without any required forest practices or county authorization, shall be not qualified or certified as a TDR sending site for six years unless the six-year moratorium on development applications has been lifted or waived or the landowner has a reforestation plan approved by the Washington state Department of Natural Resources and King County.

SECTION 72. Ordinance 13274, Section 6, as amended, and K.C.C. 21A.37.040 are hereby amended to read as follows:

A. The number of residential development rights that an unincorporated sending site is eligible to send to a receiving site shall be determined by applying the TDR sending site base density established in subsection D. of this section to the area of the sending site, after deducting the area associated with any existing development, any retained development rights and any portion of the sending site already in a conservation easement or other similar encumbrance. For each existing dwelling unit or retained development right, the sending site area shall be reduced by an area equivalent to the base density for that zone under K.C.C. 21A.12.030.

B. Any fractions of development rights that result from the calculations in subsection A. of this section shall not be included in the final determination of total development rights available for transfer.

C. For purposes of calculating the amount of development rights a sending site can transfer, the amount of land contained within a sending site shall be determined as follows:

1. If the sending site is an entire tax lot, the square footage or acreage shall be determined:

3963           a. by the King County department of assessments records; or  
3964           b. by a survey funded by the applicant that has been prepared and stamped by a  
3965 surveyor licensed in the state of Washington; and

3966           2. If the sending site consists of a lot that is divided by a zoning boundary, the  
3967 square footage or acreage shall be calculated separately for each zoning classification.  
3968 The square footage or acreage within each zoning classification shall be determined by  
3969 the King County record of the action that established the zoning and property lines, such  
3970 as an approved lot line adjustment. When such records are not available or are not  
3971 adequate to determine the square footage or acreage within each zoning classification, the  
3972 department of local services, permitting division, shall calculate the square footage or  
3973 acreage through the geographic information system (GIS) mapping system.

3974           D. For the purposes of the transfer of development rights (TDR) program only,  
3975 the following TDR sending site base densities apply:

3976           1. Sending sites designated in the King County Comprehensive Plan as urban  
3977 separator and zoned R-1 shall have a base density of four dwelling units per acre;

3978           2. Sending sites zoned RA-2.5 shall have a base density of one unit for each two  
3979 and one-half acres. Sending sites zoned RA-2.5 that are vacant and are smaller than 1.25  
3980 acres shall be allocated one additional TDR for each vacant lot that is smaller than 1.25  
3981 acres;

3982           3. Sending sites zoned RA-5 or RA-10 shall have a base density of one dwelling  
3983 unit per five acres. Vacant sending sites that are zone RA-5 and are smaller than two and  
3984 one-half acres or that are zoned RA-10 and are smaller than five acres shall be allocated  
3985 ~~((one))~~ one additional TDR for each vacant lot that is smaller than two and one-half acres

3986 or five acres, respectively;

3987 4. Sending sites zoned RA and that have a designation under the King County  
3988 Shoreline Master Program of conservancy or natural shall be allocated one additional  
3989 TDR;

3990 5. Sending sites zoned A-10 and A-35 shall have a base density of one dwelling  
3991 unit per five acres for transfer purposes only;

3992 6. Sending sites zoned F within the forest production district shall have a base  
3993 density of one dwelling unit per eighty acres or one dwelling unit per each lot that is  
3994 between fifteen and eighty acres in size; or

3995 7. Sending sites in the urban unincorporated area that meet the criteria in K.C.C.  
3996 21A.37.020.A.2.g. shall be allocated TDRs that are equivalent to the zoning base density  
3997 established in K.C.C. 21A.12.030 for every one acre of gross land area.

3998 E. A sending site zoned RA, A or F may send one development right for every  
3999 legal lot larger than five thousand square feet that was created on or before September 17,  
4000 2001, if that number is greater than the number of development rights determined under  
4001 subsection A. of this section. A sending site zoned R-1 may send one development right  
4002 for every legal lot larger than two thousand five hundred square feet that was created on  
4003 or before September 17, 2001, if that number is greater than the number of development  
4004 rights determined under subsection A. of this section.

4005 F. The number of development rights that a King County unincorporated rural or  
4006 natural resources land sending site is eligible to send to a King County incorporated  
4007 urban area receiving site shall be determined through the application of a conversion ratio  
4008 established by King County and the incorporated municipal jurisdiction. The conversion

ratio will be applied to the number of available sending site development rights determined under subsection A. or E. of this section.

G. Development rights from one sending site may be allocated to more than one receiving site and one receiving site may accept development rights from more than one sending site.

H. The determination of the number of residential development rights a sending site has available for transfer to a receiving site shall be valid for transfer purposes only, shall be documented in a TDR qualification report prepared by the department of natural resources and parks and sent to the applicant. The qualification report and shall be considered a final determination, not to be revised due to changes to the sending site's zoning, and shall be valid unless conditions on the sending site property that would affect the number of development rights the sending site has available for transfer have changed.

I. Each residential transferable development right that originates from a sending site zoned RA, A or F shall be designated "Rural" and is equivalent to two additional units above base density in eligible receiving sites located in unincorporated urban King County. Each residential transferable development right that originates from a sending site zoned R-1 urban separator shall be designated "Urban" and is equivalent to one additional unit above base density. Each residential transferable development right that originates from a sending site in urban unincorporated area lands meeting the criteria in K.C.C. 21A.37.020.A.2.g. shall be designated "Urban" and is equivalent to one additional unit above the base density.

SECTION 73. Ordinance 13274, Section 7, as amended, and K.C.C. 21A.37.070



4032 are hereby amended to read as follows:

4033           A. An interagency review committee, chaired by the department of local services  
4034 permitting division manager and the director of the department of natural resources and  
4035 parks, or designees, shall be responsible for qualification of sending sites.

4036 Determinations on sending site certifications made by the committee are appealable to the  
4037 examiner under K.C.C. 20.22.040. The department of natural resources and parks shall  
4038 be responsible for preparing a TDR qualification report, which shall be signed by the  
4039 director of the department of natural resources and parks or designee, documenting the  
4040 review and decision of the committee. The qualification report shall:

4041           1. Specify all deficiencies of an application, if the decision of the committee is  
4042 to disqualify the application;

4043           2. For all qualifying applications, provide a determination as to whether or not  
4044 additional residential dwelling units and associated accessory units may be  
4045 accommodated in accordance with K.C.C. 21A.37.050.A.; and

4046           3. Be issued a TDR certification letter within sixty days of the date of submittal  
4047 of a completed sending site certification application.

4048           B. Responsibility for preparing a completed application rests exclusively with the  
4049 applicant. Application for sending site certification shall include:

4050           1. A legal description of the site;

4051           2. A title report;

4052           3. A brief description of the site resources and public benefit to be preserved;

4053           4. A site plan showing the existing and proposed dwelling units, nonresidential  
4054 structures, driveways, submerged lands and any area already subject to a conservation

4055 easement or other similar encumbrance;

4056 5. Assessors map or maps of the lot or lots;

4057 6. A statement of intent indicating whether the property ownership, after TDR

4058 certification, will be retained in private ownership or dedicated to King County or another

4059 public or private nonprofit agency;

4060 7. Any or all of the following written in conformance with criteria established

4061 through a public rule consistent with K.C.C. chapter 2.98, if the site is qualifying as

4062 habitat for a threatened or endangered species:

4063 a. a wildlife habitat conservation plan;

4064 b. a wildlife habitat restoration plan; or

4065 c. a wildlife present conditions report;

4066 8. If the site qualifies as an urban unincorporated area sending site meeting the

4067 criteria in K.C.C. 21A.37.020.A.2.g.;

4068 9. A forest stewardship plan, written in conformance with criteria established

4069 through a public rule consistent with K.C.C. chapter 2.98, if required under K.C.C.

