Introduced by: CYNTHIA SULLIVAN

Proposed No.: 91-729

ORDINANCE NO. 10870

AN ORDINANCE relating to zoning; adopting a new Zoning Code for unincorporated King County; establishing rules for transition from the old code to the new Zoning Code for unincorporated King County; adding a new title 21A to the King County Code.

FINDINGS:

1. King County is experiencing rapid growth, both in its cities and in unincorporated areas. This growth requires technically up-to-date regulation of land development to protect the public health, safety and general welfare.

2. In 1985 King County adopted a new Comprehensive Plan, via Ordinance 7178. Ordinance 7178 also included a legal requirement that King County's land use regulations be consistent with the Comprehensive Plan and community plans.

3. In 1990 the Legislature adopted House Bill 2929, enacting state-wide planning goals and mandatory planning requirements for local governments. These goals and requirements include consistency of plans with state-wide goals, consistency of land use regulations with land use plans, and concurrency of necessary public facilities and services with development. This ordinance adopts such land use regulations for use in the future in applying the zoning designations established in this ordinance to specific properties, consistent with the county's land use plans.

4. The existing zoning code, Title 21 of the King County Code, was adopted originally in 1963 as Resolution 25789. Since that time, it has been subject to over 180 amendments. These amendments include the creation of more than 12 new zones; implementation of major policies relative to environmental protection and adequacy of schools and roads; and piecemeal changes to uses permitted in zones. Major de facto changes to the provisions and standards of the zoning code have occurred also through special conditions placed on properties through community plans and area zoning.

5. The cumulative effect of these amendments to the Zoning Code and the property-specific special conditions has been to create potential ambiguities and conflicts within the Code, which make it difficult to apply effectively and predictably.

6. The process for public review and comment on the 1993 Zoning Code has been open and extensive. Prior to transmittal to the council by the executive, a draft of the proposed code was circulated for public comment; four public workshops were conducted; and executive staff attended meetings with over 30 interested groups to gather their comments. In response to public comment, the proposed code was extensively redrafted before being transmitted to the council.

7. After transmittal to the council, the proposed code was reviewed by the Zoning Code Technical Advisory Committee, the Growth Management, Housing and Environment Committee and was extensively redrafted in response to public comment and discussion. Four public workshops were held prior to the public hearing to provide additional opportunity for public questions and comments.

8. The various zone classifications and development standards set forth in the 1993 Zoning Code are intended to implement the policies and land use designations of the Comprehensive Plan, and of both adopted and pending community plans.

9. Conversion from the existing code's zone classifications to those of the 1993 Zoning Code will not raise significant land use policy issues or unduly burden property owners. Each zone classification of the existing code has a functional equivalent in the new code, and the rules for transition to the 1993 Zoning Code set forth in this ordinance will ensure consistent and equitable application of the new zone classifications.

10. It is the legislative judgment of the King County council that the standards set forth in the 1993 Zoning Code and the rules for transition to the new code, plus the amendments to other King County Titles contained in companion Proposed Ordinance No. 91-730, are the minimum necessary to accomplish the purposes of this ordinance.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1.

Pursuant to the requirement of King County Charter Section 880, there is adopted Title 21A of the "King County code" as compiled by the King county council. K.C.C. Chapter 21A.61A of the code is hereby transferred to Title 27. K.C.C. sections 21A.61.060, .070 are hereby transferred to Title 20.

SECTION 2.

Zoning code adopted. Under the provisions of Article XI, Section 11 of the Washington State Constitution and Article 2, Section 220.20 of the King County Charter, the zoning code attached to this ordinance, which is referred to hereinafter as the 1993 Zoning Code, is adopted and declared to be the zoning code for King County until amended, repealed or superseded, subject to the provisions of Section 3. This code shall be compiled in Title 21A.

SECTION 3.

Application of the 1993 Zoning Code. A. The 1993 Zoning Code shall apply to a specific property when, after the effective date of this ordinance, the zoning map with respect to such property is amended pursuant to:

1. an individual quasi-judicial zone reclassification;
2. county-wide zoning conversion process set out in Section 5; or
3. community planning area zoning proposals accompanying plan updates or amendment studies.

B. Any reclassification requests or proposals for application of area or countywide zoning initiated after the effective date of this ordinance shall use the new zone classifications adopted in the 1993 Zoning Code.

SECTION 4.

Transition to new code. A. During the time that a zoning map or parts thereof are being developed and adopted pursuant to this section, Resolution No. 25789 as amended shall remain in full force and effect with regard to a specific piece of property until such time as a zoning map or parts thereof applying the zone designations established in the 1993 zoning code to the property in question are adopted.

B. Upon the adoption of a zoning map or parts thereof pursuant to the 1993 Zoning Code, Resolution 25789 and all other zoning resolutions, amendments and zoning maps adopted pursuant thereto are deemed to be no longer in effect for the subject property; provided, however, that the repeal shall be limited to the area within the boundaries of the map or parts thereof adopted pursuant to this title.

SECTION 5.

Area zoning conversion guidelines. A. The council directs the department to prepare proposed new zoning maps applying the 1993 King County Zoning code and transmit within ten months of the effective date of this ordinance for council review and adoption.

B. The department shall use the table set forth in subsection C and the guidelines of this section in preparing an ordinance or ordinances to convert each area zoning document to the 1993 Zoning Code, so as to continue implementation of adopted community plans and convert old zone designations to new ones in a consistent manner. The provisions of this section also shall apply to conversion of the resource lands area zoning adopted pursuant to K.C.C. 20.12.390.

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

RESOLUTION 25789 ZONING MAP SYMBOLS	1993 ZONING CODE MAP SYMBOLS	ADDITIONAL CRITERIA
F	F	
FR	F or RA	Use zone most consistent with the comprehensive plan .
A, A-10 A-35	A-10 A-35	
Q-M	M	
AR-2.5 AR-5 AR-10 GR-5, GR-2.5, G-5	RA-2.5 RA-5 RA-10 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	
SR/RS15000,SR/RS9600	R-4	
SR7200, RS7200	R-6	
SR5000, RS5000	R-8	
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 community 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 B-C, BR-C C-G	NB or RB CB or RB RB	For all business zones, use zone most consistent with the comprehensive plan and community plan designation and actual scale of business area
M-L, M-P, M-H	I	

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

E. Resolution of map conflicts. In cases of ambiguity or conflict between a community plan map designation and the zone classification applied under the old code, the department shall use the following guidelines and procedures in recommending new zones:

1. As a general rule, the zoning designation applied shall be that which is most likely to have been applied to implement the community plan if the 1993 zoning code designations had been available;

2. If the application of the guidelines in this subsection leads the department to propose applying a zone classification from the 1993 Zoning Code that is not functionally equivalent to a classification from the old code as defined in the table in subsection C, the department shall notify the owner 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 have been replaced adequately by standards adopted in the 1993 zoning code from the area zoning documents. Any such P-suffix conditions which establish standards that are not adequately addressed by this code shall be recommended to be included directly in the 1993 zoning code.

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 only where they address conditions unique to a particular property and not addressed by the standards in the 1993 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;

2. when an applicant can demonstrate that the department's proposal incorrectly implements an adopted community plan map designation or policy in converting existing zoning to a new zone classification; or

3. the site is the subject of an application for a Master Planned Development or Urban Planned Development, and conversion to the 1993 Zoning Code is requested as part of such application. Rezoning of such sites shall conform as closely as possible to the table set out in subsection C.

Requests which do not meet one of these criteria shall be treated as quasi-judicial reclassification requests which must be formally applied for according to the process provided for such requests.

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

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

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

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

4. The applicants may elect either one base zone pursuant to K.C.C. 21A.39, or multiple zones pursuant to the Bear Creek Community Plan, applying the equivalent zone designations of the 1993 zoning code. The zoning and potential zoning adopted in the BCCP shall remain in effect until rezones applying the 1993 zoning code designations are approved.

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

SECTION 6.

Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

SECTION 7.

The department is hereby authorized after the date of the adoption of this ordinance to incorporate drawings as necessary for the purpose of illustrating concepts and regulatory standards contained in this title, provided that the adopted provisions of the code shall control over such drawings.

SECTION 8.

Periodic review. The department shall submit an annual written report to the council detailing issues relating to the implementation of the 1993 King County Zoning Code and recommending amendments to address those issues.

SECTION 9.

Chapter 21A.16 (Tree Retention and Landscaping) shall be effective as part of the 1993 Zoning Code only if at the time of the adoption of the first area zoning map conversion a new landscaping chapter has not been adopted, in which case chapter 21A.16 will apply in that area until a revised chapter is adopted.

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CHAPTER 21A.02 AUTHORITY, PURPOSE, INTERPRETATION AND ADMINISTRATION

SECTIONS:

21A.02.010	Title
21A.02.020	Authority to adopt code
21A.02.030	Purpose
21A.02.040	Conformity with this title required
21A.02.050	Minimum requirements
21A.02.060	Interpretation: General
21A.02.070	Interpretation: Standard industrial classification
21A.02.080	Interpretation: Zoning maps
21A.02.090	Administration and review authority
21A.02.100	Severability
21A.02.110	Classification of rights-of-way

SECTION 11.

21A.02.010 Title. This title shall be known as the King County Zoning Code, hereinafter referred to as "this title".

SECTION 12.

21A.02.020 Authority to adopt code. The King County Zoning Code is adopted by King County ordinance, pursuant to Article XI, Section 11 of the Washington State Constitution; and Article 2, Section 220.20 of the King County Charter.

SECTION 13.

21A.02.030 Purpose. The general purposes of this title are: A.To encourage land use decision making in accordance with the public interest and applicable laws of the State of Washington.
B. To protect the general public health, safety, and welfare;
C. To implement the King County Comprehensive Plan's policies and objectives through land use regulations;
D. To provide for the economic, social, and aesthetic advantages of orderly development through harmonious groupings of compatible and complementary land uses and the application of appropriate development standards;
E. To provide for adequate public facilities and services in conjunction with development; and
F. To promote general public safety by regulating development of lands containing physical hazards and to minimize the adverse environmental impacts of development.

SECTION 14.

21A.02.040 Conformity with this title required. A. No use or structure shall be established, substituted, expanded, constructed, altered, moved, maintained, or otherwise changed except in conformance with this title.
B. Creation of or changes to lot lines shall conform with the use provisions, dimensional and other standards, and procedures of this title and Title 19, Subdivisions.
C. All land uses and development authorized by this title shall comply with all other regulations and or requirements of this title as well as any other applicable local, state or federal law . Where a difference exists between this title and other county regulations, the more restrictive requirements shall apply.
D. Where more than one part of this title applies to the same aspect of a proposed use or development, the more restrictive requirement shall apply.

SECTION 15.

21A.02.050 Minimum requirements. In interpretation and application, the requirements set forth in this title shall be considered the minimum requirements necessary to accomplish the purposes of this title.

SECTION 16.

21A.02.060 Interpretation: General. A. In case of inconsistency or conflict, regulations, conditions or procedural requirements that are specific to an individual land use shall supersede regulations, conditions or procedural requirements of general application.
B. A land use includes the necessary structures to support the use unless specifically prohibited or the context clearly indicates otherwise.
C. In case of any ambiguity, difference of meaning, or implication between the text and any heading, caption, or illustration, the text and the permitted use tables in K.C.C. 21A.08 shall control. All applicable requirements shall govern a use whether or not they are cross-referenced in a text section or land use table.
D. Unless the context clearly indicates otherwise, words in the present tense shall include past and future tense, and words in the singular shall include the plural, or vice versa. Except for words and terms defined in this title, all words and terms used in this title shall have their customary meanings.

SECTION 17.

21A.02.070 Interpretation: Standard industrial classification. A. All references to the Standard Industrial Classification (SIC) are to the titles and descriptions found in the Standard Industrial Classification Manual, 1987 edition, prepared by United States Office of Management and Budget which is hereby adopted by reference. The (SIC) is used, with modifications to suit the purposes of this title, to list and define land uses authorized to be located in the various zones.
B. The SIC categorizes each land use under a general two-digit major group number, or under a more specific three- or four-digit industry group or industry number. A use shown on a land use table with a two-digit number includes all uses listed in the SIC for that major group. A use shown with a three-digit or four-digit number includes only the uses listed in the SIC for that industry group or industry.
C. An asterisk (*) in the SIC number column of a land use table means that the SIC definition for the specific land use identified has been modified by this title. The definition may include one or more SIC subclassification numbers, or may define the use without reference to the SIC.
D. The Director shall determine whether a proposed land use not specifically listed in a land use table or specifically included within a SIC classification is allowed in a zone. The director's determination shall be based on whether or not permitting the proposed use in a particular zone is consistent with the purposes of this title and the zone's purpose as set forth in K.C.C. 21A.04, by considering the following factors:

1. The physical characteristics of the use and its supporting structures, including but not limited to scale, traffic and other impacts, and hours of operation;
2. Whether or not the use complements or is compatible with other uses permitted in the zone; and
3. The SIC classification, if any, assigned to the business or other entity that will carry on the primary activities of the proposed use.

SECTION 18.

21A.02.080 Interpretation: Zoning maps. Where uncertainties exist as to the location of any zone boundaries, the following rules of interpretation, listed in priority order, shall apply:

A. Where boundaries are indicated as parallelling the approximate centerline of the street right-of-way, the zone shall extend to each adjacent boundary of the right-of-way. Non road-related uses by adjacent property owners, if allowed in the right-of-way shall meet the same zoning requirements regulating the property owners lot;

B. Where boundaries are indicated as approximately following lot lines, the actual lot lines shall be considered the boundaries;

C. Where boundaries are indicated as following lines of ordinary high water, or government meander line, the lines shall be considered to be the actual boundaries. If these lines should change the boundaries shall be considered to move with them; and

D. If none of the rules of interpretation described in subparagraphs A. through C. apply, then the zoning boundary shall be determined by map scaling.

SECTION 19.

21A.02.090 Administration and review authority. A. The examiner shall have authority to hold public hearings and make decisions and recommendations on reclassifications, subdivisions and other development proposals, and appeals, as set forth in K.C.C. 20.42.

B. The director shall have the authority to grant, condition or deny applications for variances and conditional use permits, and renewals of permits for mineral extraction and processing, unless a public hearing is required as set forth in K.C.C. 21A.42, in which case this authority shall be exercised by the adjustor.

C. The department shall have authority to grant, condition or deny commercial and residential building permits, grading and clearing permits, and temporary use permits in accordance with the procedures set forth in K.C.C. 21A.42.

D. Except for other agencies with authority to implement specific provisions of this title, the department shall have the sole authority to issue official interpretations of this title, pursuant to K.C.C 2.98.

SECTION 20.

21A.02.100 Severability. Should any chapter, section, subsection, paragraph, sentence, clause or phrase of this title be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this title.

SECTION 21.

21A.02.110 Classification of right-of-way. A. Except when such areas are specifically designated on the zoning map as being classified in one of the zones provided in this title, land contained in rights-of-way for streets or alleys, or railroads shall be considered unclassified.

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

C. Within railroad rights-of-way, allowed uses shall be limited to tracks, signals or other operating devices, movement of rolling stock, utility lines, and facilities accessory to and used directly for the delivery and distribution of services to abutting property.

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

CHAPTER 21A.04 ZONES, MAPS AND DESIGNATIONS

SECTIONS:

21A.04.010	Zones and map designations established
21A.04.020	Zone and map designation purposes
21A.04.030	Agricultural zone
21A.04.040	Forest zone
21A.04.050	Mineral zone
21A.04.060	Rural area zone
21A.04.070	Urban reserve zone
21A.04.080	Residential zone
21A.04.090	Neighborhood business zone
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21A.04.160	Special district overlay designation
21A.04.170	Potential zone designation
21A.04.180	Interim zoning
21A.04.190	Zoning maps and boundaries

SECTION 22.

21A.04.010 Zones and map designations established. In order to accomplish the purposes of this title the following zoning designations and zoning map symbols are established:

ZONING DESIGNATIONS	MAP SYMBOL
Agricultural	A (10 or 35 acre minimum lot size)
Forest	F
Mineral	M
Rural Area	RA (2.5-acre, 5-acre or 10-acre minimum lot size)
Urban Reserve	UR
Residential	R (base density in dwellings per acre)
Neighborhood Business	NB
Community Business	CB
Regional Business	RB
Office	O
Industrial	I
Regional Use	Case file number following zone's map symbol
Property-specific development standards	-P(suffix to zone's map symbol)
Special District Overlay	-SO(suffix to zone's map symbol)
Potential Zone	┌ — — ┐ (dashed box surrounding zone's map symbol)
Interim Zone	* (asterisk adjacent to zone's map symbol)

SECTION 23.

21A.04.020 Zone and map designation purpose. The purpose statements for each zone and map designation set forth in the following sections shall be used to guide the application of the zones and designations to all lands in unincorporated King County. The purpose statements also shall guide interpretation and application of land use regulations within the zones and designations, and any changes to the range of permitted uses within each zone through amendments to this title.

SECTION 24.

21A.04.030 Agricultural zone. A. The purpose of the agricultural zone (A) is to preserve and protect irreplaceable and limited supplies of farmland well suited to agricultural uses by their location, geological formation and chemical and organic composition and to encourage environmentally sound agricultural production. These purposes are accomplished by:

1. Establishing residential density limits to retain lots sized for efficient farming;
2. Allowing for uses related to agricultural production and limiting nonagricultural uses to those compatible with farming, or requiring close proximity for the support of agriculture; and
3. Allowing for residential development primarily to house farm owners, on-site agricultural employees and their respective families.

B. Use of this zone is appropriate for lands within agricultural production districts designated by the Comprehensive Plan and for other farmlands deemed appropriate for long-term protection.

SECTION 25.

21A.04.040 Forest zone. A. The purpose of the forest zone (F) is to preserve the forest land base; to conserve and protect the long-term productivity of forest lands; and to restrict uses unrelated to or incompatible with forestry. These purposes are accomplished by:

1. Applying the F zone to large contiguous areas where a combination of site, soil and climatic characteristics make it possible to sustain timber growth and harvests over time;
2. Limiting residential, recreational, commercial and industrial uses to those uses that are compatible with forestry, to minimize the potential hazards of damage from fire, pollution and land use conflicts; and
3. Providing for compatible outdoor recreation uses and for conservation and protection of municipal watersheds and fish and wildlife habitats.

B. Use of this zone is appropriate for lands within forest production districts designated by the Comprehensive Plan.

SECTION 26.

21A.04.050 Mineral zone. A. The purpose of the mineral zone (M) is to provide for continued extraction and processing of mineral and soil resources in an environmentally responsible manner by:

1. Reserving known deposits of minerals and materials within areas as protection against premature development of the land for non-extractive purposes;
2. Providing neighboring properties with notice of prospective extracting and processing activities; and
3. Providing appropriate location and development standards for extraction and on-site processing to mitigate adverse impacts on the natural environment and on nearby properties.

B. Use of this zone is appropriate for known deposits of minerals and materials on sites that are of sufficient size to mitigate the impacts of operation and that are served or capable of being served at the time of development by adequate roads and other public services; and for sites containing mineral extracting and processing operations that were established in compliance with land use regulations in effect at the time the use was established.

SECTION 27.

21A.04.060 Rural area zone. A. The purpose of the rural zone (RA) is to provide for an area-wide long-term rural character and to minimize land use conflicts with nearby agricultural, forest or mineral extraction production districts. These purposes are accomplished by:

1. Limiting residential densities and permitted uses to those that are compatible with rural character and nearby resource production districts and are able to be adequately supported by rural service levels;
2. Allowing small scale farming and forestry activities and tourism and recreation uses which can be supported by rural service levels and which are compatible with rural character; and
3. Increasing required setbacks to minimize conflicts with adjacent agriculture, forest or mineral zones.

B. Use of this zone is appropriate in rural areas designated by the Comprehensive Plan as follows:

1. AR-2.5 in rural areas where predominant densities already exceed one dwelling per five acres and the soils can support on-site sewage disposal without damage to water resources;
2. AR-5 in rural areas without established subdivision patterns, and predominantly environmentally unconstrained lands; and
3. AR-10 in rural areas next to designated resource production areas where additional buffering is required, or where area-wide environmental features constrain development.

SECTION 28.

21A.04.070 Urban reserve zone. A. The purpose of the urban reserve zone (UR) is to phase growth and demand for urban services, and to reserve large tracts of land for possible future growth in portions of King County designated by the Comprehensive Plan for future urban growth while allowing reasonable interim uses of property. These purposes are accomplished by:

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

B. Use of this zone is appropriate in urban areas or in rural activity center expansion areas designated by the Comprehensive Plan or community plans, when such areas do not have adequate public facilities and services or are not yet needed to accommodate planned growth.

SECTION 29.

21A.04.080 Residential zone. A. The purpose of the urban residential zone (R) is to implement Comprehensive Plan goals and policies for housing quality, diversity and affordability, and to efficiently use residential land, public services and energy. These purposes are accomplished by:

1. Providing, in the R-1 through R-8 zones, for a mix of predominantly single detached dwelling units and other development types, with a variety of densities and sizes in locations appropriate for urban densities;
2. Providing, in the R-12 through R-48 zones, for a mix of predominantly apartment and townhouse dwelling units and other development types, with a variety of densities and sizes in locations appropriate for urban densities;
3. Allowing only those accessory and complementary nonresidential uses that are compatible with residential communities; and
4. Establishing density designations to facilitate advanced area-wide planning for public facilities and services, and to protect environmentally sensitive sites from overdevelopment.

B. Use of this zone is appropriate in urban areas, activity centers, or rural activity centers designated by the Comprehensive Plan or community plans as follows:

1. The R-1 zone on or adjacent to lands with area-wide environmental constraints, or in well-established subdivisions of the same density, which are served at the time of development by public or private facilities and services adequate to support planned densities;

2. The R-4 through R-8 zones on urban lands that are predominantly environmentally unconstrained and are served at the time of development, by adequate public sewers, water supply, roads and other needed public facilities and services; and

3. The R-12 through R-48 zones in urban areas, urban or community activity centers, urban neighborhood centers, or rural activity centers, that are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

SECTION 30.

21A.04.090 Neighborhood business zone. A. The purpose of the neighborhood business zone (NB) is to provide convenient daily retail and personal services for a limited service area and to minimize impacts of commercial activities on nearby properties. These purposes are accomplished by:

1. Limiting nonresidential uses to those retail or personal services which can serve the everyday needs of a surrounding urban or rural residential area;

2. Allowing for mixed use (housing and retail/service) developments; and

3. Excluding industrial and community/regional business-scaled uses.

B. Use of this zone is appropriate in urban neighborhood, rural activity, or rural neighborhood centers designated by community plans, on sites which are served at the time of development by adequate public sewers when located in urban areas or adequate on-site sewage disposal when located in rural areas, water supply, roads and other needed public facilities and services.

SECTION 31.

21A.04.100 Community business zone. A. The purpose of the community business zone (CB) is to provide convenience and comparison retail and personal services for local service areas which exceed the daily convenience needs of adjacent neighborhoods but which cannot be served conveniently by larger activity centers, and to provide retail and personal services in locations within activity centers that are not appropriate for extensive outdoor storage or auto related and industrial uses. These purposes are accomplished by:

1. Providing for limited small-scale offices as well as a wider range of the retail, professional, governmental and personal services than are found in neighborhood business areas;

2. Allowing for mixed use (housing and retail/service) developments; and

3. Excluding commercial uses with extensive outdoor storage or auto related and industrial uses.

B. Use of this zone is appropriate in urban and community centers or rural activity centers that are designated by the Comprehensive Plan and community plans and that are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

SECTION 32.

21A.04.110 Regional business zone. A. The purpose of the regional business zone (RB) is to provide for the broadest mix of comparison retail, wholesale, service and recreation/cultural uses with compatible storage and fabrication uses, serving regional market areas and offering significant employment opportunities. These purposes are accomplished by:

1. Encouraging compact development that is supportive of transit and pedestrian travel, through higher nonresidential building heights and floor area ratios than those found in community centers;

2. Allowing for outdoor sales and storage, regional shopping areas and limited fabrication uses; and

3. Concentrating large scale commercial and office uses to facilitate the efficient provision of public facilities and services.

B. Use of this zone is appropriate in urban or rural activity centers that are designated by the Comprehensive Plan and community plans that are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

SECTION 33.

21A.04.120 Office zone. A. The purpose of the office zone (O) is to provide for pedestrian and transit-oriented high-density employment uses together with limited complementary retail and urban density residential development in locations within activity centers where the full range of commercial activities is not desirable. These purposes are accomplished by:

1. Allowing for uses that will take advantage of pedestrian-oriented site and street improvement standards;

2. Providing for higher building heights and floor area ratios than those found in community centers;

3. Reducing the ratio of required parking to building floor area;

4. Allowing for on-site convenient daily retail and personal services for employees and residences; and

5. Excluding auto-oriented, outdoor or other retail sales and services which do not provide for the daily convenience needs of on-site and nearby employees or residents.

B. Use of this zone is appropriate in activity centers designated by the Comprehensive Plan and community plans which are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

SECTION 34.

21A.04.130 Industrial zone. A. The purpose of the industrial zone (I) is to provide for the location and grouping of industrial enterprises and activities involving manufacturing, assembly, fabrication, processing, bulk handling and storage, research facilities, warehousing and heavy trucking. It is also a purpose of this zone to protect the industrial land base for industrial economic development and employment opportunities. These purposes are accomplished by:

1. Allowing for a wide range of industrial and manufacturing uses;

2. Establishing appropriate development standards and public review procedures for industrial activities with the greatest potential for adverse impacts; and

3. Limiting residential, institutional, commercial, office and other non-industrial uses to those necessary for the convenience of industrial activities.

B. Use of this zone is appropriate in urban or rural activity centers designated by the Comprehensive Plan and community plans which are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

SECTION 35.

21A.04.140 Map designation - Regional use designation. The purpose of the regional use designation (case file number following underlying zone's map symbol) is to provide for individual review of certain proposed uses with unique characteristics and adverse impacts on neighboring properties. Regional uses are of a size and involve activities which require individual review to determine compatibility with surrounding uses.

SECTION 36.

21A.04.150 Map designation - Property-specific development standards. The purpose of the property-specific development standards designation (-P suffix to zone's map symbol) is to indicate that conditions beyond the minimum requirements of this title have been applied to development on the property, including but not limited to increased development standards, limits on permitted uses or special conditions of approval.

SECTION 37.

21A.04.160 Map designation - Special district overlay. The purpose of the special district overlay designation (-SO suffix to zone's map symbol) is to carry out Comprehensive Plan and community 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 planning subareas and are designated primarily through the area zoning process.

SECTION 38.

21A.04.170 Map designation - Potential zone. A. The purpose of the potential zone (dashed box surrounding zone's map symbol) is to designate 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 by either area zoning or individual zone reclassification. Area zoning may designate more than one potential zone on a single property if the community plan designates alternative uses for the site. Potential zones are actualized pursuant to K.C.C. 20.24.

B. The use of a potential zone designation is appropriate to:

1. Phase development based on availability of public facilities and services or infrastructure improvements; (e.g. roads, utilities, schools);
2. Prevent existing development from becoming a nonconforming use in areas that are in transition from previous uses;
3. Allow for future residential density increases consistent with a community plan; and
4. Provide for public review of proposed uses on sites where some permitted uses in a zone designation may not be appropriate.

SECTION 39.

21A.04.180 Map designation - Interim zoning. The purpose of the interim zone designation (* suffix to zone's map symbol) is to identify areas where zoning has been applied for a limited period of time in order to preserve the county's planning options and to protect the public safety, health and general welfare during an emergency or pending a community, comprehensive or functional plan amendment process. Any of the zones set forth in this chapter, with or without -P suffix conditions, may be applied as interim zones. The adopting ordinance shall state the reasons for the interim zoning and provide for its expiration upon a certain date or the adoption of a new plan, plan amendment or area zoning.

SECTION 40.

21A.04.190 Zoning maps and boundaries. A. The location and boundaries of the zones defined by this chapter shall be shown and delineated on zoning maps adopted by ordinance.

B. Changes in the boundaries of the zones, including application or amendment of interim zoning, shall be made by ordinance adopting or amending a zoning map.

C. Zoning maps are available for public review at the Department of development and environmental services permit center during business hours.

CHAPTER 21A.06 TECHNICAL TERMS AND LAND USE DEFINITIONS

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SECTION 41.

21A.06.005 Scope of Chapter. This Chapter contains definitions of technical and procedural terms used throughout the code and definitions of land uses listed in tables in K.C.C. 21A.08. The definitions in this Chapter supplement the standard Industrial Classification Manual (SIC). See K.C.C. 21A.02 for rules on interpretation of the code, including use of these definitions. Development standards are found in K.C.C. 21A.12 through K.C.C. 21A.38.

SECTION 42.

21A.06.010 Accessory living quarters. Accessory living quarters: living quarters in an accessory building for the use of the occupant or persons employed on the premises, or for temporary use of guests of the occupant. Such quarters have no kitchen and are not otherwise used as a separate dwelling unit.

SECTION 43.

21A.06.015 Accessory use, commercial/industrial. Accessory use, commercial/industrial:
A. A use that is subordinate and incidental to a commercial or industrial use; including, but not limited to the following uses:
1. Administrative offices;
2. Employee exercise facilities;
3. Employee food service facilities;

4. Incidental storage of raw materials and finished products sold or manufactured on-site;
5. Business owner or caretaker residence;
6. Cogeneration facilities; and
7. Ground maintenance facilities

B. Some accessory uses within the scope of this section may be defined separately to enable the code to apply different conditions of approval.

SECTION 44.

21A.06.020 Accessory use, residential. Accessory use, residential: A. A use, structure, or activity which is subordinate and incidental to a residence including, but not limited to the following uses:

1. Accessory living quarters and dwellings;
2. Fallout/bomb shelters;
3. Keeping household pets;
4. On-site rental office;
5. Pools, private docks, piers;
6. Antennae for private telecommunication services;
7. Storage of yard maintenance equipment; or
8. Storage of private vehicles, e.g. motor vehicles, boats, trailers or planes.

B. Some accessory uses within the scope of this section may be defined separately to enable the code to apply different conditions of approval.

SECTION 45.

21A.06.025 Accessory use, resource. Accessory use, resource: A. A use, structure, or part of a structure, which is customarily subordinate and incidental to a resource use including, but not limited to the following uses:

1. Housing of agricultural workers; or
2. Storage of agricultural products or equipment used on site.

B. Some accessory uses within the scope of this section may be defined separately to enable the code to apply different conditions of approval.

SECTION 46.

21A.06.030 Adjustor. Adjustor: The individual or individuals designated by the director of the department of development and environmental services to conduct permit review proceedings concerning variances, conditional uses and other land use permits pursuant to K.C.C. 21A.42 and K.C.C. 20.28.

SECTION 47.

21A.06.035 Adult use facility. Adult use facility: An enterprise predominantly involved in the selling, renting or presenting for commercial purposes of books, magazines, motion pictures, films, video cassettes, cable television, live entertainment, performance or activity distinguished or characterized by a predominant emphasis on the depiction, simulation or relation to "specified sexual activities" as defined in this chapter for observation by patrons therein. Examples of such facilities include, but are not limited to, adult book or video stores and establishments offering panoramas, peep shows or topless or nude dancing.

SECTION 48.

21A.06.040 Agricultural product sales. Agricultural product sales: the retail sale of items resulting from the practice of agriculture, including crops such as fruits, vegetables, grains, seed, feed, and plants, or animal products such as eggs, milk, and meat.

SECTION 49.

21A.06.045 Aircraft, ship and boat manufacturing. Aircraft, ship and boat manufacturing: the fabrication and/or assembling of aircraft, ships or boats, including only uses located in SIC Industry Group Nos.:

A. 372-Aircraft and Parts; and
B. 373-Ship and Boat Building and Repairing.

SECTION 50.

21A.06.050 Airport/heliport. Airport/heliport: any runway, landing area or other facility, excluding facilities for the primary use of the individual property owner which are classified as helistops, designed or used by public carriers or private aircraft for the landing and taking off of aircraft, including the following associated facilities:

A. Taxiways;
B. Aircraft storage and tie-down areas;
C. Hangars;
D. Servicing; and
E. Passenger and air freight terminals.

SECTION 51.

21A.06.055 Alley. Alley: an improved thoroughfare or right-of-way, whether public or private, usually narrower than a street, that provides vehicular access to an interior boundary of one or more lots, and is not designed for general traffic circulation.

SECTION 52.

21A.06.060 Amusement arcades. Amusement arcades: a building or part of a building in which five or more pinball machines, video games, or other such player-operator amusement devices (excluding juke boxes or gambling-related machines) are operated.

SECTION 53.

21A.06.065 Animal, small. Animal, small: any animal other than livestock or animals considered to be predatory or wild which are kept outside a dwelling unit all or part of the time. Animals considered predatory or wild shall be considered small animals when they are taken into captivity for the purposes of breeding, domestication, training, hunting or exhibition.

SECTION 54.

21A.06.070 Applicant. Applicant: a property owner or any person or entity acting as an agent for the property owner in an application for a development proposal, permit or approval.

SECTION 55.

21A.06.075 Auction house. Auction house: An establishment where the property of others is sold by a broker or auctioneer to persons who attend scheduled sales periods or events.

SECTION 56.

21A.06.080 Base flood. Base flood: a flood having a one percent chance of being equaled or exceeded in any given year, often referred to as the "100-year flood."

SECTION 57.

21A.06.085 Base flood elevation. Base flood elevation: the water surface elevation of the base flood in relation to the National Geodetic Vertical Datum of 1929.

SECTION 58.

21A.06.090 Bed and breakfast guesthouse. Bed and breakfast guesthouse: a dwelling unit or accessory building within which bedrooms are available for paying guests.

SECTION 59.

21A.06.095 Beehive. Beehive: a structure designed to contain one colony of honey bees (apis mellifera).

SECTION 60.

21A.06.100 Billboard. Billboard: a sign, including both the supporting structural framework and attached billboard faces, used principally for advertising a business activity, use, product, or service unrelated to the primary use or activity of the property on which the billboard is located; excluding off-premise directional, or temporary real estate signs.

SECTION 61.

21A.06.105 Billboard face. Billboard face: that portion of a billboard, exclusive of its structural support, on which changeable advertising copy is displayed, either by affixing preprinted poster panels or by painting copy on location; subclassified as follows:

A. Billboard face I -- a billboard face not exceeding a height of 14 feet or a width of 48 feet, and may also include temporary and irregularly shaped extensions subject to the area and duration limitations in K.C.C. 21A.20; and

B. Billboard face II -- a billboard face not exceeding a height of 12 feet or a width of 24 feet.

SECTION 62.

21A.06.110 Biologist. Biologist: a person who has earned at least a Bachelor of Science degree in the biological sciences from an accredited college or university or who has equivalent educational training and experience.

SECTION 63.

21A.06.115 Book, stationery, video and art supply store. Book, stationery, video and art supply store: An establishment engaged in the retail sale of books and magazines, stationery, records and tapes, video and art supplies, including only uses located in SIC Industry Nos.:

A. 5942-Book Stores;
B. 5943-Stationery Stores;
C. 5999-Architectural Supplies and Artists' Supply and Materials Stores;
D. 7841-Video tape rental;
E. 5735 - Record, compact disc and prerecorded tape stores; and
F. 5736 - Musical Instrument stores.

SECTION 64.

21A.06.120 Broadleaf tree. Broadleaf tree: a tree characterized by leaves that are broad in width and may include both deciduous and evergreen species.

SECTION 65.

21A.06.125 Building. Building: any structure having a roof.

SECTION 66.

21A.06.130 Building coverage. Building coverage: area of a lot that is covered by the total horizontal surface area of the roof of a building.

SECTION 67.

21A.06.135 Building envelope. Building envelope: area of a lot that delineates the limits of where a building may be placed on the lot.

SECTION 68.

21A.06.140 Building facade. Building facade: that portion of any exterior elevation of a building extending from the grade of the building to the top of the parapet wall or eaves, for the entire width of the building elevation.

SECTION 69.

21A.06.145 Building, hardware and garden materials store. Building, hardware and garden materials store: An establishment engaged in selling lumber and other building materials, feed, or lawn and garden supplies; including, but not limited to uses located in SIC Major Group No. 52-Building Materials, Hardware, Garden Supply, excluding Mobile Home Dealers.

SECTION 70.

21A.06.150 Buffer. Buffer: a designated area contiguous to a steep slope or landslide hazard area intended to protect slope stability, attenuation of surface water flows and landslide hazards or a designated area contiguous to a stream or wetland intended to protect the stream or wetland and be an integral part of the stream or wetland ecosystem.

SECTION 71.

21A.06.155 Bulk retail. Bulk retail: An establishment offering the sale of bulk goods to the general public, including limited sales to wholesale customers. These establishments offer a variety of lines of merchandise including but not limited to: food, building, hardware and garden materials, dry goods, apparel and accessories, home furnishings, housewares, drugs, auto supplies, hobby, toys, games, photographic, and electronics.

SECTION 72.

21A.06.160 Campground. Campground: an area of land developed for recreational use in temporary occupancy, such as: tents or recreational vehicles without hook-up facilities.

SECTION 73.

21A.06.165 Capacity, school. Capacity, school: the number of students a school district's facilities can accommodate district-wide, based on the district's standard of service, as determined by the school district.

SECTION 74.

21A.06.170 Capital facilities plan, school. Capital facilities plan, school: a district's facilities plan adopted by the school board consisting of:

1. a forecast of future needs for school facilities based on the district's enrollment projections;
2. the long-range construction and capital improvements projects of the district;
3. the schools under construction or expansion;
4. the proposed locations and capacities of expanded or new school facilities;
5. at least a six-year financing plan component, updated as necessary to maintain at least a six-year forecast period, for financing needed school facilities within projected funding levels, and identifying sources of financing for such purposes, including bond issues authorized by the voters and projected bond issues not yet authorized by the voters;
6. any other long-range projects planned by the district.

7. the current capacity of the district's school facilities based on the districts adopted standard of service, and a plan to eliminate existing deficiencies, if any, without the use of impact fees; and

8. an inventory showing the location and capacity of existing school facilities.

SECTION 75.

21A.06.175 Cattery. Cattery: a place where adult cats are temporarily boarded for compensation, whether or not for training. An adult cat is of either sex, altered or unaltered, that has reached the age of six months.

SECTION 76.

21A.06.180 Cemetery, columbarium or mausoleum. Cemetery, columbarium or mausoleum: land or structures used for interment of the dead or their remains. For purposes of the code, pet cemeteries are considered a subclassification of this use.

SECTION 77.

21A.06.185 Church, synagogue or temple. Church, synagogue or temple: A place where religious services are conducted, including those uses located in SIC Industry No. 866 and including accessory uses in the primary or accessory buildings such as religious education, reading rooms, assembly rooms, and residences for nuns and clergy. This definition does not include facilities for training of religious orders.

SECTION 78.

21A.06.190 Classrooms, school. Classrooms, school: educational facilities of the district required to house students for its basic educational program. The classrooms are those facilities the district determines are necessary to best serve its student population. Specialized facilities as identified by the district, including but not limited to gymnasiums, cafeterias, libraries, administrative offices, and child care centers, shall not be counted as classrooms.

SECTION 79.

21A.06.195 Clearing. Clearing: the limbing, pruning, trimming, topping, cutting or removal of vegetation or other organic plant matter by physical, mechanical, chemical or other means.

SECTION 80.

21A.06.200 Coal mine hazard areas. Coal mine hazard areas: those areas in King County directly underlain or affected by operative or abandoned subsurface coal mine workings such as adits, tunnels, drifts or air shafts.

SECTION 81.

21A.06.205 Cogeneration. Cogeneration: the sequential generation of energy and useful heat from the same primary source or fuel for industrial, commercial, or residential heating or cooling purposes.

SECTION 82.

21A.06.210 Communication facility, major. Major communication facility: a communication facility for transmission and reception of:

A. UHF and VHF television signals; or

B. FM or AM radio signals.

SECTION 83.

21A.06.215 Communication facility, minor. Minor communication facility: a communication facility for transmission and reception of:

A. Two-way and/or citizen band ("CB") radio signals;
B. Point-to-point microwave signals;
C. Cellular radio signals;
D. Signals through FM radio translators; or
E. Signals through FM radio boosters under ten watts effective radiated power ("ERP").

SECTION 84.

21A.06.220 Community residential facility ("CRF"). Community residential facility ("CRF"): living quarters meeting applicable federal and state standards that function as a single housekeeping unit and provide supportive services, including but not limited to counseling, rehabilitation and medical supervision, excluding drug and alcohol detoxification which is classified in Section 21A.08.050 as health services. CRF's are further classified as follows:

A. CRF-I -- Nine to ten residents and staff;
B. CRF-II -- Eleven or more residents and staff.

If staffed by nonresident staff, each 24 staff hours per day equals one full-time residing staff member for purposes of subclassifying CRF's.

SECTION 85.

21A.06.225 Compensatory storage. Compensatory storage: new, excavated storage volume equivalent to any flood storage which is eliminated by building filling or grading within the flood plain. For the purpose of this definition, equivalent flood storage capacity is that which is replaced by equal volume between corresponding one-foot contour intervals which are hydraulically connected to the floodway through their entire depth.

SECTION 86.

21A.06.230 Conditional use permit. Conditional use permit: permit granted by the county to locate a permitted use on a particular property subject to conditions placed on the permitted use to ensure compatibility with nearby land uses.

SECTION 87.

21A.06.235 Conference center. Conference center: An establishment developed primarily as a meeting facility, including only facilities for recreation, overnight lodging, and related activities provided for conference participants.

SECTION 88.

21A.06.240 Confinement Area. A confinement area is any open land area in which livestock are kept where the forage does not meet the definition of a grazing area.

SECTION 89.

21A.06.245 Consolidation. Consolidation: the relocation to a consolidated transmission structure of the main transmit antennae of two or more FCC broadcast licensees which prior to such relocation utilized transmission structures located within a 1500 foot radius of the center of the consolidated transmission structure to support their main transmit antennae.

SECTION 90.

21A.06.250 Construction cost per student, school. Construction cost per student, school: the estimated cost of construction of a permanent school facility in the district for the grade span of school to be provided, as a function of the district's facilities standard per grade span and taking into account the requirements of students with special needs.

SECTION 91.

21A.06.255 Critical drainage area. Critical drainage area: an area which has been formally determined by the King County surface water management department to require more restrictive regulation than county-wide standards afford in order to mitigate severe flooding, drainage, erosion or sedimentation problems which result from the cumulative impacts of development and urbanization.

SECTION 92.

21A.06.260 Critical facility. Critical facility: a facility necessary to protect the public health, safety and welfare and which is defined under the occupancy categories of "essential facilities", "hazardous facilities" and "special occupancy structures" in the Uniform Building Code. Critical facilities also include nursing homes, public roadway bridges, and sites for hazardous substance storage or production, not including the temporary storage of consumer products containing hazardous substances intended for household use or for retail sale on the site.

SECTION 93.

21A.06.265 Daycare. Daycare: An establishment for group care of non-resident adults or children. A. Daycare shall include only, SIC Industry No. 835, Child Day Care Services, SIC Industry No. 8322, Adult Daycare Centers and the following:

1. Adult Daycare, such as adult day health centers or social day care as defined by the Washington State Department of Social and Health Services;
2. Nursery schools for children under minimum age for education in public schools;
3. Privately conducted kindergartens or prekindergartens when not a part of a public or parochial school; and
4. Programs covering after-school care for school children.

B. Daycare establishments are subclassified as follows:

1. Daycare I -- a maximum of 12 adults or children in any 24 hour period; and
2. Daycare II -- over 12 adults or children in any 24 hour period.

SECTION 94.

21A.06.270 Deciduous: Deciduous: a plant species with foliage that is shed annually.

SECTION 95.

21A.06.275 Density credit, transfer ("TDC"). Density credit, transfer ("TDC"): the ability to transfer potentially buildable dwelling units from an eligible sending site to an eligible receiving site as provided in this code.

