

Plain Language Summary of Proposed Amendments to the King County Code

This summary fulfills requirements in the Washington State Growth Management Act and King County Code 20.18.100 requirements for a plain language summary.

Overview

King County is updating its Comprehensive Plan policies, text and maps, and the associated development regulations related to planning and zoning. This is a discretionary action by the County to address a set of timely issues, and is not a state-required update under the State Growth Management Act. The proposed amendments include updates to the code to be consistent with state law, and updates to regulations for a set of public health and safety, environmental, housing, and other topics. The following is a summary of the changes in the Proposed Ordinance.

Summary of Changes

#	Section	Current Code	Proposed Change	Rationale / Intent
1	-	-	Adds new section in Title 21A with definitions for "Sea level rise protection elevation."	Defines new requirements.
2	-	-	Adds new section in Title 21A with definitions for "Sea level rise risk area."	Defines new area.
3	-	-	Adds new section in Title 21A with building standards within the Sea Level Rise Risk Area. This relates to elevations, professional engineer certifications, elevation certifications, and others.	Establishes provisions consistent with Comprehensive Plan policies.
4	-	-	Adds new section in Title 21A with processes, and criterion, for the granting of variances to standards and regulations within the Sea Level Rise Risk Area.	Creates variance process for new area. Variance processes exist for other similar areas.
5	20.12.010	Includes citations related to adoption of Comprehensive Plan.	Updates citations.	Corrections for consistency.

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6	20.12.015	Includes citations related to adoption of, among other, adoption of the West Hill Community Plan.	Repeals section of code in order to repeal the West Hill Community Plan.	Concurrent with the repeal, King County is proposed to adopt a new Plan for the subarea.
7	20.12.017	Includes zoning conversion from K.C.C. Title 21 to Title 21A.	Corrects a reference to the repeal of the West Hill Community Plan Area Zoning.	Corrections for consistency.
8	20.12.337	Includes citation to adoption of West Hill Community Plan.	Replaces reference to West Hill Community Plan with references to the 2020 Skyway West Hill Subarea Land Use Plan.	Updates code to reflect adoption of new plan for the subarea.
9	20.18.030	Describes Comprehensive Plan amendment processes.	Amends subsections to change terminology related to comprehensive plan updates, amendments, cycles, and processes. Other grammatical changes such as consistency and dates.	Terminology changes throughout the Code, and the Comprehensive Plan, to ensure consistency when referring to updates to the Comprehensive Plan, amendments within the Comprehensive Plan, and processes or schedules.
10	20.18.040	Establishes site-specific land use map or shoreline master program map amendment classification.	Consistent with proposed change to have property owner Four to One proposals be submitted, removes redundant option for submittal through this process. Amendment also for consistency with Comprehensive Plan amendment procedures, wherein Four to Ones are not part of Site Specific Land Use Map Amendments.	Consistency with Docket requirement and Comprehensive Plan procedures.
11	20.18.050	Establishes site-specific land use map or shoreline master program map amendment initiation.	Standardizes terminology related to updates, amendments, processes, and schedules.	See #9 above.