4070 21A.37.060.B.3. and 6.;

4071 ~~((9.))~~ 10. An affidavit of compliance with the reforestation requirements of the

4072 Forest Practices Act and any additional reforestation conditions of the forest practices

4073 permit for the site, if required under K.C.C. 21A.37.020.~~((E))~~D.;

4074 ~~((10.))~~ 11. A completed density calculation worksheet for estimating the number

4075 of available development rights; and

4076 ~~((11.))~~ 12. The application fee consistent with K.C.C. ~~((27.36.020))~~ 27.10.170.

4077 SECTION 74. Ordinance 13733, Section 8, as amended, and K.C.C. 21A.37.100

4078 are hereby amended to read as follows:

4079           The purpose of the TDR bank is to assist in the implementation of the transfer of  
4080 development rights (TDR) program by bridging the time gap between willing sellers and  
4081 buyers of development rights by purchasing and selling development rights, purchasing  
4082 conservation easements, and facilitating interlocal TDR agreements with cities in King  
4083 County through the provision of amenity funds. The TDR bank may acquire  
4084 development rights and conservation easements only from sending sites located in the  
4085 rural area or in an agricultural or forest (~~((production district as designated))~~) land use  
4086 designation in the King County Comprehensive Plan, or in the urban unincorporated area  
4087 only from sites meeting the criteria in K.C.C. 21A.37.020.A.2.g. Development rights  
4088 purchased from the TDR bank may only be used for receiving sites in cities or in the  
4089 urban unincorporated area as designated in the King County Comprehensive Plan.

4090           SECTION 75. Ordinance 13733, Section 10, as amended, and K.C.C.  
4091 21A.37.110 are hereby amended to read as follows:

4092           A. The TDR bank may purchase development rights from qualified sending sites  
4093 at prices not to exceed fair market value and to sell development rights at prices not less  
4094 than fair market value, except as allowed in K.C.C. 21A.37.130. The TDR bank may  
4095 accept donations of development rights from qualified TDR sending sites.

4096           B. The TDR bank may purchase a conservation easement only if the property  
4097 subject to the conservation easement is qualified as a sending site as evidenced by a TDR  
4098 qualification report, the conservation easement restricts development of the sending site  
4099 in the manner required by K.C.C. 21A.37.060 and the development rights generated by

4100 encumbering the sending site with the conservation easement are issued to the TDR bank  
4101 at no additional cost.

4102 C. Any development rights, generated by encumbering property with a  
4103 conservation easement, may be issued to the TDR bank if:

4104 1.a. The conservation easement is acquired through a county park, open space,  
4105 trail, agricultural, forestry or other natural resource acquisition program for a property  
4106 that is qualified as a TDR sending site as evidenced by a TDR qualification report; or

4107 b. the property is acquired by the county with the intent of conveying the  
4108 property encumbered by a reserved conservation easement. The number of development  
4109 rights generated by this reserved conservation easement shall be determined by the TDR  
4110 qualification report; and

4111 2. Under either subsection C.1.a. or b. of this section, there will be no additional  
4112 cost to the county for acquiring the development rights.

4113 D. The TDR bank may use funds to facilitate development rights transfers.  
4114 These expenditures may include, but are not limited to, establishing and maintaining  
4115 internet web pages, marketing TDR receiving sites, procuring title reports and appraisals  
4116 and reimbursing the costs incurred by the department of natural resources and parks,  
4117 water and land resources division, or its successor, for administering the TDR bank fund  
4118 and executing development rights purchases and sales.

4119 E. The TDR bank fund may be used to cover the cost of providing staff support  
4120 for identifying and qualifying sending and receiving sites, and the costs of providing staff  
4121 support for the TDR interagency review committee.

4122 F. Upon approval of the TDR executive board, proceeds from the sale of TDR  
4123 bank development rights shall be available for acquisition of additional development  
4124 rights and as amenity funds to facilitate interlocal TDR agreements with cities in King  
4125 County and for projects in receiving areas located in urban unincorporated King County.  
4126 Amenity funds provided to a city from the sale of TDR bank development rights to that  
4127 city are limited to one-third of the proceeds from the sale.

4128 SECTION 76. Ordinance 13733, Section 12, as amended, and K.C.C.  
4129 21A.37.130 are hereby amended to read as follows:

4130 A. The sale of development rights by the TDR bank shall be at a price that equals  
4131 or exceeds the fair market value of the development rights, unless the development rights  
4132 are to be used to provide units over one hundred fifty percent of base density in  
4133 accordance with K.C.C. 21A.12.030.B.27.b., in which case the development rights shall  
4134 be sold at the administrative cost incurred by the county or fifteen percent of the fair  
4135 market value of the development rights, whichever is less. The fair market value of the  
4136 development rights shall be established by the department of natural resources and shall  
4137 be based on the amount the county paid for the development rights and the prevailing  
4138 market conditions.

4139 B. When selling development rights, the TDR bank may select prospective  
4140 purchasers based on the price offered for the development rights, the number of  
4141 development rights offered to be purchased, and the potential for the sale to achieve the  
4142 purposes of the TDR program.

4143 C. The TDR bank may sell development rights only in whole or half increments  
4144 to incorporated receiving sites through an interlocal agreement or, after the county enacts

4145 legislation that complies with chapter 365-198 WAC, to incorporated receiving sites in a  
4146 city that has enacted legislation that complies with chapter 365-198 WAC. The TDR  
4147 bank may sell development rights only in whole increments to unincorporated King  
4148 County receiving sites.

4149 D. All offers to purchase development rights from the TDR bank shall be in  
4150 writing, shall include a certification that the development rights, if used, shall be used  
4151 only inside an identified city or within the urban unincorporated area, include a minimum  
4152 ten percent down payment with purchase option, shall include the number of  
4153 development rights to be purchased, location of the receiving site, proposed purchase  
4154 price and the required date or dates for completion of the sale, not later than three years  
4155 after the date of receipt by King County of the purchase offer.

4156 E. Payment for purchase of development rights from the TDR bank shall be in  
4157 full at the time the development rights are transferred unless otherwise authorized by the  
4158 department of natural resources and parks.

4159 SECTION 77. Ordinance 10870, Section 577, as amended, and K.C.C.  
4160 21A.38.040 are hereby amended to read as follows:

4161 Special district overlays shall be ~~((designated))~~ classified on the official ~~((area))~~  
4162 zoning map~~((s))~~ and as a notation in the department's electronic parcel record, as follows:

4163 A. A special district overlay shall be ~~((designated))~~ classified through the area  
4164 zoning process as provided in K.C.C. chapters 20.12 and 20.18. ~~((Designation))~~  
4165 Classification of an overlay district shall include policies that prescribe the purposes and  
4166 location of the overlay;

4167 B. A special district overlay shall be applied to land through an area zoning  
4168 process as provided in K.C.C. chapters 20.12 and 20.18 and shall be indicated on the  
4169 zoning map and as a notation in the department's electronic parcel record and shall be  
4170 designated in Appendix B of Ordinance 12824 as maintained by the department of local  
4171 services, permitting division, with the suffix "-SO" following the map symbol of the  
4172 underlying zone or zones;

4173 C. The special district overlays in this chapter are the only overlays authorized by  
4174 the code. New or amended overlays to carry out new or different goals or policies shall  
4175 be adopted as part of this chapter and be available for use in all appropriate community,  
4176 subarea or neighborhood planning areas;

4177 D. The special district overlays in this chapter may waive, modify and substitute  
4178 for the range of permitted uses and development standards established by this title for any  
4179 use or underlying zone;

4180 E. Unless they are specifically modified by this chapter, the standard  
4181 requirements of this title and other county ordinances and regulations govern all  
4182 development and land uses within special district overlays;

4183 F. A special district overlay on an individual site may be modified by property-  
4184 specific development standards as provided in K.C.C. 21A.38.030;

4185 G. A special district overlay may not be deleted by a zone reclassification; and

4186 H. Special district overlay development standards may be modified or waived  
4187 through the consideration of a variance, subject to the variance criteria in K.C.C.  
4188 21A.44.030.