SECTION 96.

21A.06.280 Department. Department: the King County department of development and environmental services.

SECTION 97.

21A.06.285 Department and variety store. Department and variety store: An establishment engaged in the retail sale of a variety of lines of merchandise, such as; dry goods, apparel and accessories, home furnishings, housewares, including only uses located in SIC Major Group and Industry Nos.:

A. 53-General Merchandise;
B. 5947-Gift, Novelty, and Souvenir Shops; and
C. 5948-Luggage and Leather Goods Stores.

SECTION 98.

21A.06.290 Destination resort. Destination resort: an establishment for resource-based recreation and intended to utilize outdoor recreational opportunities, including related services, such as food, overnight lodging, equipment rentals, entertainment and other conveniences for guests of the resort.

SECTION 99.

21A.06.295 Developer. Developer: the person or entity who owns or holds purchase options or other development control over property for which development activity is proposed.

SECTION 100.

21A.06.300 Development activity. Development activity: any residential construction or expansion of a building, structure or use, any change in use of a building or structure, or any change in the use of land that creates additional demand for school facilities.

SECTION 101.

21A.06.305 Development agreement. Development agreement: a recorded agreement between a UPD applicant and King County which incorporates the site plans, development standards, and other features of an Urban Plan Development as described in K.C.C. 21A.39.

SECTION 102.

21A.06.310 Development proposal. Development proposal: any activities requiring a permit or other approval from King County relative to the use or development of land.

SECTION 103.

21A.06.315 Development proposal site. Development proposal site: the legal boundaries of the parcel or parcels of land for which an applicant has or should have applied for authority from King County to carry out a development proposal.

SECTION 104.

21A.06.320 Direct traffic impact. Direct traffic impact: any increase in vehicle traffic generated by a proposed development which equals or exceeds ten (10) peak hour, peak direction vehicle trips on any roadway or intersection.

SECTION 105.

21A.06.325 Director. Director: the director of King County department of development and environmental services, or his or her designee.

SECTION 106.

21A.06.330 Dormitory. Dormitory: A residential building that provides sleeping quarters, but not separate dwelling units, and may include common dining, cooking and recreation or bathing facilities.

SECTION 107.

21A.06.335 Drop box facility. Drop box facility: a facility used for receiving solid waste and recyclable from off-site sources into detachable solid waste containers, including the adjacent areas necessary for entrance and exit roads, unloading and vehicle turnaround areas. Drop box facilities normally service the general public with loose loads and may also include containers for separated recyclable.

SECTION 108.

21A.06.340 Drug store. Drug store: An establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics and related supplies, including only uses located in SIC Industry Group and Industry Nos.:

A. 591-Drug Stores and Proprietary Stores;
B. 5993-Tobacco Stores and Stands; and
C. 5999-Cosmetics Stores.

SECTION 109.

21A.06.345 Dwelling unit. Dwelling unit: one or more rooms designed for occupancy by a person or family for living and sleeping purposes, containing kitchen facilities and rooms with internal accessibility, for use solely by the dwelling's occupants; dwelling units include but are not limited to bachelor, efficiency and studio apartments, factory-built housing and mobile homes.

SECTION 110.

21A.06.350 Dwelling unit, accessory. Dwelling unit, accessory: a separate, complete dwelling unit attached to or contained within the structure of the primary dwelling; or contained within a separate structure that is accessory to the primary dwelling unit on the premises.

SECTION 111.

21A.06.355 Dwelling unit, apartment. Dwelling unit, apartment: a dwelling unit contained in a building consisting of two or more dwelling units which may be stacked, or one or more dwellings with nonresidential uses.

SECTION 112.

21A.06.360 Dwelling unit, senior citizen assisted. Dwelling unit, senior citizen assisted: a dwelling unit in a building consisting of two or more dwelling units restricted to occupancy by senior citizens, and may include, the following support services, as deemed necessary:

A. Food preparation and dining areas;
B. Group activity areas;
C. Medical supervision; and
D. Similar activities.

SECTION 113.

21A.06.365 Dwelling unit, single detached. Dwelling unit, single detached: a detached building containing one dwelling unit.

SECTION 114.

21A.06.370 Dwelling unit, townhouse. Dwelling unit, townhouse: a building containing one dwelling unit that occupies space from the ground to the roof, and is attached to one or more other townhouse dwellings by common walls.

SECTION 115.

21A.06.375 Earth station. Earth station: a communication facility which transmits and/or receives signals to and from an orbiting satellite using satellite dish antennas.

SECTION 116.

21A.06.380 Effective radiated power. Effective radiated power: the product of the antenna power input and the numerical antenna power gain.

SECTION 117.

21A.06.385 Elderly. Elderly: a person aged 62 or older.

SECTION 118.

21A.06.390 Electrical conversion substation. Electrical conversion substation: a site containing equipment for the conversion of high voltage electrical power transported through transmission lines into lower voltages transported through distribution lines and suitable for individual users.

SECTION 119.

21A.06.395 Energy resource recovery facility. Energy resource recovery facility: an establishment for recovery of energy in a usable form from mass burning or refuse-derived fuel incineration, pyrolysis or any other means of using the heat of combustion of solid waste.

SECTION 120.

21A.06.400 Enhancement. Enhancement: an action which increases the functions and values of a stream, wetland or other sensitive area or buffer.

SECTION 121.

21A.06.405 Equipment, heavy. Equipment, heavy: high-capacity mechanical devices for moving earth or other materials, and mobile power units including, but not limited to:

A. Carryalls;
B. Graders;
C. Loading and unloading devices;
D. Cranes;
E. Drag lines;
F. Trench diggers;
G. Tractors;
H. Augers;
I. Bulldozers;
J. Concrete mixers and conveyers;
K. Harvesters;
L. Combines; or
M. Other major agricultural equipment and similar devices operated by mechanical power as distinguished from manpower.

SECTION 122.

21A.06.410 Erosion. Erosion: the process by which soil particles are mobilized and transported by natural agents such as wind, rainsplash, frost action or surface water flow.

SECTION 123.

21A.06.415 Erosion hazard areas. Erosion hazard areas: those areas in King County underlain by soils which are subject to severe erosion when disturbed. Such soils include, but are not limited to, those classified as having a severe to very severe erosion hazard according to the USDA Soil Conservation Service, the 1990 Snoqualmie Pass Area Soil Survey, the 1973 King County Soils Survey or any subsequent revisions or addition by or to these sources. These soils include, but are not limited to, any occurrence of River Wash ("Rh") or Coastal Beaches ("Cb") and the following when they occur on slopes 15% or steeper:

A. the Alderwood gravely sandy loam ("AgD");
B. the Alderwood and Kitsap soils ("AkF");
C. the Beausite gravely sandy loam ("BeD" and "BeF");
D. the Kitsap silt loam ("KpD");
E. the Ovall gravely loam ("OvD" and "OvF");
F. the Ragnar fine sandy loam ("RaD"); and
G. the Ragnar-Indianola Association ("RdE").

SECTION 124.

21A.06.420 Evergreen. Evergreen: a plant species with foliage that persists and remains green year round.

SECTION 125.

21A.06.425 Examiner. Examiner: the zoning and subdivision examiner as established by K.C.C. 20.24.

SECTION 126.

21A.06.430 Fabric shop. Fabric shop: An establishment engaged in the retail sale of sewing supplies and accessories, including only uses located in SIC Industry Nos.:

A. 5949-Sewing, Needlework, and Piece Goods Stores; and
B. Awning Shops, Banner Shops, and Flag Shops found in 5999.

SECTION 127.

21A.06.435 Facilities standard. Facilities standard: the space required by grade span, and taking into account the requirements of students with special needs, which is needed in order to fulfill the educational goals of the school district as identified in the district's capital facilities plan.

SECTION 128.

21A.06.440 Factory-built commercial building. Factory-built commercial building: any structure that is either entirely or substantially prefabricated or assembled at a place other than a building site; and designed or used for non-residential human occupancy.

SECTION 129.

21A.06.445 Fairground. Fairground: a site permanently designated and improved for holding a county fair, as provided in RCW Chapters 15.76 and 36.37, or for holding similar events, including, but not limited to:

A. Carnivals;
B. Circuses;
C. Expositions;
D. Animal shows; and
E. Exhibitions and/or demonstrations of farm and home products with accompanying entertainment and amusements.

SECTION 130.

21A.06.450 Family. Family: an individual; two or more persons related by blood or marriage; a group of eight or fewer residents, who are not related by blood or marriage, living together as a single housekeeping unit; or a group living arrangement where eight or fewer residents receive supportive services such as counseling, foster care, or medical supervision at the dwelling unit by resident or non-resident staff. For purposes of this definition, minors living with parent shall not be counted as part of the maximum number of residents.

SECTION 131.

21A.06.455 Federal Emergency Management Agency ("FEMA") floodway. Federal Emergency Management Agency ("FEMA") floodway: the channel of the stream and that portion of the adjoining floodplain which is necessary to contain and discharge the base flood flow without increasing the base flood elevation more than one foot.

SECTION 132.

21A.06.460 Feed Store. Feed Store: an establishment engaged in retail sale of supplies directly related to the day to day activities of agricultural production.

SECTION 133.

21A.06.465 Fence. Fence: a barrier for the purpose of enclosing space or separating lots, composed of:

A. Masonry or concrete walls, excluding retaining walls; or

B. Wood, metal or concrete posts connected by boards, rails, panels, wire or mesh.

SECTION 134.

21A.06.470 Flood fringe. Flood fringe: that portion of the floodplain outside of the zero-rise floodway which is covered by floodwaters during the base flood, generally associated with standing water rather than rapidly flowing water.

SECTION 135.

21A.06.475 Flood hazard areas. Flood hazard areas: those areas in King County subject to inundation by the base flood including, but not limited to, streams, lakes, wetlands and closed depressions.

SECTION 136.

21A.06.480 Flood insurance rate map. Flood Insurance Rate Map: the official map on which the Federal Insurance Administration has delineated some areas of flood hazard.

SECTION 137.

21A.06.485 Flood insurance study for King County. Flood Insurance Study for King County: the official report provided by the Federal Insurance Administration which includes flood profiles and the Flood Insurance Rate Map.

SECTION 138.

21A.06.490 Flood protection elevation. Flood protection elevation: an elevation which is one foot above the base flood elevation.

SECTION 139.

21A.06.495 Floodplain. Floodplain: the total area subject to inundation by the base flood.

SECTION 140.

21A.06.500 Floodproofing. Floodproofing: adaptations which will make a structure that is below the flood protection elevation substantially impermeable to the passage of water and resistant to hydrostatic and hydrodynamic loads including the impacts of buoyancy.

SECTION 141.

21A.06.505 Floodway, zero-rise. Floodway zero-rise: the channel of a stream and that portion of the adjoining floodplain which is necessary to contain and discharge the base flood flow without any measurable increase in flood height. A measurable increase in base flood height means a calculated upward rise in the base flood elevation, equal to or greater than .01 foot, resulting from a comparison of existing conditions and changed conditions directly attributable to development in the floodplain. This definition is broader than that of the FEMA floodway, but always includes the FEMA floodway. The boundaries of the 100-year floodplain, as shown on the Flood Insurance Study for King County, are considered the boundaries of the zero-rise floodway unless otherwise delineated by a sensitive area special study.

SECTION 142.

21A.06.510 Florist shop. Florist shop: An establishment engaged in the retail sale of flowers and plants, including only uses located in SIC Industry Nos.:
A. 5992-Florists; and
B. 5999-Artificial Flowers.

SECTION 143.

21A.06.515 Forest land. Forest land: land devoted primarily to growing and harvesting forest and timber products and designated as a forest production district by the King County Comprehensive Plan.

SECTION 144.

21A.06.520 Forest practice. Forest practice: any activity regulated by the Washington Department of Natural Resources in Washington Administrative Code ("WAC") 222 or RCW 79.06 for which a forest practice permit is required, together with:
A. Fire prevention, detection and suppression; and,
B. Slash burning or removal.

SECTION 145.

21A.06.525 Forest product sales. Forest product sales: the sale of goods produced, extracted, consumed, gathered or harvested from a forest including, but not limited to:
A. Trees;
B. Wood chips;
C. Logs;
D. Fuelwood;
E. Cones;
F. Christmas trees;
G. Berries;
H. Herbs; or
I. Mushrooms.

SECTION 146.

21A.06.530 Forest research. Forest research: The performance of scientific studies relating to botany, hydrology, silviculture, biology and other branches of science in relation to management of forest lands, including only uses located in SIC Industry Nos:
A. 8731-Commercial Physical and Biological Research;
B. 8733-Noncommercial Research Organizations; and
C. 8734-Testing Laboratories.

SECTION 147.

21A.06.535 Furniture and Home Furnishings store. Furniture and Home furnishings store: An establishment engaged in the retail sale of household furniture and furnishings for the home, including only uses located in SIC Major Group and Industry Nos.:
A. 57-Home Furniture, Furnishings, and Equipment Stores, except Industry Group No. 573; and
B. Baby carriages, Cake Decorating Supplies, Hot Tubs, Picture Frames (ready made), Swimming Pools (above-ground, not site-built), Telephone Stores and Typewriter Stores found in 5999.

SECTION 148.

21A.06.540 General business service. General business service: An establishment engaged in providing services to businesses or individuals, with no outdoor storage or fabrication, including only uses located in SIC Major Group Nos.:
A. 60-Depository Institutions;

B. 61-Nondepository Credit Institutions;
C. 62-Security and Commodity Brokers, Dealers, Exchanges, and Services;
D. 63-Insurance Carriers;
E. 65-Real Estate, except 653 (Real Estate Agents and Directors);
F. 67-Holding and Other Investment Offices;
G. 7299 Miscellaneous Personal Services, not elsewhere classified;
H. 73-Business Services, except Industry Group and Industry Nos.:
I. 7312-Outdoor Advertising Services; and
J. 86-Membership Organizations, including administrative offices of organized religions found in 8661, but excluding churches and places of worship.

SECTION 149.
21A.06.545 Geologist. Geologist: a person who has earned at least a Bachelor of Science degree in the geological sciences from an accredited college or university or who has equivalent educational training and at least four years of professional experience.

SECTION 150.
21A.06.550 Geotechnical engineer. Geotechnical engineer: a practicing geotechnical/civil engineer licensed as a professional civil engineer by the State of Washington who has at least four years of professional employment as a geotechnical engineer.

SECTION 151.
21A.06.555 Golf course facility. Golf course facility: a recreational facility, under public or private ownership, designed and developed for golf activities with accessory uses including, but not limited to:
A. A driving range;
B. Miniature golf;
C. Pro shops;
D. Caddyshack buildings;
E. Restaurants;
F. Office and meeting rooms; and
G. Related storage facilities

SECTION 152.
21A.06.560 Grade span. Grade span: the categories into which a district groups its grades of students; i.e., elementary, middle or junior high school, and high school.

SECTION 153.
21A.06.565 Grading. Grading: any excavation, filling, removing the duff layer or any combination thereof.

SECTION 154.
21A.06.570 Grazing Area. A grazing area is any open land area used to pasture livestock in which suitable forage is maintained over 80% of the area at all times of the year.

SECTION 155.
21A.06.575 Groundcover. Groundcover: living plants designed to grow low to the ground (generally one foot or less) and intended to stabilize soils and protect against erosion.

SECTION 156.
21A.06.580 Hazardous household substance. Hazardous household substance: a substance as defined in RCW 70.105.010.

SECTION 157.
21A.06.585 Hazardous substance. Hazardous substance: a substance as defined in RCW 70.105.010.

SECTION 158.
21A.06.590 Heavy equipment repair. Heavy equipment repair: the repair and maintenance of self-powered, self-propelled or towed mechanical devices, equipment and vehicles used for commercial purposes, such as tandem axle trucks, graders, backhoes, tractor trailers, cranes, lifts, but excluding automobiles, recreational vehicles, boats and their trailers.

SECTION 159.
21A.06.595 Helistop. Helistop: an area on a roof or on the ground used for the takeoff and landing of helicopters for the purpose of loading or unloading passengers or cargo but not including fueling service, hangers, maintenance or overhaul facilities.

SECTION 160.
21A.06.600 Hobby, toy, and game shop. Hobby, toy, and game shop: An establishment engaged in the retail sale of toys, games, hobby and craft kits, including only uses located in SIC Industry Nos.:
A. 5945-Hobby, Toy and Game Shops; and
B. 5999-Autograph and Philatelist Supply Stores, Coin Shops, and Stamps, philatelist-retail (except mail order).

SECTION 161.
21A.06.605 Home industry. Home industry: a limited-scale sales, service or fabrication activity undertaken for financial gain, which occurs in a dwelling unit or residential accessory building, or in a barn or other resource accessory building and is subordinate to the primary use of the premises as a residence or farm.

SECTION 162.
21A.06.610 Home occupation. Home occupation: a limited-scale service or fabrication activity undertaken for financial gain, which occurs in a dwelling unit or accessory building and is subordinate to the primary use of the premises as a residence.

SECTION 163.
21A.06.615 Household pets. Household pets: small animals that are kept within a dwelling unit.

SECTION 164.
21A.06.620 Hydroelectric generation facility. Hydroelectric generation facility: an establishment for the generation of electricity using water sources.

SECTION 165.
21A.06.625 Impervious surface. Impervious surface: any non-vertical surface artificially covered or hardened so as to prevent or impede the percolation of water into the soil mantle including, but not limited to, roof tops, swimming pools, paved or graveled roads and walkways or parking areas and excluding landscaping and surface water retention/detention facilities.

SECTION 166.
21A.06.630 Improved public roadways. Improved public roadways: public road rights-of-way that have been improved with at least two travel lanes and are maintained by either King County or the state of Washington.

SECTION 167.

21A.06.635 Individual transportation and taxi. Individual transportation and taxi: An establishment engaged in furnishing individual or small group transportation by motor vehicle, including only uses located in SIC Industry Group and Industry Nos.:

A. 412-Taxicabs; and

B. 4119-Local Passenger Transportation, not elsewhere Classified.

SECTION 168.

21A.06.640 Interim recycling facility. Interim recycling facility: A site or establishment engaged in collection or treatment of recyclable materials, which is not the final disposal site, and including:

A. Drop boxes;

B. Source-separated, organic waste processing facilities; and

C. Collection, separation and shipment of glass, metal, paper or other recyclables.

SECTION 169.

21A.06.645 Jail. Jail: a facility operated by a governmental agency; designed, staffed and used for the incarceration of persons for the purposes of punishment, correction and rehabilitation following conviction of an offense.

SECTION 170.

21A.06.650 Jail farm. Jail farm: a farm or camp on which persons convicted of minor law violations are confined and participate in agriculture and other work activities of the facility.

SECTION 171.

21A.06.655 Jewelry store. Jewelry Store: An establishment engaged in the retail sale of a variety of jewelry products, including only uses located in SIC Industry Nos.:

A. 5944-Jewelry Stores; and

B. Gem stones and Rock specimens found in 5999.

SECTION 172.

21A.06.660 Kennel. Kennel: a place where adult dogs are temporarily boarded for compensation, whether or not for training. An adult dog is one of either sex, altered or unaltered, that has reached the age of six months.

SECTION 173.

21A.06.665 Landfill. Landfill: a disposal site or part of a site at which refuse is deposited.

SECTION 174.

21A.06.670 Landscaping. Landscaping: live vegetative materials required for a development. Said materials provided along the boundaries of a development site is referred to as perimeter landscaping. Landscaping provided on the reminder of the site is referred to as interior landscaping.

SECTION 175.

21A.06.675 Landslide. Landslide: episodic downslope movement of a mass including, but not limited to, soil, rock or snow.

SECTION 176.

21A.06.680 Landslide hazard areas. Landslide hazard areas: those areas in King County subject to severe risks of landslides, including the following:

A. Any area with a combination of:

1. slopes steeper than 15%;

2. impermeable soils, such as silt and clay, frequently interbedded with granular soils, such as sand and gravel; and

3. springs or ground water seepage;

B. Any area which has shown movement during the Holocene epoch, from 10,000 years ago to the present, or which is underlain by mass wastage debris from that epoch;

C. Any area potentially unstable as a result of rapid stream incision, stream bank erosion or undercutting by wave action;

D. Any area which shows evidence of or is at risk from snow avalanches; or

E. Any area located on an alluvial fan, presently subject to or potentially subject to inundation by debris flows or deposition of stream-transported sediments.

SECTION 177.

21A.06.685 Level of service, traffic. Level of service ("LOS")traffic: A quantitative measure of traffic congestion identified by a declining letter scale (A-F) as calculated by the methodology contained in the 1985 Highway Capacity Manual Special Report 209 or as calculated by another method approved by the department of public works LOS "A" indicates free flow of traffic with no delays while LOS "F" indicates jammed conditions or extensive delay.

SECTION 178.

21A.06.690 Light equipment. Light equipment: hand-held tools and construction equipment, such as chain saws, wheelbarrows and post-hole diggers.

SECTION 179.

21A.06.695 Livestock. Livestock: grazing animals kept either in open fields or structures for training, boarding, home use, sales, or breeding and production, including but not limited to:

A. Cattle;

B. Riding and draft horses;

C. Hogs, excluding pigs weighing under 120 lbs and standing 20 inches or less at the shoulder which are kept as pets or small animals;

D. Sheep; and

E. Goats;

SECTION 180.

21A.06.700 Livestock, large. livestock, large: cattle, horses, and other livestock generally weighing over 500 pounds.

SECTION 181.

21A.06.705 Livestock, small. livestock, small: hogs, excluding pigs weighing under 120 lbs and standing 20 inches or less at the shoulder which are kept as household pets or small animals, sheep, goats, miniature horses, llamas, alpaca and other livestock generally weighing under 500 pounds.

SECTION 182.

21A.06.710 Livestock sales. Livestock sales: the sale of livestock but not including auctions.

SECTION 183.
21A.06.715 Loading space. Loading space: a space for the temporary parking of a vehicle while loading or unloading cargo or passengers.

SECTION 184.
21A.06.720 Log storage. Log storage: a facility for the open or enclosed storage of logs which may include repair facilities for equipment used on-site or operations offices.

SECTION 185.
21A.06.725 Lot. Lot: a physically separate and distinct parcel of property, which has been created pursuant to K.C.C. Title 19, Subdivision.

SECTION 186.
21A.06.730 Lot line, interior. Lot line, interior: lot lines that delineate property boundaries along those portions of the property which do not abut a street.

SECTION 187.
21A.06.735 Marina. Marina: an establishment providing docking, moorage space and related activities limited to the provisioning or minor repair of pleasure boats and yachts; and accessory facilities including, but not limited to:
A. Showers;
B. Toilets; and
C. Self-service laundries.

SECTION 188.
21A.06.740 Material Error. Material Error: substantive information upon which a permit decision is based that is submitted in error or is omitted at the time of permit application.

SECTION 189.
21A.06.745 Microwave. Microwave: electromagnetic waves with a frequency range of 300 megahertz (MHz) to 300 gigahertz (GHz).

SECTION 190.
21A.06.750 Mitigation. Mitigation: the use of any or all of the following actions listed in descending order of preference:
A. Avoiding the impact by not taking a certain action;
B. Minimizing the impact by limiting the degree or magnitude of the action by using appropriate technology or by taking affirmative steps to avoid or reduce the impact;
C. Rectifying the impact by repairing, rehabilitating or restoring the affected sensitive area or buffer;
D. Reducing or eliminating the impact over time by preservation or maintenance operations during the life of the development proposal;
E. Compensating for the impact by replacing, enhancing or providing substitute sensitive areas and environments; and
F. Monitoring the impact and taking appropriate corrective measures.

SECTION 191.
21A.06.755 Mobile home. Mobile home: a structure transportable in one or more sections; that in the traveling mode is eight body feet or more in width or 32 body feet or more in length; or when erected on site, is 320 square feet or more in area; built on a permanent chassis; designed to be used as a dwelling unit, with or without permanent foundation, when connected to the required utilities; which contains plumbing, heating, air-conditioning and electrical systems; and shall include

any structure that meets all the requirements of this section, or of WAC 296-150B, except the size requirements for which the manufacturer voluntarily complies with the standards and files the certification required by the Department of Housing and Urban Development ("HUD").

SECTION 192.

21A.06.760 Mobile home park. Mobile home park: a development with two or more improved pads or spaces designed to accommodate mobile homes.

SECTION 193.

21A.06.765 Monitoring. Monitoring: evaluating the impacts of development proposals on biologic, hydrologic and geologic systems and assessing the performance of required mitigation through the collection and analysis of data for the purpose of understanding and documenting changes in natural ecosystems, functions and features including, but not limited to, gathering baseline data.

SECTION 194.

21A.06.770 Monuments, tombstones, and gravestones sales. Monuments, tombstones, and gravestones sales: the retail sale of custom stonework products including only uses located in SIC Industry No. 5599-Monuments, finished to custom order, Tombstones and Gravestones finished.

SECTION 195.

21A.06.775 Motor vehicle, boat and mobile home dealer. Motor vehicle, boat and mobile home dealer: An establishment engaged in the retail sale of new and/or used automobiles, motor homes, motorcycles, trailers, boats or mobile homes, including only uses located in SIC Major Group and Industry Group Nos.:

A. 55-Automotive Dealers and Gasoline Service Stations except:
   1. 553-Auto and Home Supply Stores;
   2. 554-Gasoline Service Stations; and
B. Aircraft dealers found in 5599:
   1. 527-Mobile Home Dealers; and
   2. Yacht brokers found in 7389.

SECTION 196.

21A.06.780 Motor vehicle and bicycle manufacturing. Motor vehicle and bicycle manufacturing: fabricating or assembling complete passenger automobiles, trucks, commercial cars and buses, motorcycles, and bicycles, including only uses located in SIC Industry Group Nos.:

A. 371-Motor Vehicles and Motor Vehicle Equipment; and
B. 375-Motorcycles, Bicycles, and Parts.

SECTION 197.

21A.06.785 Municipal Water Production. Municipal water production: The collection and processing of surface water through means of dams or other methods of impoundment for municipal water systems.

SECTION 198.

21A.06.790 Native vegetation. Native vegetation: vegetation comprised of plant species, other than noxious weeds, which are indigenous to the coastal region of the Pacific Northwest and which reasonably could have been expected to naturally occur on the site.

SECTION 199.

21A.06.795 Naturalized species. Naturalized species: non-native species of vegetation that are adaptable to the climatic conditions of the coastal region of the Pacific Northwest.

SECTION 200.

21A.06.800 Nonconformance. Nonconformance: any use, improvement or structure established in conformance with King County rules and regulations in effect at the time of establishment that no longer conforms to the range of uses permitted in the site's current zone or to the current development standards of the code due to changes in the code or its application to the subject property.

SECTION 201.

21A.06.805 Nonhydro-electric generation facility. Nonhydro-electric generation facility: an establishment for the generation of electricity by nuclear reaction, burning fossil fuels, or other electricity generation methods.

SECTION 202.

21A.06.810 Non-ionizing electromagnetic radiation ("NIER"). Non-ionizing electromagnetic radiation ("NIER"): electromagnetic radiation of low photon energy unable to cause ionization.

SECTION 203.

21A.06.815 Noxious weed. Noxious weed: any plant which is highly destructive, competitive or difficult to control by cultural or chemical practices, limited to those plants on the state noxious weed list contained in WAC 16-750.

SECTION 204.

21A.06.820 Open-work fence. Open-work fence: a fence in which the solid portions are evenly distributed and constitute no more than fifty (50) percent of the total surface area.

SECTION 205.

21A.06.825 Ordinary high water mark. Ordinary high water mark: the mark found by examining the bed and banks of a stream, lake, or tidal water and ascertaining where the presence and action of waters are so common and long maintained in ordinary years as to mark upon the soil a vegetative character distinct from that of the abutting upland. In any area where the ordinary high water mark cannot be found, the line of mean high water shall substitute. In any area where neither can be found, the top of the channel bank shall substitute. In braided channels and alluvial fans, the ordinary high water mark or line of mean high water shall be measured so as to include the entire stream feature.

SECTION 206.

21A.06.830 Outdoor performance center. Outdoor performance center: an establishment for the performing arts with open-air seating for audiences. Such establishments may include related services such as food and beverage sales and other concessions.

SECTION 207.

21A.06.835 Park. Park: a site designed or developed for recreational use by the public including, but not limited to:

A. Indoor facilities, such as:
   1. Gymnasiums
   2. Swimming pools; or
   3. Activity centers; and
B. Outdoor facilities, such as:
   1. Playfields;
   2. Fishing areas; or
   3. Picnic and related outdoor activity areas; and

C. Areas and trails for:
   1. Hikers;
   2. Equestrians;
   3. Bicyclists; or
   4. Off-road recreational vehicle users.

SECTION 208.

21A.06.840 Park service area. Park service area: established by the department, within which the dedications of land and fees received from new residential developments for the benefit of residents within such service area.

SECTION 209.

21A.06.845 Parking lot aisle. Parking lot aisle: that portion of the off-street parking area used exclusively for the maneuvering and circulation of motor vehicles and in which parking is prohibited.

SECTION 210.

21A.06.850 Parking lot unit depth. Parking lot unit depth: the linear distance within which one parking aisle is flanked by accessible rows of parking stalls as measured perpendicular to the parking aisle.

SECTION 211.

21A.06.855 Parking space. Parking space: an area accessible to vehicles, improved, maintained and used for the sole purpose of parking a motor vehicle.

SECTION 212.

21A.06.860 Parking space angle. Parking space angle: the angle measured from a reference line, generally the property line or center line of an aisle, at which motor vehicles are to be parked.

SECTION 213.

21A.06.865 Party of record. Party of record ("POR"): A person who has submitted written comments, testified, asked to be notified or is the sponsor of a petition entered as part of the official county record on a specific development proposal.

SECTION 214.

21A.06.870 Peak hour. Peak hour: The hour during the morning or afternoon when the most critical level of service occurs for a particular roadway or intersection.

SECTION 215.

21A.06.875 Permanent school facilities. Permanent school facilities: facilities of a school district with a fixed foundation which are not relocatable facilities.

SECTION 216.

21A.06.880 Personal medical supply store. Personal medical supply store: An establishment engaged in the retail sale of eyeglasses, contact lenses, hearing aids, and artificial limbs, including only uses located in SIC Industry Nos.:

A. 5995-Optical Goods Stores; and
B. 5999-Hearing Aids and Orthopedic and Artificial Limb Stores.

SECTION 217.

21A.06.885 Pet shop. Pet shop: An establishment engaged in the retail sale of pets, small animals, pet supplies, or grooming of pets, including only uses located in SIC Industry No. 5999-Pet shops.

SECTION 218.

21A.06.890 Photographic and electronic shop. Photographic and electronic shop: An establishment engaged in the retail sale of cameras and photographic supplies, and a variety of household electronic equipment, including only uses located in SIC Industry No.:

A. 5946 - Camera and Photographic Supply Stores;
B. 5999 - Binoculars and Telescopes;
C. 5731 - Radio, Television, and Consumer Electronics Stores; and
D. 5734 - Computer and Computer Software Stores.

SECTION 219.

21A.06.995 Plant associations of infrequent occurrence. Plant associations of infrequent occurrence: one or more plant species of a landform type which does not often occur in King County because of the rarity of the habitat and/or the species involved or for other botanical or environmental reasons.

SECTION 220.

21A.06.900 Private. Private: solely or primarily for the use of residents or occupants of the premises; e.g., a non-commercial garage used solely by residents or their guests is a private garage.

SECTION 221.

21A.06.905 Private stormwater management facility. Private stormwater management facility: a surface water control structure installed by a project proponent to retain, detain or otherwise limit runoff from an individual or group of developed sites specifically served by such structure.

SECTION 222.

21A.06.910 Professional office. Professional office: an office used as a place of business by licensed professionals, or persons in other generally recognized professions, which use training or knowledge of a technical, scientific or other academic discipline as opposed to manual skills, and which does not involve outside storage or fabrication, or on-site sale or transfer of commodities; including only the following SIC Major Group and Industry Nos.:

A. 64-Insurance Agents, Brokers and Service;
B. 653-Real Estate Agents and Directors;
C. 7291-Income Tax Return Preparation Services;
D. 81-Legal Services;
E. 871-Engineering, Architectural and Surveying Services;
F. 872-Accounting, Auditing and Bookkeeping Services; and
G. 874-Management and Public Relations Services.

SECTION 223.

21A.06.915 Public agency. Public agency: any agency, political subdivision or unit of local government of this state including, but not limited to, municipal corporations, special purpose districts and local service districts, any agency of the State of Washington, the United States or any state thereof or any Indian tribe recognized as such by the federal government.

SECTION 224.

21A.06.920 Public agency animal control facility. Public agency animal control facility: a facility for the impoundment and disposal of stray or abandoned small animals.

SECTION 225.

21A.06.925 Public agency archive. Public agency archive: a facility for the enclosed storage of public agency documents or related materials, excluding storage of vehicles, equipment, or similar materials.

SECTION 226.

21A.06.930 Public agency or utility office. Public agency or utility office: an office for the administration of any governmental activity or program, with no outdoor storage and including, but not limited to uses located in SIC Major Group, Industry Group and Industry Nos.:

A. 91-Executive, Legislative, and General Government, except Finance;
B. 93-Public Finance, Taxation, and Monetary Policy;
C. 94-Administration of Human Resource Programs;
D. 95-Administration of Environmental Quality and Housing Program;
E. 96-Administration of Economic Programs;
F. 972-International Affairs;
G. 9222-Legal Counsel and Prosecution; and
H. 9229-Public Order and Safety.

SECTION 227.

21A.06.935 Public agency or utility yard. Public agency or utility yard: a facility for open or enclosed storage, repair, and maintenance of vehicles, equipment, or related materials, excluding document storage.

SECTION 228.

21A.06.940 Public agency training facility. Public agency training facility: an establishment or school for training state and local law enforcement, fire safety, national guard or transit personnel and facilities including but not limited to:

A. Dining and overnight accommodations;
B. Classrooms;
C. Shooting ranges;
D. Auto test tracks; and
E. Fire suppression simulations.

SECTION 229.

21A.06.945 Radio frequency. Radio frequency: the number of times the current from a given source of non-ionizing electromagnetic radiation changes from a maximum positive level through a maximum negative level and back to a maximum positive level in one second; measured in cycles per second or Hertz ("Hz").

SECTION 230.

21A.06.950 Reasonable use. Reasonable use: a legal concept articulated by federal and state courts in regulatory taking cases.

SECTION 231.

21A.06.955 Receiving site. Receiving site: land for which allowable residential density is increased over the base density permitted by the underlying zone, by virtue of permanently securing and dedicating to King County, or another qualifying agency, the development potential of an associated sending site.

SECTION 232.

21A.06.960 Recreational vehicle ("RV"). Recreational vehicle ("RV"): a vehicle designed primarily for recreational camping, travel or seasonal use which has its own motive power or is mounted on or towed by another vehicle, including but not limited to:

A. Travel trailer;
B. Folding camping trailer;
C. Park trailer;
D. Truck camper;
E. Park trailer;
F. Motor home; and
G. Multi-use vehicle.

SECTION 233.

21A.06.965 Recreational vehicle parks. Recreational vehicle parks: The use of land upon which two or more recreational vehicle sites, including hook up facilities, are located for occupancy by the general public of recreational vehicles as temporary living quarters for recreation or vacation purposes.

SECTION 234.

21A.06.970 Recyclable material. Recyclable material: a non-toxic, recoverable substance that can be re-processed for the manufacture of new products.

SECTION 235.

21A.06.975 Regional stormwater management facility. Regional stormwater management facility: a surface water control structure installed in or adjacent to a stream or wetland of a basin or sub-basin by the surface water management ("SWM") division or a project proponent. Such facilities protect downstream areas identified by SWM as having previously existing or predicted significant regional basin flooding or erosion problems.

SECTION 236.

21A.06.980 Regional utility corridor. Regional utility corridor: a right-of-way tract or easement which contains transmission lines or pipelines for utility companies, excluding distribution lines contained within street rights-of-way or lines serving individual lots or developments.

SECTION 237.

21A.06.985 Relocatable facility. Relocatable facility: any factory-built structure, transportable in one or more sections that is designed to be used as an education space and is needed to prevent the overbuilding of school facilities, to meet the needs of service areas within a district or to cover the gap between the time that families move into new residential developments and the date that construction is completed on permanent school facilities.

SECTION 238.

21A.06.990 Relocatable facilities cost per student. Relocatable facilities cost per student: the estimated cost of purchasing and siting a relocatable facility in a school district for the grade span of school to be provided, as a function of the district's facilities standard per grade span and taking into account the requirements of students with special needs.

SECTION 239.

21A.06.995 Relocation facilities. Relocation facilities: housing units within King County that provide housing to persons who have been involuntarily displaced from other housing units within King County as a result of conversion of their housing unit to other land uses.

SECTION 240.
21A.06.1000 Restoration. Restoration: returning a stream, wetland, other sensitive area or any associated buffer to a state in which its stability and functions approach its unaltered state as closely as possible.

SECTION 241.
21A.06.1005 Retail, comparison. Retail, comparison. provides for the sale of comparison good and services and is centrally located in the community or region.

SECTION 242.
21A.06.1010 Retail, convenience. Retail, convenience. provides for daily living goods, is easy to access and use and is close to residential neighborhoods.

SECTION 243.
21A.06.1015 Salmonid. Salmonid: a member of the fish family salmonidae, including:
A. chinook, coho, chum, sockeye and pink salmon;
B. rainbow, steelhead and cutthroat salmon;
C. brown trout;
D. brook and dolly varden char;
E. kokanee; and
F. whitefish.

SECTION 244.
21A.06.1020 School bus base. School bus base: an establishment for the storage, dispatch, repair and maintenance of coaches and other vehicles of a school transit system.

SECTION 245.
21A.06.1025 School district. School district: any school district in King County whose boundaries include unincorporated areas of the county.

SECTION 246.
21A.06.1030 School district support facility. School district support facility: uses (excluding schools and bus bases) that are required for the operation of a school district. This term includes school district administrative offices, centralized kitchens, and maintenance or storage facilities.

SECTION 247.
21A.06.1035 Schools, elementary, and middle/junior high. Schools, elementary, and middle/junior high: institutions of learning offering instruction in the several branches of learning and study required by the Education Code of the State of Washington in grades kindergarten through nine, including associated meeting rooms, auditoriums and athletic facilities.

SECTION 248.
21A.06.1040 Schools, secondary or high school. Schools, secondary or high school: institutions of learning offering instruction in the several branches of learning and study required by the Education Code of the State of Washington in grades nine through twelve, including associated meeting rooms, auditoriums and athletic facilities.

SECTION 249.
21A.06.1045 **Seismic hazard areas.** Seismic hazard areas: those areas in King County subject to severe risk of earthquake damage as a result of soil liquefaction in areas underlain by cohesionless soils of low density and usually in association with a shallow groundwater table or of other seismically induced settlement.

SECTION 250.
21A.06.1050 **Self-service storage facility.** Self-service storage facility: an establishment containing separate storage spaces that are leased or rented as individual units.

SECTION 251.
21A.06.1055 **Sending site.** Sending site: land designated in K.C.C. 21A.36 as capable of providing a public benefit if permanently protected by virtue of having its zoned development potential transferred to another property.

SECTION 252.
21A.06.1060 **Senior citizen.** Senior Citizen: A person aged 62 or older.

SECTION 253.
21A.06.1065 **Sensitive areas.** Sensitive areas: any of those areas in King County which are subject to natural hazards or those land features which support unique, fragile or valuable natural resources including fishes, wildlife and other organisms and their habitat and such resources which carry, hold or purify water in their natural state. Sensitive areas include coal mine hazard areas, erosion hazard areas, flood hazard areas, landslide hazard areas, seismic hazard areas, steep slope hazard areas, streams, volcanic hazard areas and wetlands.

SECTION 254.
21A.06.1070 **Setback.** Setback: The minimum required distance between a structure and a specified line such as a lot, easement or buffer line that is required to remain free of structures.

SECTION 255.
21A.06.1075 **Shelters for temporary placement.** Shelters for temporary placement: housing units within King County that provide housing to persons on a temporary basis for a duration not to exceed four weeks.

SECTION 256.
21A.06.1080 **Shooting range.** Shooting range: a facility designed to provide a confined space for safe target practice with firearms, archery equipment, or other weapons.

SECTION 257.
21A.06.1085 **Sign.** Sign: any device, structure, fixture, or placard that is visible from a public right-of-way or surrounding properties and uses graphics, symbols, or written copy for the purpose of advertising or identifying any establishment, product, goods, or service.

SECTION 258.
21A.06.1090 **Sign, awning.** Sign, awning: A sign affixed to the front or side of an awning.

SECTION 259.
21A.06.1095 **Sign, changing message center.** Sign, changing message center: an electrically controlled sign that contains advertising messages which changes at intervals of three minutes or greater.

SECTION 260.

21A.06.1100 Sign, community bulletin board. Sign, community bulletin board: a permanent sign used to notify the public of community events and public services, and which contains no commercial advertising.

SECTION 261.

21A.06.1105 Sign, directional. Sign, directional: a sign designed to guide or direct pedestrian or vehicular traffic to an area, place or convenience, and may include incidental graphics such as trade names and trademarks.

SECTION 262.

21A.06.1110 Sign, freestanding. Sign, freestanding: a sign standing directly upon the ground or having one or more supports standing directly upon the ground, and being detached from any building or structure.

SECTION 263.

21A.06.1115 Sign, fuel price. Sign, fuel price: a sign utilized to advertise the price of gasoline and/or diesel fuel.

SECTION 264.

21A.06.1120 Sign, incidental. Sign, incidental: a sign, emblem or decal designed to inform the public of goods, facilities, or services available on the premises, and may include but not limited to signs designating:

A. Restrooms;
B. Hours of operation;
C. Acceptable credit cards;
D. Property ownership or management;
E. Phone booths; and
F. Recycling containers.

SECTION 265.

21A.06.1125 Sign, indirectly illuminated. Sign, indirectly illuminated: a sign that is illuminated entirely from an external artificial source.

SECTION 266.

21A.06.1130 Sign, monument. Sign, monument: a freestanding sign that is above ground level and is anchored to the ground by a solid base, with no open space between the sign and the ground.

SECTION 267.

21A.06.1135 Sign, off-premise directional. Sign, off-premise directional: a sign which contains no advertising of a commercial nature which is used to direct pedestrian or vehicular traffic circulation to a facility, service or business located on other premises within six hundred and sixty feet of the sign.

SECTION 268.

21A.06.1140 Sign, on-premise. Sign, on-premise: a sign which displays a message which is incidental to and directly associated with the use of the property on which it is located.

SECTION 269.
21A.06.1145 Sign, permanent residential development identification. Sign, permanent residential development identification: a permanent, freestanding sign identifying the residential development upon which the sign is located.

SECTION 270.
21A.06.1150 Sign, portable. Sign, portable: a sign which is capable of being moved and is not permanently affixed to the ground, a structure or building.

SECTION 271.
21A.06.1155 Sign, projecting. Sign, projecting: any sign, other than a flat wall sign, which is attached to and projects vertically more than one foot from the wall of a building or other structure.

SECTION 272.
21A.06.1160 Sign, time and temperature. Sign, time and temperature: an electrically controlled sign that contains messages for date, time, and temperature, which changes at intervals of one minute or less.

SECTION 273.
21A.06.1165 Sign, wall. Sign, wall: any sign painted on, or attached directly to and supported by a wall, facade, or fence; with the exposed face of the sign on a plane parallel to the portion of the structure to which it is attached; projecting no more than one foot; including window signs which are permanently attached.

SECTION 274.
21A.06.1170 Significant tree. Significant tree: an existing healthy tree which, when measured four feet above grade, has a minimum diameter of:
A. Eight inches for evergreen trees, or
B. Twelve inches for deciduous trees.