#	Section	Current Code	Proposed Change	Rationale / Intent
12	20.18.055	Establishes criteria for site-specific land use map and shoreline master program map amendments processes and standards.	Corrects a references to a Comprehensive Plan policies. Standardizes terminology related to updates, amendments, processes, and schedules.	Corrections for consistency. Also, See #9 above.
13	20.18.060	Establishes parameters for the eight-year Comprehensive Plan update.	See #9 above.	See #9 above.
14	20.18.070	Establishes parameters for the annual Comprehensive Plan update.	See #9 above.	
15	20.18.170	Establishes the Four to One program, including the process to consider proposal, overall program goals, conservation easement requirements, and inter-jurisdictional review procedures and requirements.	Amendments throughout section: <ul style="list-style-type: none"> • Establishes the Docket as the mechanism for initiation of a Four-to-One from property owners. • Changes the level of review through the Docket process as the pre-application review process. • Establishes a new requirement for annexation prior to development for projects adjacent to a city. • Establishes a new requirement for an interlocal agreement with the annexing City. 	Implements the recommendations of Four to One Program Review Study. The amendments clarify procedures and ensure a proper level of review.
16	20.18.180	Establishes the Four to One program criteria for both the urban and rural/open space portions of these projects. This includes lands allowed to use the program, parcel sizes, eligibility criteria, and evaluation criteria.	Amendments throughout section: <ul style="list-style-type: none"> • Increases options for the land use designation to match the intended use of the land. • Amends the open space section to establish parameters for where and how the proposed open space is to be provided on the site. • Adds evaluation criteria related to public access and the County's ability to efficiently manage the open space property. 	Implements recommendations of Four to One Program Review Study. The amendments clarify and strengthen the criteria.

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17	20.22.170	Establishes duties for the King County Hearing Examiner related to review of site-specific map amendments.	See #9 above.	See #9 above.
18	21A.02.110	Establishes classification for rights-of-way under zoning code, and allowed uses for streets or alleys, or railroads.	Amends section related to allowed uses in railroad rights of way to clarify that accessory facilities are to be for freight-dependent uses by defining them as accessory to delivery and distribution	Ensures that the options for allowed uses in railroad rights of way cannot be used to avoid fossil fuel facility regulations.
19	21A.06.150	Defines Bulk gas storage tanks.	Recodified language as a new section in K.C.C. chapter 21A.06.	Moves language to more appropriate location in Code.
20	21A.06.150	Defines bulk fuel gas storage tanks.	Amends definition to distinguish local distribution tanks from Fossil Fuel Facilities, which is established in a separate definition.	Ensures that local gas tanks are regulated differently than fossil fuel facilities.
21	Defines coal mine by-product stockpiles.	Amends definition to clarify that coal is not a mineral product.	Distinguishes coal, which is an organic product, from mineral products.	
22	-	-	Adds new section with definitions for "Fossil Fuels."	Defines the types of fuels that are regulated, and those excluded.
23	-	-	Adds new section with definitions for "Fossil Fuel Facilities."	Defines the types of facilities that are regulated, and those excluded.
24	-	-	Adds new section with definitions for "Fossil Fuel Facility – Type I."	Defines this type of facility.
25	-	-	Adds new section with definitions for "Fossil Fuel Facility – Type II."	Defines this type of facility.

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26	21A.06.805	Defines Nonhydro-electric generation facility.	Amends definition to exclude fossil fuels generated as a by-product in the waste management process.	Definition distinguishes fossil fuel that are generated through co-generation processes; this relates to the differential development conditions in the permitted uses table.
27	-	-	Adds new section with definitions for "Sea level rise risk area."	Defines new area.
28	21A.06.1350	Establishes a definition for utility facilities for the distribution or transmission of services. Includes ten facility types, including facilities that relate to fossil fuels.	Amends sections related to definition of a utility facility for natural gas pipelines and storage tanks to distinguish between fossil fuel facilities and the generally smaller and local-serving facilities excluded from the fossil fuel facility definitions.	Amendments to ensure that fossil fuels are regulated separately from these other uses.
29	21A.06.1375	Establishes a definition for warehousing and wholesale trade establishments that store and/or sell bulk goods.	Amends definition to distinguish between these types of facilities and establishments and fossil fuel facilities.	Amendments to ensure that fossil fuels are regulated separately from these other uses.