4189 SECTION 78. Ordinance 10870, Section 578, as amended, and K.C.C.

4190 21A.38.050 are hereby amended to read as follows:

4191 A. The purpose of the pedestrian-oriented commercial development special  
4192 district overlay is to provide for high-density, pedestrian-oriented retail ~~((/))~~ and  
4193 employment uses. The ~~((P))~~pedestrian-oriented commercial districts shall only be  
4194 established in areas designated ~~((within a community, subarea, or neighborhood plan as~~  
4195 ~~an urban activity center))~~ as a center on the adopted Urban Centers map of the King  
4196 County Comprehensive Plan and zoned CB, RB or O.

4197 B. Permitted uses shall be those uses permitted in the underlying zone, excluding  
4198 the following:

- 4199 1. Motor vehicle, boat and mobile home dealer;
- 4200 2. Gasoline service station;
- 4201 3. ~~((Drive-through retail and service u))~~ Uses with drive-through facilities,  
4202 except SIC Industry Number 5812 (Eating places) in buildings existing before July 2017;
- 4203 4. ~~((Car washes))~~ SIC Industry Group 598 (Fuel dealers);
- 4204 5. ~~((Retail and service u))~~ Uses with outside storage, e.g. lumber yards,  
4205 miscellaneous equipment rental or machinery sales;
- 4206 6. ~~((Wholesale uses))~~ Bulk retail;
- 4207 7. Recreation/cultural uses as set forth in K.C.C. 21A.08.040, except parks,  
4208 sports clubs, theaters, libraries and museums;
- 4209 8. SIC Major Group 75 (Automotive repair, services and parking) except 7521  
4210 (automobile parking; but excluding tow-in parking lots);
- 4211 9. SIC Major Group 76 (Miscellaneous repair services), except 7631 (Watch,  
4212 clock and jewelry repair);



4213 10. SIC Major Group 78 (Motion pictures)~~((, except 7832 (theater) and 7841~~  
4214 ~~(video tape rental)))~~);

4215 11. SIC Major Group 80 (Health services), except offices and outpatient clinics  
4216 (801-804);

4217 12. SIC Industry Group 421 (Trucking and courier service);

4218 13. Public agency archive((s));

4219 14. Self-service storage;

4220 15. Manufacturing land uses as set forth in K.C.C. 21A.08.080, except SIC  
4221 Industry Code 2759 (Commercial printing); ~~((and))~~

4222 16. Resource land uses as set forth in K.C.C. 21A.08.090;

4223 17. SIC Industry Code 7261 (Funeral home/crematory);

4224 18. Cemetery, columbarium or mausoleum;

4225 19. Interim recycling facility;

4226 20. Utility facility, except underground water, gas or wastewater pipelines; and  
4227 21. Vector waste receiving facility.

4228 C. The following development standards shall apply to ~~((uses))~~ development  
4229 located in pedestrian-oriented commercial overlay districts:

4230 1. ~~((Every use shall be subject to pedestrian-oriented use limitations and street~~  
4231 ~~facade development standards (e.g. placement and orientation of buildings with respect to~~  
4232 ~~streets and sidewalks, arcades or marquees) identified and adopted through an applicable~~  
4233 ~~community, subarea or, neighborhood plan, or the area zoning process;~~

4234 2-)) For properties that have frontage on ~~((pedestrian street(s) or routes as~~  
4235 ~~designated in an applicable plan or area zoning process))~~ a public street, the following

4236 conditions shall apply:

4237           a. main building entrances shall be oriented to the ~~((pedestrian))~~ public street;

4238           b. at the ground floor (at grade), buildings shall be located no more than ~~((5))~~

4239 five feet from the sidewalk or sidewalk improvement, but shall not encroach on the

4240 public right-of-way. For buildings existing before the effective date of this section of this

4241 ordinance with setbacks greater than five feet and that have substantial improvements

4242 made to them after the effective date of this section of this ordinance, a minimum five-

4243 foot-wide pedestrian walkway shall be constructed that connects the main building

4244 entrance to the public sidewalk or sidewalk improvement;

4245           c. building facades shall comprise at least ~~((75%))~~ seventy-five percent of the

4246 total ~~((pedestrian))~~ street frontage for a property and if applicable, at least ~~((75%))~~

4247 seventy-five percent of the total pedestrian route frontage for a property;

4248           d. minimum ~~((side))~~ interior setbacks of the underlying zoning are waived;

4249           e. building facades ~~((of ground floor retail, general business service, and~~

4250 ~~professional office land uses))~~ that front onto a ~~((pedestrian))~~ street ~~((or route))~~ shall

4251 ~~((include))~~ incorporate windows into at least thirty percent of the building facade surface

4252 area and overhead protection above all building entrances and along at least fifty percent

4253 of length of the building facade, which may extend over the sidewalk if it does not

4254 impede use of the sidewalk by the public;

4255           f. ground floor building facades ~~((along a pedestrian street or route, that are~~

4256 ~~without ornamentation or are))~~ shall include ornamentation such as decorative

4257 architectural treatments or finishes, pedestrian scale lighting, and window and door trim;

4258 and

4259            g. buildings facades shall not be comprised of uninterrupted glass curtain walls  
4260 or mirrored glass ~~((are not permitted)); ((and~~  
4261            ~~g.))~~ 2. vehicle access shall be limited to the rear access alley or rear access  
4262 street where such an alley or street exists~~((-));~~;  
4263            3. Floor/lot area ratio shall not exceed 5:1, including the residential component  
4264 of mixed use developments, but not including parking structures;  
4265            4. Building setback and height requirements may be waived through the  
4266 application of residential density incentives under K.C.C. chapter 21A.34 or the transfer  
4267 of development rights under K.C.C. chapter 21A.37, except for areas within fifty feet of  
4268 the perimeter of any special district overlay area abutting an R-12 or lower density  
4269 residential zone;  
4270            5. The landscaping requirements of K.C.C. chapter 21A.16 ~~((may be waived if~~  
4271 ~~landscaping conforms to a special district overlay landscaping plan adopted as part of the~~  
4272 ~~area zoning. The overlay district landscaping plan shall include features addressing street~~  
4273 ~~trees, and other design amenities (e.g. landscaped plazas or parks)))~~ shall apply to all new  
4274 development and to buildings existing before the effective date of this section of this  
4275 ordinance that have substantial improvements made to them after the effective date of  
4276 this section of this ordinance; and  
4277            6. ~~((On designated pedestrian streets, sidewalk width requirements shall be~~  
4278 ~~increased to a range of ten to twelve feet wide including sidewalk landscaping and other~~  
4279 ~~amenities. The sidewalk widths exceeding the amount required in the King County Road~~  
4280 ~~Standards may occur on private property adjoining the public street right-of-way; and~~  
4281            ~~7.))~~ Off-street parking requirements K.C.C. 21A.18, 110 ~~((are modified as~~

4282 follows for all nonresidential uses:

4283           a. ~~No less than one space for every 1000 square feet of floor area shall be~~  
4284 ~~provided;~~

4285           b. ~~No more than seventy-five percent of parking shall be on-site surface~~  
4286 ~~parking. Such parking shall be placed in the interior of the lot, or at the rear of the~~  
4287 ~~building it serves; and~~

4288           c. ~~At least twenty-five percent of the required parking shall be enclosed in an~~  
4289 ~~on-site parking structure or located at an off-site common parking facility, provided that~~  
4290 ~~this requirement is waived when the applicant signs a no-protest agreement to participate~~  
4291 ~~in any improvement district for the future construction of such facilities)) shall apply,~~  
4292 except that the relief from K.C.C. 21A.18.110.A.4. that may be granted by the director  
4293 shall only allow use of on-street parallel parking in front of or adjacent to the subject  
4294 parcel for the parking spaces that cannot be accommodated to the rear or sides of  
4295 buildings.