SECTION 275.
21A.06.1175 Site cost per student. Site cost per student: the estimated cost of a site in the district for the grade span of school to be provided, as a function of the district's facilities standard per grade span and taking into account the requirements of students with special needs.

SECTION 276.
21A.06.1180 Ski area. Ski area: an establishment for cross-country or downhill ski runs and including, but not limited to:
A. Chair lifts;
B. Warming huts; and
C. Supporting services.

SECTION 277.
21A.06.1185 Soil recycling facility. Soil recycling facility: an establishment engaged in the collection, storage and treatment of contaminated soils to remove and reuse organic contaminants.

SECTION 278.
21A.06.1190 Source-separated organic material. Source-separated organic material: vegetative material, scrap lumber or wood, or other materials that provide a source for recycled or composted products. This does not include chemically treated wood products and/or toxic organic substances.

SECTION 279.

21A.06.1195 Special use permit. Special use permit: a permit granted by the County to locate a regional land use at a particular location, subject to conditions placed on the proposed use to ensure compatibility with adjacent land uses.

SECTION 280.

21A.06.1200 Specialized instruction school. Specialized instruction school: establishments engaged in providing specialized instruction in a designated field of study, rather than a full range of courses in unrelated areas; including, but not limited to:

A. Art;
B. Dance;
C. Music;
D. Cooking;
E. Driving; and
F. Pet obedience training.

SECTION 281.

21A.06.1205 Specified sexual activities. Specified sexual activities: human genitalia in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse or sodomy; or erotic fondling, touching or display of human genitalia, pubic region, buttock, or female breast.

SECTION 282.

21A.06.1210 Sporting goods store. Sporting goods store: An establishment engaged in the retail sale of sporting goods and equipment, including only uses located in SIC Industry Nos.:

A. 5941-Sporting Goods Stores and Bicycle Shops; and
B. 5999-Tent Shops and Trophy Shops.

SECTION 283.

21A.06.1215 Sports club. Sports club: an establishment engaged in operating physical fitness facilities and sports and recreation clubs, including only uses located in SIC Industry Nos.:

A. 7991-Physical Fitness Facilities; and
B. 7997-Membership Sports and Recreation Clubs.

SECTION 284.

21A.06.1220 Stable. Stable: a structure or facility in which horses or other livestock are kept for:

A. Boarding;
B. Training;
C. Riding lessons;
D. Breeding;
E. Rental; or
F. Personal use.

SECTION 285.

21A.06.1225 Standard of service, school districts. Standard of service, school districts: the standard adopted by each school district which identifies the program year, the class size by grade span and taking into account the requirements of students with special needs, the number of classrooms, the types of facilities the district believes will best serve its student population, and other factors as identified by the school district. The district's standard of service shall not be adjusted for any portion of the classrooms housed in relocatable facilities which are used as transitional facilities or for any specialized facilities housed in relocatable facilities. Except as otherwise defined by the school board pursuant to a board resolution, transitional facilities shall

mean those facilities that are used to cover the time required for the construction of permanent facilities; provided that, the "necessary financial commitments" as defined in Section 21A.28 are in place to complete the permanent facilities called for in the capital plan.

SECTION 286.

21A.06.1230 Steep slope hazard areas. Steep slope hazard areas: those areas in King County on slopes 40% or steeper within a vertical elevation change of at least ten feet. A slope is delineated by establishing its toe and top and is measured by averaging the inclination over at least ten feet of vertical relief. For the purpose of this definition:

A. The toe of a slope is a distinct topographic break in slope which separates slopes inclined at less than 40% from slopes 40% or steeper. Where no distinct break exists, the toe of a steep slope is the lower most limit of the area where the ground surface drops ten feet or more vertically within a horizontal distance of 25 feet; and

B. The top of a slope is a distinct, topographic break in slope which separates slopes inclined at less than 40% from slopes 40% or steeper. Where no distinct break exists, the top of a steep slope is the upper most limit of the area where the ground surface drops ten feet or more vertically within a horizontal distance of 25 feet.

SECTION 287.

21A.06.1235 Stream functions. Stream functions: natural processes performed by streams including functions which are important in facilitating food chain production, providing habitat for nesting, rearing and resting sites for aquatic, terrestrial and avian species, maintaining the availability and quality of water, such as purifying water, acting as recharge and discharge areas for groundwater aquifers, moderating surface and storm water flows and maintaining the free flowing conveyance of water, sediments and other organic matter.

SECTION 288.

21A.06.1240 Streams. Streams: those areas in King County where surface waters produce a defined channel or bed, not including irrigation ditches, canals, storm or surface water run-off devices or other entirely artificial watercourses, unless they are used by salmonids or are used to convey streams naturally occurring prior to construction in such watercourses. For the purpose of this definition, a defined channel or bed is an area which demonstrates clear evidence of the passage of water and includes, but is not limited to, bedrock channels, gravel beds, sand and silt beds and defined-channel swales. The channel or bed need not contain water year-round. For the purpose of defining the following categories of streams, normal rainfall is rainfall that is at or near the mean of the accumulated annual rainfall record, based upon the water year for King County as recorded at the Seattle-Tacoma International Airport:

A. Class 1 streams, only including streams inventoried as "Shorelines of the State" under King County's Shoreline Master Program, K.C.C. Title 25, pursuant to RCW 90.58;

B. Class 2 streams, only including streams smaller than class 1 streams which flow year-round during years of normal rainfall or those which are used by salmonids; and

C. Class 3 streams, only including streams which are intermittent or ephemeral during years of normal rainfall and which are not used by salmonids.

SECTION 289.

21A.06.1245 Street. Street: a public or recorded private thoroughfare providing pedestrian and vehicular access through neighborhoods and communities and to abutting property.

SECTION 290.

21A.06.1250 Street frontage. Street frontage: any portion of a lot or combination of lots which directly abut a public right-of-way.

SECTION 291.
21A.06.1255 **Structure.** Structure: anything permanently constructed in or on the ground, or over the water; excluding fences less than 6 feet in height, decks less than 18 inches above grade, paved areas, and structural or non-structural fill.

SECTION 292.
21A.06.1260 **Student factor.** Student factor: the number derived by a school district to describe how many students of each grade span are expected to be generated by a dwelling unit. Student factors shall be based on district records of average actual student generated rates for new developments constructed over a period of not more than five years prior to the date of the fee calculation; if such information is not available in the district, data from adjacent districts, districts with similar demographics, or county wide averages must be used. Student factors must be separately determined for single family and multifamily dwelling units, and for grade spans.

SECTION 293.
21A.06.1265 **Submerged land.** Submerged land: any land at or below the ordinary high water mark.

SECTION 294.
21A.06.1270 **Substantial improvement.** Substantial improvement: any maintenance, repair, structural modification, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either before the maintenance, repair, modification or addition is started or before the damage occurred, if the structure has been damaged and is being restored.

SECTION 295.
21A.06.1275 **Temporary use permit.** Temporary use permit: permit to allow a use of limited duration and/or frequency, or to allow multiple related events over a specified period.

SECTION 296.
21A.06.1280 **Tightline sewer.** Tightline sewer: a sewer trunk line designed and intended specifically to serve only a particular facility or place, and whose pipe diameter should be sized appropriately to ensure service only to that facility or place. It may occur outside the local service area for sewers, but does not amend the local service area.

SECTION 297.
21A.06.1285 **Trails.** Trails: man-made pathways designed and intended for use by pedestrians, bicyclists, equestrians, and/or recreational users.

SECTION 298.
21A.06.1290 **Transfer station.** Transfer station: a staffed collection and transportation facility used by private individuals and route collection vehicles to deposit solid waste collected off-site into larger transfer vehicles for transport to permanent disposal sites; and may also include recycling facilities involving collection or processing for shipment.

SECTION 299.
21A.06.1295 **Transit base.** Transit base: an establishment for the storage, dispatch, repair and maintenance of coaches, light rail trains, and other vehicles of a public transit system.

SECTION 300.
21A.06.1300 **Transit park and ride lot.** Transit park and ride lot: vehicle parking specifically for the purpose of access to a public transit system.

SECTION 301.
21A.06.1305 Transitional housing facilities. Transitional housing facilities: housing units within King County owned by public housing authorities, nonprofit organizations or other public interest groups that provide housing to persons on a temporary basis for a duration not to exceed 24 months in conjunction with job training, self sufficiency training, and human services counseling; the purpose of which is to help persons make the transition from homelessness to placement in permanent housing.

SECTION 302.
21A.06.1310 Transmission equipment. Transmission equipment: equipment, such as antennae and satellite, or point-to-point microwave dishes, that transmit or receive radio signals.

SECTION 303.
21A.06.1315 Transmission line booster station. Transmission line booster station: an establishment containing equipment designed to increase voltage of electrical power transported through transmission and/or distribution lines to compensate for power loss due to resistance.

SECTION 304.
21A.06.1320 Transmission structure. Transmission structure : a structure intended to support transmission equipment or function as an antenna for AM radio or an earth station satellite dish antenna. The term does not include brackets, platforms, or other apparatus which mount transmission equipment onto transmission structures, buildings or other structures.

SECTION 305.
21A.06.1325 Transmitter building. Transmitter building: building used to contain communication transmission equipment.

SECTION 306.
21A.06.1330 Transportation system management ("TSM"). Transportation System Management ("TSM"): Low-cost projects that can be implemented in a short time frame designed to increase the efficiency of existing transportation facilities. This also includes transit and/or ride sharing measures to decrease single occupancy vehicle trips.

SECTION 307.
21A.06.1335 Ultimate roadway section. Ultimate roadway section: A designation by King County that the maximum roadway or intersection capacity has been reached and further right-of-way acquisition and/or improvements are not feasible to increase peak hour vehicle capacity.

SECTION 308.
21A.06.1340 Urban Plan Development (UPD). Urban Plan Development: a site specific project consisting of conceptual site plan(s), development standards, processing and other elements.

SECTION 309.
21A.06.1345 Use. Use: activity or function carried out on an area of land, or in a building or structure located thereon. Any use subordinate or incidental to the primary use on a site is considered an accessory use.

SECTION 310.

21A.06.1350 Utility facility. Utility facility: a facility for the distribution or transmission of services to an area; requiring location in the area to be served; including, but not limited to:

A. Telephone exchanges;
B. Water pumping or treatment stations;
C. Electrical switching substations;
D. Water storage reservoirs or tanks;
E. Municipal groundwater well-fields;
F. Regional stormwater management facilities.
G. Natural gas gate stations and limiting stations;
H. Propane, compressed natural gas and liquified natural gas storage tanks serving multiple lots or uses from which fuel is distributed directly to individual users;
I. Sewer lift stations; and
J. Pipes, electrical wires and associated structural supports.

SECTION 311.

21A.06.1355 Variance. Variance: an adjustment in the application of standards of a zoning code to a particular property.

SECTION 312.

21A.06.1360 Vegetation. Vegetation: any and all plant life growing at, below or above the soil surface.

SECTION 313.

21A.06.1365 Vocational school. Vocational school: establishments offering training in a skill or trade to be pursued as a career, including only uses located in SIC Industry Group No.:

A. 824-Vocational Schools; and
B. 8222-Technical Institutes.

SECTION 314.

21A.06.1370 Volcanic hazard areas. Volcanic hazard areas: those areas in King County subject to inundation by mudflows, lahars or related flooding resulting from volcanic activity on Mount Rainier, delineated based on recurrence of an event equal in magnitude to the prehistoric Electron Mudflow.

SECTION 315.

21A.06.1375 Warehousing and wholesale trade. Warehousing and wholesale trade: establishments involved in the storage and/or sale of bulk goods for resale or assembly, excluding establishments offering the sale of bulk goods to the general public which is classified as a retail use in K.C.C. 21A.08.070. These establishments shall include only SIC Major Group Nos. 50 and 51 and SIC Industry Group Nos. 422 and 423.

SECTION 316.

21A.06.1380 Wastewater treatment facility. Wastewater treatment facility: a plant for collection, decontamination and disposal of sewage, including residential, industrial and agricultural liquid wastes, and including any physical improvement within the scope of the definition of "water pollution control facility" set forth in WAC 173-90-015(4) as amended.

SECTION 317.

21A.06.1385 Water dependent use. Water dependent use: a land use which can only exist when the interface between wet meadows, grazed land and water provides the biological or physical conditions necessary for the use.

SECTION 318.

21A.06.1390 Wet meadows, grazed. Wet meadows, grazed: palustrine emergent wetlands typically having up to six inches of standing water during the wet season and dominated under normal conditions by meadow emergents such as reed canary grass, spike rushes, bulrushes, sedges and rushes. During the growing season, the soil is often saturated but not covered with water. These meadows have been frequently used for livestock activities.

SECTION 319.

21A.06.1395 Wetland edge. Wetland edge: the line delineating the outer edge of a wetland established by using the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, January 10, 1989, jointly published by the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers and the U.S. Soil Conservation Service.

SECTION 320.

21A.06.1400 Wetland, forested. Wetland, forested: a wetland which is characterized by woody vegetation at least 20 feet tall.

SECTION 321.

21A.06.1405 Wetland functions. Wetland functions: natural processes performed by wetlands including functions which are important in facilitating food chain production, providing habitat for nesting, rearing and resting sites for aquatic, terrestrial and avian species, maintaining the availability and quality of water, acting as recharge and discharge areas for groundwater aquifers and moderating surface and storm water flows, as well as performing other functions including, but not limited to, those set forth in 33 CFR 320.4(b)(2), 1988.

SECTION 322.

21A.06.1410 Wetland, isolated. Wetland, isolated: a wetland which has a total size less than 2500 square feet excluding buffers, which is hydrological isolated from other wetlands or streams and which does not have permanent open water.

SECTION 323.

21A.06.1415 Wetlands. Wetlands: those areas in King County which are inundated or saturated by ground or surface water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. Where the vegetation has been removed or substantially altered, a wetland shall be determined by the presence or evidence of hydric or organic soil, as well as by other documentation, such as aerial photographs, of the previous existence of wetland vegetation. When the areas of any wetlands are hydrologically connected to each other, they shall be added together to determine which of the following categories of wetlands apply:

A. Class 1 wetlands, only including wetlands assigned the Unique/Outstanding #1 rating in the 1983 King County Wetlands Inventory or which meet any of the following criteria:

1. are wetlands which have present species listed by the federal or state government as endangered or threatened or outstanding actual habitat for those species;
2. are wetlands which have 40% to 60% permanent open water in dispersed patches with two or more classes of vegetation;
3. are wetlands equal to or greater than ten acres in size and have three or more wetland classes, one of which is open water; or
4. are wetlands which have present plant associations of infrequent occurrence;

B. Class 2 wetlands, only including wetlands assigned the Significant #2 rating in the 1983 King County Wetlands Inventory or which meet any of the following criteria:

1. are wetlands greater than one acre in size;
2. are wetlands equal to or less than one acre in size and have three or more wetland classes;
3. are forested wetlands equal to or less than one acre but larger than 2500 square feet; or
4. are wetlands which have present heron rookeries or raptor nesting trees; and

C. Class 3 wetlands, only including wetlands assigned the Lesser Concern #3 rating in the 1983 King County Wetlands Inventory or which are wetlands equal to or less than one acre in size and have two or fewer wetland classes.

SECTION 324.

21A.06.1420 Wetpond. Wetpond: an artificial water body constructed as a part of a surface water management system.

SECTION 325.

21A.06.1425 Wildlife shelter. Wildlife shelter: A facility for the temporary housing of sick, wounded or displaced wildlife.

SECTION 326.

21A.06.1430 Work release facility. Work release facility: a facility which allows the opportunity for convicted persons to be employed outside of the facility, but requires confinement within the facility when not in the place of employment.

SECTION 327.

21A.06.1435 Yard waste processing facility. Yard waste processing facility: a site where yard and garden wastes, including wood and landclearing debris, are processed into new products such as soil amendments and wood chips.

CHAPTER 21A.08 PERMITTED USES

SECTIONS:

21A.08.010	Establishment of uses
21A.08.020	Interpretation of land use tables
21A.08.030	Residential land uses
21A.08.040	Recreation/Cultural land uses
21A.08.050	General Services land uses
21A.08.060	Government/Business Service land uses
21A.08.070	Retail/Wholesale land uses
21A.08.080	Manufacturing land uses
21A.08.090	Resource land uses
21A.08.100	Regional land uses

SECTION 328.

21A.08.010 Establishment of uses. The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied, or maintained. The use is considered permanently established when that use will or has been in continuous operation for a period exceeding sixty days. A use which will operate for less than sixty days is considered a temporary use, and subject to the requirements of K.C.C. 21A.32 of this title. All applicable requirements of this code, or other applicable state or federal requirements, shall govern a use located in unincorporated King County.

SECTION 329.

21A.08.020 Interpretation of land use tables. A. The land use tables in this chapter determine whether a specific use is allowed in a zone district. The zone district is located on the vertical column and the specific use is located on the horizontal row of these tables.

B. If no symbol appears in the box at the intersection of the column and the row, the use is not allowed in that district, except for certain temporary uses.

C. If the letter "P" appears in the box at the intersection of the column and the row, the use is allowed in that district subject to the review procedures specified in K.C.C. 21A.42 and the general requirements of the code.

D. If the letter "C" appears in the box at the intersection of the column and the row, the use is allowed subject to the conditional use review procedures specified in K.C.C. 21A.42 and the general requirements of the code.

E. If the letter "S" appears in the box at the intersection of the column and the row, the regional use is permitted subject to the special use permit review procedures specified in K.C.C. 21A.42 and the general requirements of the code.

F. If a number appears in the box at the intersection of the column and the row, the use may be allowed subject to the appropriate review process indicated above, the general requirements of the code and the specific conditions indicated in the development condition with the corresponding number immediately following the land use table.

G. If more than one letter-number combination appears in the box at the intersection of the column and the row, the use is allowed in that zone subject to different sets of limitation or conditions depending on the review process indicated by the letter, the general requirements of the code and the specific conditions indicated in the development condition with the corresponding number immediately following the table.

H. All applicable requirements shall govern a use whether or not they are cross-referenced in a section.

SECTION 330.

K.C.C. 21A.08.030

A. RESIDENTIAL

LAND USES

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

		ZONE	RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
			AGRICULTURE	FOREST	MINERAL	RURAL	URBAN RESERVE	URBAN RESIDENTIAL		NEIGHBORHOOD BUSINESS	COMMUNITY BUSINESS	REGIONAL BUSINESS	OFFICE	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	P2		P	P	P	P					
*	Townhouse							P 12 C	P	P3	P3	P3	P3	
*	Apartment					C4	C4	P5 C4	P	P3	P3	P3	P3	
*	Mobile home park							C8	P					
*	Senior citizen assisted						P4	P4	P	P3	P3	P3	P3	
	GROUP RESIDENCES:													
*	Community residential facility-I					C	C	C	P	P3	P3	P3	P3	
*	Community residential facility-II								P	P3	P3	P3	P3	
*	Dormitory					C6	C6	C6	P					
	ACCESSORY USES:													
*	Residential accessory uses		P7	P7		P7	P7	P7	P7	P7	P7	P7	P7	
*	Home occupation		P	P		P	P	P	P	P	P	P	P	
*	Home industry		C			C	C	C						
	TEMPORARY LODGING:													
7011	Hotel/Motel (1)										P	P	P	
*	Bed and breakfast guesthouse		P9 C10			P10	P10	P10	P10	P10	P11	P11		
7041	Organization Hotel/Lodging houses											P		

GENERAL CROSS REFERENCES:

Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070
Development Standards, see K.C.C. 21A.12 through 21A.30
General Provisions, see K.C.C. 21A.32 through 21A.3
Application and Review Procedures, see K.C.C. 21A.40 through 21A.44
(*)Definition of this specific Land Use, see K.C.C. 21A.06

1. Except bed and breakfast guesthouses.
2. The use shall be limited as follows:

a. Prior to issuance of any residential building permit, the property owner shall sign an affidavit acknowledging the following declaratory statement and shall record it in the deed and mortgage records for the subject property: "The subject property is located in an area designated by King County for forestry and other compatible uses. Noise, dust, smoke and odors result from the harvesting, planting, fertilization and pest control associated with usual and normal forest or resource management practices, and, as such, these normal and usual forestry practices, when performed in accordance with county, state and federal law, shall not be subject to legal action as public nuisances"; and

b. A fire protection plan for the subject property shall be reviewed and approved by the Washington Department of Natural Resources with the concurrence of the fire marshal for each residential use. This plan shall be developed in such a manner as to protect the adjoining forestry uses from a fire which may originate from the residential use. This plan shall provide for setbacks from existing forestry uses and maintenance of approved fire trails or other effective fire line buffers on perimeters with forest land.

3. Only as part of a mixed use development subject to the conditions of K.C.C. 21A.14.
4. Only in a building listed on the National Register as an historic site or designated as a King County landmark subject to the provisions of K.C.C. 21A.32.
5. Only subject to the residential density incentive provisions of K.C.C. 21A.34.
6. Only as an accessory to a school, college/university or church.
7. a. Accessory dwelling units:

(1) Only one accessory dwelling per lot;

(2) Only in the same building as the principal residence unless the lot is at least 10,000 square feet in area and the allowable density of the zone is not exceeded;

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

(4) The accessory dwelling unit shall not be larger than 50% of the living area of the primary residence;

(5) One additional off-street parking space is provided; and

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

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

(1) No aircraft sales, service, repair, charter or rental;

(2) No storage of aviation fuel except that contained in the tank or tanks of the aircraft; and

(3) Storage hangars shall not exceed 20 feet in height above average finished grade or have a gross area exceeding 3,000 square feet.

8. Mobile home parks shall not be permitted in the R-1 zones.
9. Only as an accessory to the permanent residence of the operator, provided:

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

b. No more than 5 guests per night.

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

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

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

11. Only when part of a mixed use development, and subject to the conditions of 21A.08.030B(10).
12. A conditional use permit is not required for townhouse units on lots in a subdivision designed for townhouse units.

SECTION 331.

K.C.C. 21A.08.040

A.RECREATION/CULTURAL LAND USES

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

		ZONE	RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
			AGRICULTURE	FOREST	MINERAL	RURAL	URBAN RESERVE	URBAN	RESIDENTIAL	NEIGHBORHOOD	BUSINESS	COMMUNITY	BUSINESS	REGIONAL	BUSINESS	OFFICE	INDUSTRIAL
SIC#	SPECIFIC LAND USE		A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	PARK/RECREATION:													
*	Park		P1	P1	P1	P1	P1	P1	P1	P	P	P	P	P
*	Trails		P	P	P	P	P	P	P	P	P	P	P	P
*	Campgrounds			P		P	P							P
*	Destination Resorts			S		S	C					C		
*	Marina			C 3		C4	C4	C4	C4	P5	P	P	P	P
*	Recreational Vehicle Park					C2	C							
*	Ski Area			S		S								
	AMUSEMENT/ENTERTAINMENT:													
7832	Theater										P6	P6	P6	
7833	Theater, Drive-in											C6		
792	Plays/Theatrical production										P6	P6		P
793	Bowling center										P	P		P
*	Sports club					C4	C4	C4	C4	C	P	P		
*	Golf facility					C7	P7	P7	P7					
7999	Golf driving range					C8	P8	P8	P8		P7	P7		
*	Shooting range			C9		C9						C10		P10
*	Amusement arcades										P	P		
996	Amusement park											C		
*	Outdoor performance center			C12 S		C12 S						S		
	CULTURAL:													
823	Library					P11 C	P11 C	P11 C	P11 C	P	P	P	P	
841	Museum					P11 C	P11 C	P11 C	P11 C	P	P	P	P	P
842	Arboretum		P	P		P	P	P	P	P	P	P	P	
*	Conference Center					P11 C	P11 C	P11 C	P11 C	P		P	P	

GENERAL CROSS REFERENCES:

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

21A.08.040 B. DEVELOPMENT CONDITIONS.

1. The following conditions and limitations shall apply, where appropriate:
   a. No stadiums on sites less than ten acres;
   b. Lighting for structures and fields shall be directed away from residential areas;
   c. Structures or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones; and
   d. Facilities in the F, A, or M zones shall be limited to trails and trailheads, including related accessory uses such as parking and sanitary facilities.
2. Recreational vehicle parks are subject to the following conditions and limitations:
   a. The maximum length of stay of any unit shall not exceed 180 days;
   b. The minimum distance between recreational vehicle pads shall be no less than ten feet; and
   c. Sewage shall be disposed in a system approved by the Seattle-King County health department.
3. Limited to day moorage. The marina shall not create a need for off-site public services beyond those already available prior to date of application.
4. Limited to recreation facilities for residents of a specified residential development.
5. Limited to day moorage.
6. Adult use facilities shall be prohibited within 660 feet of any residential zones, any other adult use facility, or school licensed daycare centers, public parks, community centers, public libraries or churches which conduct religious or educational classes for minors.
7. Structures, driving ranges and lighted areas shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.
8. Only as an accessory to golf courses.
9. a. Structures and ranges shall maintain a minimum distance of 50 feet from property lines adjoining residential zones;
   b. Ranges shall be designed to prevent stray or ricocheting projectiles or pellets from leaving the property; and
   c. Site plans shall include safety features of the range; provisions for reducing noise produced on the firing line; and elevations of the range showing target area, backdrops or butts.
10. Only in an enclosed building.
11. Only as accessory to a park or in a building listed on the National Register as an historic site or designated as a King County landmark subject to the provisions of K.C.C. 21A.32.
12. Only as accessory to a nonresidential use established through a discretionary permit process, and provided further that the scale is limited to ensure compatibility with surrounding neighborhoods.

SECTION 332.

K.C.C. 21A.08.050

A. GENERAL SERVICES LAND USES

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

		RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
	ZONE	AGRICULTURE	FOREST	MINERAL	RURAL	URBAN RESERVE	URBAN	RESIDENTIAL	NEIGHBORHOOD BUSINESS	COMMUNITY BUSINESS	REGIONAL BUSINESS	OFFICE	INDUSTRIAL
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	PERSONAL SERVICES:												
72	General Personal Service						C 26	C 26	P	P	P	P3	P3
7216	Drycleaning plants												P
7218	Industrial Launderers												P
7261	Funeral Home/Crematory					C4	C4	C4		P	P		
*	Cemetery, Columbarium or Mausoleum				P25 C5	P25 C5	P25 C5	P25 C5	P25	P25	P25 C5	P25	
*	Day care I	P6			P6	P6	P6	P6	P	P	P	P7	P7
*	Day care II				P8	P8	P8	P8	P	P	P	P8	P8
074	Veterinary Clinic	P9			P9 C10	P9 C10			P10	P10	P10		P
753	Automotive repair (1)									P	P		P
754	Automotive service								P11	P	P		P
76	Miscellaneous repair									P	P		P
866	Churches, synagogue, temple				P12 C	P12 C	P12 C	P12 C	P	P	P	P	
83	Social Services (2)				P12 C13	P12 C13	P12 C13	P12 C13	P13	P	P	P	
*	Stable	P14 C			P14 C	P14 C	P 14 C						
*	Kennel or Cattery				C	C				C	P		
	HEALTH SERVICES:												
801-04	Office/Outpatient Clinic				P12 C 13	P12 C 13	P12 C 13	P12 C 13	P	P	P	P	P
805	Nursing and personal care facilities							C		P	P		
806	Hospital						C13	C13		P	P	C	
807	Medical/Dental Lab									P	P	P	P
808-09	Miscellaneous Health									P	P	P	
	EDUCATION SERVICES:												
*	Elementary or Middle/Junior High School				P16 C15	P	P	P					
*	Secondary or High School				P16 C15	P27 C	P27 C	P27 C		C	C		
*	Vocational School				P13 C	P13 C	P13 C	P13 C			P	P17	P
*	Specialized Instruction School		P18		P19 C20	P19 C20	P19 C20	P19 C20	P	P	P	P17	P
*	School District Support Facility				C 24	P 24 C	P 24 C	P 24 C	C	P	P	P	P
*	Interim Recycling Facility	P 21	P21	P21	P 22		P 22	P 22	P 23	P 23	P		P

GENERAL CROSS REFERENCES:

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

21A.08.050 B. DEVELOPMENT CONDITIONS.

1. Except SIC Industry No. 7534-Tire Retreading, see manufacturing permitted use table.
2. Except SIC Industry Group Nos.:
   a. 835-Day Care Services, and
   b. 836-Residential Care, which is otherwise provided for on the residential permitted land use table.
3. Limited to SIC Industry Group and Industry Nos.:
   a. 723-Beauty Shops;
   b. 724-Barber Shops;
   c. 725-Shoe Repair Shops and Shoeshine Parlors;
   d. 7212-Garment Pressing and Agents for Laundries and Drycleaners;
   e. 7217-Carpet and Upholstery Cleaning.
4. Only as an accessory to a cemetery.
5. Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.
6. Only as an accessory to residential use, provided:
   a. Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates, and have a minimum height of six feet; and
   b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones.
7. Permitted as an accessory use, see commercial/industrial accessory, K.C.C. 21A.08.060A.
8. Only as a re-use of a public school facility subject to the provisions of K.C.C. 21A.32, or an accessory use to a school or church, provided:
   a. Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates and have a minimum height of six feet;
   b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
   c. Direct access to a developed arterial street shall be required in any residential zone; and
   d. Hours of operation may be restricted to assure compatibility with surrounding development.
9. As a home occupation only, provided that the square footage limitations in K.C.C. 21A.30 for home occupations applies only to the office space for the clinic, and provided further that:
   a. Boarding or overnight stay of animals is allowed only on sites of 5 acres or more;
   b. No burning of refuse or dead animals is allowed;
   c. The portion of the building or structure in which animals are kept or treated shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be surrounded by an eight-foot solid wall and surfaced with concrete or other impervious material; and
   d. The provisions of 21A.30 relative to animal keeping are met.
10. a. No burning of refuse or dead animals is allowed;
   b. The portion of the building or structure in which animals are kept or treated shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be surrounded by an eight-foot solid wall and surface with concrete or other impervious material; and
   c. The provisions of 21A.30 relative to animal keeping are met.
11. Only as an accessory to a gasoline service station, see retail and wholesale permitted use table.
12. Only as a re-use of a public school facility subject to the provisions of K.C.C. 21A.32.
13. Only as a re-use of a surplus non-residential facility subject to K.C.C. 21A.32.
14. Covered riding arenas are subject to the provisions of 21A.30.030 and shall not exceed 20,000 square feet provided that; stabling areas, whether attached or detached, shall not be counted in this calculation.
15. Limited to projects which do not require or result in an expansion of the sewer local service area (LSA), unless a finding is made that no cost effective alternative technologies are feasible, in which case a tightline to a sewer sized only to meet the needs of the school may be used.
16. a. Only as a re-use of a public school facility subject to the provisions of K.C.C. 21A.32. An expansion of such school facility shall be subject to approval of a conditional use permit and the expansion shall not require or result in an extension of the sewer local service area (LSA), unless a finding is made that no cost effective alternative technologies are feasible, in which case a tightline to a sewer sized only to meet the needs of the school may be used.
   b. Expansion of elementary or middle school facilities in rural zones by the addition of relocatable facilities on existing school sites is a permitted use.
   c. Relocatable facilities sited at high schools or secondary schools are a permitted use.

d. The renovation, expansion, modernization, and/or reconstruction of existing high schools or secondary schools is a permitted use.

e. The renovation, expansion, modernization, and/or reconstruction of existing elementary or middle/junior high schools is a permitted use.

17. All instruction must be within an enclosed structure.

18. Limited to resource management education programs.

19. Only as an accessory to residential use, provided:

a. Students are limited to twelve per one hour session,

b. All instruction must be within an enclosed structure, and

c. Structures used for the school shall maintain a distance of 25 feet from property lines adjoining residential zones.

20. Subject to the following:

a. Structures used for the school and accessory uses shall maintain a minimum distance of 25 feet from property lines adjoining residential zones; and

b. On lots over 2.5 acres:

i. Retail sales of items related to the instructional courses is permitted, provided total floor area for retail sales is limited to 2,000 square feet;

ii. Sales of food prepared in the instructional courses is permitted, provided total floor area for food sales is limited to 1,000 square feet and is located in the same structure as the school.

iii. Other incidental student-supporting uses are allowed, provided such uses are found to be both compatible with and incidental to the principal use.

21. Limited to source-separated organic waste processing facilities.

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

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

24. Only when adjacent to an existing or proposed school.

25. Limited to columbariums accessory to a church provided that required landscaping and parking are not reduced.

26. Not permitted in R-1 and limited to a maximum of 5,000 square feet per establishment and subject to the additional requirements in K.C.C. 21A.12 .230.

27. New high schools shall be permitted in urban residential and urban reserve zones subject to the special development standards set forth below.

a. New high schools sites shall abut or be accessible from a public street functioning as an arterial per the King County Design Standards.

b. The impacts of traffic on the neighborhood shall be addressed pursuant to the State Environmental Policy Act, Chapter 43.21C RCW, and/or through the payment of road impact fees.

c. The District shall comply with the requirements and procedures for determining parking spaces set forth in K.C.C. chapter 21A.18 governing parking and circulation.

d. Parking areas shall be permitted within the required setback areas from the property lines, provided such parking areas are located outside of the required landscape area. The required setbacks for the purposes of determining the parking areas and the height limits are as follows:

1. Minimum street setbacks:

a. 30 feet in the UR and R-1 zones.

b. 10 feet in the R-4 to R-48 zones.

2. Minimum interior setbacks:

a. 10 feet in the UR and R-1 zones.

b. 5 feet in the R-4 to R-48 zones.

e. The base height of the building shall be as follows:

1. 35 feet in the UR zone and in the R-1 through R-8 zones.

2. 60 feet in R-12 to R-24 zones.

3. 80 feet in the R-48 zone.

f. Height limits may be increased when portions of the structure which exceed the base height limit provide one additional foot of street setback and one additional foot of interior setback for each additional foot above the base height limit. The street setbacks and interior setbacks for determining increases in height limits are set forth in subsection d.

g. Building coverage shall not exceed:

1. Forty percent of the site in the UR zone.

2. Fifty percent of the site in the R-1 through R-6 zones.

3. Sixty percent of the site in the R-8 through R-48 zones

h. Impervious surface coverage shall not exceed:

1. Sixty percent of the site in the UR zones.
2. Seventy percent of the site in the R-1 through R-6 zones.
3. Eighty percent of the site in the R-8 through R-48 zones.

i. Buildings and structures shall not be closer than 30 feet to any property line, except for fences and backstops for ballfields which may be located within the 30 feet setback and except as provided in subsection j.

j. Single detached dwelling allowed as accessory to a school may be setback 10 feet from the property line.

k. The District shall provide for the necessary utilities, including the extension of sewer and water lines as may be required.

l. The District shall hold a public hearing on the request for a building permit on the proposed high school and may merge the public hearing for environmental review with this hearing. The hearing may be conducted by the Board of Directors, or where authorized by board policy, by a hearing examiner appointed by the School Board. The District shall provide notice of the hearing as follows:

1. by posting the property;
2. by publishing in a newspaper of general circulation in the general area where the proposed high school is located;
3. by sending notices by first class mail to owners of property in an area within 500 feet of the proposed high school, provided such area shall be expanded as necessary to send mailed notices to at least 20 different property owners; and
4. by sending notices to other residents of the District that have requested notice.

m. At a regularly scheduled or special Board meeting, the Board of Directors shall adopt findings of compliance with the development standards set forth in this section and/or adopt proposed actions necessary to reach compliance. Where a hearing examiner has been appointed, the Board of Directors shall review and adopt or reject the hearing examiner's proposed findings and/or proposed actions. The board may include in the record any information supporting its findings or any information from prior public meetings held on the same general subject at the discretion of the Board.

n. Copies of the findings and/or the proposed actions shall be mailed to all parties of record and to the County. "A party of record" is a person or group that testified at the public hearing or the County.

o. Any aggrieved party of record may request the Board of Directors to reconsider the findings within 20 calendar days of its adoption. An aggrieved party requesting reconsideration shall submit written evidence challenging the findings or otherwise specifically identify reasons why the District has failed to reasonably comply with the development standards set forth in this section. Within 30 calendar days after a request for reconsideration has been filed with the District, the Board of Directors may reconsider and revise the findings and/or proposed actions, or may decline to reconsider. Failure to act, or to initiate the process for reconsideration by notifying the aggrieved party of record of intent to reconsider, within the 30-day period shall be deemed to constitute a decision not to reconsider.

p. the Board's final findings shall be attached to the District's building permit application, and such findings shall be deemed to constitute binding evidence of compliance with the development standards set forth in this section.

SECTION 333.

K.C.C. 21A.08.060
A. GOVERNMENT/

BUSINESS SERVICES
LAND USES

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

ZONE	RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
	AGRICULTURE	FOREST	MINERAL	RURAL	URBAN RESERVE	URBAN	RESIDENTIAL	NEIGHBORHOOD	BUSINESS	COMMUNITY	BUSINESS	REGIONAL	OFFICE	INDUSTRIAL
SIC# / SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
GOVERNMENT SERVICES:												
* Public agency or utility office				P3 C5	P3 C5	P3 C5	P3 C5	P4	P	P	P	P 14
* Public agency or utility yard				P 27	P 27					P		P
* Public agency archives										P	P	P
921 Court									P4	P	P	
9221 Police Facility									P	P	P	P
9224 Fire Facility				C 6	C 6	C 6	C 6	P	P	P	P	P
* Utility Facility	P 7 C	P 7 C	P 7	P 7 C	P	P	P	P	P	P	P	P
* Minor Communication Facility (18)	C	P		C	C	C	C	C	P	P	P	P
* Private Stormwater Management Facility	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8
BUSINESS SERVICES:												
15-17 Construction and Trade										P 9	P	P
* Individual Transportation and Taxi									P 25	P	P 10	P
421 Trucking and Courier Service									P 11	P 12	P 13	P
* Warehousing, (1) and Wholesale Trade												P
* Self-service Storage							C 14		P	P	P	P
4221 4222 Farm Product Warehousing, Refrigeration and Storage	P 15 C			C 15	C 15							P
* Log Storage	P15	P		P26								P
47 Transportation Service												P
473 Freight and Cargo Service										P	P	P
472 Passenger Transportation Service									P	P	P	
48 Communication Offices										P	P	P
482 Telegraph and other Communications									P	P	P	P
* General Business Service								P	P	P	P	P16
* Professional Office								P	P	P	P	P 16
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				P19	P19	P19	P19	P 20	P 20	P 21	P 20	P
7941 Professional Sport Teams/Promoters										P	P	
873 Research, Development and Testing										P2	P2	P2
* Heavy Equipment and Truck Repair												P
* Commercial/Industrial Accessory Uses			P	P 22				P22	P22	P	P	P
* Helistop					C 23	C 23	C 23	C 23	C 23	C 24	C 23	C 24

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

K.C.C. 21A.08.060 B. DEVELOPMENT CONDITIONS.

1. Except self-service storage.
2. Except SIC Industry No. 8732-Commercial Economic, Sociological, and Educational Research, see general business service/office.
3. A. Only as a re-use of a public school facility or a surplus non-residential facility subject to the provisions of K.C.C. 21A.32; or
B. Only when accessory to a fire facility and the office is no greater than 1500 square feet of floor area.
4. Only as a re-use of a surplus non-residential facility subject to K.C.C. 21A.32.
5. Utility offices only if there is no commercial/industrial zoning in the utility district.
6. a. All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
b. Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street; and
c. No outdoor storage.
7. Limited to utility transmission, distribution, and service lines and associated switching stations, substations, booster stations, electrical conversion substations, natural gas gate stations and limiting stations.
8. Except in commercial/industrial zones, such facilities shall be located on the same lot that they are designed to serve except in subdivisions that set aside a separate tract for such facilities. In commercial/industrial zones, such facilities which are not located on the lot they are designed to serve shall be located on a lot with the same or more intensive zoning designation.
9. No outdoor storage of materials.
10. Limited to office uses.
11. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station.
12. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station and SIC Industry No. 4215-Courier Services, except by air.
13. Limited to SIC Industry No. 4215-Courier Services, except by air.
14. Accessory to an apartment development of at least 12 units provided:
a. The gross floor area in self service storage shall not exceed the total gross floor area of the apartment dwellings on the site;
b. All outdoor lights shall be deflected, shaded and focused away from all adjoining property;
c. The use of the facility shall be limited to dead storage of household goods;
d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;
e. No outdoor storage or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;
f. No residential occupancy of the storage units;
g. No business activity other than the rental of storage units; and
h. A resident director shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.
15. Limited to products produced on-site.
16. Only as an accessory use to another permitted use.
17. No outdoor storage.
18. Minor communication facilities shall be regulated relative to setback, height and review process pursuant to K.C.C. 21A.26.
19. Limited to commuter parking facilities for users of transit, carpools or ride-share programs, provided:
a. They are located on existing parking lots for churches, schools, or other permitted nonresidential uses which have excess capacity available during commuting hours ; and

b. The site is adjacent to a designated arterial that has been improved to a standard acceptable to the department of public works.

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

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

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

23. Limited to emergency medical evacuation sites in conjunction with police, fire or health service facility.

24. Allowed as accessory to an allowed use.

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

26. Limited to 2 acres or less.

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

SECTION 334.

K.C.C. 21A.08.070
A. RETAIL
LAND USES

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

		ZONE	RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
			AGRICULTURE	FOREST	MINERAL	RURAL	URBAN RESERVE	URBAN	RESIDENTIAL	NEIGHBORHOOD	BUSINESS	COMMUNITY	BUSINESS	REGIONAL	OFFICE	INDUSTRIAL
SIC#	SPECIFIC LAND USE		A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
*	Building, Hardware and Garden Materials					C1	C1			P2	P	P		
*	Forest Products Sales		P 3, 4	P4		P 3, 4						P		
*	Department and Variety Stores							C 15	C 15	P5	P	P		
54	Food Stores					C14		C 16	C 16	P	P	P	C	P6
*	Agricultural Product Sales		P3 C7	P4		P3 C7	P3	P3						
*	Motor Vehicle and Boat Dealers											P8		P
553	Auto Supply Stores										P9	P9		P
554	Gasoline Service Stations									P	P	P		P
56	Apparel and Accessory Stores										P	P		
*	Furniture and Home Furnishings Stores										P	P		
58	Eating and Drinking Places					C14		C 17	C 17	P10	P	P	P	P
*	Drug Stores							C 16	C 16	P	P	P	C	
592	Liquor Stores										P	P		
593	Uses Goods: Antiques/Secondhand Shops										P	P		
*	Sporting Goods and related Stores										P	P		
*	Book, Stationery, Video and Art Supply Stores							C 16, 11	C 16, 11	P11	P11	P11		
*	Jewelry Stores										P	P		
*	Monuments, Tombstones, and Gravestones											P		
*	Hobby, Toy, Game Shops									P	P	P		
*	Photographic and Electronic Shops									P	P	P		
*	Fabric Shops										P	P		
598	Fuel Dealers										C12	P		P
*	Florist Shops							C 16	C 16	P	P	P	P	
*	Personal Medical Supply Stores										P	P		
*	Pet Shops									P	P	P		
*	Bulk Retail										P	P		
*	Auction Houses											P13		P
*	Livestock Sales		P18	P18		P18	P18	P18, 19						P

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

21A.08.070 B. DEVELOPMENT CONDITIONS

1. Only Feed Stores and Garden Supply Stores.
2. Only Hardware and Garden Materials stores shall be permitted.
3. a. Except for hay sales, limited to products produced on-site; and
   b. Covered sales areas shall not exceed a total area of 500 square feet.
4. No permanent structures or signs.
5. Limited to SIC Industry No. 5331, Variety Stores, and further limited to a maximum of 2,000 square feet of gross floor area.
6. Limited to a maximum of 2,000 square feet of gross floor area.
7. a. The floor area devoted to retail sales shall not exceed 2,500 square feet;
   b. No more than 40 percent of the average annual gross sales of agricultural products sold through the store over a five-year period shall be derived from products not grown or produced in King County. At the time of the initial application, the applicant shall submit a reasonable projection of the source of product sales;
   c. Sales shall be limited to agricultural produce and plants;
   d. Storage areas for produce may be included in a farm store structure or in any accessory building;
   e. Hours of operation shall be limited to 7:00 a.m. to 9:00 p.m. during the months of May through September and 7:00 a.m. to 7:00 p.m. during the months of October through April; Outside lighting is permitted, provided no off-site glare is allowed; and
   f. Noncontiguous lands within King County may be assembled by an individual farmer or group of farmers for the purposes of establishing a source of local products to be sold in a farm store on one of the properties.
8. Excluding retail sale of trucks exceeding one ton capacity.
9. Only the sale of new or reconditioned automobile supplies is permitted.
10. Excluding SIC Industry No. 5813-Drinking Places.
11. Adult use facilities shall be prohibited within 660 feet of any residential zones, any other adult use facility, school, licensed daycare centers, public parks, community centers, public libraries, or churches which conduct religious or educational classes for minors.
12. No outside storage of fuel trucks and equipment.
13. Excluding vehicle and livestock auctions.
14. Only as accessory to a winery or brewery.
15. Not in R-1 and limited to SIC Industry No. 5331 Variety Stores, limited to a maximum of 5,000 square feet of gross floor area, and subject to the requirements in K.C.C. 21A.12 330.
16. Not permitted in R-1 and limited to a maximum of 5,000 square feet of gross floor area and subject to the requirements in 21A.12.230.
17. Not permitted in R-1 and excluding SIC Industry No. 5813-Drinking Places, and limited to a maximum of 5,000 square feet of gross floor area and subject to the requirements in K.C.C. 21A.12.230.
18. Retail sales of livestock is permitted only as accessory to raising livestock.
19. Limited to the R-1 zone.