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30	21A.08.030	Contains the residential land uses table that defines permitted uses, conditional uses, special uses, and development conditions for all zoning classifications.	<p>(1) Amends development conditions for two types of Residential Accessory Structures - Accessory Dwelling Units and Accessory Living Quarters. Change includes;</p> <ul style="list-style-type: none"> • Technical changes for clarity. • For Accessory Dwelling Units, allows detached ADUs on smaller lots in the urban area and rural towns; and limits the height of ADUs to address design considerations. Provides discretion to the director of the permitting division regarding siting the required parking on the lot. • For Accessory Living Quarters, establishes requirements related to how kitchens are defined; establishes limits on the number of these on each lot, limits heights to address design considerations, and defines zones where they are allowed. <p>(2) Amends development conditions for Cottage Housing developments. These changes include removing maximum lot size limits and requirements related to the number of units.</p>	<p>(1) Amendments implement the recommendations in Accessory Dwelling Unit and Accessory Living Quarters Code Study. For Accessory Dwelling Units, these changes are intended to incentivize the development of these units in areas suited for infill development. For Accessory Living Quarters, these new regulations are intended to ensure these are properly sited and permitted to address potential impacts.</p> <p>(2) Amendments implement the recommendations in the Cottage Housing Code Study. These changes are intended to incentivize use of this development type by increasing potential sites and addressing design considerations.</p>
31	21A.08.060	Contains the government/business services land uses table that defines permitted uses, conditional uses, special uses, and development conditions for all zoning classifications.	Amendments to distinguish within two land uses from fossil fuel facilities. This includes warehousing and wholesale trade, and transportation service. Amendments to section also to reflect aforementioned definition changes to local distribution gas tanks (#12 above).	Amendments to ensure that fossil fuels are regulated separately from these other uses.

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32	21A.08.080	Contains the manufacturing land uses table that defines permitted uses, conditional uses, special uses, and development conditions for all zoning classifications.	Amendments to distinguish Petroleum Refining and Related Industries land uses from Fossil Fuel Facilities	Amendments to ensure that fossil fuels are regulated separately from these other uses.
33	21A.08.090	Contains the resource land uses table that defines permitted uses, conditional uses, special uses, and development conditions for all zoning classifications.	Amendment to remove Standard Industrial Classification Major Group 12: Coal Mining from the list of permitted uses.	Amendment to no longer have coal mining be a permitted use.
34	21A.08.100	Contains the regional land uses table that defines permitted uses, conditional uses, special uses, and development conditions for all zoning classifications.	<p>Amendments to the permitting review type (i.e., Special Use, Conditional Use, Permitted Use) for Non-hydroelectric Generation Facilities, and Oil and Gas Extraction, land uses given the aforementioned definition and permitted use table changes. Clarifies distinctions between new, modified and expanded facilities.</p> <p>Amendments establish permitting review paths for fossil fuel facility types I and II. Adds new subsections that establish development conditions for the type II (the larger facilities) related to setback and enclosure requirements.</p>	Identifies to the appropriate permitting pathways for these non-fossil fuel facilities based on their revised definitions. Setback and enclosure requirements are established to protect public health, safety and natural resources.
35	21A.12.030	Contains the densities and dimensions table that defines standards for densities, setbacks, heights, and impervious surfaces.	Amendment in section related to heights to establish a limit on the height of these types of accessory structures.	Height limits established to address design and compatibility considerations given that these structures are accessory to the principal structure.

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36	21A.14.025	Establishes regulations for cottage housing developments.	Amends regulations related to cottage housing parking and design.	Creates more clarity related to these topics which, along with change in maximum lot sizes, are intended to incentivize use of this building type.
37	21A.18.030	Contains the off-street parking requirements for different building types.	Amends regulations to establish parking requirements for cottage housing.	Creates more clarity related to these topics which, along with change in maximum lot sizes, are intended to incentivize use of this building type.
38	21A.22.020	Defines the uses activities to which the mineral extraction or materials processing operations periodic review process applies.	Amendment to establish that Title 21A.22 applies to all mining operations, including coal mining.	Ensures that the periodic review process would apply to all mines, including non-mineral coal mines.
39	21A.24.072	Establishes the alteration exception process for critical areas.	Grammatical fix to correct an inaccurate code reference.	--
40	21A.24.310	Defines steep slope hazard areas, including development standards and alteration processes.	Requires county to <u>adopt a public rule related to requirements for development and review of a critical area report.</u> <u>Defines processes for establishing buffers.</u>	The intent is to increase protections for structures that may be subject to erosion to prepare and mitigate for future impacts from sea level rise.
41	21A.24.316	Establishes development standards in critical aquifer recharge areas.	Amends standards in a variety of ways. <ul style="list-style-type: none"> • Establishes new standards related to wells in the sea level rise risk area. • Prohibits new groundwater wells in the coastal high hazard area, and allows for rainwater catchment. • Establishes requirements for well seals. 	This section of code is also proposed for amendment as part of the 2019 Shoreline Master Plan currently before the Council for consideration. It also needs to be amended as part of the 2020 Comp Plan.