4296           NEW SECTION. SECTION 79. There is hereby added to K.C.C. chapter 21A.38  
4297 a new section to read as follows:

4298           A. The purpose of the Martin Luther King Jr. Way South Mixed-Use Special  
4299 District Overlay is to facilitate linkages to the existing Martin Luther King Jr Way South  
4300 Neighborhood Business Center, incentivize commercial opportunities close to existing  
4301 high-density housing, incentivize commercial development by allowing more uses than  
4302 traditionally found in mixed-use developments and provide flexibility in current square  
4303 footage limitations.

4304           B. The following development standards shall be applied to all development

4305 proposals within the Martin Luther King Jr. Way South Mixed-Use Special District  
4306 Overlay:

4307 1. New buildings shall be limited to mixed-use as defined in K.C.C.

4308 21A.06.753;

4309 2. A professional office as defined in K.C.C. 21A.06.910 is an allowed use as  
4310 part of a mixed-use building in subsection B.1. of this section; and

4311 3. Any nonresidential component of the building that is personal services  
4312 allowed in the zone under K.C.C. 21A.08.050 or retail use allowed in the zone under  
4313 K.C.C. 21A.08.070 shall comply with K.C.C. 21A.12.230, except that K.C.C.  
4314 21A.12.230.A., B. and C. do not apply to the development.

4315 SECTION 80. Ordinance 17485, Section 43, as amended, and K.C.C. 21A.38.260  
4316 are hereby amended to read as follows:

4317 A. The purpose of the Fall City business district special district overlay is to allow  
4318 commercial development in Fall City to occur with on-site septic systems until such time as  
4319 an alternative wastewater system is available. The special district shall only be established  
4320 in areas of Fall City zoned CB and shall be evaluated to determine if it is applicable to  
4321 other rural commercial centers.

4322 B. The standards of this title and other county codes shall be applicable to  
4323 development within the Fall City business district special district overlay except as follows:

4324 1. The permitted uses in K.C.C. Chapter 21A.08 do not apply and are replaced  
4325 with the following:

4326 a. Residential land uses as set forth in K.C.C. 21A.08.030:

4327 i. As a permitted use:

4328 (A) Multifamily residential units shall only be allowed on the upper floors of  
4329 buildings; and

4330 (B) Home occupations under K.C.C. chapter 21A.30;

4331 ii. As a conditional use:

4332 (A) Bed and Breakfast (five rooms maximum); and

4333 (B) Hotel/Motel.

4334 b. Recreational/cultural land uses as set forth in K.C.C. ((21A.08.030))

4335 21A.08.040:

4336 i. As a permitted use:

4337 (A) Library;

4338 (B) Museum; ((and))

4339 (C) Arboretum; and

4340 (D) Park.

4341 ii. As a conditional use:

4342 (A) Sports Club/Fitness Center;

4343 (B) Amusement/Recreation Services/Arcades (Indoor);

4344 (C) Bowling Center

4345 c. General services land uses as set forth in K.C.C. 21A.08.050:

4346 i. As a permitted use:

4347 (A) General Personal Services, except escort services;

4348 (B) Funeral Home;

4349 (C) Appliance/Equipment Repair;

4350 (D) Medical or Dental Office/Outpatient Clinic;

- 4351 (E) Medical or Dental Lab;
- 4352 (F) Day Care I;
- 4353 (G) Day Care II;
- 4354 (H) Veterinary Clinic;
- 4355 (I) Social Services;
- 4356 (J) Animal Specialty Services;
- 4357 (K) Artist Studios;
- 4358 (L) Nursing and Personal Care Facilities;
- 4359 ii. As a conditional use:
  - 4360 (A) Theater (Movie or Live Performance);
  - 4361 (B) Religious Use;
- 4362 d. Government/Business services land uses as set forth in K.C.C. 21A.08.060:
  - 4363 i. As a permitted use:
    - 4364 (A) General Business Service;
    - 4365 (B) Professional Office: Bank, Credit Union, Insurance Office.
  - 4366 ii. As a conditional use:
    - 4367 (A) Public Agency or Utility Office;
    - 4368 (B) Police Substation;
    - 4369 (C) Fire Station;
    - 4370 (D) Utility Facility;
    - 4371 (E) Self Service Storage;
- 4372 e. Retail/commercial land uses as set forth in K.C.C. 21A.08.070:
  - 4373 i. As a permitted use on the ground floor:

- 4374 (A) Food Store;
- 4375 (B) Drug Store/Pharmacy;
- 4376 (C) Retail Store: includes florist, book store, apparel and accessories store,
- 4377 furniture/home furnishings store, antique/recycled goods store, sporting goods store, video
- 4378 store, art supply store, hobby store, jewelry store, toy store, game store, photo store,
- 4379 electronic/appliance store, fabric shops, pet shops, and other retail stores (excluding adult-
- 4380 only retail);
- 4381 (D) Eating and Drinking Places, including coffee shops and bakeries;
- 4382 (E) Remote tasting rooms.
- 4383 ii. As a conditional use:
- 4384 (A) Liquor Store or Retail Store Selling Alcohol;
- 4385 (B) Hardware/Building Supply Store;
- 4386 (C) Nursery/Garden Center;
- 4387 (D) Department Store;
- 4388 (E) Auto Dealers (indoor sales rooms only);
- 4389 f. Manufacturing land uses as set forth in K.C.C. 21A.08.080 are not allowed.
- 4390 g. Resource land uses as set forth in K.C.C. 21A.08.090:
- 4391 i. As a permitted use:
- 4392 (A) Solar photovoltaic/solar thermal energy systems;
- 4393 (B) Private storm water management facilities;
- 4394 (C) Growing and Harvesting Crops (within rear/internal side yards or roof
- 4395 gardens, and with organic methods only);



4396 (D) Raising Livestock and Small Animals (per the requirements of Section  
4397 21A.30 of the Zoning Code)

4398 ii. As a conditional use: Wind Turbines

4399 h. Regional land uses as set forth in K.C.C. 21A.08.100 with a special use permit:  
4400 Communication Facility.

4401 2. The densities and dimensions set forth in K.C.C. chapter 21A.12 apply, except  
4402 as follows:

4403 a. Residential density is limited to six dwelling units per acre. For any building  
4404 with more than ten dwelling units, at least ten percent of the dwelling units shall be  
4405 classified as affordable under 21A.34.040F.1;

4406 b. Buildings are limited to two floors, plus an optional basement;

4407 c. The elevation of the ground floor may be elevated a maximum of six feet  
4408 above the average grade of the site along the front facade of the building;

4409 d. If the ground floor is designed to accommodate non-residential uses, the  
4410 elevation of the ground floor should be placed near the elevation of the sidewalk to  
4411 minimize the need for stairs and ADA ramps;

4412 e. If the ground floor is designed to accommodate non-residential space, the  
4413 height of the ceiling, as measured from finished floor, shall be no more than eighteen feet;

4414 f. Building height shall not exceed forty feet, as measured from the average  
4415 grade of the site along the front facade of the building.

4416 NEW SECTION. SECTION 81. There is hereby added to K.C.C. chapter 21A.38  
4417 a new section to read as follows:

4418 A. The purpose of the Bear Creek office and retail special district overlay is to

4419 provide additional commercial opportunities to support area residents and the local  
4420 economy and to provide retail options for employees of the office zones.