SECTION 335.

K.C.C. 21A.08.080
A. MANUFACTURING LAND USES

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

		ZONE	RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
			AGRICULTURE	FOREST	MINERAL	RURAL	URBAN RESERVE	URBAN	RESIDENTIAL	NEIGHBORHOOD	BUSINESS	COMMUNITY	BUSINESS	REGIONAL	BUSINESS	OFFICE	INDUSTRIAL
SIC#	SPECIFIC LAND USE		A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
20	Food and Kindred Products		P1	P1		P1	P1					C		P2 C
2082/ 2084	Winery/Brewery		P1			P3 C	P3					C		P
22	Textile Mill Products													C
23	Apparel and other Textile Products											C		P
24	Wood Products, except furniture		P4	P4 C5		P4	P4					C6		P
25	Furniture and Fixtures											C		P
26	Paper and Allied Products													C
27	Printing and Publishing									P7	P7	P7C	P7C	P
28	Chemicals and Allied Products													C
2911	Petroleum Refining and related industries													C
30	Rubber and Misc. Plastics Products													C
31	Leather and Leather Goods											C		P
32	Stone, Clay, Glass and Concrete Products										P8	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 Office Equipment											C	C	P
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/Distribution											P		P

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

21A.08.080 B. DEVELOPMENT CONDITIONS.

1. Limited to agricultural products produced on-site, provided structures and areas used for processing shall maintain a minimum distance of 75 feet from property lines adjoining residential zones.
2. Except slaughterhouses.
3. Only as a home industry, subject to K.C.C. 21A.30.
4. Limited to rough milling and planing of products grown on-site with portable equipment.
5. Limited to SIC Industry Group No. 242-Sawmills.
6. Limited to uses found in SIC Industry No. 2434-Wood Kitchen Cabinets and No. 2431-Millwork (excluding planing mills).
7. Limited to photocopying and printing services offered to the general public.
8. Only within enclosed buildings, and as an accessory use to retail sales.
9. Only within enclosed buildings.
10. Limited to boat building of craft not exceeding 48 feet in length.

SECTION 336.

K.C.C. 21A.08.090
A. RESOURCE
LAND USE

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

		ZONE	RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
			AGRICULTURE	FOREST	MINERAL	RURAL	URBAN RESERVE	URBAN	RESIDENTIAL	NEIGHBORHOOD	BUSINESS	COMMUNITY	BUSINESS	REGIONAL	BUSINESS	OFFICE	INDUSTRIAL
SIC#	SPECIFIC LAND USE		A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	AGRICULTURE:													
01	Growing and Harvesting Crops		P	P		P	P	P						P
02	Raising Livestock and Small Animals		P	P		P	P	P6						P
	FORESTRY:													
08	Growing and Harvesting Forest Product		P	P		P	P	P						P
*	Forest Research			P		P	P						P2	P
	Fish and Wildlife Management:													
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							
	MINERAL:													
10-14	Mineral Extraction and Processing				P									
2951	Asphalt Paving Mixtures and Block				P									P
	RESOURCE ACCESSORY USES:													
*	Resource Accessory Uses		P3	P4	P5	P3	P3							P4

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

21A.08.090 B. DEVELOPMENT CONDITIONS.

1. May be further subject to the provisions of K.C.C. Title 25, Shoreline Management Program.
2. Only Forest Research conducted within an enclosed building.
3. Housing for agricultural workers and their families employed on the premises only as an accessory to a permanent residence, provided:
   a. Sites are limited to those with ten acres or more;
   b. Accessory housing is limited to one unit on less than 20 acres, or two on 20 acres or more; and
   c. Accessory housing shall not be rented to the public at large.
4. Excluding housing for agricultural workers
5. Limited to maintenance and/or storage facilities in conjunction with mineral extraction or processing operation.
6. Large livestock allowed only in the R-1 zone.

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K.C.C. 21A.08.100
A. REGIONAL
LAND USES

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

		ZONE	RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
			AGRICULTURE	FOREST	MINERAL	RURAL	URBAN RESERVE	URBAN	RESIDENTIAL	NEIGHBORHOOD	BUSINESS	COMMUNITY	BUSINESS	REGIONAL	BUSINESS	OFFICE	INDUSTRIAL
SIC#	SPECIFIC LAND USE		A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
*	Jail			S		S	S	S	S	S	S	S	S	S
*	Work Farm/Camp		S	S		S	S							
*	Work Release Facility					S	S	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
*	Major Communication Facility		C6c S	P		C6c S	C6c S	C6c S	C6c S	C6c S	P	P	P	P
*	Earth Station		P6b C	P		C6a S	C6a S	C6a S	C6a S	P6b C	P	P	P	P
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
*	Transit Bus Base					S	S	S	S	S	S	S	S	P
*	Transit Park and Ride Lot					S	S	S	S	P	P	P	P	P
*	School Bus Base					C5 S	C5 S	C5 S	C5 S	S	S	S	S	P
7948	Racetrack					S	S	S8	S8	S8	S8	S8	S8	S
*	Fairground										S	S		S
8422	Zoo/Wildlife Exhibit (2)			S9		S9	S	S	S		S	S		
651	Stadium/Arena											S		S
8221-8222	College/University (1)		P10	P10		P10 C11 S	P10 C11 S	P10 C11 S	P10 C11 S	P10 C11 S	P	P	P	P

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

21A.08.100 B DEVELOPMENT CONDITIONS.

1. Except technical institutions. See vocational schools on General Services land use table, K.C.C. 21A.08.050.
2. Except arboretum. See K.C.C. 21A.08.040, Recreation/Cultural land use table.
3. Except weapons armories and outdoor shooting ranges.
4. Except outdoor shooting range.
5. Only in conjunction with an existing or proposed school.
6. a. Limited to no more than three satellite dish antenna.
   b. Limited to one satellite dish antenna.
   c. Limited to tower consolidations.
7. Limited to landing field for aircraft involved in forestry or agricultural practices or for emergency landing sites.
8. Except racing of motorized vehicles.
9. Limited to wildlife exhibit.
10. Only as a re-use of a public school facility subject to the provisions of K.C.C. 21A.32.
11. Only as a re-use of surplus non-residential facility subject to the provisions of K.C.C. 21A.32.
12. Limited to cogeneration facilities for on-site use only.
13. Excluding impoundment of water using a dam.
14. Limited to facilities that comply with the following provisions:
    a. Any new diversion structure shall not:
       1. exceed a height of eight feet as measured from the streambed, or
       2. impound more than three surface acres of water at the normal maximum surface level.
    b. There shall be no active storage.
    c. The maximum water surface area at any existing dam or diversion shall not be increased.
    d. An exceedance flow of no greater than 50 percent in mainstream reach shall be maintained.
    e. Any transmission line shall be limited to a:
       1. right-of-way of five mile or less; and
       2. capacity of 230 KV or less.
    f. Any new, permanent access road shall be limited to five miles or less.
    g. The facility shall only be located above any portion of the stream used by anadromous fish.

CHAPTER 21A.12 DEVELOPMENT STANDARDS - DENSITY AND DIMENSIONS

SECTIONS:

21A.12.010	Purpose
21A.12.020	Interpretation of tables
21A.12.030	Densities and dimensions - residential zones
21A.12.040	Densities and dimensions - resource and commercial/industrial zones
21A.12.050	Measurement methods
21A.12.060	Minimum urban residential density
21A.12.070	Calculations - allowable dwelling units or floor area
21A.12.080	Calculations - site area used for density calculations
21A.12.090	Lot area - prohibited reduction
21A.12.100	Lot area - minimum lot area for construction
21A.12.110	Measurement of setbacks
21A.12.120	Setbacks - specific building or use
21A.12.130	Setbacks - modifications
21A.12.140	Setbacks - from regional utility corridor
21A.12.150	Setbacks - from alley
21A.12.160	Setbacks - adjoining half-street or designated arterial
21A.12.170	Setbacks - projections allowed
21A.12.180	Height - exceptions to limits
21A.12.190	Height - limits near major airports
21A.12.200	Lot divided by zoning boundary
21A.12.210	Sight distance requirements
21A.12.220	Nonresidential land uses in residential zones
21A.12.230	Personal service and retail uses in residential zones

SECTION 338.

21A.12.010 Purpose. The purpose of this chapter is to establish basic dimensional standards for development relative to residential density and as well as specific rules for general application. The standards and rules are established to provide flexibility in project design, and maintain privacy between adjacent uses.

SECTION 339.

21A.12.020 Interpretation of tables. A. Sections 21A.12.030 and 21A.12.040 contain general density and dimension standards for the various zones and limitations specific to a particular zone(s). Additional rules, exceptions, and methodologies are set forth in K.C.C. 21A.12.050 through 21A.12.210.

B. The density and dimension tables are arranged in a matrix format on two separate tables and are delineated into two general land use categories:

1. Residential; and
2. Resource and Commercial/Industrial.

C. Development standards are listed down the left side of both tables, and the zones are listed at the top. The matrix cells contain the minimum dimensional requirements of the zone. The parenthetical numbers in the matrix identify specific requirements applicable either to a specific use or zone. A blank box indicates that there are no specific requirements. If more than one standard appears in a cell, each standard will be subject to any applicable parenthetical footnote following the standard.

SECTION 340.

21A.12.030 A Densities and Dimensions - Residential Zones

STANDARDS / ZONES	RESIDENTIAL											
	RURAL			URBAN RESERVE	URBAN RESIDENTIAL							
	RA-2.5	RA-5	RA-10	UR	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Base Density: Dwelling Unit/Acre	0.4 du/ac	0.2 du/ac	0.1 du/ac	0.2 du/ac	1 du/ac	4 du/ac (6)	6 du/ac	8 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac
Maximum Density: Dwelling Unit/Acre (1)						6 du/ac	9 du/ac	12 du/ac	18 du/ac	27 du/ac	36 du/ac	72 du/ac
Minimum Density: % of Base Density (2)						85%	85%	85%	80%	75%	70%	65%
Minimum Lot Width: (3)	135 ft	135 ft	135 ft	35 ft (7)	35 ft (7)	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft
Minimum Street Setback (3)	30 ft	30 ft	30 ft	30 ft (7)	30 ft (7)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 FT (8)	10 FT (8)
Minimum Interior Setback (3)	35 ft (9)	35 ft (9)	35 ft (9)	10 ft (7)	10 ft (7)	5 ft	5 ft	5 ft	5 ft (10)	5 ft (10)	5 ft (10)	5 ft (10)
Base Height (4)	40 ft	40 ft	40 ft	35 ft	35 ft	35 ft	35 ft	35 ft	60 ft	60 ft	60 ft	60 ft 80 ft (14)
Maximum Building Coverage: Percentage (5)	4% (11) (12)	2% (11) (12)	1% (11) (12)	10 % (11) (12)	15% (11) (12)	35%	50%	55%	60%	60%	70%	70%
Maximum Impervious Surface: Percentage (5)	15% (13)	10% (13)	15% (13)	20% (13)	20%	45%	70%	75%	85%	85%	85%	90%

21A.12.030 B. DEVELOPMENT CONDITIONS.

1. The maximum density may be achieved only through the application of residential density incentives or transfers of density credits pursuant to Chapters 21A.34 or 21A.36. Maximum density may only be exceeded pursuant to Section 21A.34.040 F. 1. f.
2. Also see Section 21A.12.060.
3. These standards may be modified under the provisions for zero-lot-line and townhouse developments.
4. Height limits may be increased when portions of the structure which exceed the base height limit provide one additional foot of street and interior setback for each foot above the base height limit, provided that the maximum height may not exceed 75 feet.
5. Applies to each individual lot. Building coverage and impervious surface area standards for:
   a. regional uses shall be established at the time of permit review; or
   b. nonresidential uses in residential zones shall comply with K.C.C. 21A.12.120 and .220.
6. Mobile home parks shall be allowed a base density of six dwelling units per acre.
7. The standards of the R-4 zone shall apply if a lot is less than 15,000 square feet in area.
8. At least 20 linear feet of driveway shall be provided between any garage, carport, or other fenced parking area and the street property line. The linear distance shall be measured along the centerline of the driveway from the access point to such garage, carport or fenced area to the street property line.
9. Residences shall have a setback of at least 100 feet from any property line adjoining A, M or F zones or existing extractive operations.
10. For townhouse and apartment development, the setback shall be 20 feet along any property line abutting R-1 through R-8, RA and UR zones.
11. On any lot over 1 acre in area, an additional 5 percent may be used for buildings related to agricultural or forestry practices.
12. The maximum building coverage shall be 10 percent where the lot is between 1.0 and 1.25 acres in area. The maximum building coverage shall be 15 percent where the lot is less than 1 acre in area.
13. The impervious surface area shall be twenty percent when the lot is between 1.0 and 1.25 acres, and thirty-five percent when the lot is less than 1 acre in area.
14. The base height for projects using residential density incentives and transfer of density credits pursuant to this title is 80 feet. In all other cases, the base height is 60 feet.

SECTION 341.

21A.12.040 A Densities and Dimensions - Resource and Commercial/Industrial Zones 10870

ZONES	RESOURCE				COMMERCIAL/INDUSTRIAL				
	AGRICULTURE		FOREST	MINERAL	NEIGHBORHOOD BUSINESS	COMMUNITY BUSINESS	REGIONAL BUSINESS	OFFICE	INDUSTRIAL
STANDARDS	A-10	A-35	F	M	NB	CB	RB	O	I
Base Density: Dwelling Unit/Acre	0.1 du/ac	.0286 du/ac	.0125 du/ac		8 du/ac (2)	18 du/ac (2)	36 du/ac (2)	36 du/ac (2)	
Maximum Density: Dwelling Unit/Acre					12 du/ac (3)	24 du/ac (3)	48 du/ac (3)	48 du/ac (3)	
Minimum Lot Area	10 acres	35 acres	80 acres	10 acres					
Minimum Depth/ Width (1)	4 to 1	4 to 1							
Minimum Street Setback	30 ft	30 ft	100 ft (4)	(12)	10 ft (5)	10 ft (5)	10 ft (5)	10 ft	25 ft
Minimum Interior Setback	10 ft	10 ft	100 ft (4)	(12)	20 ft (7)	20 ft (7)	20 ft (7)	20 ft (7)	20 ft (7) 50 ft (8)
Base Height (10)	35 ft	35 Ft			35 ft 45 ft (6)	35 ft 60 ft (6)	35 ft 65 ft (6)	45 ft 60 ft (6)	45 ft
Maximum Building Coverage: Percentage	5% 15%(11)	5% 15%(11)	5% 15%(11)						
Maximum Floor/Lot Ratio: Square Feet					1/1 (9)	1.5/1 (9)	2.5/1 (9)	2.5/1 (9)	2.5/1
Maximum Impervious Surface: Percentage	15% 35%(11)	10% 35%(11)	10% 35%(11)		85%	85%	90%	75%	90%

21A.12.040 B. DEVELOPMENT CONDITIONS.

1. The depth-to-width ratio shall be no greater than the ratio indicated.
2. These densities are allowed only through the application of mixed use development standards.
3. These densities may only be achieved through the application of residential density incentives or transfer of density credits in mixed use developments, see K.C.C. 21A.32 and 21A.34.
4. Scaling stations may be located 35 feet from property lines. Residences shall have a setback of at least 30 from all property lines.
5. Gas station pump islands shall be placed no closer than 25 feet to street front lines.
6. This base height allowed only for mixed use developments.
7. Required on property lines adjoining residential zones.
8. Required on property lines adjoining residential zones for industrial uses established by conditional use permits.
9. The floor/lot ratio for mixed use developments shall conform to K.C.C. 21A.14.
10. Height limits may be increased when portions of the structure building which exceed the base height limit provide one additional foot of street and interior setback for each foot above the base height limit, provided the maximum height may exceed 75 feet only in mixed use developments.
11. Applicable only to lots containing less than one acre of lot area.
12. See Section 21A.22.060 for setback requirements in the mineral zone.

SECTION 342.

21A.12.050 Measurement methods. The following provisions shall be used to determine compliance with this title:

A. Street setbacks shall be measured from the existing edge of a street right-of-way or temporary turnaround, except as provided by K.C.C. 21A.12.150;

B. Lot widths shall be measured by scaling a circle of the applicable diameter within the boundaries of the lot, provided that an access easement shall not be included within the circle;

C. Building height shall be measured from the average finished grade to the highest point of the roof. The average finished grade shall be determined by first delineating the smallest square or rectangle which can enclose the building and then averaging the elevations taken at the midpoint of each side of the square or rectangle, provided that the measured elevations do not include berms;

D. Lot area shall be the total horizontal land area contained within the boundaries of a lot; and

E. Impervious surface calculations shall not include areas of turf, landscaping, natural vegetation, or surface water retention/detention facilities.

SECTION 343.

21A.12.060 Minimum Urban Residential Density. Minimum density for residential development in the urban areas designated by the comprehensive plan shall be based on the tables in K.C.C. 21A.12.030, adjusted as provided for in 21A.12.070 - .080.

A. A proposal may be phased, when compliance with the minimum density requirement results in noncompliance with the standards of K.C.C. 21A.28, provided the overall density of the proposal is consistent with this section.

B. Minimum density requirements may be waived by King County if the applicant demonstrates one or more of the following:
   1. The proposed layout of the lots in a subdivision or the buildings in a multiple dwelling development will not preclude future residential development consistent with the minimum density of the zone.
   2. The non-sensitive area of the parcel is of a size or configuration that results in lots which cannot meet the minimum dimensional requirements of the zone.
   3. In the R-12 through R-48 zones, the area of the parcel required to accommodate storm water facilities exceeds 10 percent of the area of the site.
   4. The site contains a national, state or county historic landmark.

SECTION 344.

21A.12.070 Calculations - allowable dwelling units or floor area. Permitted number of units or floor area shall be determined as follows:

A. The maximum allowed number of dwelling units shall be computed by multiplying the site area (in acres) by the applicable residential density;

B. The allowed floor area, which excludes structured or underground parking areas and mechanical equipment shall be computed by multiplying the project site area by the applicable floor/lot area ratio; and

C. When calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows:
   1. Fractions of .50 or above shall be rounded up; and
   2. Fractions below .50 shall be rounded down.

SECTION 345.

21A.12.080 Calculations - site area used for density and floor area calculations.

A. All areas of a site may be used in the calculation of allowed residential density or project floor area except as outlined under the provisions of subsection B. and C..

B. Submerged lands shall not be credited toward density or floor area calculations.

C. Sites containing sensitive areas shall be further subject to the following provisions when calculating density or floor area:

1. Full credit shall be given to areas of a site in the following hazard areas:
   a. coal mine,
   b. erosion,
   c. seismic,
   d. volcanic, and
   e. flood.
2. No credit shall be given to areas of the site actually contained in:
   a. streams, and
   b. wetlands.
3. Partial credit pursuant to K.C.C. 21A.12.080C.4. shall be given to areas of the site in:
   a. any sensitive area buffers required pursuant to K.C.C. 21A.24,
   b. steep slope hazard areas, and
   c. landslide hazard areas.
4. The areas outlined in K.C.C. 21A.12.080.C.3 shall be given partial credit as follows:

Percentage of site in any sensitive area or buffer	Amount of density credit
0-10%	100%
For sites containing between 11 and 100% sensitive areas and/or buffers:	1% reduction of density credit for every percentage of area within a sensitive area and buffer over the initial 10% applied to the area within a sensitive area and buffer.

Example: For a site containing 15% of its area in sensitive areas and buffers, a 5% reduction shall be applied to the density for the area within sensitive areas and/or buffers (95% density applied to the area within sensitive areas and/or buffers).

SECTION 346.

21A.12.090 Lot area - prohibited reduction. Any portion of a lot that was used to calculate compliance with the standards and regulations of this title shall not be subsequently subdivided or segregated from such lot.

SECTION 347.

21A.12.100 Lot area - minimum lot area for construction. Except as provided for nonconformances in K.C.C. 21A.32:

A. In the UR and R zones no construction shall be permitted on a lot that contains an area of less than 2,500 square feet or that does not comply with the applicable minimum lot width, except for townhouse developments or zero-lot-line subdivisions; and
B. In the A, F or RA zones:
   1. Construction shall not be permitted on a lot containing less than 5,000 square feet; and
   2. Construction shall be limited to one dwelling unit and residential accessory uses for lots containing greater than 5,000 square feet, but less than 12,500 square feet.

SECTION 348.

21A.12.110 Measurement of setbacks. A. Interior setback: the interior setback is measured from the interior lot line to a line parallel to and measured perpendicularly from the interior lot lines at the depth prescribed for each zone.

B. Street setback: the street setback is measured from the street right-of-way or the edge of a surface improvement which extends beyond a right-of-way, whichever is closer to the proposed structure, to a line parallel to and measured perpendicularly from the street right-of-way or the edge of the surface improvement at the depth prescribed for each zone.

SECTION 349.

21A.12.120 Setbacks - Specific building or use. When a building or use is required to maintain a specific setback from a property line or other building, such setback shall apply only to the specified building or use.

SECTION 350.

21A.12.130 Setbacks - modifications. The following setback modifications are permitted:

A. When the common property line of two lots is covered by a building(s), the setbacks required by this chapter shall not apply along the common property line; and
B. When a lot is located between lots having nonconforming street setbacks, the required street setback for such lot may be the average of the two nonconforming setbacks or 60 percent of the required street setback, whichever results in the greater street setback.

SECTION 351.

21A.12.140 Setbacks - from regional utility corridors. A. In subdivisions and short subdivisions, areas used as regional utility corridors shall be contained in separate tracts.

B. In other types of land development permits, easements shall be used to delineate such corridors.
C. All buildings and structures shall maintain a minimum distance of five feet from property or easement lines delineating the boundary of regional utility corridors, except for utility structures necessary to the operation of the utility corridor.

SECTION 352.

21A.12.150 Setbacks - from alley. A. Structures may be built to a property line abutting an alley, except as provided in subsection B.

B. Vehicle access points from garages, carports or fenced parking areas shall be set back from the alley property line to provide a straight line length of at least 26 feet from the access point to the opposite edge of the alley. No portion of the garage or the door in motion may cross the property line.

SECTION 353.

21A.12.160 Setbacks - adjoining half-street or designated arterial. In addition to providing the standard street setback, a lot adjoining a half-street or designated arterial shall provide an additional width of street setback sufficient to accommodate construction of the planned half-street or arterial.

SECTION 354.

21A.12.170 Setbacks - projections allowed. Projections may extend into required setbacks as follows:

A. Fireplace structures, bay or garden windows, enclosed stair landings, closets, or similar structures may project into any setback, provided such projections are:
   1. Limited to two per facade;
   2. Not wider than 10 feet; and
   3. Not more than 24 inches into an interior setback or 30 inches into a street setback;
B. Uncovered porches and decks which exceed 18 inches above the finished grade may project:
   1. Eighteen inches into interior setbacks, and
   2. Five feet into the street setback;

C. Uncovered porches and decks not exceeding 18 inches above the finished grade may project to the property line;
D. Eaves may not project more than:
   1. Eighteen inches into an interior setback,
   2. Twenty-four inches into a street setback, or
   3. Eighteen inches across a lot line in a zero-lot-line development; and
E. Fences with a height of six feet or less may project into any setback, provided that the sight distance requirements of K.C.C. 21A.12.210 are maintained.

SECTION 355.

21A.12.180 Height - exceptions to limits. The following structures may be erected above the height limits of K.C.C. 21A.12.030-.050.

A. Roof structures housing or screening elevators, stairways, tanks, ventilating fans or similar equipment required for building operation and maintenance; and
B. Fire or parapet walls, skylights, flagpoles, chimneys, smokestacks, church steeples, communication transmission and receiving structures, utility line towers and poles, and similar structures.

SECTION 356.

21A.12.190 Height - limits near major airports. No building or structure shall be erected nor shall any tree be allowed to grow to a height in excess of the height limit established by the Airport Height Maps for the Seattle-Tacoma International Airport and the King County Airport (Boeing Field).

SECTION 357.

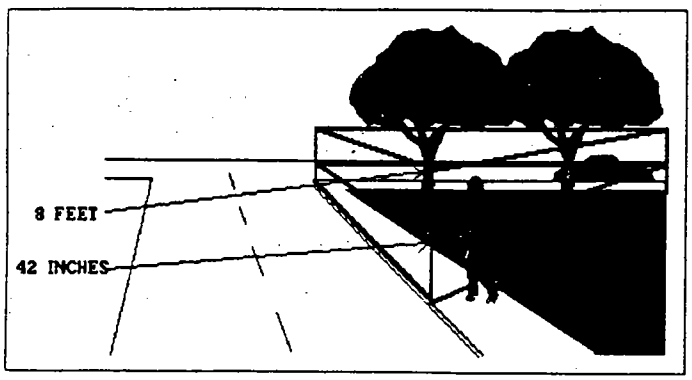
21A.12.200 Lot divided by zone boundary. When a lot is divided by a zone boundary, the following rules shall apply:

A. When a lot contains both residential and non-residential zoning, the zone boundary between the zones shall be considered a lot line for determining permitted building height and required set-backs on the site;
B. When a lot contains residential zones of varying density, any residential density transfer within the lot shall only be allowed from the portion with the lesser residential density to that of the greater residential density; and
C. Uses on each portion of the lot shall only be those permitted in each zone pursuant to K.C.C. 21A.08.

SECTION 358.

21A.12.210 Sight distance requirements. Except for utility poles and traffic control signs, the following sight distance provisions shall apply to all intersections and site access points:

A. A sight distance triangle area as determined by Section 21A.12.210.B shall contain no fence, berm, vegetation, on-site vehicle parking area, signs or other physical obstruction between 42 inches and eight feet above the existing street grade;



NOTE: The area of a sight distance triangle between 42 inches and eight feet above the existing street grade shall remain open.

B. The sight distance triangle at:
   1. A street intersection shall be determined by measuring 15 feet along both street property lines beginning at their point of intersection. The third side of the triangle shall be a line connecting the endpoints of the first two sides of the triangle; or
   2. A site access point shall be determined by measuring 15 feet along the street lines and 15 feet along the edges of the driveway beginning at the respective points of intersection. The third side of each triangle shall be a line connecting the endpoints of the first two sides of each triangle; and
C. The director may require modification or removal of structures or landscaping located in required street setbacks, if:
   1. Such improvements prevent adequate sight distance to drivers entering or leaving a driveway, and,
   2. No reasonable driveway relocation alternative for an adjoining lot is feasible.

SECTION 359.

21A.12.220 Nonresidential land uses in residential zones. Except for utility facilities, personal service and retail establishments, and uses listed in K.C.C. 21A.08.100, all nonresidential uses located in the RA, UR, or R zones shall be subject to the following requirements:

A. Building coverage shall not exceed:
   1. Twenty percent of the site in the RA zone.
   2. Forty percent of the site in the UR and the R-1 through R-8 zones.
   3. Sixty percent of the site in the R-12 through R-48 zones.
B. Impervious surface coverage shall not exceed:
   1. Thirty-five percent of the site in the RA zone.
   2. Sixty percent of the site in the UR and the R-1 through R-8 zones.
   3. Eighty percent of the site in the R-12 through R-48 zones.
C. Buildings and structures, except fences and wire or mesh backstops, shall not be closer than 30 feet to any property line, except as provided in subsection D.
D. Single detached dwelling allowed as accessory to a church or school shall conform to the setback requirements of the zone.
E. Parking areas are permitted within the required setback area from property lines, provided such parking areas are located outside of the required landscape area.
F. Sites shall abut or be accessible from at least one public street functioning at a level consistent with King County Road Design Standards. New high school sites shall abut or be accessible from a public street functioning as an arterial per the King County Design Standards.
G. The base height shall conform to the zone in which the use is located.
H. Building illumination and lighted signs shall be designed so that no direct rays of light are projected into neighboring residences or onto any street right-of-way

SECTION 360.

21A.12.230 Personal services and retail uses in residential zones. The general personal service use (SIC # 72 except 7216, 7218 and 7261) listed in K.C.C. 21A.08.050 and the retail uses, except agricultural crop sales, listed in K.C.C. 21A.08.070 which are located in the R-4 through R-48 zones shall be subject to the following requirements:

A. Each individual establishment shall not exceed 5,000 square feet of gross floor area and the combined total of all contiguous commercial establishments shall not exceed 15,000 square feet of gross floor area;

B. Establishments shall not be located less than one mile from another commercial establishment, unless located with other establishments meeting the criteria in paragraph A.;

C. Establishment sites shall abut an intersection of two public streets, each of which is designated as a neighborhood collector or arterial and which has improved pedestrian facilities for at least 1/4th mile from the site;

D. The maximum on-site parking ratios for establishments and sites shall be 2 per 1000 square feet and required parking shall not be located between the building(s) and the street; and
E. Buildings shall comply with the building facade modulation and roofline variation requirements in K.C.C. 21A.14.080 and .090 and at least one facade of the building shall be located within five feet of the sidewalk.
F. If the personal service or retail use is located in a building with multifamily uses, then the commercial use shall be on the ground floor and shall not exceed 25 percent of the total floor area of the building.
G. Sign and landscaping standards for the use apply.

CHAPTER 21A.14 DEVELOPMENT STANDARDS DESIGN REQUIREMENTS

SECTIONS:

21A.14.010	Purpose
21A.14.020	General layout standards
21A.14.030	Lot segregations - Zero lot line development
21A.14.040	Lot segregations - Clustered development
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21A.14.130	Mixed use development - Building floor area
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21A.14.170	Mobile home parks - Alternative design standards
21A.14.180	On-site recreation - Space required
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21A.14.200	On-site recreation - Maintenance of recreation space or dedication
21A.14.210	Storage space and collection points for recyclables
21A.14.220	Fences
21A.14.230	Trail corridors - Applicability
21A.14.240	Trail corridors - Design standards
21A.14.250	Trail corridors - Maintenance of trail corridors/improvements

SECTION 361.

21A.14.010 Purpose. The purpose of this chapter is to improve the quality of urban development by providing building and site design standards that:

A. Reduce the visual impact of large residential buildings from adjacent streets and properties;

B. Enhance the aesthetic character of large residential buildings;

C. Contain sufficient flexibility of standards to encourage creative and innovative site and building design; and

D. Meet the on-site recreation needs of project residents.

SECTION 362.

21A.14.020 General layout standards. For residential developments in the UR and R zones: A. The maximum length of blocks shall be 1,320 feet; and

B. Except for corner lots, lots for single detached dwellings shall not have street frontage along two sides unless one of said streets is a neighborhood collector street or an arterial street.

SECTION 363.

21A.14.030 Lot segregations - Zero lot line development. In any UR or R zone, interior setbacks may be modified during subdivision or short subdivision review as follows:

A. If a building is proposed to be located within a normally required interior setback:

1. An easement shall be provided on the abutting lot of the subdivision that is wide enough to ensure a 10-foot separation between the walls of structures on adjoining lots, except as provided for common wall construction;

2. The easement area shall be free of structures and other obstructions that would prevent normal repair and maintenance of the structure's exterior;

3. Buildings utilizing reduced setbacks shall not have doors that open directly onto the private yard areas of abutting property. Windows in such buildings shall not be oriented toward such private yard areas unless they consist of materials such as glass block, textured glass, or other opaque materials, and shall not be capable of being opened, except for clerestory-style windows or skylights; and

4. The final plat or short plat shall show the approximate location of buildings proposed to be placed in a standard setback area.

B. In the UR or R zones, setbacks on existing individual lots may be modified provided that the standards set forth in subsection A-1 of this section are met.

SECTION 364.

21A.14.040 Lot segregations - Clustered development. When residential lot clustering is proposed, the following provisions shall be met:

A. Any open space resulting from lot clustering shall not be altered or disturbed except as specified on recorded documents creating the open space. Such open spaces may be retained under ownership by the subdivider, conveyed to residents of the development, or conveyed to a third party;

B. In the RA zone:

1. No more than eight lots of less than 2.5 acres shall be allowed in a cluster;

2. No more than eight lots of less than 2.5 acres shall be served by a single cul-de-sac street;

3. Clusters containing two or more lots of less than 2.5 acres, whether in the same or adjacent developments, shall be separated from similar clusters by at least 120 feet, and

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

SECTION 365.

21A.14.050 Lot segregations - UR zone reserve tract. Subdivision of UR zoned property of 10 or more acres shall be required to be clustered and a reserve tract shall be created for future development pursuant to the following provisions:

A. The reserve tract shall be no less than 75 percent of the net developable area of the property to be subdivided.

B. The reserve tract shall be configured to contain lands with topography and natural features that allow future conversion of the reserve tract to residential development at urban densities.

C. The reserve tract may contain a single dwelling unit, provided:

1. The unit was included in the overall density calculations for the original subdivision creating the reserve tract, and

2. The unit was noted on the face of the original subdivision (plat or short plat).

D. The reserve tract shall not be altered or disturbed except as specified on the face of the original subdivision (plat or short plat).

E. The reserve tract may be retained under the ownership of the subdivider, conveyed to residents of the subdivisions, or conveyed to a third party. Regardless of ownership of the reserve tract, all restrictions relative to the reserve tract shall apply.

F. The reserve tract shall not be used to satisfy the recreation space requirement of the original subdivision.
G. The layout of the lots and roadways created in the original subdivision shall facilitate future development of the reserve tract.
H. The lots created in the original subdivision shall be of a sufficient area to comply with on-site sewage disposal requirements, if public sewers are not available.
I. The reserve tract shall not be eligible for further subdivision until such time that reclassification of the reserve tract occurs pursuant to the community plan area zoning process outlined in K.C.C. 20.08.030.
J. Any proposed subsequent development on the reserve tract shall be governed by the development standards in effect at the time of such development.

SECTION 366.

21A.14.060 Townhouse development. In the R-1 through R-8 zones, a building that contains a grouping of attached townhouse units shall not exceed a 200 foot maximum length without a separation of at least 20 feet from other groupings or rows of townhouses.

SECTION 367.

21A.14.070 Attached dwellings and group residences - Applicability. The standards of K.C.C. 21A.14.080 through 21A.14.100 shall apply to all new apartment developments exceeding four dwelling units, new townhouse development and new group residences except Class I Community Residential Facilities ("CRF-I"). Expansions of existing development that involve four or more dwelling units shall be subject to compliance with K.C.C. 21A.14.080 to 21A.14.100.

SECTION 368.

21A.14.080 Attached dwellings and group residences - Vehicular access and parking location.
A. On sites abutting an alley constructed to a width of at least 20 feet, apartment and townhouse development and all group residences except Class I Community Residential Facilities ("CRF-I) shall have parking areas placed to the rear of buildings with primary vehicular access via the alley, except when waived by the director due to physical site limitations.
B. When alley access is provided, no additional driveway access from the public street shall be allowed except as necessary to access parking under the structure.
C. When common parking facilities for attached dwellings and group residences exceed 30 spaces, no more than 50 percent of the required parking shall be permitted between the street property line and any building, except when authorized by the director due to physical site limitations.

SECTION 369.

21A.14.090 Attached dwellings and group residences - Building facade modulation. Apartment and townhouse developments and all group residences shall provide building facade modulation on facades exceeding 60 feet and facing abutting streets or properties zoned R-1 through R-8. The following standards shall apply:
A. The maximum wall length without modulation shall be 30 feet;
B. The minimum modulation depth shall be three feet; and
C. The minimum modulation width shall be eight feet.

SECTION 370.

21A.14.100 Attached dwellings and group residences - Roofline variation. Apartments and townhouse developments and all group residences shall provide roofline variation on rooflines exceeding 60 feet according to the following standards:
A. The maximum roof length without variation shall be 30 feet;
B. The minimum horizontal or vertical offset shall be three feet;
C. The minimum variation length shall be eight feet; and

D. Roofline variation shall be achieved using one or more of the following methods:
1. Vertical off-set in ridge line;
2. Horizontal off-set in ridge line;
3. Variations of roof pitch;
4. Gables;
5. False facades; or
6. Any other technique approved by the director that achieves the intent of this section.

SECTION 371.

21A.14.110 Mixed use development - Percentages of residential uses. Residential uses in mixed use developments shall be provided as follows:

A. A minimum of twenty-five percent to a maximum of fifty percent of the total built floor area when located in NB zones; and

B. A minimum of fifty percent to a maximum of seventy-five percent of the total built floor area when located in CB, RB and O zones, provided that the total percentage may be increased by an additional fifteen percent with the approval of a conditional use permit.

SECTION 372.

21A.14.120 Mixed use development - Residential density. Base residential density for mixed use developments shall be determined using total site area according to K.C.C. 21A.12.040A.

SECTION 373.

21A.14.130 Mixed use development - Building floor area. A. The building floor area ratio for mixed use developments shall be as follows:
1. 1.5/1 in NB zones;
2. 3.5/1 in CB zones; and
3. 4.0/1 in RB and O zones;

B. Building floor area ratios of K.C.C. 21A.14.130A may be increased when all required parking is contained within a common parking structure, as follows:
1. 2.0/1 in NB zones;
2. 4.5/1 in CB zones; and
3. 5.0/1 in RB and O zones.

SECTION 374.

21A.14.140 Mixed use development - Shared parking. For mixed use developments, a 20 percent reduction of required parking shall be permitted when the criteria of K.C.C. 21A.18.040. for shared parking facilities are met.

SECTION 375.

21A.14.150 Mobile home parks - Standards for existing parks. A. Mobile home parks established prior to the effective date of this code shall continue to be governed by all standards relating to density, setbacks, landscaping and off-street parking in effect at the time they were approved.

B. Placement of new accessory structures and replacement mobile homes, either standard or nonstandard, in these mobile home parks shall be governed by the dimensional standards in effect when the parks were approved, unless two or more replacement mobile homes are proposed to be installed adjacent to each other under the flexible setback option set forth in K.C.C. 21A.14.170. Where internal setbacks are not specified, the average of the prevailing setbacks on the pads to either side of the proposed new or replacement structure shall apply.

C. No spaces or pads in an existing mobile home park shall be used to accommodate recreational vehicles (RVs), except when the spaces or pads were specifically for RVs at the time the park was established.

D. An existing mobile home park may be enlarged, provided the proposed enlargement meets the standards set forth in K.C.C. 21A.14.160 and K.C.C. 21A.14.170.
E. Both insignia and non-insignia mobile homes may be installed in established parks, provided that all mobile homes supported by piers shall be fully skirted, and that nonstandard mobile homes shall meet the minimum livability and safety requirements set forth in K.C.C. Title 16, Building Code and Construction Standards.

SECTION 376.

21A.14.160 Mobile home parks - Standards for new parks. New mobile home parks shall be developed subject to the following standards:
A. A mobile home park shall be at least three acres in area;
B. Residential densities in a mobile home park shall be as follows:
1. Six dwellings per acre in R-4 zone;
2. The base density of the zone in which the park is located in all R-6 through R-48 zones; and
3. Mobile home parks shall be eligible to achieve the maximum density permitted in the zone by providing the affordable housing benefit for mobile home parks set forth in K.C.C. 21A.34;
C. Both insignia and non-insignia mobile homes may be installed in mobile home parks, provided that non-insignia mobile homes shall meet the minimum livability and safety requirements set forth in K.C.C. Title 16, Building Code;
D. A mobile home park shall be exempt from the building coverage and impervious surface limits set forth in K.C.C. 21A.12;
E. At least one of the off-street parking spaces required for each mobile home shall be located on or adjacent to each mobile home pad;
F. Internal roads and sidewalks shall provide access to each mobile home space and shall be constructed in accordance with the adopted King County road standards for residential minor access streets;
G. There shall be a minimum of ten feet of separation maintained between all mobile homes on the site, unless the flexible setback option set forth in K.C.C. 21A.14.170 is used. Accessory structures shall be located no closer than:
1. Ten feet to mobile homes on adjacent spaces, unless constructed of noncombustible materials, in which case the minimum setback shall be five feet;
2. Five feet to accessory structures of mobile homes on adjacent spaces; and
3. Five feet to the mobile home or other accessory structures on the same space, except a carport or garage may be attached to the mobile home, and the separation may be waived when such structures are constructed of noncombustible materials;
H. All mobile homes and RVs supported by piers shall be fully skirted; and
I. A mobile home park may include a storage area for RVs owned by residents of the park, provided the storage area contains no utility hook-ups and no RV within the storage area shall be used as living quarters.

SECTION 377.

21A.14.170 Mobile home parks - Alternative design standards. As an alternative to the building separation and internal street standards of K.C.C. 21A.14.160:
A. Building separation requirements or setbacks between mobile homes and accessory structures on adjacent spaces may be modified, provided:
1. The common walls meet the fire protection standards set forth in the Uniform Building Code and the standards set forth in the Uniform Fire Code for duplexes, multifamily and condominium developments, as applicable; and
2. Rental agreement clauses, by-laws or other legal mechanisms stipulate maintenance responsibilities for structures, fences and yards;

B. Private streets may be used with a minimum driving surface of 22 feet in width, provided:
1. The streets comply in all other respects with the road standards;
2. All required parking is located off-street and as specified in K.C.C. 21A.14.160.E; and
3. Such streets shall not:
a. directly connect two or more points of vehicular access to the park; or
b. serve over 100 dwelling units within the park.

SECTION 378.

21A.14.180 On-site recreation - Space required. A. Residential developments if more than four units in the UR and R zones, and mixed use developments if more than four units, shall provide recreation space as follows:

1. Residential subdivision and townhouses developed at a density of eight units or less per acre - 390 square feet per unit;
2. Mobile home park - 260 square feet per unit; and
3. Apartment,townhouses developed at a density of greater than eight units per acre, and mixed use:
a. Studio and one bedroom - 90 square feet per unit;
b. Two bedroom - 130 square feet per unit; and
c. Three or more bedroom - 170 square feet per unit;

B. Any recreation space located outdoors shall:
1. Be of a grade and surface suitable for recreation;
2. Be on the site of the proposed development;
3. Contain at least 5,000 square feet in area, provided that when more than one recreation space is proposed, only one of the proposed recreation spaces is required to meet the area requirement;
4. Have no dimensions less than 30 feet (except trail segments);
5. In single detached or townhouse subdivision development, have a street roadway or parking area frontage along 10 to 50 percent of the recreation space perimeter (except trail segments);
6. Be centrally located and accessible and convenient to all residents within the development ; and
7. Be connected by trail or walkway to any existing or planned community park, public open space or trail system, which may be located on adjoining property.