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42	21A.25.050	Establishes the shoreline jurisdiction list and delineations.	<p>Technical change to description of contiguous floodplain area that is landward of the hundred-year floodplain to reference federal emergency management insurance rate maps.</p> <p>Procedures amended to require updates to any errors in the map within three years, rather than on a standard comprehensive plan update schedule.</p>	Amendments for greater consistency with federal and state regulations.
43	21A.25.170	Establishes shoreline stabilization regulations.	Amendment to require notice to permit applicants that they are in the sea level rise risk area and may be impacted by sea level rise.	Creates greater public awareness of the new area and risk.
44	21A.37.010	Defines the purpose and goals of the transfer of development rights (TDR) program.	Establishes the basis for transferring development rights in urban areas to other urban areas in order to provide open space in defined equity areas, consistent with the County's equity and social justice ordinance. The "urban medium" residential land use designation is now eligible.	Implements Open Space Equity Cabinet recommendations to address open space access in these underserved areas.
45	21A.37.020	Defines the sending site regulations and criteria for the transfer of development rights program.	See #44 above. Additional edits to grammar.	See #44 above.
46	21A.37.040	Defines the calculations, such as transfer ratios and densities, for the transfer of development rights program.	Amendment to establish zoning base density ratio.	See #44 above.
47	21A.37.070	Defines the sending site certification and interagency review committee process for the transfer of development rights program.	Amendment to define criteria for new urban qualifying sites.	See #44 above.

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48	21A.37.100	Defines the purpose statement for the transfer of development rights bank.	See #44 above.	See #44 above.
49	21A.38.050	Establishes special district overlay - pedestrian-oriented commercial development, including allowed uses.	<p>Technical amendment to "pedestrian oriented commercial development" Special District Overlay to clarify that subarea plans no longer designate centers, as this function is now done via the Urban Centers map in Chapter 2 of the Comp Plan.</p> <p>Adds to list of uses that are not allowed within the Special District Overlay.</p> <p>Adjusts a number of standards within the special district overlay, such as facades, window treatments and placement, parking and walkway requirements, landscaping requirements, and others.</p>	Intent of the changes to uses and regulations is to ensure a more effective implementation of the pedestrian-oriented goals of the overlay.
50	-	-	New section in Title 21A to establish a Skyway-West Hill Neighborhood Business Mixed-Use Special District Overlay, and establish standards for overlay area.	Changes are based on the Skyway-West Hill Land Use Subarea Plan, and associated map amendments and recommended land use and zoning changes in the areas to which this overlay applies.
51	-	-	New section in Title 21A to establish Bear Creek office and retail special district overlay, and establish standards for overlay area.	Changes are based on the Bear Creek Area Zoning and Land Use Study and associated map amendments, and recommended land use and zoning changes in the areas to which this overlay applies.
52	-	-	New periodic review process established in in Title 21A modeled on process for mines. It includes a five-year review cycle, establishes land use decision type.	Intent is to ensure facilities are operating consistent with permitting standards, and industry operating standards.

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53	27.10.180	Establishes permit fees for site-specific land use amendments.	Amends subsections related to Plan Update terminology.	See #9 above.