4421 B. Allowed uses within the special district overlay shall be those uses allowed in  
4422 the office zone in K.C.C. chapter 21A.08 and the following permitted land uses:

- 4423 1. Building materials and hardware stores;
- 4424 2. Retail nursery, garden center and farm supply stores;
- 4425 3. Department and variety stores;
- 4426 4. SIC Major Group 54 - Food stores;
- 4427 5. SIC Industry Group 553 - Auto supply stores;
- 4428 6. SIC Industry Group 554 - Gasoline service stations;
- 4429 7. SIC Major Group 56 - Apparel and accessory stores;
- 4430 8. Furniture and home furnishings stores;
- 4431 9. SIC Major Group 58 - Eating and drinking places;
- 4432 10. Drug store;
- 4433 11. SIC Industry Group 592 - Liquor stores;
- 4434 12. SIC Industry Group 593 - Used goods: antiques/secondhand shops;
- 4435 13. Sporting goods and related stores;
- 4436 14. Book, stationary, video and art supply stores, except adult use facilities;
- 4437 15. Jewelry stores;
- 4438 16. Hobby, toy and games shops;
- 4439 17. Photographic and electronic shops;
- 4440 18. Fabric shops;
- 4441 19. Florist shops;

4442 20. Personal medical supply stores;

4443 21. Pet shops; and

4444 22. General services – Daycare II.

4445 SECTION 82. Ordinance 12627, Section 1, and K.C.C. 21A.55.010 are hereby  
4446 amended to read as follows:

4447 ~~((Purpose.))~~ The purpose of this section is to provide for "demonstration  
4448 projects" as a mechanism to test and evaluate alternative development standards and  
4449 processes ~~((prior to))~~ before amending King County policies and regulations. Alternative  
4450 development standards might include standards affecting building and/or site design  
4451 requirements. Alternative processes might include permit review prioritization,  
4452 alternative review and revision scheduling, or staff and peer review practices. All  
4453 demonstration projects shall have broad public benefit through the testing of new  
4454 development regulations and shall not be used solely to benefit individual property  
4455 owners seeking relief from King County development standards. A demonstration  
4456 project shall be ~~((designated))~~ classified by the ~~((M))~~ metropolitan King County  
4457 ~~((C))~~ council. ~~((Designation))~~ Classification of each new demonstration project shall  
4458 occur through an ordinance which amends this code and shall include provisions that  
4459 prescribe the purpose~~((s))~~ or purposes and location~~((s))~~ or locations of the  
4460 demonstration project. Demonstration projects shall be located in urban areas, ~~((and/or))~~  
4461 rural areas or natural resource lands, or any combination thereof, which are deemed most  
4462 suitable for the testing of the proposed alternative development regulations. Within such  
4463 areas development proposals may be undertaken to test the efficacy of alternative  
4464 regulations that are proposed to facilitate increased quality of development and/or

4465 increased efficiency in the development review processes.

4466 SECTION 83. Ordinance 12627, Section 2, as amended, and K.C.C. 21A.55.020

4467 are hereby amended to read as follows:

4468 A. In establishing any demonstration project, the council shall specify the  
4469 following:

4470 1. The purpose of the demonstration project;

4471 2. The location or locations of the demonstration project;

4472 3. The scope of authority to modify standards and the lead agency, department  
4473 or division with authority to administer the demonstration project;

4474 4. The development standards established by this title or other titles of the King  
4475 County Code that affect the development of property that are subject to administrative  
4476 modifications or waivers;

4477 5. The process through which requests for modifications or waivers are  
4478 reviewed and any limitations on the type of permit or action;

4479 6. The criteria for modification or waiver approval;

4480 7. The effective period for the demonstration project and any limitations on  
4481 extensions of the effective period;

4482 8. The scope of the evaluation of the demonstration project and the date by  
4483 which the executive shall submit an evaluation of the demonstration project; and

4484 9. The date by which the executive shall submit an evaluation of specific  
4485 alternative standards and, if applicable, proposed legislation.

4486 B. A demonstration project shall be ~~((designated))~~ classified by the

4487 ~~((M))~~metropolitan King County ~~((C))~~council through the application of a demonstration

project overlay to properties in a specific area or areas. A demonstration project shall be indicated on the zoning map ~~((and))~~ and as a notation in the geographic information system data layers maintained by the department of local services, permitting division, by the suffix "-DPA" (meaning demonstration project area) following the map symbol of the underlying zone or zones. Within a ~~((designated))~~ classified demonstration project area, approved alternative development regulations may be applied to development applications.

SECTION 84. Ordinance 12627, Section 3, and K.C.C. 21A.55.030 are hereby amended to read as follows:

A. The demonstration projects set forth in this chapter are the only authorized demonstration projects. New or amended demonstration projects to carry out new or different goals or policies shall be adopted as part of this chapter.

B. Demonstration projects must be consistent with the King County Comprehensive Plan. ~~((Designation))~~ Classification of a demonstration project and its provisions to waive or modify development standards must not require nor result in amendment of the ~~((e))~~Comprehensive ~~((p))~~Plan nor the ~~((e))~~Comprehensive Plan land use map.

C. Unless they are specifically modified or waived pursuant to the provisions of this chapter, the standard requirements of this title and other county ordinances and regulations shall govern all development and land uses within a demonstration project area. Property-specific development standards (P-suffix conditions) as provided in K.C.C. chapter 21A.38 shall supersede any modifications or waivers allowed by the provisions of this chapter.

4511 D. Demonstration project sites should be selected so that any resulting amended  
4512 development standards or processes can be applied to similar areas or developments.  
4513 Similar areas could include those with similar mixes of use and zoning. Similar  
4514 developments could include types of buildings such as commercial or multifamily and  
4515 types of development such as subdivisions or redevelopment.

4516 SECTION 85. Ordinance 13332, Section 33, as amended, and K.C.C. 27.10.080  
4517 are hereby amended to read as follows:

4518 Fees for zoning or ~~((e))~~Comprehensive ~~((p))~~Plan or map modification shall be  
4519 charged as follows:

A. Variance

- |                          |            |
|--------------------------|------------|
| 1. Review                | \$6,692.00 |
| 2. Extension of approval | \$244.00   |

B. Site-specific amendment of land use map, plan, code or \$2,234.00  
shoreline environment redesignation

C. Other zoning reclassification requests including shoreline \$9,135.00  
environment redesignation, deletion of special district overlay,  
or amendment or deletion of p-suffix conditions

4520 D. If a site-specific amendment is implemented as part of ~~((the))~~ a Comprehensive  
4521 Plan ~~((amendment process))~~ update, the application fee will be credited toward the zoning  
4522 reclassification fee, provided that the application for zoning reclassification is filed within  
4523 one year of the effective date of the site-specific land use map amendment.

4524 SECTION 86. The following are hereby repealed:

4525 A. Ordinance 10870, Section 580, as amended, and K.C.C. 21A.38.070;

4526 B. Ordinance 12171, Section 7, and K.C.C. 21A.38.110;  
4527 C. Ordinance 12823, Section 9, and K.C.C. 21A.38.140; and  
4528 D. Ordinance 12823, Section 19, as amended, and K.C.C. 21A.38.240.

4529 SECTION 87. K.C.C. 20.12.100, as amended by this ordinance, is hereby  
4530 recodified as a new section in K.C.C. chapter 4.56.

4531 SECTION 88. Ordinance 10810, Section 1, as amended, and K.C.C. 20.12.100  
4532 are hereby amended to read as follows:

4533 A. The 2019 real property asset management plan, ~~((formerly called the county~~  
4534 ~~space plan,))~~ dated September 1, 2019, and consisting of real property asset management  
4535 policies, practices and strategies, including planning policies, locations of county agencies  
4536 and implementation plans, planned moves and references to King County space standards,  
4537 is ~~((adopted as a component of the capital facilities element of))~~ intended to implement the  
4538 capital facilities element of the King County Comprehensive Plan. The real property asset  
4539 management plan dated September 1, 2019, shall guide facility planning processes,  
4540 decisions and implementation.

4541 B. The executive shall ~~((update))~~ transmit to the council a proposed ordinance  
4542 updating the real property asset management plan, including the current and future space  
4543 needs and implementation plans of the real property asset management plan; ~~((and submit~~  
4544 ~~them to the council as amendments to the real property asset management plan))~~

4545 1. ((b))By the first business day in September ((1)) of every fourth year,  
4546 beginning ((on September 1, 2019, and also)) 2023; or

4547           2. ((w))Within ninety days of any significant change in the county's ~~((space plan))~~  
4548 inventory, such as a move, sale, purchase or other change, affecting fifty thousand or more  
4549 square feet of useable space.