C. Indoor recreation areas may be credited towards the total recreation space requirement, when the county determines that such areas are located, designed and improved in a manner which provides recreational opportunities functionally equivalent to those recreational opportunities available outdoors.

SECTION 379.

21A.14.190 On-site recreation - Play areas required. A. All single detached subdivisions, apartment, townhouse, and mixed use development, excluding age restricted senior citizen housing, shall provide tot/children play areas within the recreation space on-site, except when facilities are available within 1/4 mile that are developed as public parks or playgrounds and are accessible without crossing of arterial streets.

B. If any play apparatus is provided in the play area, the apparatus shall meet Consumer Product Safety Standards for equipment, soft surfacing and spacing, and shall be located in an area that is:
1. At least 400 square feet in size with no dimension less than 20 feet; and
2. Adjacent to main pedestrian paths or near building entrances.

SECTION 380.

21A.14.200 On-site recreation - Maintenance of recreation space or dedication. A. Recreation space as defined in 21A.14.180. B may be dedicated as a public park in lieu of providing the on-site recreation required above when the following criteria are met:

1. The dedicated area is at least 20 acres in size, except when adjacent to an existing or planned county park; and
2. The dedicated land provides one or more of the following:
   a. Shoreline access,
   b. Regional trail linkages,
   c. Habitat linkages,
   d. Recreation facilities, or
   e. Heritage sites; and
3. The dedicated area is located within 1 mile of the project site.

B. Unless the recreation space is dedicated to King County pursuant to subsection A., maintenance of any recreation space retained in private ownership shall be the responsibility of the owner or other separate entity capable of long-term maintenance and operation in a manner acceptable to parks division.

SECTION 381.

21A.14.210 Storage space and collection points for recyclables. Developments shall provide storage space for the collection of recyclables as follows:

A. The storage space shall be provided at the rate of:
1. One and one-half square feet per dwelling unit in multiple-dwelling developments except where the development is participating in a county-sponsored or approved direct collection program in which individual recycling bins are used for curbside collection;
2. Two square feet per every 1,000 square feet of building gross floor area in office, educational and institutional developments;
3. Three square feet per every 1,000 square feet of building gross floor area in manufacturing and other non-residential developments; and
4. Five square feet per every 1,000 square feet of building gross floor area in retail developments.

B. The storage space for residential developments shall be apportioned and located in collection points as follows:
1. The required storage area shall be dispersed in collection points throughout the site when a residential development comprises more than one building.
2. There shall be one collection point for every 30 dwelling units.
3. Collection points may be located within residential buildings, in separate buildings/structures without dwelling units, or outdoors.
4. Collection points located in separate buildings/structures or outdoors shall be no more than 200 feet from a common entrance of a residential building.
5. Collection points shall be located in a manner so that hauling trucks do not obstruct pedestrian or vehicle traffic on-site, or project into any public right-of-way.

C. The storage space for non-residential development shall be apportioned and located in collection points as follows:
1. Storage space may be allocated to a centralized collection point.
2. Outdoor collection points shall not be located in any required setback areas.
3. Collection points shall be located in a manner so that hauling trucks do not obstruct pedestrian or vehicle traffic on-site, or project into any public right-of-way.
4. Access to collection points may be limited, except during regular business hours and/or specified collection hours.

D. The collection points shall be designed as follows:
1. Dimensions of the collection points shall be of sufficient width and depth to enclose containers for recyclables.
2. Architectural design of any structure enclosing an outdoor collection point or any building primarily used to contain a collection point shall be consistent with the design of the primary structure(s) on the site.

3. Collection points shall be identified by signs not exceeding two square feet.

4. A six foot wall or fence shall enclose any outdoor collection point, excluding collection points located in industrial developments that are greater than 100 feet from residentially zoned property.

5. Enclosures for outdoor collection points and buildings used primarily to contain a collection point shall have gate openings at least 12 feet wide for haulers. In addition, the gate opening for any building or other roofed structure used primarily as a collection point shall have a vertical clearance of at least 12 feet.

6. Weather protection of recyclables shall be ensured by using weather-proof containers or by providing a roof over the storage area.

E. Only recyclable materials generated on-site shall be collected and stored at such collection points. Except for initial sorting of recycables by users, all other processing of such materials shall be conducted off-site.

SECTION 382.

21A.14.220 Fences. Fences are permitted as follows:

A. Fences exceeding a height of six feet shall comply with the applicable street and interior setbacks of the zone in which the property is located;

B. The height of a fence located on a rockery, retaining wall, or berm shall be measured from the top of the fence to the ground on the low side of the rockery, retaining wall, or berm;

C. When a protective fence is located on top of a rockery within the required setback area, any portion of the fence above a height of six feet shall be an open-work fence;

D. Electric fences shall:

1. Be permitted in all zones, provided that when placed within R-4 through R-48 zones, additional fencing or other barriers shall be constructed to prevent inadvertent contact with the electric fence from abutting property;

2. Comply with the following requirements:

a. An electric fence using an interrupted flow of current at intervals of about one second on and two seconds off shall be limited to 2,000 volts at 17 milliamp;

b. An electric fence using continuous current shall be limited to 1,500 volts at seven milliamp;

c. All electric fences in the R-4 through R-48 zones shall be posted with permanent signs a minimum of 36 square inches in area at 50 foot intervals stating that the fence is electrified; and

d. Electric fences sold as a complete and assembled unit can be installed by an owner if the controlling elements of the installation are certified by an A.N.S.I. approved testing agency; and

E. Except as specifically required for the necessary security related to a nonresidential use, no barbed or razor-wire fence shall be located in any R-4 through R-48 zone.

SECTION 383.

21A.14.230 Trail Corridors - Applicability. Trail easements shall be provided by any development, except for single detached residential permits, when such developments are located within any community or regional trail corridor identified by an adopted King County Functional Plan or Community Plan identifying community and/or regional trail systems. The residents or tenants of the development shall be provided access to the trail easement. The area of the trail easement shall be counted as part of the site for purposes of density and floor area calculations.

SECTION 384.

21A.14.240 Trail Corridors - Design standards. Trail design shall be reviewed by the parks department for consistency with adopted standards for:

A. Width of the trail corridor;

B. Location of the trail corridor on the site;

C. Surfacing improvements; and

D. Use(s) permitted within the corridor.

SECTION 385.

21A.14.250 Trail Corridors - Maintenance of trail corridors/improvements. Maintenance of any trail corridor or improvements, retained in private ownership, shall be the responsibility of the owner or other separate entity capable of long-term maintenance and operation in a manner acceptable to the parks division.

CHAPTER 21A.16 DEVELOPMENT STANDARDS
TREE RETENTION AND LANDSCAPING

SECTIONS:

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SECTION 386.

21A.16.010 Purpose. The purpose of this chapter is to preserve the aesthetic character of communities; to improve the aesthetic quality of the built environment; to promote retention and protection of existing vegetation; to reduce the impacts of development on drainage systems and natural habitats; and to increase privacy for residential zones by:

A. Providing visual relief from large expanses of parking areas and reduction of perceived building scale;

B. Providing physical separation between residential and non-residential areas;

C. Providing visual screens and barriers as a transition between differing land uses;

D. Retaining existing vegetation and significant trees by incorporating them into the site design; and

E. Providing increased areas of permeable surfaces to allow for:

1. Infiltration of surface water into groundwater resources;
2. Reduction in the quantity of storm water discharge; and
3. Improvement in the quality of storm water discharge.

SECTION 387.

21A.16.020 Application. Except for communication facilities regulated pursuant to K.C.C. 21A.26, all new development listed in K.C.C. 21A.16.030 shall be subject to the landscaping and significant tree retention provisions of this chapter, provided that specific landscaping and tree retention provisions for uses established through a conditional use permit or a special use permit shall be determined during the applicable review process . For the purpose of this chapter, a new development is one that requires a change of occupancy permit or a substantial improvement as defined in K.C.C. 21A.06.

SECTION 388.

21A.16.030 Land use grouping. In order to facilitate the application of this chapter, the land uses of K.C.C. 21A.08 have been grouped in the following manner.

A. Residential development shall refer to those uses listed in K.C.C. 21A.08.030, except those uses listed under Accessory uses, provided:

1. Attached/group residences shall refer to:
   a. townhouses;
   b. apartments;
   c. senior citizen assisted;
   d. temporary lodging; and
   e. group residences other than Type I community residential facilities;
   f. mobile home parks; and
2. Single detached development shall refer to:
   a. residential subdivisions; and
   b. type I community residential facilities.

B. Commercial development shall refer to those uses in:

1. K.C.C. 21A.08.040 as amusement/entertainment uses, except golf facilities;
2. K.C.C. 21A.08 050 except recycling centers, health and educational services, daycare I, churches, synagogues, and temples; and
3. K.C.C. 21A.08.070, except forest product sales and agricultural crop sales.

C. Industrial development shall refer to those listed in:

1. K.C.C. 21A.08.050 as recycling center;
2. K.C.C. 21A.08.060 except government services;
3. K.C.C. 21A.08.080; and
4. K.C.C. 21A.08.090 as mineral extraction and processing.

D. Institutional development shall refer to those uses listed in:

1. K.C.C. 21A.08.040 as cultural uses, except arboretums;
2. K.C.C. 21A.08.050 as churches, synagogues and temples, health services, and education services except specialized instruction schools permitted as an accessory use; and
3. K.C.C. 21A.08.060 as government services.

E. Utility development shall refer to those listed in K.C.C. 21A.08.060 as utility facilities.

F. Uses contained in K.C.C. 21A.08 that are not listed in subsections A-E of this section shall not be subject to landscaping and tree retention except as specified in any applicable review of a conditional use or special use permits.

SECTION 389.

21A.16.040 Landscaping - types and description. The four types of landscaping are described and applied as follows:

A. Type I landscaping:

1. Type I landscaping is a "full screen" that functions as a visual barrier. This landscaping is typically found adjacent to freeways and between residential and non-residential areas.
2. Type I landscaping shall consist of:
   a. A mix of primarily evergreen trees and shrubs placed to form a continuous screen;
   b. At least 70 percent evergreen trees;
   c. Evergreen trees spaced no more than 15 feet on center;
   d. Broadleaf trees spaced no more than 20 feet on center;
   e. Evergreen shrubs spaced no more than four feet apart; and
   f. Ground cover pursuant to K.C.C. 21A.16.090;

B. Type II landscaping:

1. Type II landscaping is a "filtered screen" that functions as a visual separator. This landscaping is typically found between commercial and industrial uses; between differing types of residential development; and to screen industrial uses from the street;

2. Type II landscaping shall consist of:
   a. A mix of evergreen and broadleaf trees and shrubs spaced to create a filtered screen;
   b. At least 50 percent broadleaf trees and at least 30 percent evergreen trees;
   c. Evergreen trees spaced no more than 15 feet on center;
   d. Broadleaf trees spaced no more than 20 feet on center;
   e. Shrubs spaced no more than five feet apart; and
   f. Ground cover pursuant to K.C.C. 21A.16 090;

C. Type III landscaping:

1. Type III landscaping is a "see-through buffer" that functions as a partial visual separator to soften the appearance of parking areas and building elevations. This landscaping is typically found along street frontage or between apartment developments;

2. Type III landscaping shall consist of:
   a. A mix of evergreen and broadleaf trees spaced to create a continuous canopy;
   b. At least 70 percent broadleaf trees;
   c. Trees spaced no more than 25 feet on center;
   d. Shrubs, that do not exceed a height of four feet , spaced no more than four feet apart; and
   e. Ground cover pursuant to K.C.C. 21A.16.090;

D. Type IV landscaping:

1. Type IV landscaping is "parking area landscaping" that provides shade and visual relief while maintaining clear sight lines within parking areas;

2. Type IV landscaping shall consist of:
   a. Canopy-type broadleaf or evergreen trees, evergreen shrubs and ground covers planted in islands or strips;
   b. Shrubs that do not exceed a height of four feet;
   c. Plantings contained in planting islands or strips having an area of at least 75 square feet and with a narrow dimension of no less than four feet;
   d. Ground cover pursuant to K.C.C. 21A.16.090; and
   e. At least 70 percent of the trees shall be broadleaf.

SECTION 390.

21A.16.050 Landscaping - street frontages. Perimeter landscaping along street frontages shall be provided as follows:

A. Twenty feet of Type II landscaping shall be provided for an institutional use, excluding playgrounds and playfields;

B. Ten feet of Type II landscaping shall be provided for an industrial development;

C. Ten feet of Type II landscaping shall be provided for an above ground utility facilities development located outside a public right-of-way;

D. Ten feet of Type III landscaping shall be provided for a commercial or attached/group residence development; and

E. For single detached subdivisions:

1. Trees shall be planted at the rate of one tree for every:
   a. Fifty feet of frontage along a neighborhood collector street; and
   b. Forty feet of frontage along an arterial street.

2. The trees shall be:
   a. Located within the street right-of-way if permitted by the custodial state or local agency;
   b. No more than 20 feet from the street right-of-way line when located within a lot;
   c. Maintained by the adjacent landowner unless part of a county maintenance program; and
   d. A species approved by the county.

3. The trees may be spaced at irregular intervals in order to accommodate sight distance requirements for driveways and intersections.

SECTION 391.

21A.16.060 Landscaping - interior lot lines. Perimeter landscaping along interior lot lines shall be provided as follows:

A. Twenty feet of Type I landscaping shall be included in a commercial or industrial development along any portion adjacent to a residential development;

B. Ten feet of Type II landscaping shall be included in an attached/group residence development, except along portions of the development adjacent to another attached/group residence development or any non-residential use the requirement shall be five feet of Type II landscaping;

C. Ten feet of Type II landscaping shall be included in an industrial development along any portion adjacent to a commercial or institutional development; and

D. Ten feet of Type II landscaping shall be included in an institutional use, excluding of playgrounds and playfields, or an above-ground subregional utility development, excluding distribution or transmission corridors, when located outside a public right-of-way.

SECTION 392.

21A.16.070 Landscaping - surface parking areas. Type IV landscaping shall be provided within surface parking areas with ten or more parking stall as follows:

A. Residential developments with common parking areas shall provide planting areas at the rate of 20 square feet per parking stall;

B. Commercial, industrial, or institutional developments, shall provided landscaping a rate of:

1. Twenty square feet per parking stall when 10 to 30 parking stalls are provided; and
2. Twenty-five square feet per parking stall when 31 or more parking stalls are provided;

C. Trees shall be provided and distributed throughout the parking area at a rate of:

1. One tree for every five parking stalls for a commercial or industrial development; and
2. One tree for every ten parking stalls for residential or institutional development;

D. The maximum distance between any parking stall and required parking area landscaping shall be no more than 65 feet;

E. Permanent curbs or structural barriers shall be provided to protect the plantings from vehicle overhang.

SECTION 393.

21A.16.080 Landscaping - adjacent to freeway rights-of-way. A. All residential developments shall provide a minimum of 20 feet of Type I landscaping adjacent to freeway rights-of-way.

B. All other developments shall provide a minimum of 20 feet of Type III landscaping adjacent to freeway rights-of-way.

SECTION 394.

21A.16.090 Landscaping - general requirements. Landscape designs shall conform to the following provisions:

A. New landscaping materials shall include species native to the coastal region of the Pacific Northwest or non-invasive naturalized species that have adapted to the climatic conditions of the coastal region of the Pacific Northwest in the following amounts:

1. Seventy-five percent of groundcover and shrubs, and
2. Fifty percent of trees;

B. At least 60 percent of new landscaping materials shall consist of drought-tolerant species, except where site conditions within the required landscape areas assure adequate moisture for growth;

C. Existing vegetation may be used to augment new plantings to meet the standards of this chapter;

D. Broadleaf trees shall have a caliper of at least 1.75 inches at the time of planting. The caliper may be averaged, but no individual tree shall have a caliper of less than 1.5 inches;

E. Evergreen trees shall be at least six feet in height measured from treetop to the ground at the time of planting;
F. When the width of any landscape strip is 20 feet or greater, the required trees shall be staggered in two or more rows;
G. Shrubs shall be :
1. Two-gallon size at time of planting in Type II, III and IV landscaping,
2. At least 24 inches in height at the time of planting for Type I landscaping, and
3. Maintained at a height not exceeding four feet when located in Type III or IV landscaping;
H. Ground covers shall be planted and spaced to result in total coverage of the required landscape area within three years as follows:
1. Four-inch pots at 18-inches on center, or
2. One-gallon or greater sized containers at 24-inches on center;
I. Grass may be used as ground cover only in Type III and IV landscape areas provided that the grass area:
1. Constitutes no more than 30 percent of such landscape areas; and
2. Is at least five feet wide at the smallest dimension;
J. Grass and ground cover areas shall contain at least two inches of composted organic material at finish grade;
K. All fences shall be placed on the inward side of any required perimeter landscaping.
L. Berms shall not exceed a slope of two horizontal feet to one vertical foot (2:1);
M. Existing soils shall be augmented with a two-inch layer of fully composted organic material rototilled a minimum of six inches deep;
N. Landscape areas shall be covered with at least two inches of mulch to minimize evaporation. Mulch shall consist of materials such as yard waste, sawdust and/or manure that is fully composted;
O. Drought-tolerant and nondrought-tolerant species shall be grouped separately and be served by separate irrigation systems ;
P. Required street landscaping may be placed within King County street rights-of-way subject to the County Road Design Standards with the permission of the King County department of public works, provided adequate space is maintained along the street line to replant the required landscaping should subsequent street improvements require the removal of landscaping within the rights-of-way.

SECTION 395.

21A.16.100 Landscaping - alternative options. The following alternative landscape options may be allowed only if they accomplish equal or better levels of screening and are subject to county approval:
A. When the total area for required landscaping and that within the dripline of retained trees exceeds 15 percent of the area of the site, the landscaping requirement may be reduced so that the total required landscape and tree retention area will not exceed the 15 percent of site area;
B. The width of the perimeter landscape strip may be reduced up to 25 percent along any portion where:
1. Berms at least 3 feet in height or architectural barriers at least six feet in height are incorporated into the landscape design; or
2. The landscape materials are incorporated elsewhere on-site;
C. The width of the perimeter landscaping may be reduced up to 25 percent when a development retains an additional 10 percent of significant trees or 10 significant trees per acre on-site (above the requirements of K.C.C. 21A.16.130.C. and D.), whichever is greater;
D. The landscaping requirement may be modified when existing conditions on or adjacent to the site, such as significant topographic differences, vegetation, structures or utilities would render application of this chapter ineffective or result in scenic view obstruction;

E. In pedestrian district overlays, street perimeter landscaping may be waived provided a site plan, consistent with the applicable adopted area zoning document, is approved that provides street trees and other pedestrian-related amenities; and
F. When an existing structure precludes installation of the total amount of required site perimeter landscaping, such landscaping material shall be incorporated on another portion of the site.

SECTION 396.

21A.16.110 Landscaping - irrigation. A. Except for areas of undisturbed existing vegetation or low areas with existing high soil moisture conditions, landscape areas shall have temporary irrigation systems. Such systems shall be removed after 24 months or two growing seasons, whichever occurs first, provided that the plantings are established;
B. Areas of undisturbed existing vegetation or areas where existing site conditions assure adequate soil moisture for growth within the required landscape area shall have temporary irrigation systems only as required to sustain new plantings and shall be determined on a case-by-case basis by the county; and
C. Areas of undisturbed existing vegetation, low areas with existing high soil moisture conditions, or landscape areas consisting of drought-tolerant vegetation shall not have permanent irrigation systems. Permanent irrigation systems may be permitted within all other required landscape areas, provided such systems shall be designed by a certified water use auditor and with:
1. Moisture or precipitation sensors;
2. Automatic timers set for operation during periods of minimum evaporation and that assure adequate moisture levels;
3. Head-to-head spacing, if sprinkler heads are proposed;
4. Pressure regulating devices;
5. Backflow prevention devices; and
6. Separate irrigation zones for:
   a. Turf and planting beds; and
   b. Other non-drought-tolerant species.

SECTION 397.

21A.16.120 Landscaping - installation. A. Landscaping shall be installed no later than three months after issuance of a certificate of occupancy for the project or project phase.
B. The time limit for compliance may be extended to allow installation of landscaping during the next appropriate planting season.

SECTION 398.

21A.16.130 Significant trees - retention required. Except as provided in K.C.C. 21A.16.170, significant trees shall be retained in all residential, commercial, industrial or institutional developments as follows:
A. All significant trees located within any required perimeter landscaping area shall be retained;
B. Ten percent of the significant trees located in the interior of the lot, excluding sensitive areas or their buffers shall be retained in an apartment, townhouse or institutional developments;
C. Five percent of the significant trees located in the interior of the lot, excluding sensitive areas or their buffers shall be retained in commercial or industrial developments;
D. Utility developments and mineral extraction operations shall be exempt from the significant tree retention requirements of this chapter;
E. If significant trees were previously located in a closed, forested situation, an adequate buffer of smaller trees shall be retained or replaced on the fringe of such significant trees;
F. A grouping of three or more existing trees with canopies that touch or overlap, may be substituted for each required significant tree, provided each tree has a diameter of at least three inches when measured four feet above grade;

G. Except as provided in subsection H, significant trees to be retained shall not include significant trees that are:

1. Damaged or diseased,

2. Safety hazards due to potential root, trunk or primary limb failure, or exposure of mature trees which have grown in a closed, forested situation; and

H. At the discretion of the county, damaged or diseased or standing dead trees may be retained and counted toward the significant tree requirement if demonstrated that such trees will provide important wildlife habitat and is not classified as a danger tree.

SECTION 399.

21A.16.140 Significant trees - retention plan. The applicant shall submit a tree retention plan concurrent with a grading permit,building permit or preliminary subdivision or short subdivision application, whichever is reviewed and approved first. The tree retention plan shall consist of:

A. A tree survey that identifies the location, size and species of all significant trees on a site. The tree survey may be conducted by a method that locates individual significant trees or by using standard timber cruising methods to reflect general locations, numbers and grouping of significant trees provided that, when using either method, the survey:

1. Shall also show the location and species of each significant tree that is intended to qualify for additional credit pursuant to K.C.C. 21A.16.150, and

2. Any tree 18 inches or greater diameter for the purpose of establishing wildlife habitat value;

B. A development plan identifying the significant trees that are proposed to be retained, transplanted or restored.

SECTION 400.

21A.16.150 Significant trees - incentives for retention. Each significant tree that is located outside of the area for perimeter landscaping and is retained may be credited as two trees for complying with the retention requirements of K.C.C. 21A.16.130, provided it meets one or more of the following criteria:

A. The tree exceeds 60 feet in height, or 24 inches in diameter for evergreen trees or 30 inches for broadleaf trees;

B. The tree is located in a grouping of at least five trees with canopies that touch or overlap;

C. The tree provides energy savings through winter wind protection or summer shading as a result of its location relative to buildings;

D. The tree belongs to a unique or unusual species;

E. The tree is located within 25 feet of any sensitive area or required sensitive area buffers; and

F. The tree is 18 inch or greater and is identified as providing valuable wildlife habitat.

SECTION 401.

21A.16.160 Significant trees - protection. To provide the best protection for significant trees:

A. No clearing shall be allowed on a site until approval of tree retention and landscape plans;

B. An area of prohibited of disturbance, generally corresponding to the drip line of the significant tree shall be identified during the construction stage with a temporary five-foot high chainlink or plastic net fence;

C. No impervious surfaces, fill, excavation, or storage of construction materials shall be permitted within the area defined by such fencing or stakes;

D. A rock well shall be constructed if the grade level around the tree is to be raised by more than one foot. The inside diameter of the well shall be equal to the diameter of the dripline of the tree ;

E. The grade level shall not be lowered within the larger of the two areas defined as follows:

1. The drip line of the tree(s); or

2. An area around the tree equal to one foot diameter for each inch of tree trunk diameter measured four feet above the ground; and

F. Alternative protection methods may be used if determined by the director to provide equal or greater tree protection.

SECTION 402.

21A.16.170 Significant trees - replacement. When the required number of significant trees cannot be retained, significant trees that are removed shall be replaced with:

A. Transplanted significant trees;

B. New trees measuring three inch caliper or more, at a replacement rate of one and one-half (1.5) inches diameter for every one inch diameter of the removed significant tree; or

C. New trees measuring less than three inch caliper at a replacement rate of two inches diameter for every one inch diameter of the removed significant tree on a space available basis in conjunction with the site plan.

SECTION 403.

21A.16.180 Maintenance. A. All landscaping and significant trees shall be maintained for the life of the project.

B. All landscape materials and significant trees shall be pruned and trimmed as necessary to maintain a healthy growing condition or to prevent primary limb failure;

C. With the exception of dead, diseased or damaged trees specifically retained to provide wildlife habitat; other dead, diseased, damaged or stolen plantings shall be replaced within three months or during the next planting season if the loss does not occur in a planting season; and

D. Landscape areas shall be kept free of trash.

SECTION 404.

21A.16.190 Bonds/security. Performance bonds or other appropriate security (including letters of credit and set aside letters) shall be required for a period of two years after the planting or transplanting of vegetation to insure proper installation, establishment and maintenance.

CHAPTER 21A.18 DEVELOPMENT STANDARDS - PARKING AND CIRCULATION

SECTIONS:

21A.18.010	Purpose
21A.18.020	Authority and application
21A.18.030	Computation of required off-street parking spaces
21A.18.040	Shared parking requirements
21A.18.050	Exceptions for community residential facilities (CRF)
21A.18.060	Handicapped parking requirements
21A.18.070	Loading space requirements
21A.18.080	Stacking spaces for drive-through facilities
21A.18.090	Transit and rideshare provisions
21A.18.100	Pedestrian circulation and access
21A.18.110	Off-street parking plan design standards
21A.18.120	Off-street parking construction standards
21A.18.130	Compact car allowance requirements
21A.18.140	Internal circulation road standards

SECTION 405.

21A.18.010 Purpose. The purpose of this chapter is to provide adequate parking for all uses allowed in this title; to reduce demand for parking by encouraging alternative means of transportation including public transit, rideshare and bicycles; and to increase pedestrian mobility in urban areas by:

A. Setting minimum off street parking standards for different land uses that assure safe, convenient and adequately sized parking facilities within activity centers;

B. Providing incentives to rideshare through preferred parking arrangements;

C. Providing for parking and storage of bicycles;

D. Providing safe direct pedestrian access from public rights-of-way to structures and between developments; and

E. Requiring uses which attract large numbers of employees or customers to provide transit stops.

SECTION 406.

21A.18.020 Authority and application. A. Before an occupancy permit may be granted for any new or enlarged building or for a change of use in any existing building, the use shall be required to meet the provisions of this chapter.

B. If this chapter does not specify a parking requirement for a land use, the director shall establish the minimum requirement based on a study of anticipated parking demand. In the study the applicant shall provide sufficient information to demonstrate that the parking demand for a specific land use will be satisfied. Parking studies shall be prepared by a professional engineer with expertise in traffic and parking analyses, unless an equally qualified individual is authorized by the director.

C. If the required amount of off-street parking has been proposed to be provided off-site, the applicant shall provide written contracts with affected landowners showing that required off-street parking shall be provided in a manner consistent with the provisions of this chapter. The contracts shall be reviewed by the director for compliance with this chapter, and if approved, the contracts shall be recorded with the county records and elections division as a deed restriction on the title to all applicable properties. These deed restrictions may not be revoked or modified without authorization by the director.

SECTION 407.

21A.18.030 Computation of required off-street parking spaces. A. Except as modified in K.C.C. 21A.18.070 B-D, off-street parking areas shall contain at a minimum the number of parking spaces as stipulated in the following table. Off-street parking ratios expressed as number of spaces per square feet means the usable or net square footage of floor area, exclusive of non-public areas. Non-public areas include but are not limited to building maintenance areas, storage areas, closets, or restrooms. If the formula for determining the number of off-street parking spaces results in a fraction, the number of off-street parking spaces shall be rounded to the nearest whole number with fractions of .50 or greater rounding up and fractions below .50 rounding down.

LAND USE	MINIMUM PARKING SPACES REQUIRED
RESIDENTIAL (K.C.C. 21A.08.030A):	
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	1.8 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 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
RECREATION/CULTURAL (K.C.C. 21A.08.040A):	
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
Golf driving range	1 per tee
Park/playfield	(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.

LAND USE	MINIMUM PARKING SPACES REQUIRED
GENERAL SERVICES (K.C.C. 21A.08.050A):	
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
GOVERNMENT/BUSINESS SERVICES (K.C.C. 21A.08.060A):	
Government/business services uses:	1 per 300 square feet
Exceptions:	
Public agency yard	1 per 300 square feet of offices, plus .9 per 1,000 square feet of indoor storage or repair areas
Public agency archives	.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 .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 .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

LAND USE	MINIMUM PARKING SPACES REQUIRED
RETAIL/WHOLESALE (K.C.C. 21A.08.070A):	
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
Wholesale trade uses	.9 per 1000 square feet
Retail and wholesale trade mixed use	1 per 300 square feet
MANUFACTURING (K.C.C. 21A.08.080A):	
Manufacturing uses	.9 per 1,000 square feet
Winery/Brewery	.9 per 1,000 square feet, plus 1 per 50 square feet of tasting area
RESOURCES (K.C.C. 21A.08.090A):	
Resource uses	(director)
REGIONAL (K.C.C. 21A.08.100A):	
Regional Uses	(director)

B. An applicant may request a modification of the minimum required number of parking spaces by providing that parking demand can be met with a reduced parking requirement. In such cases, the director may approve a reduction of up to 50 percent of the minimum required number of spaces.
C. When the county has received a shell building permit application, off-street parking requirements shall be based on the possible tenant improvements or uses authorized by the zone designation and compatible with the limitations of the shell permit. When the range of possible uses result in different parking requirements, the director will establish the amount of parking based on a likely range of uses.
D. Where other provisions of this code stipulate maximum parking allowed or reduced minimum parking requirements, those provisions shall apply.
E. In any development required to provide six or more parking spaces, bicycle parking shall be provided. Bicycle parking shall be bike rack or locker-type parking facilities unless otherwise specified.

1. Off-street parking areas shall contain at least one bicycle parking space for every 12 spaces required for motor vehicles except as follows:

a. The director may reduce bike rack parking facilities for patrons when it is demonstrated that bicycle activity will not occur at that location.

b. The director may require additional spaces when it is determined that the use or its location will generate a high volume of bicycle activity. Such a determination will include but not be limited to the following uses:

(1) Park/playfield,
(2) Marina,
(3) Library/museum/arboretum,

(4) Elementary/secondary school,
(5) Sports club, or
(6) Retail business (when located along a developed bicycle trail or designated bicycle route).

2. Bicycle facilities for patrons shall be located within 100 feet of the building entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a structure attached to the pavement.

3. All bicycle parking and storage shall be located in safe, visible areas that do not impede pedestrian or vehicle traffic flow, and shall be well lit for nighttime use.

4. When more than ten people are employed on site, enclosed locker type parking facilities for employees shall be provided. The director shall allocate the required number of parking spaces between bike rack parking and enclosed locker type parking facilities.

5. One indoor bicycle storage space shall be provided for every two dwelling units in townhouse and apartment residential uses, unless individual garages are provided for every unit. The director may reduce the number of bike rack parking spaces if indoor storage facilities are available to all residents.

SECTION 408.

21A.18.040 Shared parking requirements. The amount of off-street parking required by K.C.C. 21A.18.030 may be reduced by an amount determined by the director when shared parking facilities for two or more uses are proposed, provided:

A. The total parking area exceeds 5,000 square feet;

B. The parking facilities are designed and developed as a single on-site common parking facility, or as a system of on-site and off-site facilities, if all facilities are connected with improved pedestrian facilities and no building or use involved is more than eight hundred feet from the most remote shared facility;

C. The amount of the reduction shall not exceed ten percent for each use, unless:

1. The normal hours of operation for each use are separated by at least one hour; or

2. A parking demand study is prepared by a professional traffic engineer and submitted by the applicant documenting that the hours of actual parking demand for the proposed uses will not conflict and that uses will be served by adequate parking if shared parking reductions are authorized;

3. The director will determine the amount of reduction but subject to paragraph D.

D. The total number of parking spaces in the common parking facility is not less than the minimum required spaces for any single use;

E. A covenant or other contract for shared parking between the cooperating property owners is approved by the director. This covenant or contract must be recorded with King County records and elections division as a deed restriction on both properties and cannot be modified or revoked without the consent of the director; and

F. If any requirements for shared parking are violated, the affected property owners must provide a remedy satisfactory to the director or provide the full amount of required off-street parking for each use, in accordance with the requirements of this chapter, unless a satisfactory alternative remedy is approved by the director.

SECTION 409.

21A.18.050 Exceptions for community residential facilities (CRF's).

A. The requirement of one off-street parking space per two bedrooms may be reduced to no less than one space for every four bedrooms, as determined by the director based on the following considerations:

1. Availability of private, convenient transportation services to meet the needs of the CRF residents;
2. Accessibility to and frequency of public transportation; and
3. Pedestrian access to health, medical, and shopping facilities;

B. If a CRF facility is no longer used for such purposes, additional off-street parking spaces shall be required in compliance with this chapter prior to the issuance of a new certificate of occupancy.

SECTION 410.

21A.18.060 Handicapped parking requirements. Off-street parking and access for physically handicapped persons shall be provided in accordance with Section 7503 of the regulations adopted pursuant to RCW 19.27, State Building Code, and RCW 70.92, Public Buildings- Provisions for Aged and Handicapped.

SECTION 411.

21A.18.070 Loading space requirements. A. Every non-residential building engaged in retail, wholesale, manufacturing or storage activities, excluding self-service storage facilities, shall provide loading spaces in accordance with the standards listed below.

GROSS FLOOR AREA				REQUIRED NUMBER OF LOADING SPACES
10,000	to	16,000	square feet	1
16,001	to	40,000	square feet	2
40,001	to	64,000	square feet	3
64,001	to	96,000	square feet	4
96,001	to	128,000	square feet	5
128,001	to	160,000	square feet	6
160,001	to	196,000	square feet	7
For each additional 36,000 square feet				1 additional

B. Every building engaged in retail, hotel, office building, restaurant, hospital, auditorium, convention hall, exhibition hall, sports arena/stadium, or other similar use shall provide loading spaces in accordance with the standards listed below.

GROSS FLOOR AREA				REQUIRED NUMBER OF LOADING SPACES
40,000	to	60,000	square feet	1
60,001	to	160,000	square feet	2
160,001	to	264,000	square feet	3
264,001	to	388,000	square feet	4
388,001	to	520,000	square feet	5
520,001	to	652,000	square feet	6
652,001	to	784,000	square feet	7
784,001	to	920,000	square feet	8
For each additional 140,000 square feet				1 additional

C. Each loading space required by this section shall be a minimum of 10 feet wide, 30 feet long, and have an unobstructed vertical clearance of 14 feet six inches, and shall be surfaced, improved and maintained as required by this chapter. Loading spaces shall be located so that trucks shall not obstruct pedestrian or vehicle traffic movement or project into any public right-of-way. All loading space areas shall be separated from required parking areas and shall be designated as truck loading spaces.

D. Any loading space located within 100 feet of areas zoned for residential use shall be screened and operated as necessary to reduce noise and visual impacts. Noise mitigation measures may include architectural or structural barriers, beams, walls, or restrictions on the hours of operation.

E. Multi-story self-service storage facilities shall provide two loading spaces, and single story facilities one loading space, adjacent to each building entrance that provides common access to interior storage units. Each loading berth shall measure not less than twenty-five feet by twelve feet with an unobstructed vertical clearance of 14 feet six inches, and shall be surfaced, improved and maintained as required by this chapter. Any floor area additions or structural alterations to a building shall be required to provide loading space or spaces as set forth in this chapter.

SECTION 412.

21A.18.080 Stacking spaces for drive-through facilities. A. A stacking space shall be an area measuring eight feet by 20 feet with direct forward access to a service window of a drive-through facility. A stacking space shall be located to prevent any vehicles from extending onto the public right-of-way, or interfering with any pedestrian circulation, traffic maneuvering, or other parking space areas. Stacking spaces for drive-through or drive-in uses may not be counted as required parking spaces.

B. Uses providing drive-up or drive-through services shall provide vehicle stacking spaces as follows:

1. For each drive-up window of a bank/financial institution, business service, or other drive-through use not listed, a minimum of five stacking spaces shall be provided; and

2. For each service window of a drive-through restaurant, a minimum of seven stacking spaces shall be provided.

SECTION 413.

21A.18.090 Transit and rideshare provisions.

A. All land uses listed in K.C.C. 21A.08.060 A (Government/Business Services), and in K.C.C. 21A.08.080 A (Manufacturing), shall be required to reserve one parking space of every 20 required spaces for rideshare parking as follows:

1. The parking spaces shall be located closer to the primary employee entrance than any other employee parking except handicapped;

2. Reserved areas shall have markings and signs indicating that the space is reserved; and

3. Parking in reserved areas shall be limited to vanpools and carpools established through ride share programs by public agencies and to vehicles meeting minimum rideshare qualifications set by the employer;

B. The director may reduce the number of required off-street parking spaces when one or more scheduled transit routes provide service within 660 feet of the site. The amount of reduction shall be based on the number of scheduled transit runs between 7:00 - 9:00AM and 4:00 - 6:00PM each business day up to a maximum reduction as follows:

1. Four percent for each run serving land uses in K.C.C. 21A.08.060 A (Government/Business Services) and K.C.C. 21A.08.080 A (Manufacturing) up to a maximum of forty percent; and

2. Two percent for each run serving land uses in K.C.C. 21A.08.040 A (Recreation/Culture), 21A.08.050 A (General Services) and 21A.08.060 A (Retail/Wholesale) up to a maximum of twenty percent; and

C. All uses which are located on an existing transit route and are required under the computation for required off-street parking spaces in K.C.C. 21A.18.030 A. to provide more than 200 parking spaces may be required to provide transit shelters, bus turnout lanes or other transit improvements as a condition of permit approval. Uses which reduce required parking under subsection B of this section shall provide transit shelters if transit routes adjoin the site.

SECTION 414.

21A.18.100 Pedestrian circulation and access. A. All uses, except single detached building permits, shall provide pedestrian access onto the site. Pedestrian access points shall be provided at all pedestrian arrival points to the development including the property edges, adjacent lots, abutting street intersections, crosswalks, and at transit stops. Pedestrian access shall be located as follows:

1. Access points at property edges and to adjacent lots shall be coordinated with existing development to provide circulation patterns between developments; and

2. Residential developments shall provide links between cul-de-sacs or groups of buildings to allow pedestrian access from within the development and from adjacent developments to activity centers, parks, common tracts, open spaces, schools or other public facilities, transit stops and public streets.

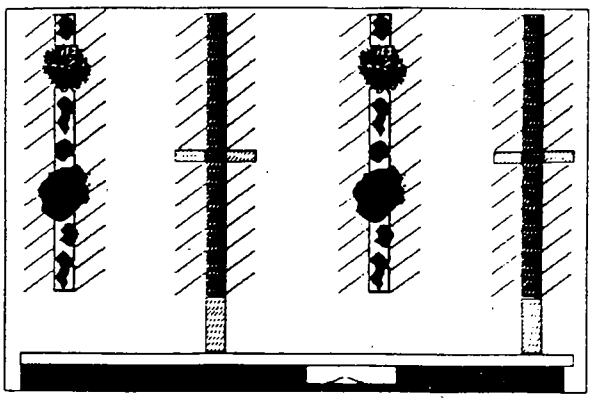
B. Pedestrian walkways shall form an on-site circulation system that minimizes the conflict between pedestrians and traffic at all points of pedestrian access to on-site parking and building entrances. Pedestrian walkways shall be provided when the pedestrian access point or any parking space is more than 75 feet from the building entrance or principal on-site destination and as follows:

1. All developments which contain more than one building shall provide walkways between the principal entrances of the buildings;

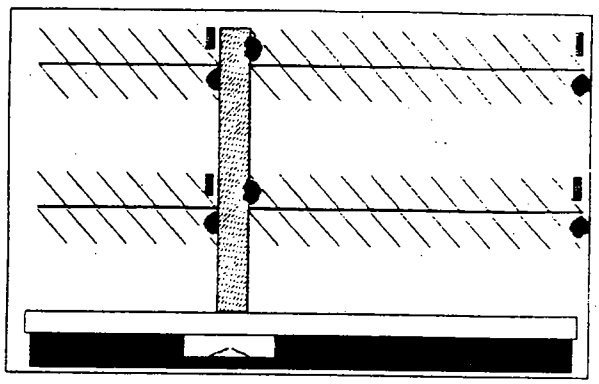
2. All non-residential buildings set back more than 100 feet from the public right-of-way shall provide for direct pedestrian access from the building to buildings on adjacent lots; and

3. Pedestrian walkways across parking areas shall be located as follows:

a. Walkways running parallel to the parking rows shall be provided for every four rows. Rows without walkways shall be landscaped or contain barriers or other means to encourage pedestrians to use the walkways; and



b. Walkways running perpendicular to the parking rows shall be no further than twenty parking spaces. Landscaping, barriers or other means shall be provided between the parking rows to encourage pedestrians to use the walkways;



C. Pedestrian access and walkways shall meet the following minimum design standards:

1. Access and walkways shall be well lit and physically separated from driveways and parking spaces by landscaping, berms, barriers, grade separation or other means to protect pedestrians from vehicular traffic;

2. Access and walkways shall be a minimum of 60 inches of unobstructed width and meet the surfacing standards of the King County Road Standards for walkways or sidewalks;

3. Access shall be usable by mobility impaired persons and shall be designed and constructed to be easily located by the sight impaired pedestrian by either grade change, texture or other equivalent means;

4. A crosswalk shall be required when a walkway crosses a driveway or a paved area accessible to vehicles;

5. Wherever walkways are provided, raised crosswalks or speed bumps shall be located at all points where a walkway crosses the lane of vehicle travel; and

D. Blocks in excess of 900 feet shall be provided with a crosswalk at the approximate midpoint of the block.

<u>SECTION 415.</u>

21A.18.110 Off-street parking plan design standards. A. Off-street parking areas shall not be located more than 500 feet from the building they are required to serve for all uses except those specified below; where the off-street parking areas do not abut the buildings they serve, the required maximum distance shall be measured from the nearest building entrance that the parking area serves:

1. For all single detached dwellings the parking spaces shall be located on the same lot they are required to serve;

2. For all other residential dwellings at least a portion of parking areas shall be located within 100 feet from the building(s) they are required to serve; and

3. For all non-residential uses permitted in residential zones, the parking spaces shall be located on the same lot they are required to serve and at least a portion of parking areas shall be located within 150 feet from the nearest building entrance they are required to serve.

B. The minimum parking space and aisle dimensions for the most common parking angles are shown on chart below. For parking angles other than those shown on the chart, the minimum parking space and aisle dimensions shall be determined by the director. Regardless of the parking angle, one-way aisles shall be at least 10 feet wide, and two-way aisles shall be at least 20 feet wide. Parking plans for angle parking shall use space widths no less than eight feet six inches for a standard parking space design and eight feet for a compact car parking space design.

MINIMUM PARKING STALL AND AISLE DIMENSIONS.

A	B	C	D	E		F	
PARKING ANGLE	STALL WIDTH	CURB LENGTH	STALL DEPTH	AISLE WIDTH 1-WAY	AISLE WIDTH 2-WAY	UNIT DEPTH 1-WAY	UNIT DEPTH 2-WAY
0	8.0*	20.0*	8.0	12.0	20.0	**	**
	Min 8.5	22.5	8.5	12.0	20.0	29.0	37.0
	Desired 9.0	22.5	9.0	12.0	20.0	30.0	38.0
30	8.0*	16.0*	15.0	10.0	20.0	**	**
	Min 8.5	17.0	16.5	10.0	20.0	42.0	53.0
	Desired 9.0	18.0	17.0	10.0	20.0	44.0	54.0
45	8.0*	11.5*	17.0*	12.0	20.0	**	**
	Min 8.5	12.0		12.0	20.0	50.0	58.0
	Desired 9.0	12.5		12.0	20.0	51.0	59.0
60	8.0*	9.6*	18.0	18.0	20.0	**	**
	Min 8.5	10.0	20.0	18.0	20.0	58.0	60.0
	Desired 9.0	10.5	21A.0	18.0	20.0	60.0	62.0
90	8.0*	8.0*	16.0*	23.0	23.0	**	**
	Min 8.5	8.5	20.0	23.0	23.0	63.0	63.0
	Desired 9.0	9.0	20.0	23.0	23.0	63.0	63.0

* for compact stalls only
** variable with compact and standard combinations

C. Any parking spaces abutting a landscaped area on the driver or passenger side of the vehicle shall provide an additional 18 inches above the minimum space width requirement to provide a place to step other than in the landscaped area. The additional width shall be separated from the adjacent parking space by a parking space division stripe. The parking space depth may be reduced when vehicles overhang a walkway under the following conditions:

1. Wheelstops or curbs are installed; and

2. The remaining walkway provides a minimum of 60 inches of unimpeded passageway for pedestrians.

D. The amount of space depth reduction is limited to a maximum of 18 inches.

E. Driveways providing ingress and egress between off-street parking areas and abutting streets shall be designed, located and constructed in accordance with the provisions of K.C.C. 14.42, Road Standards. Driveways for single detached dwellings, no more than 20 feet in width, may cross required setbacks or landscaped areas in order to provide access between the off-street parking areas and the street, provided

no more than 15 percent of the required landscaping or setback area is displaced by the driveway. Driveways for all other developments may cross required setbacks or landscaped areas in order to provide access between the off-street parking areas and the street, provided no more than 10 percent of the required landscaping or setback area is displaced by the driveway.

F. Required parking spaces shall be located outside of any required setbacks, provided driveways located in setbacks may be used for parking.

G. Lighting shall be provided for safety of traffic and pedestrian circulation on the site, as required by K.C.C.16.04, the Uniform Building Code. It shall be designed to minimize direct illumination of abutting properties and adjacent streets. The director shall have the authority to waive the requirement to provide lighting.

H. Tandem or end-to-end parking is allowed in residential developments. Apartment/townhouse developments may have tandem parking areas for each dwelling unit but shall not combine parking for separate dwelling units in tandem parking areas.

I. All vehicle parking and storage for single detached dwellings must be in a garage, carport or on an approved impervious surface. Any impervious surface used for vehicle parking or storage must have direct and unobstructed driveway access.

J. Vanpool/carpool parking areas shall meet the following minimum design standards:

1. A minimum vertical clearance of 7 feet 3 inches shall be provided to accommodate van vehicles if designated vanpool/carpool parking spaces are located in a parking structure; and

2. A minimum turning radius of 26 feet 4 inches with a minimum turning diameter (curb to curb) of 52 feet 5 inches shall be provided from parking aisles to adjacent carpool/vanpool parking spaces.

K. Direct access from the street right-of-way to off-street parking areas shall be subject to the requirements of K.C.C. 21A.28.120.

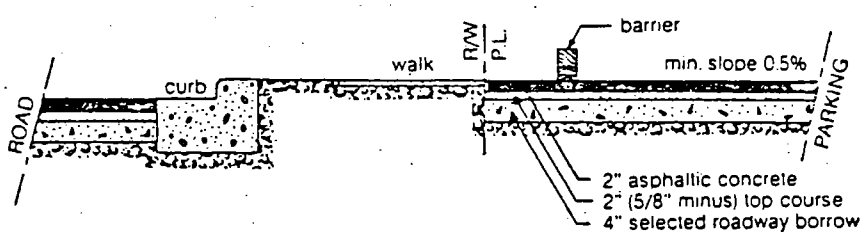
L. No dead-end alley may provide access to more than eight required off-street parking spaces. M. Any parking stalls located in enclosed buildings must be totally within the enclosed building.

SECTION 416.

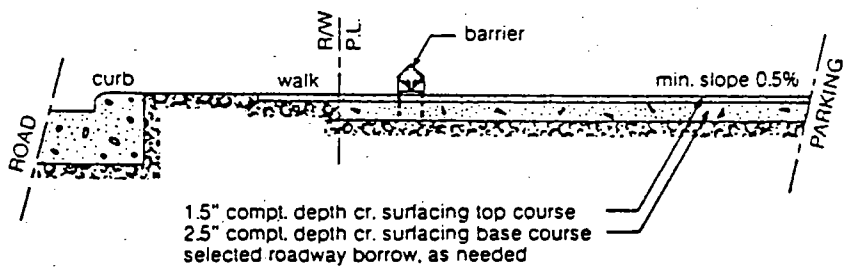
21A.18.120 Off-street parking construction standards. A. Off-street parking areas shall have dust-free, all-weather surfacing. Typical approved sections are illustrated below. Frequently used (at least five days a week) off-street parking areas shall conform to the standards shown in A below or an approved equivalent. If the parking area is to be used more than 30 days per year but less than five days a week, then the standards to be used shall conform to the standards shown in B below or an approved equivalent. An exception to these surfacing requirements may be made for certain uses that require intermittent use of their parking facilities less than 30 days per year. Any surface treatment other than those graphically illustrated below must be approved by the director.

MINIMUM SURFACING REQUIREMENTS

A



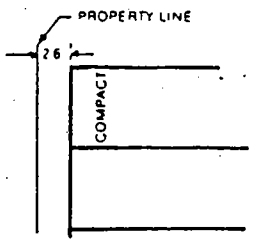
B



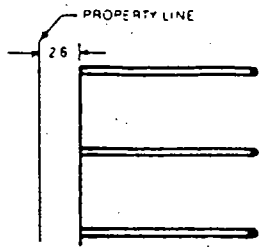
B. Grading work for parking areas shall meet the requirements of K.C.C. 16.82. Drainage and erosion/sedimentation control facilities shall be provided in accordance with K.C.C. 9.04.

C. Asphalt or concrete surfaced parking areas shall have parking spaces marked by surface paint lines or suitable substitute traffic marking material in accordance with the Washington State department of Transportation Standards. Wheel stops are required where a parked vehicle would encroach on adjacent property, pedestrian access or circulation areas, right-of-way or landscaped areas. Typically approved markings and wheel stop locations are illustrated below.

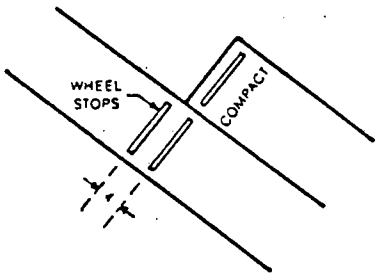
STALL MARKINGS AND WHEEL STOP LOCATIONS

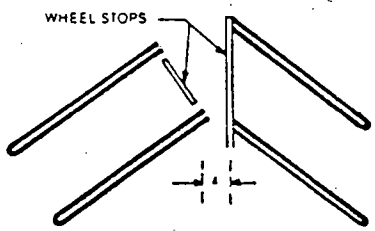


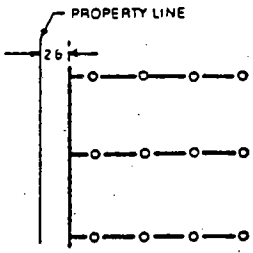
COMPACT MARKING



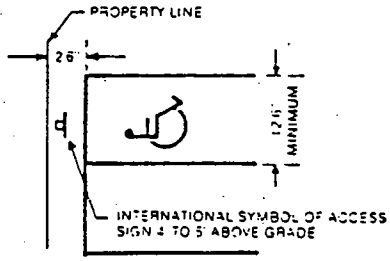
PAINTED HORSESHOE MARKING



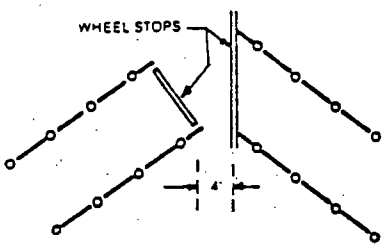


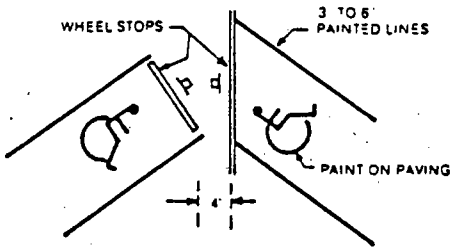


METAL OR PLASTIC TRAFFIC MARKING



HANDICAP MARKING





SECTION 417.

21A.18.130 Compact car allowance requirements. In any development containing more than 20 parking spaces, up to 50 percent of the total number of spaces may be sized to accommodate compact cars, subject to the following:

A. Each space shall be clearly identified as a compact car space by painting the word "COMPACT" in capital letters, a minimum of 8 inches high, on the pavement at the base of the parking space and centered between the striping;

B. Aisle widths shall conform to the standards set for standard size cars; and

C. Apartment developments with less than twenty parking spaces may designate up to 40 percent of the required parking spaces as compact spaces.

SECTION 418.

21A.18.140 Internal circulation road standards. Internal access roads to off-street parking areas shall conform with the surfacing and design requirements for private commercial roads set forth in K.C.C. 14.42 King County Roads Standards.

CHAPTER 21A.20 DEVELOPMENT STANDARDS - SIGNS

SECTIONS:

21A.20.010	Purpose
21A.20.020	Permit requirements
21A.20.030	Exempt signs
21A.20.040	Prohibited signs
21A.20.050	Sign area calculation
21A.20.060	General sign requirements
21A.20.065	Community bulletin board signs
21A.20.070	Resource zone signs
21A.20.080	Residential zone signs
21A.20.090	Office zone signs
21A.20.095	Neighborhood business zone signs
21A.20.100	Community business and Industrial zone signs
21A.20.110	Regional business zone signs
21A.20.120	Signs or displays of limited duration
21A.20.130	Billboards: Location and height standards
21A.20.140	Billboards: General requirements
21A.20.150	Billboards: Special restrictions in the CB zone
21A.20.160	Billboards: Alteration or relocation limitations
21A.20.170	Billboards: View and vegetative buffer protections
21A.20.180	Billboard free areas

SECTION 419.

21A.20.010 Purpose. The purpose of this chapter is to enhance the visual environment of the county by:

A. Establishing standards that regulate the type, number, location, size, and lighting of signs;

B. Recognizing the private purposes of signs for the identification of businesses and promotion of products and services; and

C. Recognizing the public purposes of signs which includes considerations of traffic safety, economic and aesthetic welfare.

SECTION 420.

21A.20.020 Permit requirements. A. Except as otherwise permitted by this chapter, no sign shall be erected, altered or relocated without approval by the county.

B. No building permit shall be required for repainting, cleaning, or other normal maintenance and repair of a sign, or for sign face and copy changes that do not alter the size or structure of the sign.

SECTION 421.

21A.20.030 Exempt signs. The following signs or displays are exempted from the regulations under this chapter:

A. Historic site markers or plaques, gravestones, and address numbers;

B. Signs required by law, including but not limited to:

1. Official or legal notices issued and posted by any public agency or court; or
2. Traffic directional or warning signs.

C. Plaques, tablets or inscriptions indicating the name of a building, date of erection, or other commemorative information, which are an integral part of the building structure or are attached flat to the face of the building, which are nonilluminated, and which do not exceed four square feet in surface area;

D. Incidental signs, which shall not exceed two square feet in surface area, provided that said size limitation shall not apply to signs providing directions, warnings or information when established and maintained by a public agency;
E. State or Federal flags;
F. Religious symbols; and
G. The flag of a commercial institution, provided no more than one flag is permitted per business premises, and further provided the flag does not exceed 20 square feet in surface area.

SECTION 422.

21A.20.040 Prohibited signs. Except as indicated by this chapter, the following signs or displays are prohibited:
A. Portable signs including, but not limited to, sandwich/A-frame signs and mobile readerboard signs, and excluding signs permitted under K.C.C. 21A.20.120;
B. Private signs on utility poles;
C. Signs which, by reason of their size, location, movement, content, coloring or manner of illumination may be confused with traffic control signs or signals;
D. Signs located in the public right-of-way, except where permitted in this chapter; and
E. Posters, pennants, string of lights, blinking lights, balloons, searchlights and other displays of a carnival nature; except as architectural features, or on a limited basis as seasonal decorations or as provided for in Section 21A.20.120 as grand opening displays.
F. Changing message center signs, where the message changes more frequently then every three minutes.

SECTION 423.

21A.20.050 Sign area calculation. A. Sign area for freestanding signs shall be calculated by determining the total surface area of the sign as viewed from any single vantage point, including support structures.
B. Sign area for letters or symbols painted or mounted directly on walls or fences shall be calculated by measuring the smallest single rectangle which will enclose the combined letters and symbols.

SECTION 424.

21A.20.060 General sign requirements. A. All signs, except billboards, community bulletin boards, political signs, real estate signs and special event signs, shall be on-premise signs; provided that uses located on lots without public street frontage in business, office and industrial zones may have one off-premise directional sign of no more than 16 square feet.
B. Fuel price signs shall not be included in sign area or number limitations of K.C.C. 21A.20.090-110, provided such signs do not exceed 20 square feet per street frontage.
C. Projecting and awning signs shall not be permitted for uses in the Resource and Residential zones. In other zones, projecting and awning signs may be used in lieu of wall signs, provided:
1. they maintain a minimum clearance of eight feet above finished grade;
2. they do not project more than six feet from the supporting building facade; and
3. they shall not exceed the number or size permitted for wall signs in a zone.
D. Changing message center signs, and time and temperature signs, which can be a wall or freestanding sign, shall not exceed the size permitted for a wall or freestanding sign, and shall be permitted only in the NB, CB, RB, O, and I zones. Changing message center signs and time and temperature signs shall not exceed the maximum sign height permitted in the zone.
E. Directional signs shall not be included in the sign area or number limitation of K.C.C. 21A.20.070 -.110, provided they shall not exceed 6 square feet in surface area and are limited to one for each entrance or exit to surface parking areas or parking structure.

F. Sign illumination and glare:

1. All signs in the NB, CB, RB, O, or I zone districts may be illuminated. Signs in all other zones may be indirectly illuminated, provided the light source for indirectly illuminated signs shall be no farther away from the sign than the height of the sign;

2. Indirectly illuminated signs shall be arranged so that no direct rays of light are projected from such artificial source into residences or any street right-of-way.

3. Electrical requirements for signs shall be governed by Chapter 19.28 of the Revised Code of Washington and Chapter 296-46-910 of the Washington Administrative Code, and

4. Signs with an on/off operation shall be permitted only in the CB, RB, and I zones.

G. Maximum height for wall signs shall not extend above the highest exterior wall upon which the sign is located.

H. Except as otherwise permitted by this chapter, off-premise directional signs shall not exceed four square feet in sign area.

I. Mixed use developments in the NB, CB, RB, or O zones are permitted one permanent residential identification sign not exceeding 32 square feet in addition to the maximum sign area requirements in the zone where the mixed use development is located.

SECTION 425.

21A.20.065 Community bulletin board signs. A. One community bulletin board sign is permitted within each community plan designated activity center with the following limitations:

B. In the R, UR and RA zones community bulletin board signs may not exceed 32 square feet and are only permitted at public schools, police stations, fire stations or other public facilities;

C. In the O and NB zones community bulletin board signs may not exceed 40 square feet;

D. In the CB and I zones community bulletin board signs may not exceed 60 square feet; and

E. In the RB zone community bulletin board signs may not exceed 100 square feet.

SECTION 426.

21A.20.070 Resource zone signs. Signs in the A, F, and M zones are limited as follows:

A. One residential identification sign, not exceeding two square feet, is permitted. One additional sign, not exceeding 24 square feet, is permitted to identify non-residential uses or to advertise goods or services available on site; and

B. Freestanding signs shall not exceed a height of six feet, and shall be setback at least 10 feet from street right-of-way.

SECTION 427.

21A.20.080 Residential zone signs. Signs in the R, UR and RA zones are limited as follows:

A. Non-residential use:

1. One sign identifying non-residential uses, not exceeding 25 square feet and not exceeding 6 feet in height is permitted.

2. Schools are permitted at least one sign not exceeding 32 square feet and one additional sign not exceeding 32 square feet if the parking areas or vehicular entrances utilize more than one street or are separated by at least 660 feet.

3. Home occupation and home industry signs are limited to wall signs not exceeding six square feet.

B. Residential use:

1. One residential identification sign not exceeding two square feet is permitted; and

2. One permanent residential development identification sign not exceeding 32 square feet is permitted per development. The maximum height for the sign shall be 6 feet. The sign may be freestanding or mounted on a wall, fence, or other structure.

SECTION 428.

21A.20.090 Office zone signs. Signs in the O zones shall be limited as follows:

A. Wall signs are permitted, provided they do not total an area more than 10 percent of the building facade on which they are located and provided they are limited to building facades with street frontage.

B. Freestanding signs:

1. One freestanding sign not exceeding 50 square feet is permitted for each street frontage of the lot, provided corner lots with a street frontage of less than 100 feet on each street shall be permitted only one freestanding sign;

2. On lots where more than one freestanding sign is permitted, the sign area permitted for individual freestanding signs may be combined; provided the combined sign does not exceed 80 square feet; and

3. The maximum height for freestanding signs shall be 15 feet.

SECTION 429.

21A.20.095 Neighborhood business zone signs. Signs in the NB zones shall be limited as follows:

A. Wall signs are permitted, provided they do not total an area more than 10 percent of the building facade on which they are located;

B. Freestanding signs:

1. One freestanding sign not exceeding 50 square feet is permitted for each street frontage of the lot, provided corner lots with a street frontage of less than 100 feet on each street shall be permitted only one freestanding sign;

2. Multiple tenant developments that have more than 300 feet of street frontage on one street may have one additional freestanding sign for each 300 feet of street frontage, or portion thereof. Such signs shall be separated from one another by a minimum of 150 feet, if located on the same street frontage;

3. On lots where more than one freestanding sign is permitted, the sign area permitted for individual freestanding signs may be combined; provided the combined sign does not exceed 150 square feet; and

4. The maximum height for freestanding signs shall be 25 feet.

SECTION 430.

21A.20.100 Community business and Industrial zone signs. Signs in the CB and I zones shall be limited as follows:

A. Wall signs are permitted, provided they do not total an area more than 15 percent of the building facade on which they are located;

B. Freestanding signs:

1. One freestanding sign not exceeding 100 square feet, plus an additional 20 square feet for each additional business in a multiple tenant structure but not to exceed 160 square feet total, is permitted for each street frontage of the lot, provided corner lots with a street frontage of less than 100 feet on each street shall be permitted only one freestanding sign;

2. Multiple tenant developments that have more than 300 feet of street frontage on one street may have one additional freestanding sign for each 300 feet of street frontage, or portion thereof. Such signs shall be separated from one another by a minimum of 150 feet, if located on the same street frontage;

3. On lots where more than one freestanding sign is permitted, the sign area permitted for individual freestanding signs may be combined provided the combined sign area does not exceed 300 square feet; and

4. The maximum height for freestanding signs shall be 30 feet.

SECTION 431.

21A.20.110 Regional business zone signs. Signs in the RB zone shall be limited as follows:

A. Wall signs are permitted, provided they do not total an area more than 15 percent of the building facade on which they are located;

B. Freestanding signs;

1. One freestanding sign not exceeding 200 square feet is permitted for each street frontage of the lot, provided corner lots with a street frontage of less than 100 feet on each street shall be permitted only one freestanding sign;

2. Multiple tenant developments that have more than 300 feet of street frontage on one street may have one additional freestanding sign for each 300 feet of street frontage, or portion thereof. Such signs shall be separated from one another by a minimum of 150 feet, if located on the same street frontage not exceeding 150 square feet;

3. On lots where more than one freestanding sign is permitted, the sign area permitted for individual freestanding signs may be combined; provided the combined sign area does not exceed 300 square feet; and

4. The maximum height for a freestanding sign shall be 35 feet.

SECTION 432.

21A.20.120 Signs or displays of limited duration. The following temporary signs or displays are permitted and except as required by the Uniform Building Code, or as otherwise permitted in this chapter, do not require building permits:

A. Grand opening displays:

1. Signs, posters, pennants, strings of lights, blinking lights, balloons and searchlights are permitted for a period of up to one month to announce the opening of a new enterprise or the opening of an enterprise under new management; and

2. All grand opening displays shall be removed upon the expiration of 30 consecutive days;

B. Construction signs:

1. Construction signs identifying architects, engineers, planners, contractors or other individuals or firms involved with the construction of a building and announcing the character of the building or the purpose for which the building is intended may be displayed;

2. One nonilluminated, double-faced sign is permitted for each public street upon which the project fronts;

3. No sign shall exceed 32 square feet in surface area or ten feet in height, or be located closer than 30 feet from the property line of the adjoining property; and 4. Construction signs must be removed by the date of first occupancy of the premises or one year after placement of the sign, whichever occurs first;

C. Political Signs:

1. Signs, posters or bills promoting or publicizing candidates for public office or issues that are to be voted upon in a general or special election may be displayed on private property with the consent of the property owner. Any such sign, poster or bill shall be removed within ten days following the election; and

2. No sign, poster, bill or other advertising device shall be located on public property or within public easements or street right-of-way;

D. Real estate signs. All temporary real estate signs may be single or double-faced signs.:

1. Signs advertising an individual residential unit for sale or rent shall be limited to one sign per street frontage. The sign may not exceed eight square feet in area, and shall not exceed six feet in height. The sign shall be removed within five days after closing of the sale, lease or rental of the property.

2. Portable off-premise residential directional signs announcing directions to an open house at a specified residence which is offered for sale or rent shall not exceed six square feet in area for each sign, and shall not exceed 42 inches in height. Such signs shall be permitted only when the agent or seller is in attendance at the property for sale or rent and
may be located on the right-of-way outside of vehicular and bicycle lanes.

3. On-site commercial or industrial property for sale or rent signs shall be limited to one sign per street frontage, and shall not exceed 32 square feet in area. The sign shall not exceed 12 feet in height. The sign shall be removed within 30 days after closing of the sale, lease or rental of the property. A building permit is required and shall be issued for a one year period. The permit is renewable for one year increments up to a maximum of three years.

4. On-site residential development for sale or rent signs shall be limited to one sign per development. The sign shall not exceed 32 square feet in area, and shall not exceed 12 feet in height. A building permit is required and shall be issued for a one year period. The permit is renewable annually for up to a maximum of three years

5.Off-site directional signs for residential developments shall be limited to six signs. Each sign shall not exceed 16 square feet in area, and shall include only the name of and directions to the residential development. The sign(s) shall be placed a maximum of two miles from the nearest residential development entrance. No two signs for one residential development shall be located closer than 500 feet from one another on the same street. A single building permit is required for all signs and shall be issued for a one year period. The permit number and the permit expiration date must be clearly displayed on the face of each sign. The permit is renewable for one year increments up to a maximum of three years, provided that extensions will only be granted if the sign permit applicant has complied with the applicable regulations.

6. Residential on-premise informational signs shall be limited to one sign per feature , including but not limited to signs for information centers, model homes, parking areas or announcing features such as parks, playgrounds, or trails. Each sign shall not exceed 16 square feet in area, and shall not exceed six feet in height.

E. Community event signs:

1. Community event signs shall be limited to announcing or promoting a non-profit sponsored community fair, festival or event;

2. Community event signs may be displayed no more than the time period specified in the temporary use permit issued pursuant to K.C.C. 21A.44; and

3. Community event signs shall be removed by the event sponsor within two weeks following the end of the community fair, festival or event.

SECTION 433.

21A.20.130 Billboards: Location and height standards. A. All billboard alterations or relocations shall comply with the following location and design standards:

1. Billboards shall only be located on sites zoned CB, RB, or I;

2. No more than five billboard faces shall be oriented toward and visible from the same direction of travel within one mile of the proposed relocation site as measured along the adjacent roadway;

3. Billboards shall be located at least 100 feet from any other billboard, provided side-by-side, v-type and back-to-back billboard faces shall be considered one billboard for purposes of this subsection only;

4. The zoning on the opposite side of the street from a proposed relocation site must also permit billboards;

5. Type II billboards shall be at least 100 feet from any residential zone. Type I billboards shall be at least 330 feet from any residential zone;

6. No billboard shall extend beyond the property line of the billboard site;

7. No billboard shall be located more than 100 feet from any adjacent arterial;

8. Billboards shall observe the same street setback as all buildings within 50 feet of the proposed billboard location;

9. Type I billboard faces shall only be located adjacent to arterials developed with at least two primary travel lanes in each direction. In all other locations, billboards shall be limited to Type II billboard faces; and

10. No single billboard structure shall support a total of more than two Type I billboard faces or the equivalent, and no single billboard structure shall orient more than one Type I billboard face or the equivalent in any single direction.

B. Height:

1. Billboards located in the CB or RB zone shall not exceed 15 feet above the average height of all buildings within 330 feet of the billboard or 35 feet, whichever is less; and

2. Billboards located in the I zone shall not exceed 15 feet above the average height of all buildings within 330 feet of the billboard or 45 feet, whichever is less.

SECTION 434.

21A.20.140 Billboards: General requirements. A. The total number of billboard faces within unincorporated King County shall not exceed the total number of billboard faces existing on June 20, 1988, except as provided in K.C.C. 21A.20.160 E. In addition, the total number of existing billboard faces within each zone permitting billboards shall not be exceeded except as provided in K.C.C. 21A.20.150.

B. In the event that portions of unincorporated King County annex to incorporated cities or towns or incorporate after June 20, 1988, the total number of allowable billboard faces shall be decreased by the number of faces existing in such areas on the effective date of annexation or incorporation.

C. As soon as practical after June 20, 1988, the county shall compile an inventory of existing billboards within the county. Until the inventory is completed, no billboard shall be erected, modified, or relocated, nor shall King County issue any permits. Following completion of the inventory, the county shall grant a billboard permit for each existing billboard reflecting the location, size, height, zoning, and the degree of conformity with the requirements of this chapter. Only inventoried billboards may be subsequently issued billboard alteration or relocation permits. Billboard owners can accelerate the inventory process by providing the necessary inventory information for their billboards. If owners have provided necessary inventory information for all billboards in their ownership, the county shall release billboard permits for that ownership, regardless of the degree of completion of the remainder of the inventory.

SECTION 435.

21A.20.150 Billboards: Special restrictions in the CB zone. A. In the event that a billboard owner elects to relocate CB zoned billboards outside of the CB zone, the CB zone designation shall be removed and that permit may not later be used to relocate a billboard in the CB zone.

B. Bill boards may be relocated only within the zone district identified on the valid billboard permit, except the number of billboards permitted within non-CB zone district may increase only as a result of billboard relocation from within the CB zone district.

SECTION 436.

21A.20.160 Billboards: Alteration or relocation limitations. A. Except as provided in K.C.C. 21A.20.160 D, billboards shall not be altered with regard to size, shape, orientation, height, or location without the prior issuance of a billboard alteration or relocation permit. All such permits shall require full compliance with the provisions of K.C.C. 21A.20.130 -.180.

B. There shall be no time limit on the eligibility to alter or relocate inventoried billboards; however, individual alteration and relocation permits shall expire if the approved modifications are not completed within one year of permit issuance. Any project not completed within this period shall be placed in a holding category until a new permit is issued by King County, and no further work on the subject billboard shall occur until a permit is issued.
C. Relocation of inventoried billboards shall also require the issuance of a demolition permit for the removal of the existing billboard. Billboard demolitions shall be completed within 90 days of permit issuance and prior to installation of the relocated billboard.
D. Ordinary and necessary repairs which do not change the size, shape, orientation, height, or location of an inventoried billboard shall not require alteration permits. Billboard copy replacement may occur at any time and is exempt from the requirement for alteration permits, provided:

1. New Type II billboard faces do not exceed the size of previously inventoried faces, or
2. New Type I billboard faces may only exceed the size of the previously inventoried face with temporary cut-out extensions if the billboard is otherwise conforming, and if the extensions do not exceed a total of 125 square feet. Any extension shall be removed with the next change of billboard copy.

E. Single Type I billboard faces may be replaced with two side-by-side Type II billboard faces, and likewise two side-by-side Type II billboard faces may be replaced with a single Type I billboard face, provided each resulting billboard face complies with the location and height standards of K.C.C. 21A.20.130.
F. Any location or orientation alteration of billboards conforming to the provisions of K.C.C. 21A.20.130 - .180 shall be accompanied by the alteration or relocation of an equal number of billboards under the control of the same applicant which do not fully conform to these provisions, if any nonconforming billboards exist. Whenever more than one nonconforming billboard exists under a single ownership, they shall be made conforming in the following order:

1. Billboards deemed nonconforming pursuant to K.C.C. 21A.20.170;
2. Billboards located in zones which do not allow billboards;
3. Billboards located in billboard free areas;
4. Billboards located in the CB zone district; and
5. Any other nonconforming billboard.

SECTION 437.

21A.20.170 Billboards: View and vegetative screening protections. A. Notwithstanding any other provision of K.C.C. 21A.20.130 - .180 or other applicable laws or regulations, no billboard shall be located or oriented in a manner that is within the direct line-of-sight of views of Mt. Rainier, Mt. Baker, the Olympic Mountains, Puget Sound, or any lake or river from adjacent public roadways. All applications for billboard alteration or relocation shall be certified by the applicant as meeting this provision. Any billboard subsequently found to violate this provision shall be deemed nonconforming and shall be required to become the next nonconforming billboard relocated pursuant to K.C.C. 21A.20.160F.
B. Notwithstanding any other provision of K.C.C. 21A.20.130 - .180 or other applicable law or regulation, no billboard owner or his agent shall remove, cut, or otherwise alter any vegetative screening on public property or private landscaping required by code as a condition of permit approval in order to improve the visibility of a nearby billboard. Should such an alteration occur, any billboard so benefited shall be deemed nonconforming and shall be required to become the next nonconforming billboard relocated pursuant to K.C.C. 21A.20.160F.

SECTION 438.

21A.20.180 Billboard free areas. A. Notwithstanding any other provision of K.C.C. 21A.20.130 -.180, no billboard shall be relocated in any of the following areas:

1. Sites listed in either the Washington State or National Register of Historic Places or on sites designated as county landmarks or community landmarks;

2. Open space and scenic resource sites identified in the adopted King County Open Space Plan;

3. Between any sites identified in Sections 21A.20.180 A.1 or 21A.20.180 A.2 and the nearest adjacent public roadways;

4. Within 660 feet of any state or county park;

5. Redondo Beach Road and Redondo Way from Redondo Beach Road to 13th Avenue South;

6. South 292nd Street from 65th Avenue South to State Highway 181;

7. The south and east side of State Highway 522 from Northeast 149th Street to 68th Avenue Northeast;

8. Northeast 175th Street from 61st Avenue Northeast to 68th Avenue Northeast;

9. Rainier Avenue South from the Renton city limits to the Seattle city limits;

10. South 188th Street and Orillia Road South from 46th Avenue South to Military Road South; and

11. Within 300 feet of the intersection of South 144th Street and 51st Avenue South.

B. After June 20, 1988, any billboard located in a designated billboard free area shall be deemed nonconforming and shall be relocated pursuant to K.C.C. 21A.20.160F.

CHAPTER 21A.22 DEVELOPMENT STANDARDS - MINERAL EXTRACTION

SECTIONS:

21A.22.010	Purpose
21A.22.020	Exemptions
21A.22.030	Grading permit required
21A.22.040	Nonconforming extractive operations
21A.22.050	Periodic review
21A.22.060	Site design standards
21A.22.070	Operating standards
21A.22.080	Reclamation
21A.22.090	Bonds

SECTION 439.

21A.22.010 Purpose. The purpose of this chapter is to establish standards which minimize the impacts of extractive operations upon surrounding properties by:

A. Ensuring adequate review of all operating aspects of extractive sites;

B. Requiring project phasing to ensure that an extractive site is reclaimed in a timely manner prior to the disturbance of additional areas or removal of additional materials;

C. Requiring minimum site areas large enough to provide setbacks and mitigations necessary to protect environmental quality; and

D. Requiring periodic review of extractive operations to ensure compliance with the most current operating standards.

SECTION 440.

21A.22.020 Exemptions. The provisions of this chapter shall not apply to uses or activities specifically exempted in K.C.C. 16.82.050.

SECTION 441.

21A.22.030 Grading permits required. Extractive operations shall commence only after issuance of a grading permit.

SECTION 442.

21A.22.040 Nonconforming extractive operations. To the extent determined feasible by the county, nonconforming extractive operations shall be brought into conformance with the operating standards of K.C.C. 21A.22.070.

SECTION 443.

21A.22.050 Periodic review. Unless a more frequent review is required by the county, periodic review of extractive operations shall be provided as follows:

A. All extractive operations shall be subject to a review of development and operating standards, as well as reclamation progress, at five year intervals;

B. The periodic review shall be:

1. Conducted by the director or zoning adjustor pursuant to the review process outlined in K.C.C. 21A.42.040 - .090.; and

2. Used to determine that the site is operating consistent with the most current standards and to establish other conditions as necessary to mitigate identifiable environmental impacts.

SECTION 444.

21A.22.060 Site design standards. Except as provided for nonconforming extractive operations in K.C.C. 21A.22.040, all extractive operations shall at minimum comply with the following standards:

A. The minimum site area of an extractive operation shall be 10 acres.

B. Extractive operations on sites larger than 20 acres shall occur in phases to minimize environmental impacts. The size of each phase shall be determined during the review process;

C. Fences shall be:

1. Provided in a manner which discourages access to safety hazards which may arise on areas of the site where:

a. active extracting, processing, stockpiling and loading of materials is occurring;

b. any unstable slope or any slope exceeding a grade of 40 percent is present; or

c. any settling pond or other stormwater facility is present;

2. At least six feet in height above the grade measured at a point five feet from the outside of the fence;

3. Installed with lockable gates at all openings or entrances;

4. No more than four inches from the ground to fence bottom; and

5. Maintained in good repair;

D. Warning and trespass signs advising of the extractive operation shall be placed on the perimeter of the site adjacent to RA, UR or R zones at intervals no greater than 200 feet along any unfenced portion of the site where the items noted in subsection C.1.a-c are present;

E. Structural setbacks from property lines shall be as follows:

1. Buildings or structures used in the processing of materials shall be no closer than:

a. One hundred feet from any UR or R zoned properties except that the setback may be reduced to 50 feet when the grade where such building or structures are proposed is 50 feet or greater below the grade of said UR or R zoned property, or

b. Twenty feet from any other zoned property, except when adjacent to another extractive site, or from any public street.

2. Offices, scale facilities, equipment storage buildings and stockpiles shall not be closer than 20 feet from any property line except when adjacent to another extractive site;

F. No clearing, grading or excavation, excluding that necessary for roadway or storm drainage facility construction, shall be permitted within 20 feet of any property line except along any portion of the perimeter adjacent to another extractive operation provided that such activities may be pursuant to an approved reclamation plan;

G. Landscaping as required pursuant to K.C.C. 21A.16 shall be provided along any portion of the site perimeter where disturbances such as site clearing and grading, or mineral extraction or processing is performed, except where adjacent to another extractive operation; and

H. Lighting shall:

1. Be limited to that required for security, lighting of structures and equipment, and vehicle operations; and

2. Not direct glare onto surrounding properties.

SECTION 445.

21A.22.070 Operating standards. All operating standards shall be as specified in K.C.C. 16.82 except:

A. Noise levels produced by an extractive operation shall not exceed levels specified by the King County Noise Ordinance.

B. Blasting shall be conducted:

1. Consistent with the methods specified in the Office of Surface Mining, 1987 Blasting Guidance Manual;

2. During daylight hours; and

3. According to a time schedule that:
   a. features regular or predictable times, except in the case of an emergency; and
   b. is provided to residents within one-half mile of the site;

C. Dust and smoke produced by extractive operations shall not substantially increase the existing levels of suspended particulates at the perimeter of the site and shall be controlled by watering of the site and equipment or other methods specified by the county;
D. The applicant shall provide for measures to prevent transport of rocks, dirt and mud from trucks onto public roadways;
E. Traffic control measures such as flagmen or warning signs as determined by the county shall be provided by the applicant during all hours of operation; and
F. The applicant shall be responsible for cleaning of debris or repairing of damage to roadways caused by the operation.

SECTION 446.

21A.22.080 Reclamation. A reclamation plan shall be submitted with each rezone application which addresses:
A. Subsequent land uses on the reclaimed lands anticipating reclassification of zones;
B. Present and proposed final topography;
C. The relationship and impact of alternative post-reclamation land uses on surrounding properties as they relate to possible alternative land uses;
D. A time schedule indicating how and when reclamation will occur during and after extractive operations; and
E. The requirements of RCW 78.44.090.

SECTION 447.

21A.22.090 Bonds. A. Extractive operations shall be bonded as provided for in K.C.C. 16.82.
B. The bond amount may be reduced proportionately as extraction on each phase is completed and the phase is reclaimed.
C. Reclamation bonds posted with the Washington State Department of Natural Resources or U.S. Office of Surface Mining may be used to comply with this section.

CHAPTER 21A.24 ENVIRONMENTALLY SENSITIVE AREAS

SECTIONS:

21A.24.010	Purpose
21A.24.020	Applicability
21A.24.030	Appeals
21A.24.040	Sensitive areas rules
21A.24.050	Complete exemptions
21A.24.060	Partial exemptions
21A.24.070	Exceptions
21A.24.080	Sensitive area maps and inventories
21A.24.090	Disclosure by applicant
21A.24.100	Sensitive area review
21A.24.110	Sensitive area special study requirement
21A.24.120	Contents of sensitive area special study
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21A.24.150	Vegetation management plan
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21A.24.170	Notice on title
21A.24.180	Sensitive area tracts and designations on site plans
21A.24.190	Alteration
21A.24.200	Building setbacks
21A.24.210	Coal mine hazard areas: development standards and permitted alterations
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21A.24.240	Flood fringe: development standards and permitted alterations
21A.24.250	Zero-rise floodway: development standards and permitted alterations
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21A.24.270	Flood hazard areas: certification by engineer or surveyor
21A.24.280	Landslide hazard areas: development standards and permitted alterations
21A.24.290	Seismic hazard areas: development standards and permitted alterations
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21A.24.310	Steep slope hazard areas: development standards and permitted alterations
21A.24.320	Wetlands: development standards
21A.24.330	Wetlands: permitted alterations
21A.24.340	Wetlands: mitigation requirements
21A.24.350	Wetlands: limited exemption
21A.24.360	Streams: development standards
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21A.24.380	Streams: mitigation requirements
21A.24.390	Sensitive areas mitigation fee - creation of fund
21A.24.400	Sensitive areas mitigation fee - source of funds
21A.24.410	Sensitive areas mitigation fee - use of funds
21A.24.420	Sensitive areas mitigation fee - investment of funds

SECTION 448.

21A.24.010 Purpose. The purpose of this chapter is to implement the goals and policies of the Washington State Environmental Policy Act, RCW 43.21C, and the King County Comprehensive Plan which call for protection of the natural environment and the public health and safety by:

A. Establishing development standards to protect defined sensitive areas;

B. Protecting members of the public and public resources and facilities from injury, loss of life, property damage or financial loss due to flooding, erosion, landslides, seismic and volcanic events, soil subsidence or steep slope failures;
C. Protecting unique, fragile and valuable elements of the environment including, but not limited to, wildlife and its habitat;
D. Requiring mitigation of unavoidable impacts on environmentally sensitive areas by regulating alterations in or near sensitive areas;
E. Preventing cumulative adverse environmental impacts on water availability, water quality, wetlands and streams;
F. Measuring the quantity and quality of wetland and stream resources and preventing overall net loss of wetland and stream functions;
G. Protecting the public trust as to navigable waters and aquatic resources;
H. Meeting the requirements of the National Flood Insurance Program and maintaining King County as an eligible community for federal flood insurance benefits;
I. Alerting members of the public including, but not limited to, appraisers, owners, potential buyers or lessees to the development limitations of sensitive areas; and
J. Providing county officials with sufficient information to protect sensitive areas.

SECTION 449.

21A.24.020 Applicability. A. The provisions of this chapter shall apply to all land uses in King County, and all persons within the county shall comply with the requirements of this chapter.
B. King County shall not approve any permit or otherwise issue any authorization to alter the condition of any land, water or vegetation or to construct or alter any structure or improvement without first assuring compliance with the requirements of this chapter.
C. Approval of a development proposal pursuant to the provisions of this chapter does not discharge the obligation of the applicant to comply with the provisions of this chapter.
D. When any provision of any other chapter of the King County Code conflicts with this chapter or when the provisions of this chapter are in conflict, that provision which provides more protection to environmentally sensitive areas shall apply unless specifically provided otherwise in this chapter or unless such provision conflicts with federal or state laws or regulations.
E. The provisions of this chapter shall apply to all forest practices over which the county has jurisdiction pursuant to RCW 76.09 and WAC 222.

SECTION 450.

21A.24.030 Appeals. Any decision to approve, condition or deny a development proposal based on the requirements of K.C.C. 21A.24 may be appealed according to and as part of the appeal procedure for the permit or approval involved.

SECTION 451.

21A.24.040 Sensitive areas rules. Applicable departments within King County are authorized to adopt, pursuant to K.C.C. 2.98, such administrative rules and regulations as are necessary and appropriate to implement K.C.C. 21A.24 and to prepare and require the use of such forms as are necessary to its administration.

SECTION 452.

21A.24.050 Complete exemptions. The following are exempt from the provisions of this chapter and any administrative rules promulgated thereunder:
A. Alterations in response to emergencies which threaten the public health, safety and welfare or which pose an imminent risk of damage to private property as long as any alteration undertaken pursuant to this subsection is reported to the department immediately. The director shall confirm that an emergency exists and determine what, if any, mitigation shall be required to protect the health, safety, welfare and environment and to repair any resource damage;

B. Agricultural activities in existence before November 27, 1990, as follows:

1. mowing of hay, grass or grain crops;

2. tilling, discing, planting, seeding, harvesting and related activities for pasture, food crops, grass seed or sod if such activities do not take place on steep slopes;

3. normal and routine maintenance of existing irrigation and drainage ditches not used by salmonids; and

4. normal and routine maintenance of farm ponds, fish ponds, manure lagoons and livestock watering ponds;

C. Public water, electric and natural gas distribution, public sewer collection, cable communications, telephone utility and related activities undertaken pursuant to county-approved best management practices, as follows:

1. normal and routine maintenance or repair of existing utility structures or rights-of-way;

2. relocation of electric facilities, lines, equipment or appurtenances, not including substations, with an associated voltage of 55,000 volts or less, only when required by a local governmental agency which approves the new location of the facilities;

3. replacement, operation, repair, modification or installation or construction in an improved county road right-of-way or county authorized private roadway of all electric facilities, lines, equipment or appurtenances, not including substations, with an associated voltage of 55,000 volts or less;

4. relocation of public sewer local collection, public water local distribution, natural gas, cable communication or telephone facilities, lines, pipes, mains, equipment or appurtenances, only when required by a local governmental agency which approves the new location of the facilities; and

5. replacement, operation, repair, modification, installation or construction of public sewer local collection, public water local distribution, natural gas, cable communication or telephone facilities, lines, pipes, mains, equipment or appurtenances when such facilities are located within an improved public right-of-way or county authorized private roadway;

D. Maintenance, operation, repair, modification or replacement of publicly improved roadways as long as any such alteration does not involve the expansion of roadways or related improvements into previously unimproved rights-of-way or portions of rights-of-way;

E. Maintenance, operation or repair of publicly improved recreation areas as long as any such alteration does not involve the expansion of improvements into previously unimproved recreation areas;

F. Public agency development proposals only to the extent of any construction contract awarded before November 27, 1990, provided that any law or regulation in effect at the time of such award shall apply to the proposal, and

G. All clearing and grading activities which are exempt from the requirement for a clearing and grading permit as specified in K.C.C. 16.82.050, unless these activities require other permits or authorizations as specified in K.C.C. 21A.24.020.