4550           C.1. The council may amend the executive's proposed real property asset  
4551 management plan during the council's review.

4552           2. The council may at any time introduce and adopt an ordinance to modify the  
4553 policies within the real property asset management plan.

4554           SECTION 89. The executive shall submit sections 65, 66, 67 and 68 of this  
4555 ordinance, amendments to King County Comprehensive Plan chapter six in Attachment  
4556 A to this ordinance and amendments to the Shoreline Master Program in Attachments E  
4557 and H to this ordinance to the state Department of Ecology for its approval, as provided  
4558 in RCW 90.58.090.

4559           SECTION 90. Sections 65, 66, 67 and 68 of this ordinance, amendments to King  
4560 County Comprehensive Plan chapter six in Attachment A to this ordinance and  
4561 amendments to the Shoreline Master Program in Attachments E and H to this ordinance  
4562 take effect within the shoreline jurisdiction fourteen days after the state Department of  
4563 Ecology provides written notice of final action stating that the proposal is approved, in  
4564 accordance with RCW 90.58.090. The executive shall provide the written notice of final  
4565 action to the clerk of the council.

4566           SECTION 91. Severability. If any provision of this ordinance or its application  
4567 to any person or circumstance is held invalid, the remainder of the ordinance or the  
4568 application of the provision to other persons or circumstances is not affected."

4569



4570 Strike Attachment A, Comprehensive Plan Amends 2020 Update, and insert Attachment  
4571 A, 2020 Update to 2016 King County Comprehensive Plan and 2017 Vashon-Maury  
4572 Island Community Service Area Subarea Plan, dated July 2, 2020. The clerk of the  
4573 council is instructed to engross changes from any adopted amendments and correct any  
4574 scrivener's errors. Line numbers have been added to the attachment for ease of reference.  
4575 The clerk of the council is instructed to remove line numbers in the attachment on the  
4576 final version of this legislation adopted by the council before presentation to the  
4577 executive. Upon final adoption, council staff is instructed to reflect the enactment  
4578 number throughout Attachment A, incorporate adopted changes into the King County  
4579 Comprehensive Plan and Vashon-Maury Island CSA Subarea Plan, modify all  
4580 Comprehensive Plan and technical maps in Attachment A to reflect the changes in any  
4581 adopted amendments, update the tables of contents as necessary, update footnote  
4582 numbers as necessary, and provide an electronic copy of each to the executive.  
4583  
4584 Strike Attachment B, Appendix C - Transportation, and insert Attachment B, Appendix  
4585 C: Transportation, 2020 update to 2016 Comprehensive Plan, dated July 2, 2020. The  
4586 clerk of the council is instructed to engross changes from any adopted amendments and  
4587 correct any scrivener's errors. Line numbers have been added to the attachment for ease  
4588 of reference. The clerk of the council is instructed to remove line numbers in the  
4589 attachment on the final version of this legislation adopted by the council before  
4590 presentation to the executive. The clerk of the council is also instructed to update the  
4591 header to reflect the enactment number upon final adoption.  
4592

4593 Strike Attachment C, Appendix C1 - Transportation, and insert Attachment C, Appendix  
4594 C1: Transportation Needs Report, 2020 update to 2016 King County Comprehensive  
4595 Plan, dated July 2, 2020. The clerk of the council is instructed to engross changes from  
4596 any adopted amendments and correct any scrivener's errors. Line numbers have been  
4597 added to the attachment for ease of reference. The clerk of the council is instructed to  
4598 remove line numbers in the attachment on the final version of this legislation adopted by  
4599 the council before presentation to the executive. The clerk of the council is also  
4600 instructed to update the header to reflect the enactment number upon final adoption.

4601

4602 Strike Attachment D, Comp Plan Land Use Zoning Maps 2020 Update and insert  
4603 Attachment D, Amendments to Land Use and Zoning Maps, 2020 update to 2016 King  
4604 County Comprehensive Plan, dated July 2, 2020. The clerk of the council is instructed to  
4605 engross changes from any adopted amendments and correct any scrivener's errors. Line  
4606 numbers have been added to the attachment for ease of reference. The clerk of the  
4607 council is instructed to remove line numbers in the attachment on the final version of this  
4608 legislation adopted by the council before presentation to the executive. Upon final  
4609 adoption, council staff is instructed to reflect the enactment number throughout  
4610 Attachment D, and coordinate with executive staff to assign new P-suffix or Special  
4611 District Overlay numbers, modify all Comprehensive Plan and technical maps that  
4612 include the urban growth area boundary, potential annexation areas and the agricultural  
4613 production district to reflect these changes.

4614

4615 Strike Attachment E, Shoreline Maps 2020 Update and insert Attachment E,  
4616 Amendments to Shorelines of the State Map, 2020 update to 2016 King County  
4617 Comprehensive Plan and Shoreline Master Program, dated July 2, 2020. The clerk of the  
4618 council is instructed to engross changes from any adopted amendments and correct any  
4619 scrivener's errors. Line numbers have been added to the attachment for ease of reference.  
4620 The clerk of the council is instructed to remove line numbers in the attachment on the  
4621 final version of this legislation adopted by the council before presentation to the  
4622 executive. Upon final adoption, council staff is instructed to reflect the enactment  
4623 number throughout Attachment E, and coordinate with executive staff to modify all  
4624 Comprehensive Plan and technical maps that include the urban growth area boundary,  
4625 potential annexation areas and the agricultural production district to reflect these changes.  
4626  
4627 Strike Attachment F, SWH Land Use Subarea Plan 2020 Update, and insert Attachment  
4628 F, Skyway-West Hill Land Use Strategy, Phase 1 of the Skyway-West Hill CSA Subarea  
4629 Plan, dated July 2, 2020. The clerk of the council is instructed to engross changes from  
4630 any adopted amendments and correct any scrivener's errors. Line numbers have been  
4631 added to the attachment for ease of reference. The clerk of the council is instructed to  
4632 remove line numbers in the attachment on the final version of this legislation adopted by  
4633 the council before presentation to the executive. Upon final adoption, council staff is  
4634 instructed to reflect the enactment number throughout Attachment F, modify all  
4635 Comprehensive Plan and technical maps in Attachment A to reflect the changes in any  
4636 adopted amendments, incorporate any adopted amendments, update the tables of contents

4637 as necessary, update footnote numbers as necessary, and provide an electronic copy to the  
4638 executive.

4639

4640 Strike Attachment G, SWH Land Use Zoning Maps 2020 Update, and insert Attachment  
4641 G, Appendices to the Skyway-West Hill Land Use Strategy, dated July 2, 2020. The  
4642 clerk of the council is instructed to engross changes from any adopted amendments and  
4643 correct any scrivener's errors. Line numbers have been added to the attachment for ease  
4644 of reference. The clerk of the council is instructed to remove line numbers in the  
4645 attachment on the final version of this legislation adopted by the council before  
4646 presentation to the executive. Upon final adoption, council staff is instructed to reflect  
4647 the enactment number throughout Attachment G, incorporate any adopted amendments,  
4648 and provide an electronic copy to the executive.

4649

4650 Strike Attachment H, SMP Jurisdiction List 2020 Updates and insert Attachment H,  
4651 Shoreline Jurisdiction, Streams and Lakes Segments, 2020 update to 2016 King County  
4652 Comprehensive Plan and Shoreline Master Program, dated July 2, 2020. The clerk of the  
4653 council is instructed to engross changes from any adopted amendments and correct any  
4654 scrivener's errors. Line numbers have been added to the attachment for ease of reference.  
4655 The clerk of the council is instructed to remove line numbers in the attachment on the  
4656 final version of this legislation adopted by the council before presentation to the  
4657 executive. The clerk of the council is also instructed to update the header to reflect the  
4658 enactment number upon final adoption.

4659

4660 Strike Attachment I, Tech Appendix S-Public Participation Summary 2020 Update and  
4661 insert Attachment I, Technical Appendix S: Public Participation Summary for 2020  
4662 Update, 2020 Update to 2016 King County Comprehensive Plan, dated July 2, 2020. The  
4663 clerk of the council is instructed to engross changes from any adopted amendments and  
4664 correct any scrivener's errors. Line numbers have been added to the attachment for ease  
4665 of reference. The clerk of the council is instructed to remove line numbers in the  
4666 attachment on the final version of this legislation adopted by the council before  
4667 presentation to the executive. The clerk of the council is also instructed to update the  
4668 header to reflect the enactment number upon final adoption.

4669

4670 Insert Attachment J, Update to 2012 King County Comprehensive Plan, as adopted by  
4671 Ordinance 17485, dated July 2, 2020. Upon final adoption, council staff is instructed to  
4672 reflect the enactment number throughout Attachment D, and coordinate with executive  
4673 staff to assign new P-suffix or Special District Overlay numbers, modify all 2016  
4674 Comprehensive Plan and technical maps, as amended, that include the urban growth area  
4675 boundary, potential annexation areas and the agricultural production district to reflect  
4676 these changes.

4677

4678 **EFFECT: The changes proposed by Striking Amendment S3 include:**

4679

Topic	S3 Changes from Executive's Proposal
<b>Four-to-One Program and Growth Management Planning Council /Urban Growth Area</b>	<ul style="list-style-type: none"><li>• Removes all changes related to the Four-to-One Program from the Proposed Ordinance and Attachment A. The existing policy and code would remain in place.</li></ul>

Topic	S3 Changes from Executive's Proposal
<b>(UGA) Changes</b>  Changes in KCCP Chapter 1 and 2, K.C.C. Title 20	
<b>Transfer of Development Rights (TDR) Program</b>  Changes in KCCP Chapter 3, K.C.C. Title 21A	<ul style="list-style-type: none"> <li>Allows urban sending sites for any CFT awarded site. Allows for use of TDRs for affordable housing. The price of the affordable housing TDR is limited to the actual administrative costs of the County, with a cap of 15% of the fair market value.</li> </ul>
<b>Non-Resource Industrial Uses in the Rural Area</b>  Changes in KCCP Chapter 3	<ul style="list-style-type: none"> <li>Modifies Policy R-512 to limit new industrial-zoned lands to existing sites or those that have long been used for industrial or comparable purposes with similar impacts. Includes language from Policy R-515 (which is deleted) on nonconforming uses in Policy R-512.</li> <li>Modifies lead-in text to reflect policy changes.</li> </ul>
<b>Agricultural Production Districts (APDs) and Public Infrastructure</b>  Changes in KCCP Chapter 3	<ul style="list-style-type: none"> <li>Clarifying changes to when public infrastructure may intrude into an APD. Modifies Policy R-656a to allow the County to approve alternative mitigation for loss of APD land. If acquisition within the same APD at a 1 to 1 ratio is not possible, then a minimum of 3 acres added to 1 acre lost is required, within a minimum 1 acre of acquisition in another APD and up to 2 acres of restoration of unfarmed land within the same APD. Requires that mitigation occur concurrently with removal of the APD land, and clarifies the County must approve the remove and mitigation.</li> </ul>
<b>Vaping Products</b>  Changes in KCCP Chapter 2 and 7	<ul style="list-style-type: none"> <li>Clarifying changes to create consistency.</li> </ul>
<b>Human Services Role</b>  Changes in KCCP Chapter 4	<ul style="list-style-type: none"> <li>Technical change.</li> </ul>
<b>Regional Affordable Housing Task Force</b>  Changes in KCCP	<ul style="list-style-type: none"> <li>Includes additional context and next steps.</li> </ul>

Topic	S3 Changes from Executive's Proposal
Chapter 4	
<b>Cottage Housing</b>  Changes in K.C.C. Title 21A	<ul style="list-style-type: none"> <li>• Clarifying changes.</li> <li>• Modify height limit for cottage housing units to accommodate additional square footage allowance.</li> <li>• Modify parking requirement to create consistency</li> <li>• Provide specificity to façade requirements.</li> </ul> Adds language requesting developments consider including a variety of housing sizes
<b>Accessory Dwelling Units (ADUs)</b>  Changes in K.C.C. Title 21A	<ul style="list-style-type: none"> <li>• Changes to ADUs in urban areas and rural towns to be consistent with other jurisdictions: minimum lot area, square footage allowance, parking requirements, owner-occupancy requirements.</li> <li>• Clarifies height requirements.</li> <li>• Removes outdated code language on subdivision of lots with ADUs.</li> <li>• Allows townhouses to have accessory dwelling units.</li> </ul>
<b>Accessory Living Quarters (ALQs)</b>  Changes in K.C.C. Title 21A	<ul style="list-style-type: none"> <li>• Changes that provide consistency with proposed ADU regulations: minimum lot area, height requirements, square footage allowance.</li> </ul>
<b>Sea Level Rise/ Climate Change/ Greenhouse Gas Mitigation</b>  Changes in KCCP Chapter 5, K.C.C. Title 20 and Title 21A	<ul style="list-style-type: none"> <li>• Modify the policy from "shall" to "should"</li> <li>• Clarify that the sea level rise protection area is 3 feet above the 2020 FEMA maps.</li> <li>• Clarify the sea level rise risk area development regulations and variance procedures. Creates consistency with floodplain regulations also being considered by Council.</li> <li>• Modifies Policy R-632 to encourage the County to require landowners converting forestlands to non-forest uses to mitigate the loss carbon sequestration capacity.</li> <li>• Modifies Policy E-215bb to address impacts of climate change to forestland.</li> <li>• Adds Workplan Action 18 to require a Forest Conversion Review Study.</li> </ul>
<b>Mineral Resources</b>  Changes in KCCP Chapter 3 and Chapter 9, K.C.C. Title 21A	<ul style="list-style-type: none"> <li>• Clarify that coal mines, and oil and gas extraction are not permitted in unincorporated King County.</li> </ul>
<b>Fossil Fuel Facilities</b>  Changes in KCCP Chapter 3 and Chapter 9, K.C.C. Title 21A	<ul style="list-style-type: none"> <li>• Streamlines lead-in text and policy language.</li> <li>• Streamlines definitions, including fossil fuels, fossil fuel facility, and different kinds of energy generation facilities.</li> <li>• Streamlines and clarifies allowances for non-hydroelectric energy generation facilities; and adds a renewable energy</li> </ul>

Topic	S3 Changes from Executive's Proposal
	<p>generation facility separate from non-hydroelectric.</p> <ul style="list-style-type: none"> <li>• Updates Chapter 21A.22 to include coal mines and fossil fuel facilities in periodic review for mineral extraction and materials processing.</li> <li>• Adds language to prohibit fossil fuel facilities from bypassing permit requirements by using nonconforming use chapter.</li> </ul>
<p><b>Hirst/water availability and exempt wells</b></p> <p>Changes in KCCP Chapter 3 and Chapter 9</p>	<ul style="list-style-type: none"> <li>• Clarifying changes for consistency.</li> </ul>
<p><b>Shoreline Master Program</b></p> <p>Changes in KCCP Chapter 6, and K.C.C. Title 21A</p>	<ul style="list-style-type: none"> <li>• Clarifying changes for consistency. Technical edits to reflect engrossing of Ordinance 19034 into the KCCP.</li> </ul>
<p><b>Pathways/ Sidewalks in Rural Area</b></p> <p>Changes in KCCP Chapter 8</p>	<ul style="list-style-type: none"> <li>• Adds safe routes to schools as a criteria for sidewalks in the rural area.</li> </ul>
<p><b>Mitigation Payment System</b></p> <p>Changes in KCCP Chapter 8</p>	<ul style="list-style-type: none"> <li>• No changes.</li> </ul>
<p><b>Economic Development</b></p> <p>Changes in KCCP Chapter 10</p>	<ul style="list-style-type: none"> <li>• Removes policy change.</li> </ul>
<p><b>Community Service Area (CSA) Subarea Planning</b></p> <p>Changes in KCCP Chapter 11 and Chapter 12, K.C.C. Title 2 and Title 20</p>	<ul style="list-style-type: none"> <li>• Adds new policy CP-100 in Chapter 11 of the KCCP and code language to Title 2 of the K.C.C. to guide subarea planning, including: establishing a scope of work, more robust community engagement, use of ESJ tools and resources, community needs list, and performance metrics. Ties the community needs list, community service area program, and service partnership agreements to the subarea planning process.</li> <li>• Adjusts the subarea planning schedule to give the Executive 18 months to complete each plan, and 6 months for the</li> </ul>