SECTION 453.

21A.24.060 Partial exemptions. A. The following are exempt from the provisions of this chapter and any administrative rules promulgated thereunder, except for the notice on title provisions, K.C.C. 21A.24.170 - 21A.24.180, and the flood hazard area provisions, K.C.C. 21A.24.230 - 21A.24.270:

1. structural modification of, addition to or replacement of structures, except single detached residences, in existence before November 27, 1990 which do not meet the building setback or buffer requirements for wetlands, streams or steep slope hazard areas if the modification, addition, replacement or related activity does not increase the existing footprint of the structure lying within the above-described building setback area, sensitive area or buffer;

2. structural modification of, addition to or replacement of single detached residences in existence before November 27, 1990 which do not meet the building setback or buffer requirements for wetlands, streams or steep slope hazard areas if the modification, addition,replacement or related activity does not increase the existing footprint of the residence lying within the above-described buffer or building setback area by more than 1000 square feet over that existing before November 27, 1990 and no portion of the modification, addition or replacement is located closer to the sensitive area or, if the existing residence is in the sensitive area, extends farther into the sensitive area; and

3. maintenance or repair of structures which do not meet the development standards of this chapter for coal mine, landslide, seismic or volcanic hazard areas if the maintenance or repair does not increase the footprint of the structure and there is no increased risk to life or property as a result of the proposed maintenance or repair;

B. The grazing of livestock is exempt from the provisions of this chapter and any administrative rules promulgated thereunder, except for the livestock restriction provisions, K.C.C. 21A.24.320 and 21A.24.360, and any animal density limitations established by law, if the grazing activity was in existence before November 27, 1990;

C. A permit or approval sought as part of a development proposal for which multiple permits are required is exempt from the provisions of this chapter and any administrative rules promulgated thereunder, except for the notice on title provisions, K.C.C. 21A.24.170 - 21A.24.180, if:

1. King County previously reviewed all sensitive areas on the site;

2. there is no material change in the development proposal since the prior review;

3. there is no new information available which is important to any sensitive area review of the site or particular sensitive area;

4. the permit or approval under which the prior review was conducted has not expired or, if no expiration date, no more than five years lapsed since the issuance of that permit or approval; and

5. the prior permit or approval, including any conditions, has been complied with.

SECTION 454.

21A.24.070 Exceptions. A. If the application of this chapter would prohibit a development proposal by a public agency or public utility, the agency or utility may apply for an exception pursuant to this subsection:

1. the public agency or utility shall apply to the department and shall make available to the department other related project documents such as permit applications to other agencies, special studies and SEPA documents. The department shall prepare a recommendation to the zoning and subdivision examiner;

2. the examiner shall review the application and conduct a public hearing pursuant to the provisions of K.C.C. 20.24.070. The examiner shall make a recommendation to the council based on the following criteria:

a. there is no other practical alternative to the proposed development with less impact on the sensitive area; and

b. the proposal minimizes the impact on sensitive areas;

3. this exception shall not allow the use of the following sensitive areas for regional retention/detention facilities except where there is a clear showing that the facility will protect public health and safety or repair damaged natural resources:

a. class 1 streams or buffers;

b. class 1 wetlands or buffers with plant associations of infrequent occurrence; or

c. class 1 or 2 wetlands or buffers which provide critical or outstanding habitat for herons, raptors or state or federal designated endangered or threatened species unless clearly demonstrated by the applicant that there will be no impact on such habitat.

B. If the application of this chapter would deny all reasonable use of the property, the applicant may apply for an exception pursuant to this subsection:

1. the applicant shall apply to the department, and the department shall prepare a recommendation to the zoning and subdivision examiner. The applicant may apply for a reasonable use exception without first having applied for a variance if the requested exception includes relief from standards for which a variance cannot be granted pursuant to the provisions of K.C.C. 21A.44;

2. the examiner shall review the application in consultation with the prosecuting attorney and shall conduct a public hearing pursuant to the provisions of K.C.C. 20.24.080. The examiner shall make a final decision based on the following criteria:

a. the application of this chapter would deny all reasonable use of the property;

b. there is no other reasonable use with less impact on the sensitive area;

c. the proposed development does not pose an unreasonable threat to the public health, safety or welfare on or off the development proposal site and is consistent with the general purposes of this chapter and the public interest; and

d. any alterations permitted to the sensitive area shall be the minimum necessary to allow for reasonable use of the property; and

3. any authorized alteration of a sensitive area under this subsection shall be subject to conditions established by the examiner including, but not limited to, mitigation under an approved mitigation plan.

SECTION 455.

21A.24.080 Sensitive area maps and inventories. The distribution of many environmentally sensitive areas in western King County is displayed on maps in the Sensitive Areas Map Folio. Many of the wetlands are inventoried and rated and that information is published in the King County Wetlands Inventory Notebooks. Many flood hazard areas are mapped by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for King County." If there is a conflict among the maps, inventory and site-specific features, the actual presence or absence of the features defined in this title as sensitive areas shall govern.

SECTION 456.

21A.24.090 Disclosure by applicant. A. The applicant shall disclose to King County the presence of sensitive areas on the development proposal site and any mapped or identifiable sensitive areas within 100 feet of the applicant's property.

B. If the development proposal site contains or is within a sensitive area, the applicant shall submit an affidavit which declares whether the applicant has knowledge of any illegal alteration to any or all sensitive areas on the development proposal site and whether the applicant previously has been found in violation of this chapter, pursuant to K.C.C. Title 23. If the applicant previously has been found in violation, the applicant shall declare whether such violation has been corrected to the satisfaction of King County.

SECTION 457.

21A.24.100 Sensitive area review. A. King County shall perform a sensitive area review for any King County development proposal permit application or other request for permission to proceed with an alteration on a site which includes a sensitive area or is within an identified sensitive area buffer or building setback area.

B. As part of the sensitive area review, King County shall:

1. determine whether any sensitive area exists on the property and confirm its nature and type;

2. determine whether a sensitive area special study is required;

3. evaluate the sensitive area special study;

4. determine whether the development proposal is consistent with this chapter;

5. determine whether any proposed alteration to the sensitive area is necessary; and
6. determine if the mitigation and monitoring plans and bonding measures proposed by the applicant are sufficient to protect the public health, safety and welfare, consistent with the goals, purposes, objectives and requirements of this chapter.

SECTION 458.

21A.24.110 Sensitive area special study requirement. A. An applicant for a development proposal which includes a sensitive area or is within an identified sensitive area buffer shall submit a sensitive area special study to adequately evaluate the proposal and all probable impacts.
B. King County may waive the requirement for a special study if the applicant shows, to King County's satisfaction, that:
1. there will be no alteration of the sensitive area or buffer;
2. the development proposal will not have an impact on the sensitive area in a manner contrary to the goals, purposes, objectives and requirements of this chapter; and
3. the minimum standards required by this chapter are met.
C. If necessary to insure compliance with this chapter, King County may require additional information from the applicant, separate from the special study.

SECTION 459.

21A.24.120 Contents of sensitive area special study. A. The sensitive area special study shall be in the form of a written report and shall contain the following, as applicable:
1. identification and characterization of all sensitive areas on or encompassing the development proposal site;
2. assessment of the impacts of any alteration proposed for a sensitive area or buffer, assessment of the impacts of any alteration on the development proposal, other properties and the environment, and/or assessment of the impacts to the development proposal resulting from development in the sensitive area or buffer;
3. studies which propose adequate mitigation, maintenance, monitoring and contingency plans and bonding measures;
4. a scale map of the development proposal site; and
5. detailed studies, as required by King County.
B. A sensitive area special study may be combined with any studies required by other laws and regulations; and
C. If the development proposal will affect only a part of the development proposal site, the county may limit the scope of the required special study to include only that part of the site which may be affected by the development.

SECTION 460.

21A.24.130 Mitigation, maintenance, monitoring and contingency. A. As determined by King County, mitigation, maintenance and monitoring measures shall be in place to protect sensitive areas and buffers from alterations occurring on the development proposal site.
B. Where monitoring reveals a significant deviation from predicted impacts or a failure of mitigation or maintenance measures, the applicant shall be responsible for appropriate corrective action which, when approved, shall be subject to further monitoring.

SECTION 461.

21A.24.140 Bonds to insure mitigation, maintenance and monitoring. A. When mitigation required pursuant to a development proposal is not completed prior to King County finally approving the proposal, King County may delay final approval until mitigation is completed or may require the applicant to post a performance bond or other security in a form and amount deemed acceptable by King County. The bond shall be sufficient to guarantee that all required mitigation

measures will be completed no later than the time established by King County in accordance with this chapter.
B. If the development proposal is subject to mitigation, maintenance or monitoring plans, the applicant shall post a maintenance/monitoring bond or other security in a form and amount deemed acceptable by King County. The bond shall be sufficient to guarantee satisfactory workmanship on, materials in and performance of or related to structures and improvements allowed or required by this chapter for a period of up to five years. The duration of maintenance/monitoring obligations shall be established by King County, based upon the nature of the proposed mitigation, maintenance or monitoring and the likelihood and expense of correcting mitigation or maintenance failures.
C. Performance and maintenance/monitoring bonds or other security shall also be required for restoration of a sensitive area or buffer not performed as part of a mitigation or maintenance plan, except that no bond shall be required for minor stream restoration carried out pursuant to this chapter. The bond or other security shall be in a form and amount deemed acceptable by King County.
D. Performance and maintenance/monitoring bonds or other security authorized by this section shall remain in effect until King County determines, in writing, that the standards bonded for have been met.
E. Depletion, failure or collection of bond funds shall not discharge the obligation of an applicant or violator to complete required mitigation, maintenance, monitoring or restoration.
F. Public development proposals shall be relieved from having to comply with the bonding requirements of this section if public funds have previously been committed for mitigation, maintenance, monitoring or restoration.

SECTION 462.

21A.24.150 Vegetation management plan. A. For all development proposals where preservation of existing vegetation is required by this chapter, a vegetation management plan shall be submitted and approved prior to issuance of the permit or other request for permission to proceed with an alteration.
B. The vegetation management plan shall identify the proposed clearing limits for the project and any areas where vegetation in a sensitive area or its buffer is proposed to be disturbed.
C. Where clearing includes cutting any merchantable stand of timber, as defined in WAC 222-16-010(28), the vegetation management plan shall include a description of proposed logging practices which demonstrates how all sensitive areas will be protected in accordance with the provisions of this chapter.
D. Clearing limits as shown on the plan shall be marked in the field in a prominent and durable manner. Proposed methods of field marking shall be reviewed and approved by King County prior to any site alteration. Field marking shall remain in place until the certificate of occupancy or final project approval is granted.
E. The vegetation management plan may be incorporated into a temporary erosion and sediment control plan or landscaping plan where either of these plans is required by other laws or regulations.
F. Submittal requirements for vegetation management plans shall be set forth in administrative rules.

SECTION 463.

21A.24.160 Sensitive area markers and signs. A. Permanent survey stakes delineating the boundary between adjoining property and sensitive area tracts shall be set, using iron or concrete markers as established by current survey standards.
B. The boundary between a sensitive area tract and contiguous land shall be identified with permanent signs.

SECTION 464.

21A.24.170 Notice on title. A. The owner of any property containing sensitive areas or buffers on which a development proposal is submitted, except a public right-of-way or the site of a permanent public facility, shall file a notice approved by King County with the records and elections division. The required contents and form of the notice shall be set forth in administrative rules. The notice shall inform the public of the presence of sensitive areas or buffers on the property, of the application of this chapter to the property and that limitations on actions in or affecting such sensitive areas or buffers may exist. The notice shall run with the land.

B. The applicant shall submit proof that the notice has been filed for public record before King County shall approve any development proposal for the property or, in the case of subdivisions, short subdivisions and binding site plans, at or before recording.

SECTION 465.

21A.24.180 Sensitive area tracts and designations on site plans. A. Sensitive area tracts shall be used to delineate and protect those sensitive areas and buffers listed below in development proposals for subdivisions, short subdivisions or binding site plans and shall be recorded on all documents of title of record for all affected lots:

1. all landslide hazard areas and buffers which are one acre or greater in size;
2. all steep slope hazard areas and buffers which are one acre or greater in size;
3. all wetlands and buffers; and
4. all streams and buffers.

B. Any required sensitive area tract shall be held in an undivided interest by each owner of a building lot within the development with this ownership interest passing with the ownership of the lot or shall be held by an incorporated homeowner's association or other legal entity which assures the ownership, maintenance and protection of the tract.

C. Site plans submitted as part of development proposals for building permits, master plan developments and clearing and grading permits shall include and delineate all flood hazard areas, [if they have been mapped by FEMA or King County or if a special study is required] landslide, volcanic, coal mine and steep slope hazard areas, streams and wetlands, buffers and building setbacks. If only a part of the development site has been mapped pursuant to K.C.C. 21A.24.120.C, the part of the site which has not been mapped shall be clearly identified and labeled on the site plans. The site plans shall be attached to the notice on title required by K.C.C. 21A.24.170.

SECTION 466.

21A4.190 Alteration. Any human activity which results or is likely to result in an impact upon the existing condition of a sensitive area is an alteration which is subject to specific limitations as specified for each sensitive area. Alterations include, but are not limited to, grading, filling, dredging, draining, channelizing, applying herbicides or pesticides or any hazardous substance, discharging pollutants except stormwater, grazing domestic animals, paving, constructing, applying gravel, modifying for surface water management purposes, cutting, pruning, topping, trimming, relocating or removing vegetation or any other human activity which results or is likely to result in an impact to existent vegetation, hydrology, wildlife or wildlife habitat. Alterations do not include walking, fishing or any other passive recreation or other similar activities.

SECTION 467.

21A.24.200 Building setbacks. Unless otherwise provided, buildings and other structures shall be set back a distance of 15 feet from the edges of all sensitive area buffers or from the edges of all sensitive areas, if no buffers are required. The following may be allowed in the building setback area:

A. Landscaping;

B. Uncovered decks;

C. Building overhangs if such overhangs do not extend more than 18 inches into the setback area; and
D. Impervious ground surfaces, such as driveways and patios, provided that such improvements may be subject to special drainage provisions specified in administrative rules adopted for the various sensitive areas.

SECTION 468.

21A.24.210 Coal mine hazard areas: development standards and permitted alterations. A. Alterations to coal mine hazard areas may be allowed only when mitigation based on the best available engineering and geological practices is implemented which eliminates or minimizes the risk of damage, death or injury resulting from abandoned mine workings.
B. Building setback areas may be required by King County to accomplish the objective stated in subsection A.
C. Buildings with less than 2500 square feet of floor area or roof area (whichever is greater) that contain no living quarters and that are not used as places of employment or public assembly are exempt from the provisions of this section provided, that King County staff finds no site specific evidence indicating the presence of mine workings at a depth of less than 200 feet within a horizontal distance of 200 feet of the proposed structure.
D. Mobile homes which replace pre-existing mobile homes at the same location are exempt from the provisions of this section provided that, based on a field visit and review of existing information, King County finds no specific evidence indicating the presence of mine workings at a depth of less than 200 feet within a horizontal distance of 200 feet of the proposed structure.

SECTION 469.

21A.24.220 Erosion hazard areas: development standards and permitted alterations. A. Clearing on an erosion hazard area is allowed only from April 1 to September 1, except that:
1. up to 15,000 square feet may be cleared on any lot, subject to any other requirement for vegetation retention and subject to any clearing and grading permit required by K.C.C. 16.82; and
2. timber harvest may be allowed pursuant to an approved forest practice permit issued by the Washington Department of Natural Resources.
B. All development proposals on sites containing erosion hazard areas shall include a temporary erosion control plan consistent with this section and other laws and regulations prior to receiving approval. Specific requirements for such plans shall be set forth in administrative rules.
C. All subdivisions, short subdivisions or binding site plans on sites with erosion hazard areas shall comply with the following additional requirements:
1. except as provided in this section, existing vegetation shall be retained on all lots until building permits are approved for development on individual lots;
2. if any vegetation on the lots is damaged or removed during construction of the subdivision infrastructure, the applicant shall be required to submit a restoration plan to King County for review and approval. Following approval, the applicant shall be required to implement the plan;
3. clearing of vegetation on lots may be allowed without a separate clearing and grading permit if King County determines that:
a. such clearing is a necessary part of a large scale grading plan;
b. it is not feasible to perform such grading on an individual lot basis; and
c. drainage from the graded area will meet water quality standards to be established by administrative rules.
D. Where King County determines that erosion from a development site poses a significant risk of damage to downstream receiving waters, based either on the size of the project, the proximity to the receiving water or the sensitivity of the receiving water, the applicant shall be required to provide regular monitoring of surface water discharge from the site. If the project does not meet water quality standards established by law or administrative rules, the county may suspend further development work on the site until such standards are met.

E. The use of hazardous substances, pesticides and fertilizers in erosion hazard areas may be prohibited by King County.

SECTION 470.

21A.24.230 Flood hazard areas: components. A. A flood hazard area consists of the following components:

1. floodplain;
2. flood fringe;
3. zero-rise floodway; and
4. Federal Emergency Management Agency ("FEMA") floodway.

B. King County shall determine the flood hazard area after obtaining, reviewing and utilizing base flood elevations and available floodway data for a flood having a one percent chance of being equaled or exceeded in any given year, often referred to as the "100-year flood." The base flood is determined for existing conditions, unless a basin plan including projected flows under future developed conditions has been completed and adopted by King County, in which case these future flow projections shall be used. In areas where the Flood Insurance Study for King County includes detailed base flood calculations, those calculations may be used until projections of future flows are completed and approved by King County.

SECTION 471.

21A.24.240 Flood fringe: development standards and permitted alterations. A. Development proposals shall not reduce the effective base flood storage volume of the floodplain. Grading or other activity which would reduce the effective storage volume shall be mitigated by creating compensatory storage on the site or off the site if legal arrangements can be made to assure that the effective compensatory storage volume will be preserved over time. Grading for construction of livestock manure storage facilities to control non-point source water pollution designed to the standards of and approved by the King County Conservation District is exempt from this compensatory storage requirement.

B. No structure shall be allowed which would be at risk due to stream bank destabilization including, but not limited to, that associated with channel relocation or meandering.

C. All elevated construction shall be designed and certified by a professional structural engineer licensed by the State of Washington and shall be approved by King County prior to construction.

D. Subdivisions, short subdivisions and binding site plans shall meet the following requirements:

1. new building lots shall contain 5,000 square feet or more of buildable land outside the zero-rise floodway, and building setback areas shall be shown on the face of the plat to restrict permanent structures to this buildable area;
2. all utilities and facilities such as sewer, gas, electrical and water systems shall be located and constructed consistent with subsections E., F. and I.;
3. base flood data and flood hazard notes shall be shown on the face of the recorded subdivision, short subdivision or binding site plan including, but not limited to, the base flood elevation, required flood protection elevations and the boundaries of the floodplain and the zero-rise floodway, if determined; and
4. the following notice shall also be shown on the face of the recorded subdivision, short subdivision or binding site plan for all affected lots:

"NOTICE"

"Lots and structures located within flood hazard areas may be inaccessible by emergency vehicles during flood events. Residents and property owners should take appropriate advance precautions."

E. New residential structures and substantial improvements of existing residential structures shall meet the following requirements:

1. the lowest floor shall be elevated to the flood protection elevation;

2. portions of a structure which are below the lowest floor area shall not be fully enclosed. The areas and rooms below the lowest floor shall be designed to automatically equalize hydrostatic and hydrodynamic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for satisfying this requirement shall meet or exceed the following requirements:

a. a minimum of two openings on opposite walls having a total open area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;

b. the bottom of all openings shall be no higher than one foot above grade; and

c. openings may be equipped with screens, louvers or other coverings or devices if they permit the unrestricted entry and exit of floodwaters;

3. materials and methods which are resistant to and minimize flood damage shall be used; and

4. all electrical, heating, ventilation, plumbing, air conditioning equipment and other utility and service facilities shall be flood-proofed to or elevated above the flood protection elevation.

F. New nonresidential structures and substantial improvements of existing nonresidential structures shall meet the following requirements:

1. the elevation requirement for residential structures contained in subsection E.1. shall be met; or

2. the structure shall be flood-proofed to the flood protection elevation and shall meet the following requirements:

a. the applicant shall provide certification by a professional civil or structural engineer licensed by the State of Washington that the flood-proofing methods are adequate to withstand the flood-depths, pressures, velocities, impacts, uplift forces and other factors associated with the base flood. After construction, the engineer shall certify that the permitted work conforms with the approved plans and specifications; and

b. approved building permits for flood-proofed nonresidential structures shall contain a statement notifying applicants that flood insurance premiums shall be based upon rates for structures which are one foot below the flood-proofed level;

3. materials and methods which are resistant to and minimize flood damage shall be used; and

4. all electrical, heating, ventilation, plumbing, air conditioning equipment and other utility and service facilities shall be flood-proofed to or elevated above the flood protection elevation.

G. All new construction shall be anchored to prevent flotation, collapse or lateral movement of the structure.

H. Mobile homes and mobile home parks shall meet the following requirements:

1. mobile homes shall meet all requirements for flood hazard protection for residential structures, shall be anchored and shall be installed using methods and practices which minimize flood damage; and

2. no permit or approval for the following shall be granted unless all mobile homes within the mobile home park meet the requirements for flood hazard protection for residential structures:

a. a new mobile home park;

b. an expansion of an existing mobile home park; or

c. any repair or reconstruction of streets, utilities or pads in an existing mobile home park which equals or exceeds 50 percent of the value of such streets, utilities or pads.

I. Utilities shall meet the following requirements.

1. new and replacement utilities including, but not limited to, sewage treatment facilities shall be flood-proofed to or elevated above the flood protection elevation;

2. new on-site sewage disposal systems shall be, to the extent possible, located outside the limits of the base flood elevation. The installation of new on-site sewage disposal systems in the flood fringe may be allowed if no feasible alternative site is available;

3. sewage and agricultural waste storage facilities shall be flood-proofed to the flood protection elevation;

4. above-ground utility transmission lines, other than electric transmission lines, shall only be allowed for the transport of non-hazardous substances; and

5. buried utility transmission lines transporting hazardous substances shall be buried at a minimum depth of four feet below the maximum depth of scour for the base flood, as predicted by a professional civil engineer licensed by the State of Washington, and shall achieve sufficient negative buoyancy so that any potential for flotation or upward migration is eliminated.

J. Critical facilities may be allowed within the flood fringe of the floodplain, but only when no feasible alternative site is available. Critical facilities shall be evaluated through the conditional or special use permit process. Critical facilities constructed within the flood fringe shall have the lowest floor elevated to three or more feet above the base flood elevation. Flood-proofing and sealing measures shall be taken to ensure that hazardous substances will not be displaced by or released into floodwaters. Access routes elevated to or above the base flood elevation shall be provided to all critical facilities from the nearest maintained public street or roadway.

K. Prior to approving any permit for alterations in the flood fringe, King County shall determine that all permits required by state or federal law have been obtained.

SECTION 472.

21A.24.250 Zero-rise floodway: development standards and permitted alterations. A. The requirements which apply to the flood fringe shall also apply to the zero-rise floodway. The more restrictive requirements shall apply where there is a conflict.

B. A development proposal including, but not limited to, new or reconstructed structures shall not cause any increase in the base flood elevation unless the following requirements are met:

1. amendments to the Flood Insurance Rate Map are adopted by FEMA, in accordance with 44 CFR 70, to incorporate the increase in the base flood elevation; and

2. appropriate legal documents are prepared in which all property owners affected by the increased flood elevations consent to the impacts on their property. These documents shall be filed with the title of record for the affected properties.

C. The following are presumed to produce no increase in base flood elevation and shall not require a special study to establish this fact:

1. new residential structures outside the FEMA floodway on lots in existence before November 27, 1990 which contain less than 5,000 square feet of buildable land outside the zero-rise floodway and which have a total building footprint of all proposed structures on the lot of less than 2,000 square feet;

2. substantial improvements of existing residential structures in the zero-rise floodway, but outside the FEMA floodway, where the footprint is not increased; or

3. substantial improvements of existing residential structures meeting the requirements for new residential structures in K.C.C. 21A.24.240.

D. Post or piling construction techniques which permit water flow beneath a structure shall be used.

E. All temporary structures or substances hazardous to public health, safety and welfare, except for hazardous household substances or consumer products containing hazardous substances, shall be removed from the zero-rise floodway during the flood season from September 30 to May 1.

F. New residential or non-residential structures shall meet the following requirements:

1. the structures shall be outside the FEMA floodway; and

2. the structures shall be on lots in existence before November 27, 1990 which contain less than 5000 square feet of buildable land outside the zero-rise floodway.

G. Utilities may be allowed within the zero-rise floodway if King County determines that no feasible alternative site is available, subject to the following requirements:

1. installation of new on-site sewage disposal systems shall be prohibited unless a waiver is granted by the Seattle/King County department of public health; and

2. construction of sewage treatment facilities shall be prohibited.

H. Critical facilities shall not be allowed within the zero-rise floodway except as provided in subsection J.
I. Livestock manure storage facilities and associated non-point source water pollution facilities designed, constructed and maintained to the standards of and approved in a conservation plan by the King County Conservation District may be allowed if King County reviews and approves the location and design of the facilities.
J. Structures and installations which are dependent upon the floodway may be located in the floodway if the development proposal is approved by all agencies with jurisdiction. Such structures include, but are not limited to:

1. dams or diversions for water supply, flood control, hydroelectric production, irrigation or fisheries enhancement;
2. flood damage reduction facilities, such as levees and pumping stations;
3. stream bank stabilization structures where no feasible alternative exists for protecting public or private property;
4. storm water conveyance facilities subject to the development standards for streams and wetlands and the Surface Water Design Manual;
5. boat launches and related recreation structures;
6. bridge piers and abutments; and
7. other fisheries enhancement or stream restoration projects.

SECTION 473.

21A.24.260 FEMA floodway: development standards and permitted alterations. A. The requirements which apply to the zero-rise floodway shall also apply to the FEMA floodway. The more restrictive requirements shall apply where there is a conflict.
B. A development proposal including, but not limited to, new or reconstructed structures shall not cause any increase in the base flood elevation.
C. New residential or nonresidential structures are prohibited within the FEMA floodway.
D. Substantial improvements of existing residential structures in the FEMA floodway, meeting the requirements of WAC 173-158-070, as amended, are presumed to produce no increase in base flood elevation and shall not require a special study to establish this fact.

SECTION 474.

21A.24.270 Flood hazard areas: certification by engineer or surveyor. A. For all new structures or substantial improvements in a flood hazard area, the applicant shall provide certification by a professional civil engineer or land surveyor licensed by the State of Washington of:

1. the actual as-built elevation of the lowest floor, including basement; and
2. the actual as-built elevation to which the structure is flood-proofed, if applicable.

B. The engineer or surveyor shall indicate if the structure has a basement.
C. King County shall maintain the certifications required by this section for public inspection.

SECTION 475.

21A.24.280 Landslide hazard areas: development standards and permitted alterations. A development proposal on a site containing a landslide hazard area shall meet the following requirements:
A. A minimum buffer of 50 feet shall be established from all edges of the landslide hazard area. The buffer shall be extended as required to mitigate a steep slope or erosion hazard or as otherwise necessary to protect the public health, safety and welfare;

B. Unless otherwise provided herein or as part of an approved alteration, removal of any vegetation from a landslide hazard area or buffer shall be prohibited, except for limited removal of vegetation necessary for surveying purposes and for the removal of hazard trees determined to be unsafe according to tree selection rules promulgated pursuant to this chapter. Notice to King County shall be provided prior to any vegetation removal permitted by this subsection;
C. Vegetation on slopes within a landslide hazard area or buffer which has been damaged by human activity or infested by noxious weeds may be replaced with vegetation native to King County pursuant to an enhancement plan approved by King County. The use of hazardous substances, pesticides and fertilizers in landslide hazard areas and their buffers may be prohibited by King County; and
D. Alterations to landslide hazard areas and buffers may be allowed only as follows:
1. a landslide hazard area located on a slope 40% or steeper may be altered only if the alteration meets the standards and limitations set forth for steep slope hazard areas in K.C.C. 21A.24.310;
2. a landslide hazard area located on a slope less than 40% may be altered only if the alteration meets the following requirements:
a. the development proposal will not decrease slope stability on contiguous properties; and
b. mitigation based on the best available engineering and geological practices is implemented which either eliminates or minimizes the risk of damage, death or injury resulting from landslides; and
3. neither buffers nor a sensitive area tract shall be required if the alteration meets the standards of subsection D.2.

SECTION 476.
21A.24.290 Seismic hazard areas: development standards and permitted alterations. A development proposal on a site containing a seismic hazard area shall meet the following requirements:
A. Unless exempt, development proposals shall be subject to review standards based on two occupancy types: critical facilities and other structures. The review standards for critical facilities shall be based on larger earthquake reoccurrence intervals. The review standards for both occupancy types shall be set forth in administrative rules;
B. Alterations to seismic hazard areas may be allowed only as follows:
1. the evaluation of site-specific subsurface conditions shows that the proposed development site is not located in a seismic hazard area; or
2. mitigation based on the best available engineering and geological practices is implemented which either eliminates or minimizes the risk of damage, death or injury resulting from seismically induced settlement or soil liquefaction; and
3. mobile homes may be placed in seismic hazard areas without performing special studies to address the seismic hazard. Such mobile homes may be subject to special support and tie-down requirements. These requirements shall be set forth in administrative rules.
C. Buildings with less than 2500 square feet of floor area or roof area (whichever is greater) that contain no living quarters and that are not used as places of employment or public assembly exempt from the provisions of this section.

SECTION 477.
21A.24.300 Volcanic hazard areas: development standards and permitted alterations. A development proposal on a site containing a volcanic hazard area shall meet the following requirements:

A. within volcanic hazard areas located along the White River upstream from Mud Mountain Dam:
1. no critical facilities shall be constructed or located;
2. no new apartments, townhouses or commercial structures shall be constructed or located;
3. all new lots created by subdivision, short subdivision or binding site plan shall require building areas outside of the volcanic hazard area which shall be designated with building setback areas; and
4. new single detached residential construction on existing lots may be allowed if the applicant records with the records and elections division the following notice on all title documents:

"NOTICE"

"The structures on this property are located in an area which may be inundated by mudflows originating on Mount Rainier. For further information regarding this hazard, please contact King County";

B. Within volcanic hazard areas located along the White River downstream from Mud Mountain Dam and Green and Duwamish Rivers: critical facilities shall be evaluated for risk of inundation or flooding resulting from mudflows originating on Mount Rainier. These structures shall be designed to withstand, without damage, the effects of mudflows equal in magnitude to the prehistoric Electron Mudflow; and
C. This section shall not become effective until King County has completed the required modeling and mapping of volcanic hazard areas.

SECTION 478.
21A.24.310 Steep slope hazard areas: development standards and permitted alterations. A development proposal on a site containing a steep slope hazard area shall meet the following requirements:
A. A minimum buffer of 50 feet shall be established from the top, toe and along all sides of any slope 40% or steeper. The buffer shall be extended as required to mitigate a landslide or erosion hazard or as otherwise necessary to protect the public health, safety and welfare. The buffer may be reduced to a minimum of ten feet if, based on a special study, King County determines that the reduction will adequately protect the proposed development and the sensitive area. For single family residential building permits only, King County may waive the special study requirement and authorize buffer reductions if King County determines that the reduction will adequately protect the proposed development and the sensitive area;
B. Unless otherwise provided herein or as part of an approved alteration, removal of any vegetation from a steep slope hazard area or buffer shall be prohibited, except for limited removal of vegetation necessary for surveying purposes and for the removal of hazard trees determined to be unsafe according to tree selection rules promulgated pursuant to this chapter. Notice to King County shall be provided prior to any vegetation removal permitted by this subsection;
C. Vegetation on steep slopes within steep slope hazard areas or their buffers which has been damaged by human activity or infested by noxious weeds may be replaced with vegetation native to King County pursuant to a vegetation management plan approved by King County. The use of hazardous substances, pesticides and fertilizers in steep slope hazard areas and their buffers may be prohibited by King County;
D. Alterations to steep slope hazard areas and buffers may be allowed only as follows:
1. approved surface water conveyances, as specified in the Surface Water Design Manual, may be allowed on steep slopes if they are installed in a manner to minimize disturbance to the slope and vegetation;

2. public and private trails may be allowed on steep slopes as approved by the county. Under no circumstances shall trails be constructed of concrete, asphalt or other impervious surfaces which will contribute to surface water run-off, unless such construction is necessary for soil stabilization or soil erosion prevention or unless the trail system is specifically designed and intended to be accessible to handicapped persons. Additional requirements for trail construction may be set forth in administrative rules;

3. utility corridors may be allowed on steep slopes if a special study shows that such alteration will not subject the area to the risk of landslide or erosion;

4. limited trimming and pruning of vegetation may be allowed on steep slopes pursuant to an approved vegetation management plan for the creation and maintenance of views if the soils are not disturbed and the activity is subject to administrative rules;

5. approved mining and quarrying activities may be allowed; and

6. stabilization of sites where erosion or landsliding threaten public or private structures, utilities, roads, driveways or trails, or where erosion and landsliding threatens any lake, stream, wetland or shoreline. Stabilization work shall be performed in a manner which causes the least possible disturbance to the slope and its vegetative cover; and

E. The following are exempt from the provisions of this section:

1. slopes which are 40% or steeper with a vertical elevation change of up to 20 feet if no adverse impact will result from the exemption based on King County's review of and concurrence with a soils report prepared by a geologist or geotechnical engineer; and

2. the approved regrading of any slope which was created through previous legal grading activities. Any slope which remains 40% or steeper following site development shall be subject to all requirements for steep slopes.

SECTION 479.

21A.24.320 Wetlands: development standards. A development proposal on a site containing a wetland shall meet the following requirements:

A. The following minimum buffers shall be established from the wetland edge:

1. a class 1 wetland shall have a 100-foot buffer;

2. a class 2 wetland shall have a 50-foot buffer;

3. a class 3 wetland shall have a 25-foot buffer;

4. any wetland restored, relocated, replaced or enhanced because of a wetland alteration shall have the minimum buffer required for the highest wetland class involved; and

5. any wetland within 25 feet of the toe of a slope 30% or steeper, but less than 40%, shall have:

a. the minimum buffer required for the wetland class involved or a 25-foot buffer beyond the top of the slope, whichever is greater, if the horizontal length of the slope including small benches and terraces is within the buffer for that wetland class; or

b. a 25-foot buffer beyond the minimum buffer required for the wetland class involved if the horizontal length of the slope including small benches and terraces extends beyond the buffer for that wetland class;

B. Buffer width averaging may be allowed by King County if it will provide additional protection to wetlands or enhance their functions, as long as the total area contained in the buffer on the development proposal site does not decrease;

C. Increased buffer widths shall be required by King County when necessary to protect wetlands. Provisions for additional buffer widths shall be contained in administrative rules promulgated pursuant to this chapter including, but not limited to, provisions pertaining to critical drainage areas, location of hazardous substances, critical fish and wildlife habitat, landslide or erosion hazard areas contiguous to wetlands, groundwater recharge and discharge and the location of trail or utility corridors;

D. The use of hazardous substances, pesticides and fertilizers in the wetland and its buffer may be prohibited by King County;

E. Unless otherwise provided, the following restrictions shall apply to all development proposals which include the introduction of livestock:

1. to prevent damage to class 1 and 2 wetlands:

a. a plan to protect and enhance the wetland's water quality shall be implemented pursuant to 21A.30; or

b. fencing located not closer than the buffer edge shall be required; and

2. standards pertaining to access to streams for watering purposes, stream crossing requirements and use of natural barriers and vegetative buffering in lieu of fencing shall be included in administrative rules promulgated pursuant to this chapter;

F. The livestock restrictions contained in subsection E. shall not apply to wetlands defined as grazed wet meadows, regardless of their classification;

SECTION 480.

21A.24.330 Wetlands: permitted alterations. Alterations to wetlands and buffers may be allowed only as follows:

A. Alterations may be permitted if King County determines, based upon its review of special studies completed by qualified professionals, that:

1. the wetland does not serve any of the valuable functions of wetlands identified in K.C.C. 21A.06.730 including, but not limited to, biologic and hydrologic functions; or

2. the proposed development will protect or enhance the wildlife habitat, natural drainage or other valuable functions of the wetland and will be consistent with the purposes of this chapter;

B. To establish the conditions in subsection A., detailed studies may be required as part of the special study on habitat value, hydrology, erosion and deposition and/or water quality. Such detailed studies shall include specific recommendations for mitigation which may be required as a condition of any development proposal approval. The recommendations may include, but are not limited to, construction techniques or design, drainage or density specifications;

C. If a wetland is in a flood hazard area, the applicant shall notify affected communities and native tribes of proposed alterations prior to any alteration and submit evidence of such notification to the Federal Insurance Administration;

D. There shall be no introduction of any plant or wildlife which is not indigenous to King County into any wetland or buffer unless authorized by a state or federal permit or approval;

E. Utilities may be allowed in wetland buffers if:

1. King County determines that no practical alternative location is available; and

2. the utility corridor meets any additional requirements set forth in administrative rules including, but not limited to, requirements for installation, replacement of vegetation and maintenance;

F. Sewer utility corridors may be allowed in wetland buffers only if:

1. the applicant demonstrates that sewer lines are necessary for gravity flow;

2. the corridor is not located in a wetland or buffer used by species listed as endangered or threatened by the state or federal government or containing critical or outstanding actual habitat for those species or heron rookeries or raptor nesting trees;

3. the corridor alignment including, but not limited to, any allowed maintenance roads follows a path beyond a distance equal to 75% of the buffer width from the wetland edge;

4. corridor construction and maintenance protects the wetland and buffer and is aligned to avoid cutting trees greater than 12 inches in diameter at breast height, when possible, and pesticides, herbicides and other hazardous substances are not used;

5. an additional, contiguous and undisturbed buffer, equal in width to the proposed corridor including any allowed maintenance roads, is provided to protect the wetland;

6. the corridor is revegetated with appropriate vegetation native to King County at pre-construction densities or greater immediately upon completion of construction or as soon thereafter as possible, and the sewer utility ensures that such vegetation survives;

7. any additional corridor access for maintenance is provided, to the extent possible, at specific points rather than by a parallel road; and

8. the width of any necessary parallel road providing access for maintenance is as small as possible, but not greater than 15 feet, the road is maintained without the use of herbicides, pesticides or other hazardous substances and the location of the road is contiguous to the utility corridor on the side away from the wetland;

G. Joint use of an approved sewer utility corridor by other utilities may be allowed.

H. The following surface water management activities and facilities may be allowed in wetland buffers only as follows:

1. surface water discharge to a wetland from a detention facility, pre-settlement pond or other surface water management activity or facility may be allowed if the discharge does not increase the rate of flow, change the plant composition in a forested wetland or decrease the water quality of the wetland;

2. a class 1 or 2 wetland or buffer may be used for a regional retention/detention facility if:

a. a public agency and utility exception is granted pursuant to K.C.C. 21A.24.070;

b. all requirements of the Surface Water Design Manual are met;

c. the use will not alter the rating or the factors used in rating the wetland;

d. the proposal is in compliance with the latest adopted findings of the Puget Sound Wetlands Research Project; and

e. there are no significant adverse impacts to the wetland;

3. a class 3 wetland or buffer which has as its major function the storage of water may be used as a regional retention/detention facility if a pre-settlement pond is required and all requirements of the Surface Water Design Manual are met; and

4. use of a wetland buffer for a surface water management activity or facility, other than a retention/detention facility, such as an energy dissipater and associated pipes, may be allowed only if the applicant demonstrates, to the satisfaction of King County, that:

a. no practicable alternative exists; and

b. the functions of the buffer or the wetland are not adversely affected;

I. Wetlands shall not be used for retention/detention facilities other than for regional facilities as provided in this section;

J. Public and private trails may be allowed in wetland buffers only upon adoption of administrative rules consistent with the following:

1. the trail surface shall not be made of impervious materials, except that public multi-purpose trails such as the Burke-Gilman Trail may be made of impervious materials if they meet all other requirements including water quality; and

2. buffers shall be expanded, where possible, equal to the width of the trail corridor including disturbed areas;

K. A dock, pier, moorage, float or launch facility may be allowed, subject to the provisions of K.C.C. Title 25, if:

1. the existing and zoned density around the wetland is three dwelling units per acre or more;

2. at least 75% of the lots around the wetland have been built upon and no significant buffer or wetland vegetation remains on these lots; and

3. open water is a significant component of the wetland;

L. Alterations to isolated wetlands may be allowed only as follows:

1. on sites of less than 20 acres in size, one isolated wetland may be altered by relocating its functions into a new wetland on the site pursuant to an approved mitigation plan;

2. on sites 20 acres or greater in size, up to three isolated wetlands may be altered by combining their functions into one or more replacement wetlands on the site pursuant to an approved mitigation plan; and

3. whenever an isolated wetland is altered pursuant to this subsection, the replacement wetland shall include enhancement for wildlife habitat;

SECTION 483.

21A.24.360 Streams: development standards. A development proposal on a site containing a stream shall meet the following requirements:

A. The following minimum buffers shall be established from the ordinary high water mark or from the top of the bank if the ordinary high water mark cannot be identified:

1. a class 1 stream shall have a 100-foot buffer;
2. a class 2 stream used by salmonids shall have a 100-foot buffer;
3. a class 2 stream shall have a 50-foot buffer;
4. a class 3 stream shall have a 25-foot buffer;
5. any stream restored, relocated, replaced or enhanced because of a stream alteration shall have the minimum buffer required for the stream class involved;
6. any stream with an ordinary high water mark within 25 feet of the toe of a slope 30% or steeper, but less than 40%, shall have:
   a. the minimum buffer required for the stream class involved or a 25-foot buffer beyond the top of the slope, whichever is greater, if the horizontal length of the slope including small benches and terraces is within the buffer for that stream class; or
   b. a 25-foot buffer beyond the minimum buffer required for the stream class involved if the horizontal length of the slope including small benches and terraces extends beyond the buffer for that stream class; and
7. any stream adjoined by a riparian wetland or other contiguous sensitive area shall have the buffer required for the stream class involved or the buffer which applies to the wetland or other sensitive area, whichever is greater;

B. Buffer width averaging may be allowed by King County if it will provide additional natural resource protection, as long as the total area contained in the buffer on the development proposal site does not decrease;

C. Increased buffer widths shall be required by King County when necessary to protect streams. Provisions for additional buffer widths shall be contained in administrative rules promulgated pursuant to this chapter including, but not limited to, critical drainage areas, location of hazardous substances, critical fish and wildlife habitat, landslide or erosion hazard areas contiguous to streams, groundwater recharge and discharge and the location of trail or utility corridors;

D. The use of hazardous substances, pesticides and fertilizers in the stream corridor and its buffer may be prohibited by King County; and

E. The livestock restrictions in K.C.C. 21A.24.320 shall also apply to class 1 and 2 streams and their buffers except that barrier fencing shall not be required in the floodplain of the Snoqualmie River.

SECTION 484.

21A.24.370 Streams: permitted alterations. Alterations to streams and buffers may be allowed only as follows:

A. Alterations may only be permitted if based upon a special study;

B. The applicant shall notify affected communities and native tribes of proposed alterations prior to any alteration if a stream is in a flood hazard area and shall submit evidence of such notification to the Federal Insurance Administration;

C. There shall be no introduction of any plant or wildlife which is not indigenous to King County into any stream or buffer unless authorized by a state or federal permit or approval;

D. Utilities may be allowed in stream buffers if:

1. no practical alternative location is available;
2. the utility corridor meets any additional requirements set forth in administrative rules including, but not limited to, requirements for installation, replacement of vegetation and maintenance;
3. the requirements for sewer utility corridors in K.C.C. 21A.24.330 shall also apply to streams; and

4. joint use of an approved sewer utility corridor by other utilities may be allowed.