Topic	S3 Changes from Executive's Proposal
	<p>Council to review and adopt each plan.</p> <ul style="list-style-type: none"> <li>• For Skyway-West Hill and North Highline, subarea plans would be transmitted to the Council in December 2021, for adoption in June 2022.</li> <li>• Modifies timeline for audit of subarea planning program from 2021-2022 auditor work program, to the 2023-2024 auditor work program, to ensure the revised subarea planning program can be implemented before it is subject of audit review.</li> <li>• Adds a Workplan Action regarding anti-displacement strategies in Skyway-West Hill and North Highline.</li> </ul>
<p><b>Skyway-West Hill</b></p> <p>Plan, and associated Code changes, and map amendments – Proposed Ordinance, Attachments A, F (Subarea Plan) and G (Land Use and Zoning Map Amendments)</p> <p>Changes in KCCP Chapter 11, K.C.C. Title 20 and Title 21A</p>	<ul style="list-style-type: none"> <li>• Adopts the Skyway-West Hill Land Use Strategy, as Phase 1 of the Skyway-West Hill Subarea Plan, which includes 25 policies related to residential neighborhoods, commercial areas and community character.</li> <li>• Does not repeal the West Hill Community Plan, which will remain in effect until the Skyway-West Hill Subarea Plan is adopted in 2022.</li> <li>• Corrects references to the active subarea and community plans to reflect Skyway-West Hill Land Use Strategy</li> <li>• Added trails as an allowed use in the pedestrian-oriented commercial development SDO</li> <li>• Technical corrections to the Mixed-Use SDO</li> <li>• Updates Chapter 11 to reflect adoption of Land Use Strategy as Phase 1 of the Skyway-West Hill Subarea Plan.</li> <li>• Map amendments moved from Attachment G to Attachment D and all map amendments are renumbered (8.a., 8.b, etc.)</li> <li>• SWH Map amendments 4 and 12 are not included.</li> <li>• SWH Map amendments 6, 9, 10 and 11 are modified.</li> <li>• In the pedestrian-oriented SDO, made technical clarifications to the permitted uses, and modifications to design standards.</li> </ul>
<p><b>Workplan Action Items</b></p> <p>Changes in KCCP Chapter 12, K.C.C. Title 20</p>	<ul style="list-style-type: none"> <li>• Changes to the Workplan, and allowance to modify the Workplan with annual or midpoint updates if related to adopted scope of work.</li> <li>• Modifies 4 Workplan Actions to change the deadlines.</li> <li>• Clarification to name of GMPC Workplan Action Items</li> <li>• Changes to Action 1 to reflect changes made to the subarea planning program.</li> </ul>
<p><b>Residential Density Incentives Program</b></p> <p>Changes in KCCP Chapter 12</p>	<ul style="list-style-type: none"> <li>• Adds a Workplan Action to update Residential Density Incentive code.</li> </ul>
<p><b>2024 Adoption/</b></p>	<ul style="list-style-type: none"> <li>• Modifies next major eight-year update to 2024 as a result of</li> </ul>

Topic	S3 Changes from Executive's Proposal
<b>Shifting 8-year process</b>  Changes in KCCP Chapter 12 (and others), K.C.C. Title 20	state law change after Executive's transmittal. Modifies deadline to adopt 2020 update to the last business day in July 2020.
<b>Equity Impact Review for Upzones</b>  Changes in KCCP Chapter 2	<ul style="list-style-type: none"> <li>Modifies KCCP Policy U-125 to require an equity impact analysis for all areawide zoning amendment or zoning reclassification proposals, and requires displacement impacts to be mitigated as a criteria for approval. For zoning reclassifications not initiated by the County, a community meeting is required, with translation and interpretation services provided.</li> </ul>
<b>Real Property Asset Management Plan (RAMP)</b>  Changes in KCCP Chapter 9, K.C.C. Title 20 and Title 4	<ul style="list-style-type: none"> <li>Recodifies the RAMP into a section of the code regarding real property, clarifies that the RAMP is intended to implement the KCCP, and clarifies process requirements for the Executive's transmittal of the RAMP and the Council's role in amending the Executive's proposal and ability to initiate a RAMP update to modify policies within the RAMP.</li> </ul>
<b>Terminology and data updates, corrections</b>  Changes throughout KCCP, K.C.C. Title 20 and Title 21A	<ul style="list-style-type: none"> <li>Consistency, technical edits.</li> </ul>
<b>Maps in KCCP – Attachment A</b>  Changes throughout KCCP	<ul style="list-style-type: none"> <li>Technical changes to reflect other modifications from Executive's transmitted plan and error identification</li> </ul>
<b>Bear Creek Urban Planned Development Conversion</b>  Changes in KCCP Chapter 11, K.C.C. Title 21A	<ul style="list-style-type: none"> <li>Add Daycare II as a permitted use in the Bear Creek Office and Retail Special District Overlay (SDO), and expands that SDO to additional property in Map Amendment 7.b.</li> <li>Technical correction in Map Amendment 7.c. to conform to other changes made in S3</li> <li>Changes for consistency with other changes made in S3</li> </ul>
<b>Fall City Business District SDO</b>	<ul style="list-style-type: none"> <li>Adds parks as a permitted use in the Fall City Business District SDO.</li> </ul>

Topic	S3 Changes from Executive's Proposal
Changes in K.C.C. Title 21A	
<p><b>Map Amendments</b></p> <p>Changes in K.C.C. Title 21A</p> <p>Changes in Attachment D (Land Use and Zoning Map Amendments) and Attachment G (Skyway-West Hill Land Use and Zoning Map Amendments)</p>	<ul style="list-style-type: none"> <li>• Map Amendment 1b – remove existing p-suffix condition</li> <li>• Map Amendment 2 to remove property additions to the APD.</li> <li>• Map Amendment 3 – adds code changes related to project</li> <li>• Map Amendments 7a-7h – amends map amendment numbering so that parcels are only affected by one Bear Creek-related amendment; critical area and golf course tracts are zoned R-1; adds fossil fuel facility use to proposed business park P-suffix condition; ties proposed RV parking P-suffix condition to plat condition</li> <li>• Amendments 8a-8j – excludes a map amendment to rezone parcels to CB along Renton Ave S; removes R-6/R-12 to R-18 upzone but maintains affordable unit requirement; removes R-24 to R-48 upzone but maintains affordable unit requirement; adds requirements to the p-suffix condition related to mobile home parks; modifies marijuana retailer cap to also include NB zones in Skyway-West Hill; excludes a map amendment to rezone properties from R-6 to R-12 on Renton Ave S.</li> <li>• Adds Map Amendment 9 regarding Racetrack zoning. Repeals 2012 map amendment that has not been effectuated for the same property.</li> <li>• Consistency or technical changes to all map amendments</li> </ul>
Transportation Appendix C to KCCP	<ul style="list-style-type: none"> <li>• Technical changes</li> </ul>
Transportation Appendix C1 to KCCP	<ul style="list-style-type: none"> <li>• Technical changes</li> </ul>