E. The following surface water management activities and facilities may be allowed in stream buffers as follows:

1. surface water discharge to a stream from a detention facility, pre-settlement pond or other surface water management activity or facility may be allowed if the discharge is in compliance with the Surface Water Design Manual;

2. a class 2 stream or buffer may be used for a regional retention/detention facility if:

a. a public agency and utility exception is granted pursuant to K.C.C. 21A.24.070;

b. all requirements of the Surface Water Design Manual are met;

c. the use will not alter the rating or the factors used in rating the stream;

d. there are no significant adverse impacts to the stream; and

3. a class 3 stream or buffer may be used as a regional retention/detention facility if the alteration will have no lasting adverse impact on any stream and all requirements of the Surface Water Design Manual are met;

F. Except as provided in subsection G, public and private trails may be allowed in stream buffers only upon adoption of administrative rules consistent with the following:

1. the trail surface shall not be made of impervious materials, except that public multi-purpose trails such as the Burke-Gilman Trail may be made of impervious materials if they meet all other requirements including water quality; and

2. buffers shall be expanded, where possible, equal to the width of the trail corridor including disturbed areas;

G. Stream crossings may be allowed if:

1. all crossings use bridges or other construction techniques which do not disturb the stream bed or bank, except that bottomless culverts or other appropriate methods demonstrated to provide fisheries protection may be used for class 2 or 3 streams if the applicant demonstrates that such methods and their implementation will pose no harm to the stream or inhibit migration of fish;

2. all crossings are constructed during the summer low flow and are timed to avoid stream disturbance during periods when use is critical to salmonids;

3. crossings do not occur over salmonid spawning areas unless King County determines that no other possible crossing site exists;

4. bridge piers or abutments are not placed within the FEMA floodway or the ordinary high water mark;

5. crossings do not diminish the flood-carrying capacity of the stream;

6. underground utility crossings are laterally drilled and located at a depth of four feet below the maximum depth of scour for the base flood predicted by a civil engineer licensed by the State of Washington; and

7. crossings are minimized and serve multiple purposes and properties whenever possible;

H. Stream relocations may be allowed only for:

1. class 2 streams as part of a public road project for which a public agency and utility exception is granted pursuant to K.C.C. 21A.24.050; and

2. class 3 streams for the purpose of enhancing resources in the stream if:

a. appropriate floodplain protection measures are used; and

b. the relocation occurs on the site, except that relocation off the site may be allowed if the applicant demonstrates that any on-site relocation is impracticable, the applicant provides all necessary easements and waivers from affected property owners and the off-site location is in the same drainage sub-basin as the original stream;

I. For any relocation allowed by this section, the applicant shall demonstrate, based on information provided by a civil engineer and a qualified biologist, that:

1. the equivalent base flood storage volume and function will be maintained;

2. there will be no adverse impact to local groundwater;

3. there will be no increase in velocity;

4. there will be no interbasin transfer of water;

5. there will be no increase in the sediment load;
6. requirements set out in the mitigation plan are met;
7. the relocation conforms to other applicable laws; and
8. all work will be carried out under the direct supervision of a qualified biologist;

J. A stream channel may be stabilized if:

1. movement of the stream channel threatens existing residential or commercial structures, public facilities or improvements, unique natural resources or the only existing access to property; and

2. the stabilization is done in compliance with the requirements of K.C.C. 21A.24.230 - 21A.24.270 and administrative rules promulgated pursuant to this chapter;

K. Stream enhancement not associated with any other development proposal may be allowed if accomplished according to a plan for its design, implementation, maintenance and monitoring prepared by a civil engineer and a qualified biologist and carried out under the direct supervision of a qualified biologist pursuant to provisions contained in administrative rules;

L. A minor stream restoration project for fish habitat enhancement may be allowed if:

1. the restoration is accomplished by a public agency with a mandate to do such work;
2. the restoration is unassociated with mitigation of a specific development proposal;
3. the restoration does not cost more than $25,000;
4. the restoration is limited to placement of rock weirs, log controls, spawning gravel and other specific salmonid habitat improvements;
5. the restoration only involves the use of hand labor and light equipment; and
6. the restoration is performed under the direct supervision of a qualified biologist;

M. Roadside and agricultural drainage ditches which carry streams with salmonids may be maintained through use of best management practices developed in consultation with relevant county, state and federal agencies. These practices shall be adopted as administrative rules; and

N. Subject to a clearing and grading permit issued pursuant to K.C.C. 16.82, the cutting of up to one cord of firewood may be permitted in buffers of five acres or larger in any year if the overall function of the buffer is not adversely affected. Removal of brush may also be permitted for the purpose of enhancing tree growth if the area of removal is limited to the diameter of the tree canopy at the time of planting.

SECTION 485.

21A.24.380 Streams: mitigation requirements. A. Restoration shall be required when a stream or its buffer is altered in violation of law or without any specific permission or approval by King County. A mitigation plan for the restoration shall demonstrate that:

1. the stream has been degraded and will not be further degraded by the restoration activity;
2. the restoration will reliably and demonstrably improve the water quality and fish and wildlife habitat of the stream;
3. the restoration will have no lasting significant adverse impact on any stream functions; and
4. the restoration will assist in stabilizing the stream channel.

B. The following minimum requirements shall be met for the restoration of a stream:

1. all work shall be carried out under the direct supervision of a qualified biologist;
2. basin analysis shall be performed to determine hydrologic conditions;
3. the natural channel dimensions shall be replicated including its depth, width, length and gradient at the original location, and the original horizontal alignment (meander lengths) shall be replaced;
4. the bottom shall be restored with identical or similar materials;
5. the bank and buffer configuration shall be restored to its original condition;
6. the channel, bank and buffer areas shall be replanted with vegetation native to King County which replicates the original vegetation in species, sizes and densities; and
7. the original biologic functions of the stream shall be recreated.

M. One additional agricultural building or associated residence may be allowed within the wetland buffer on a grazed wet meadow if all hydrologic storage is replaced on the site;
N. Subject to a clearing and grading permit issued pursuant to K.C.C. 16.82, the cutting of up to one cord of firewood may be permitted in buffers of five acres or larger in any year if the overall function of the buffer is not adversely affected. Removal of brush may also be permitted for the purpose of enhancing tree growth if the area of removal is limited to the diameter of the tree canopy at the time of planting; and
O. Wetland road crossings may be allowed if:
1. King County determines that no alternative access is practical;
2. all crossings minimize impact to the wetland and provide mitigation for unavoidable impacts through restoration, enhancement or replacement of disturbed areas;
3. crossings do not change the overall wetland hydrology;
4. crossings do not diminish the flood storage capacity of the wetland; and
5. all crossings are constructed during summer low water periods.

SECTION 481.

21A.24.340 Wetlands: mitigation requirements. A.Restoration shall be required when a wetland or its buffer is altered in violation of law or without any specific permission or approval by King County. The following minimum requirements shall be met for the restoration of a wetland:
1. the original wetland configuration shall be replicated including its depth, width, length and gradient at the original location;
2. the original soil type and configuration shall be replicated;
3. the wetland edge and buffer configuration shall be restored to its original condition;
4. the wetland, edge and buffer shall be replanted with vegetation native to King County which replicates the original vegetation in species, sizes and densities; and
5. the original wetland functions shall be restored including, but not limited to, hydrologic and biologic functions.
B. The requirements in subsection A. may be modified if the applicant demonstrates that greater wetland functions can otherwise be obtained.
C. Replacement shall be required when a buffer is altered pursuant to an approved development proposal or a wetland is used for a regional retention/detention facility or other approved use. The requirements for the restoration of wetlands shall be met by replacement wetlands.
D. Enhancement may be allowed when a wetland or buffer will be altered pursuant to a development proposal, but the wetland's biologic and/or hydrologic functions will be improved. Minimum requirements for enhancement shall be established in administrative rules.
E. All alterations of wetlands shall be replaced or enhanced on the site using the following formulas: class 1 and 2 wetlands on a 2:1 basis and class 3 wetlands on a 1:1 basis with equivalent or greater biologic functions including, but not limited to, habitat functions and with equivalent hydrologic functions including, but not limited to, storage capacity.
F. Replacement or enhancement off the site may be allowed if the applicant demonstrates to the satisfaction of King County that the off-site location is in the same drainage sub-basin as the original wetland and that greater biologic and hydrologic functions will be achieved. The formulas in subsection E. shall apply to replacement and enhancement off the site.
G. Surface water management or flood control alterations including, but not limited to, wetponds shall not constitute replacement or enhancement unless other functions are simultaneously improved.

SECTION 482.

21A.24.350 Wetlands: limited exemption. Isolated wetlands less than 1000 square feet may be exempted from the provisions of K.C.C. 21A.24.320 - 21A.24.340 and may be altered by filling or dredging if King County determines that the cumulative impacts do not unduly counteract the purposes of this chapter and are mitigated pursuant to an approved mitigation plan.

C. The requirements in subsection B. may be modified if the applicant demonstrates to the satisfaction of King County that a greater biologic function can otherwise be obtained;
D. Replacement or enhancement shall be required when a stream or buffer is altered pursuant to an approved development proposal. There shall be no net loss of stream functions on a development proposal site and no impact on stream functions above or below the site due to approved alterations.
E. The requirements which apply to the restoration of streams in subsection B. shall also apply to the relocation of streams, unless the applicant demonstrates to the satisfaction of King County that a greater biologic function can be obtained by modifying these requirements.
F. Replacement or enhancement for approved stream alterations shall be accomplished in streams and on the site unless the applicant demonstrates to the satisfaction of King County that:

1. enhancement or replacement on the site is not possible;
2. the off-site location is in the same drainage sub-basin as the original stream; and
3. greater biologic and hydrologic functions will be achieved.

G. Surface water management or flood control alterations shall not be considered enhancement unless other functions are simultaneously improved.

SECTION 486.

21A.24.390 Sensitive areas mitigation fee - creation of fund. There is hereby created a Sensitive Areas Mitigation Fund. This fund shall be administered by the King County Office of Finance.

SECTION 487.

21A.24.400 Sensitive areas mitigation fee - source of funds. All monies received from penalties resulting from the violation of rules and laws regulating development and activities within sensitive areas shall be deposited into the fund.

SECTION 488.

21A.24.410 Sensitive areas mitigation fee - use of funds. Monies from the fund shall only be used for paying the cost of enforcing and implementing sensitive area laws and rules.

SECTION 489.

21A.24.420 Sensitive areas mitigation fee - investment of funds. Monies in the fund not needed for immediate expenditure shall be deposited in a separate investment fund pursuant to RCW 36.29.020. The director shall be designated as the investment fund director.

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CHAPTER 21A.26 DEVELOPMENT STANDARDS COMMUNICATION FACILITIES

SECTIONS:

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SECTION 490.

21A.26.010 Purpose. The purpose of this chapter is to assure greater compatibility between communication facilities and adjacent land uses , to protect the general public from the effects of non-ionizing electromagnetic radiation (NIER), and to provide for the communication needs of the region by:

A. Establishing design and operating standards for communication facilities;
B. Limiting exposure to NIER; and
C. Providing for the modification or consolidation of existing communication facilities.

SECTION 491.

21A.26.020 Exemptions. The following are exempt from the provisions of this chapter and shall be permitted in all zones:

A. Industrial processing equipment and scientific or medical equipment using frequencies regulated by the Federal Communications Commission (FCC);
B. Machines and equipment that are designed and marketed as consumer products, such as microwave ovens and remote control toys;
C. The storage, shipment or display for sale of transmission equipment;
D. Radar systems for military and civilian communication and navigation;
E. Hand-held, mobile, marine and portable radio transmitters and/or receivers;
F. Two-way radio utilized for temporary or emergency services communications;
G. Licensed amateur (Ham) radio stations and citizen band stations;
H. Earth station downlink using satellite dish antennas with a diameter of less than 12 feet provided that stations in excess of one dish antennas are subject to conditional use permits;
I. Receive-only satellite dish antennas as an accessory use;

J. Two-way radio antennas, point-to-point microwave dishes, and cellular radio antennas which are not located on a transmission structure (lattice towers and monopoles); and
K. Any maintenance, reconstruction, repair or replacement of a conforming or nonconforming communication facility, transmission equipment, transmission structure or transmitter building; provided, that the transmission equipment does not result in noncompliance with K.C.C. 21A.26.100 and 21A.26.130.
L. In the event a building permit is required for any emergency maintenance, reconstruction, repair or replacement, filing of the building permit application shall not be required until 30 days after the completion of such emergency activities. In the event a building permit is required for nonemergency maintenance, reconstruction, repair or replacement, filing of the building permit application shall be required prior to the commencement of such nonemergency activities.

SECTION 492.

21A.26.030 Applicability. The standards and process requirements of this chapter supercede all other review process, setback or landscaping requirements of this title. All communication facilities which are not exempt pursuant to K.C.C. 21A.26.020 shall comply with the provisions of this chapter as follows:
A. New communication facilities, with the exception of consolidations, shall comply with the provisions of K.C.C. 21A.26.020 through 21A.26.130 and K.C.C. 21A.26.160 through 21A.26.190;
B. Modified communication facilities, with the exception of consolidations, shall comply with standards as provided in K.C.C. 21A.26.020 through 21A.26.040; K.C.C. 21A.26.060 through 21A.26.140; and K.C.C. 21A.26.160 through 21A.26.190;
C. Consolidations shall comply with standards as provided in K.C.C. 21A.26.020 through 21A.26.040; K.C.C. 21A.26.060 through 21A.26.130; and K.C.C. 21A.26.150 through 21A.26.190.

SECTION 493.

21A.26.040 Review process by zone. A. Except for cellular radio as regulated pursuant to subsection B, communication facilities shall be permitted and reviewed pursuant to K.C.C. 21A.08.060 and 21A.08.100.
B. Minor communication facilities for the transmission or reception of cellular radio signals shall be permitted and reviewed as follows:

TYPE OF TRANSMISSION STRUCTURE	ZONE	REVIEW PROCESS	SETBACKS[3]
Poles no more than 100 feet tall	R-4 to R-48	C[2]	Front: 35 feet Side: 20 feet Rear: 20 feet
	R-1 UR RA	C	Front: 30 feet[6] Side: 10 feet Rear: 10 Feet
	Other Zones	P	10 feet[4]

TYPE OF TRANSMISSION STRUCTURE	ZONE	REVIEW PROCESS	SETBACKS[3]
Poles more than 100 feet tall	R-4 to R-48	C[2]	One-half for one[5]
	R-1 UR RA	C	Front: 40 feet[6] Side: 30 feet Rear: 30 feet
	Other Zones	C	10 feet[4]
Lattice towers	R-4 to R-48	S[2]	One for one[5]
	R-1 UR RA	C	One-half for one
	Other Zones	C	20 feet[4]

KEY: P - Permitted Use, S - Special Use Permit, C - Conditional Use Permit

FOOTNOTES:

1. The department may decide whether a pole no more than 100 feet tall will be wood or steel based on a determination of which material would be more appropriate at the proposed location;

2. The following special procedures and conditions shall apply to the review and issuance of permits:

a. The applicant shall demonstrate that the proposed facility complies with all applicable laws and that it requires placement at a particular location to meet the needs of the cellular telephone system;

b. The applicant shall arrange a public meeting with owners of the property near the proposed facility for the purpose of providing information and receiving comments about the proposed facility;

c. The applicant shall provide notice of the public meeting announcing time, date, location and purpose of the public meeting; and

d. A department representative shall attend the public meeting;

3. The setback requirements apply to the transmission pole or tower and transmission equipment placed on the pole or tower. The county may reduce the setback where the applicant demonstrates that the facility will be adequately screened from public view;

4. Transmission structures shall be set back an additional 20 feet from any property line abutting any R, UR or RA zoned properties; and

5. "One-half for one" and "one for one" means the transmission structure shall be set back from the property lines one-half foot or one foot, respectively, for every foot of pole or tower height.

6. In the RA zone, five additional feet is required in the front setback.

SECTION 494.

21A.26.050 Setback requirements. Except as outlined for modifications and consolidations pursuant to K.C.C. 21A.26.140 and 21A.26.150 or when setbacks are increased to ensure compliance with NIER exposure limits, communication facilities shall comply with the following setbacks:

A. Transmission structures, which do not exceed the height limit of the zone in which they are located, shall be set back from the property line as required for other structures by the zone in which such transmission structure is located;

B. Transmission structures, which exceed the height limit of the zone in which they are located, shall be set back from property lines either a minimum of 50 feet or one foot for every foot in height, whichever results in the greater setback, except:

1. Transmission structures located in the A, F, NB, CB, RB, O or I zones shall be set back from the property line as required by the zone in which they are located; and

2. Transmission structures for the transmission or reception of cellular radio signals shall be set back from the property line as provided in K.C.C. 21A.26.040.B.;

C. When two or more communication facilities share a common boundary, the setback from such boundary shall comply with the requirements of the zone in which the facilities are located, unless easements are provided:

1. On the adjoining sites which limit development to communication facilities;

2. Of sufficient depth to provide the setbacks required in subsections A and B; and

3. Which provide for King County as a third party signatory to the agreement; and

D. Transmitter buildings shall be subject to the setback requirements of the zone in which they are located.

SECTION 495.

21A.26.060 Landscaping requirements. A communication facility site shall provide landscaping as follows:

A. When the facility is located in:

1. The NB, CB, RB, O, or I zone, the base of any transmission structure or transmitter building shall be landscaped with eight feet of Type II landscaping as defined by K.C.C. 21A.16.040.B, if there is no existing landscaping consistent with K.C.C. 21A.16 along the lot line abutting R, UR, or RA zoned properties.

2. The A, F, or M zone, the base of the transmission structure or transmitter building shall be landscaped with ten feet of Type III landscaping (groundcover may be excluded) as defined by K.C.C. 21A.16.040.C, if the base of such transmission structure or transmitter building is within 300 feet of any lot line abutting R, UR, or RA zoned properties.

3. The R, UR, or RA zone, the base of any transmission structure or transmitter building shall be landscaped with ten feet of Type I landscaping as defined by K.C.C. 21A.16.040.A.

B. When a security fence is used to prevent access onto a transmission structure or transmitter building, any landscaping required pursuant to K.C.C. 21A.26.060.A shall be placed outward of such security fence.
C. When a security fence is used:
1. In the NB, CB, RB, O, or I zone, wood slats shall be woven into the security fence if made of chain-link material.
2. In the R, UR, or RA zone, climbing evergreen shrubs or vines capable of growing on the fence shall supplement any landscaping required pursuant to K.C.C. 21A.26.060.A.
D. Landscaping shall be planted according to accepted practice in good soil and maintained in good condition at all times. Landscaping shall be planted as a yard improvement at or before the time of completion of the first structure or within a reasonable time thereafter, considering weather and planting conditions.
E. Existing vegetation may be used and/or supplemented with additional vegetation to comply with the requirements of K.C.C. 21A.26.060.A.

SECTION 496.
21A.26.070 Color and lighting standards. Except as specifically required by the Federal Aviation Administration ("FAA") or the FCC, transmission structures shall:
A.Use colors such as grey, blue or green which reduce their visual impacts; provided, wooden poles do not have to be painted; and
B. Not be illuminated, except transmitter buildings may use lighting for security reasons which is compatible with the surrounding neighborhood.

SECTION 497.
21A.26.080 Fencing and NIER warning signs. Communication facility sites shall be:
A. Fenced in a manner which prevents access by the public to transmission structures and/or areas of the site where NIER or shock/burn levels are exceeded. This may be modified if natural features, such as an adjoining waterway, or a topographic feature preclude access;
B. Signed to warn the public of areas of the site where:
1. NIER standards are exceeded; and
2. Potential risks for shocks or burns are present.

SECTION 498.
21A.26.090 Interference. Permit applications for communication facilities shall include:
A. A statement describing the nature and extent of interference which may be caused by the proposed communication facility and the applicant's responsibilities under FCC rules and regulations;
B. Unless the department determines that there will be no noticeable interference from the proposed communication facility, notification of expected interference shall be provided as specified in K.C.C. 21A.26.170; and
C. General information concerning the causes of interference and steps which can be taken to reduce or eliminate it.

SECTION 499.
21A.26.100 NIER exposure standards. To prevent whole-body energy absorption of .08 W/Kg or more, a communication facility, by itself or in combination with others, shall not expose the public to NIER that exceeds the electric or magnetic field strength, or the power density, for the frequency ranges and durations described as follows:

NIER Exposure Standards (1) (6)

Frequency (2)	Mean squared electric field strength (3)	Mean squared magnetic field strength (4)	Equivalent plane-wave power density (5)
0.1 to 3	80,000	0.5	20,000
3 to 30	4,000 x (180/f^2)	0.025 x (180/f^2)	180,000/f^2
30 to 300	800	0.005	200
300 to 1500	4,000 x (f/1500)	0.025 x (f/1500)	f/1.5
1500 to 300,000	4,000	0.025	1000

(1) All standards refer to root mean squared measurements averaged over a six minute period;
(2) Frequency or f is measured in megahertz (MHz);
(3) Electric field strength is expressed in volts squared per meter squared (V^2/m^2);
(4) Magnetic field strength is expressed in amperes squared per meter squared (A^2/m^2); and
(5) Power density is expressed in microwatts per centimeter squared (uW/cm^2).
(6) Peak NIER levels shall not exceed the following equivalent plane-wave power densities:
a. Twenty times the average values in the frequencies below 300 MHz;
b. 4,000 uW/cm^2 in the frequencies between 300 Mhz to 6,000 MHz;
c. (f/1.5)uW/cm^2 in the frequencies 6,000 MHz to 30,000 MHz; and
d. 20,000 uW/cm^2 in the frequencies above 30 GHz.

SECTION 500.

21A.26.110 NIER measurements and calculations. NIER levels shall be measured and calculated as follows:

A. When measuring NIER for compliance with K.C.C. 21A.26.100:

1. Measuring equipment used shall be generally recognized by the Environmental Protection Agency (EPA), National Council on Radiation Protection and Measurement (NCRPM), American National Standards Institute (ANSI), or National Bureau of Standards (NBS) as suitable for measuring NIER at frequencies and power levels of the proposed and existing sources of NIER;

2. Measurement equipment shall be calibrated as recommended by the manufacturer in accordance with methods used by the NBS and ANSI, whichever has the most current standard;

3. The effect of contributing individual sources of NIER within the frequency range of a broadband measuring instrument may be specified by separate measurement of these sources using a narrowband measuring instrument;

4. NIER measurements shall be taken when and where NIER levels are expected to be highest due to operating or environmental conditions;

5. NIER measurements shall be taken along the perimeter of the communication facility site and other areas on-site or off-site where the health department deems necessary to take measurements; and

6. NIER measurements shall be taken following spatial averaging procedures generally recognized and used by experts in the field of RF measurement or other procedures recognized by the FCC, EPA, NCRPM, ANSI, NBS;

B. NIER calculations shall be consistent with the FCC, Office of Science and Technology (OST) bulletin 65 or other engineering practices recognized by the EPA, NCRPM, ANSI, NBS or similarly qualified organization; and
C. Measurements and calculations shall be certified by a licensed professional engineer and shall be accompanied by an explanation of the protocol, methods, equipment, and assumptions used.

SECTION 501.
21A.26.120 Measurements and monitoring. A. The department of public health shall measure or contract for measurement of NIER levels as necessary to insure that the NIER standard is not being exceeded.
B. If the NIER level of an existing major communication facility has not been measured within 3 years of the effective date of this title, such facility shall be measured within 120 days from the effective date of this title. All major communication facilities shall be measured every third year thereafter. The measurements shall be submitted to the department of public health for review within 60 days of measurement. The department shall be reimbursed for its review of the measurements pursuant to this section.
C. New major communication facilities shall be measured within 120 days from the commencement of the operation and every third year thereafter. The department shall be reimbursed for its review of the measurements pursuant to this section.
D. The department of public health shall have the authority to assess fees for the cost of plan review. The fee shall be based upon the time required by staff, including overhead cost, for plan review.

SECTION 502.
21A.26.130 Shock and burn standard. The communication facility shall not emit radiation such that the public will be exposed to shock and burn in excess of the standards contained in ANSI C-95.1 or subsequent amendments thereto recognized by ANSI.

SECTION 503.
21A.26.140 Modifications. A. Cumulative modifications of conforming or nonconforming communication facilities, transmission structures or transmission equipment which do not increase the overall height of the transmission structure or transmission equipment by more than 30 percent shall be allowed provided:
1. A nonconformance with respect to the transmission structure shall not be created or increased, except as otherwise provided above as to height;
2. Existing perimeter vegetation or landscaping shall not be reduced; and
3. The modification results in compliance with K.C.C. 21A.26.100 and 21A.26.130. The applicant shall provide King County a detailed certification of compliance with these provisions which has been prepared by a licensed professional engineer.

B. Except for consolidations allowed by K.C.C. 21A.26.150, modifications which increase the overall height of the transmission structure or transmission equipment by more than 30 percent shall be subject to the following provisions:
1. Applications for such transmission structures shall be reviewed pursuant to the applicable process specified in K.C.C. 21A.26.040; and
2. Such transmission structures shall comply with the provisions of K.C.C. 21A.26.020 through 21A.26.040; K.C.C. 21A.26.060 through 21A.26.140; and K.C.C. 21A.26.160 through 21A.26.190.

SECTION 504.

21A.26.150 Consolidation. Consolidation of two or more existing transmission structures may be permitted subject to the following:

A. If the consolidated transmission structure cannot meet the requirements of K.C.C. 21A.26.050, it shall be located on the portion of the parcel on which it is situated which, giving consideration to the following, provide the optimum practical setback from adjacent properties:

1. topography and dimensions of the site,
2. (in the case of a consolidation) to any existing structures to be retained, and
3. (in the case of a guyed transmission tower) to guy anchor placement necessary to assure structural integrity of the consolidated transmission tower.

Consolidated transmission structures shall be set back from abutting residential property a minimum of ten percent of the height of the consolidated transmission structure, but in all cases no less than 100 feet;

B. If a consolidation involves the removal of transmission structures from two or more different sites and if a consolidated transmission structure is to be erected on one of those sites, it shall be erected on the site which provides for the greatest compliance with the standards of this chapter;

C. All existing transmission equipment on the site of a communication facility which does not comply with the provisions of this chapter shall be relocated to the consolidated transmission structure before the relocation of transmission equipment from a non-exempt off-site, conforming communication facility is permitted;

D. The consolidation shall eliminate NIER and electrical current levels attributable to the consolidating transmission equipment which exceed the limits of K.C.C. 21A.26.100 and 21A.26.130;

E. Any transmission structure to be removed as part of a consolidation shall be removed within 12 months of relocation of the transmitting equipment;

F. Consolidation shall result in a net reduction in the number of transmission structures; and

G. Consolidated facilities shall require a conditional use permit.

SECTION 505.

21A.26.160 Supplemental application requirements. A. In addition to any required site plan, a permit application for any communication facility shall also include:

1. A site plan which shows existing and proposed transmission structures; guy wire anchors; warning signs; fencing and access restrictions;
2. A report by a licensed professional engineer demonstrating compliance with applicable structural standards of the UBC, and describing the general structural capacity of any proposed transmission structure(s), including:
   a. The number and type of antennas that can be accommodated; and
   b. The basis for the calculation of capacity;
3. A report by a state licensed professional engineer that includes the following:
   a. A description of any proposed transmission tower(s) or structure(s), including height above grade, materials, color and lighting; and
   b. Information related to interference required by K.C.C. 21A.26.090.

B. Where a permit for a non-exempt communication facility is required, the application shall also include the following information:

1. The name and address of the operator(s) of proposed and existing antennas on the site;
2. The height of any proposed antennas;
3. Manufacture, type, and model of such antennas;
4. Frequency, modulation and class or service;
5. Transmission and maximum effective radiated power;
6. Direction of maximum lobes and associated radiation;
7. The calculated NIER levels attributable to the proposed antennas at points along the property line and other areas off-site which are higher than the property line points, as well as calculated power density (NIER levels) in areas that are expected to be unfenced on-site;

8. For a major communication facility, if there is another major communication facility within one mile of the site of the proposed facility, the level of NIER at the points identified in subsection B.7. as measured within 30 days prior to application; and

9. For a minor communication facility, if there is an existing major communication facility within one-half mile of the site of the proposed facility, the level of NIER at the points identified in subsection B.7. as measured within 30 days prior to the application.

SECTION 506.

21A.26.170 Notification requirements. Notification of a permit application shall be given to adjacent property owners within a 500 foot radius and the local community council. The area within which mailed notice is required shall be expanded to include at least 20 different owners in rural or lightly inhabited areas or in other appropriate cases to the extent the department determines is necessary. The standards of published notice and posting of property required by K.C.C. 21A.42 shall be pursuant to K.C.C. 21A.40.

SECTION 507.

21A.26.180 NIER compliance criteria. The department of public health shall consider the following criteria in determining compliance with K.C.C. 21A.26.100:

A. The number and location of points at which levels have been determined to exceed NIER standards;

B. The duration of exposure to NIER levels above the standard;

C. The extent by which the levels measured at such points exceed the standards established by this chapter; and

D. The relative contribution of individual sources in a multiple source environment.

SECTION 508.

21A.26.190 NIER enforcement. A. The department of public health shall be responsible for the enforcement of the provisions of K.C.C. 21A.26.100 in accordance with K.C.C. 23. The department director shall allow no more than 10 days to elapse from the date of a violation before corrective action is commenced. If this deadline cannot be met, the director shall issue a stop work order.

B. If the approved NIER standard is exceeded in an area where there are multiple users and transmission equipment, all users shall share in the NIER reductions, scaled proportionally to their current discharges.

SECTION 509.

21A.26.200 Periodic review of NIER standard. The department of public health shall review the county approved NIER standard every three years and report to the chair of the council on whether it should be changed.

SECTION 510.

21A.26.210 State regulation. A. If state regulations establish a NIER exposure standard which is more restrictive than the county standard, the state standard shall automatically become effective.

B. If such state standards are intended to preempt local enforcement with respect to specific sections of this chapter, said sections shall automatically be deemed ineffective.

C. Application of the provisions of this chapter shall be subject to any rule, regulation, order or decision of any state or federal court or government agency with which such communication facility is obligated to comply.

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CHAPTER 21A.28 DEVELOPMENT STANDARDS - ADEQUACY OF PUBLIC FACILITIES AND SERVICES

SECTIONS:

21A.28.010	Purpose
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21A.28.040	Adequate water supply
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21A.28.160	School Concurrency standard.
21A.28.170	Interim Period.
21A.28.180	Credit for improvements.

SECTION 511.

21A.28.010 Purpose. The purpose of this chapter is to ensure that public facilities and services necessary to support development are adequate or will be provided in a timely manner consistent with the Public Facilities and Services planning goal of the Washington State Growth Management Act of 1990 by:

A. Specifying the on-site and off-site facilities and services that must be in place or otherwise assured of timely provision prior to development;

B. Allocating the cost of those facilities and services fairly; and

C. Providing a general framework for relating development standards and other requirements of this code to:

1. Adopted service level standards for public facilities and services;
2. Procedural requirements for phasing development projects to ensure that services are provided as development occurs; and
3. The review of development permit applications.

SECTION 512.

21A.28.020 General Requirements. A. All new development proposals including any use, activity, or structure allowed by K.C.C. 21A.08 that requires King County approval shall be adequately served by the following facilities and services prior to the time of occupancy, plat recording, or other land use approval, as further specified in this chapter:

1. sewage disposal;
2. water supply;
3. surface water management;
4. roads and access;
5. fire protection service; and
6. schools.

B. Regardless of the number of sequential permits required, the provisions of this chapter shall be applied only once to any single development proposal. If changes and modifications result in impacts not considered when the proposal was first approved, the county shall consider the revised proposal as a new development proposal.

SECTION 513.

21A.28.030. Adequate sewage disposal. All new development shall be served by an adequate public or private sewage disposal system, including both collection and treatment facilities as follows:

A. A public sewage disposal system is adequate for a development proposal provided that:

1. For the issuance of a building permit, preliminary plat approval or other land use approval the site of the proposed development is or can be served by an existing disposal system consistent with the Sewerage General Plan, and the disposal system has been approved by the department as being consistent with applicable state and local design and operating guidelines;

2. For the issuance of a certificate of occupancy for a building or change of use permit, the approved public sewage disposal system as set forth in subsection A.1 of this section is installed to serve each building or lot;

3. For recording a final plat, final short plat or binding site plan the approved public sewage disposal system set forth in subsection A.1 of this section shall be installed to serve each lot respectively; or a bond or similar security shall be deposited with King County for the future installation of an adequate sewage disposal system. The bond may be assigned to a purveyor to assure the construction of such facilities within two years of recording; and

4. For a zone reclassification or urban planned development permit, the timing of installation of required sewerage improvements shall be contained in the approving ordinance as specified in K.C.C. 20.24.230; and

B. A private individual sewage system is adequate, if an on-site sewage disposal system for each individual building or lot is installed to meet the requirements and standards of the department of public health as to lot size, soils, and system design prior to issuance of a certificate of occupancy for a building or change of use permit.

SECTION 514.

21A.28.040 Adequate water supply. All new development shall be served by an adequate public or private water supply system as follows:

A. A public water system is adequate for a development proposal provided that:

1. For the issuance of a building permit, preliminary plat approval or other land use approval, the applicant must demonstrate that the existing water supply system available to serve the site:

a. complies with the applicable planning, operating and design requirements of WAC 246.290; K.C.C. 14.42 and K.C.C. 14.44 and K.C.C. Title 17; Coordinated Water system plans; K.C.C. Title 12, K.C.C. Title 13 and other applicable provisions of the rules and regulations of the King County board of health; and any limitation or condition imposed by the county-approved comprehensive plan of the water purveyor; and

b. the proposed improvements to an existing water system have been reviewed by the department and determined to comply with the design standards and conditions specified in paragraph a of this subsection; or

c. a proposed new water supply system has been reviewed by the department and determined to comply with the design standards and conditions specified in paragraph a of this subsection;

2. Prior to issuance of a certificate of occupancy for a building or change of use permit, the approved public water system and any system improvements set forth in subsection A. 1 of this section shall be installed to serve each building or lot respectively;

3. For recording a final plat, final short plat or binding site plan, either the approved public water supply system or system improvements set forth in subsection A.1 of this section shall be installed to serve each lot or a bond or similar security shall be deposited with King County and may be assigned to a purveyor to assure the construction of required water facilities in Group A systems as defined by board of health regulations, within two years of recording; and

4. For a zone reclassification or urban planned development permit, the timing of installation of required water system improvements shall be included in the approving ordinance as specified in K.C.C. 20.24.230.

B. An on-site, individual water system is adequate and the plat or short plat may receive preliminary and final approval, and a building or change of use permit may be issued:

1. In an urban area if:

a. the buildings or lots to be served are located outside of a county approved water purveyor service area; or

b. The water purveyor has indicated that service cannot be provided in compliance with the purveyor's approved comprehensive plan; and

c. The Seattle-King County department of public health has approved the proposed method of water supply in accordance with the applicable King County board of health rules and regulations and this section. The applicant shall provide appropriate information to demonstrate to the department and the Seattle-King County department of public health that a private individual water system will be adequate. The Seattle-King County department of public health may require installation of private individual water systems prior to final approval of a plat or short plat where information is insufficient to show an adequate water supply can be made available.

2. In a rural area, if the Seattle-King County department of public health has approved the proposed method of water supply in accordance with the applicable King County board of health rules and regulations and this section. The applicant shall provide appropriate information to demonstrate to the department and the Seattle-King County department of public health that a private individual water system will be adequate. The Seattle-King County department of public health may require installation of private individual water systems prior to final approval of a plat or short plat where information is insufficient to show an adequate water supply can be made available.

SECTION 515.

21A.28.050 Surface water management. All new development shall be served by an adequate surface water management system as follows:

A. The proposed system is adequate if the development proposal site is served by a surface water management system approved by the department as being consistent with the design, operating and procedural requirements of the Surface Water Design Manual and K.C.C. Title 9;

B. For a subdivision, zone reclassification or urban planned development, the phased installation of required surface water management improvements shall be stated in the approving ordinance as specified in K.C.C. 20.24.230. Such phasing may require that a bond or similar security be deposited with King County; and

C. A variance request from the requirements of the Surface Water Design Manual and K.C.C. Title 9 shall be reviewed as set forth in K.C.C. 9.04.050 and does not require a variance from this Title unless relief is requested from a building height, setback, landscaping or other development standard set forth in K.C.C. 21A.12 through K.C.C. 21A.30.

SECTION 516.

21A.28.060 Adequate roads. A. All new development shall be served by adequate roads. Roads are adequate if the development's traffic impacts on surrounding public roads are acceptable under the level-of-service standards as stated in K.C.C. 21A.28.070 and the compliance procedures established in K.C.C. 21A.28.080 and K.C.C. 21A.28.090.

B. The renewal of permits or the issuance of a new permit for existing uses constitutes a new development proposal only if it will generate additional traffic above that currently generated by the use.
C. A variance request from the road cross-section or construction standards established by K.C.C. K.C.C. Title 14, Roads and Bridges, shall be reviewed as set forth in K.C.C. 14.42.060 and does not require a variance from this Title unless relief is requested from a building height, setback, landscaping or other development standard set forth in K.C.C. 21A.12 through K.C.C. 21A.30.

SECTION 517.

21A.28.070 Adequate roads - Road Capacity Level of Service ("LOS") Standard. A. A calculated LOS D or better shall be considered desirable.
B. A calculated LOS E shall be considered adequate.
C. A calculated LOS F shall be considered inadequate.

SECTION 518.

21A.28.080 Adequate Roads - Applicability of Capacity Standard. The road adequacy standards as stated in K.C.C. 21A.28.070 shall apply to all public county, city or state roads, other than freeways, provided that:
A. No improvements to state roads shall be required unless the state requests such improvements and there is an agreement between the state, county and applicant;
B. No improvements to city roads shall be required unless the affected city requests such improvements and an interlocal agreement is adopted by county and city ordinances. An application of different standards than set forth in K.C.C. 21A.28.070 may be allowed within the city limits or the county's planning area through an interlocal agreement if such standards are agreed upon through an interlocal agreement and have been adopted as an official control by city and county ordinance; and
C. The standard established in K.C.C. 21A.28.070 shall be applied to a project unless a different standard as provided in subsection B has been adopted prior to the project date, or in the case of plats, it has been adopted prior to its legally established approval date.

SECTION 519.

21A.28.090 Adequate roads - General conditions. A. A development proposal which will have a direct traffic impact on a roadway or intersection which results in a calculated LOS F shall not be approved unless:
1. The non-project LOS is D and the applicant agrees to fund improvements needed to attain LOS D or better;
2. The non-project LOS is E or F and the applicant agrees to fund improvements to LOS E or better;
3. The applicant achieves LOS E by phasing the project or using Transportation Demand Management ("TDM") techniques to reduce the number of peak hour trips generated by the project;
4. King County has established a date for final approval of subdivisions and Urban Plan Developments to become effective corresponding with the anticipated date of award of a construction contract for county, city, or state improvements needed to provide LOS D or better, or when the calculated non-project LOS is E or F, to provide LOS E or better; provided such effective approval date may be established only when the anticipated date of award of construction contract is within twelve months of final approval; or
5. The roadway or intersection has already been improved to its ultimate roadway section and the applicant agrees to use TDM incentives and/or phase the development proposal as determined by King County.
B. Developments proposed which will have a direct impact on city traffic facilities or designated areas pursuant to K.C.C. 21A.28.080 may attain the LOS specified in the adopted interlocal agreements rather than meeting K.C.C. 21A.28.070.

SECTION 520.

21A.28.100 Adequate roads - Special conditions. The conditions set forth in K.C.C. 21A.28.070 shall be considered fulfilled for all developments proposed, except building permits, if the following conditions are met:

A. Intersection improvements need only attain LOS E or better;

B. A construction contract is scheduled to be awarded within twelve months; and

C. Complete funding for the necessary improvements is assured by the county, city, state, developer, or any combination thereof.

SECTION 521.

21A.28.110 Exceptions. A. Exceptions from the standards of K.C.C. 21A.28.060 - .070 may be granted only when extraordinary circumstances make compliance with the standards infeasible, or when a traffic impact fee is proposed pursuant to K.C.C. Title 27.

B. For those developments proposed where the zoning and subdivision examiner makes a recommendation to the council, the record must reflect the basis for the exception, and the approving ordinance must grant the exception in order for it to be effective. The ordinance approving the proposal shall be determinative and conclusive as to the proposal's compliance with this chapter.

C. For developments proposed for which the zoning and subdivision examiner or zoning adjuster decision is final, the decision of the zoning examiner or zoning adjustor shall be determinative and conclusive as to the proposal's compliance with this chapter.

D. For permits which are administrative and ministerial for which no appeal is normally available, the issue of the application of the standards in this chapter to a development proposed may be appealed to the zoning and subdivision examiner for a final decision. Such an appeal together with appeal arguments shall be filed with the department within 10 days of the department's decision.

SECTION 522.

21A.28.120 Adequate vehicular access. All new development shall be served by adequate vehicular access as follows:

A. The property upon which the development proposed is to be located has direct access to:

1. A public or private street that meets county road standards or is formally declared acceptable by the county road engineer; or

2. The property has access to such a street over a private driveway approved by the county;

B. The proposed circulation system of a proposed subdivision, short subdivision or binding site plan shall intersect with existing and anticipated streets abutting the site at safe and convenient locations, as determined by the department and the county road engineer; and

C. Every lot upon which one or more buildings is proposed to be erected or traffic generating use is proposed to be established, shall establish safe access as follows:

1. Safe passage from the street right-of-way to building entrances for transit patrons and other pedestrians, in accordance with the design standards set forth in K.C.C. 21A.18;

2. Direct access from the street right-of-way, fire lane or a parking space to any part of the property as needed to provide public services in accordance with adopted standards (e.g. fire protection, emergency medical service, mail delivery or trash collection); and

3. Direct access from the street right-of-way, driveway, alley or other means of ingress/egress approved by King County, to all required off-street parking spaces on the premises.

SECTION 523.

21A.28.130 Adequate fire protection. All new development shall be served by adequate fire protection as set forth below:

A. The site of the development proposed is served by a water supply system that provides at least minimum fire flow and a, road system or fire lane system that provides life safety/rescue access, and other fire protection requirements for buildings as required by K.C.C. Title 17, Fire Code and K.C.C. Title 16, Building and Construction Standards;
B. For a zone reclassification or Urban planned development, the timing of installation of required fire protection improvements shall be stated in the approving ordinance as specified in K.C.C. 20.24.230, secured with a bond or similar security, and deposited with King County; and
C. A variance request from the requirements established by K.C.C. Title 17, Fire Code, shall be reviewed as set forth in K.C.C. 17.08.090 or K.C.C. 17.10.040, and/or in Article 2 of the currently adopted edition of the Uniform Fire Code and does not require a variance from this Title unless relief is requested from a building height, setback, landscaping or other development standard set forth in K.C.C. 21A.12 through K.C.C. 21A.30.

SECTION 524.

21A.28.140 School Concurrency - Applicability and Relationship with Fees. A. The school concurrency standard set out in Section 21A.28.160 shall apply to applications for preliminary plat or UPD approval which would result in the creation of new residential building lots or mobile home parks or the construction of new dwelling units, requests for multifamily zoning, and building permits for multifamily housing projects which have not been previously evaluated for compliance with the concurrency standard.
B. The county's finding of concurrency shall be made at the time of preliminary plat or urban planned development approval, at the time that a request to actualize potential multifamily zoning is approved, or prior to building permit issuance for multifamily housing projects which have not been previously established for compliance with the concurrency standard. Once such a finding has been made, the development shall be considered as vested for purposes of the concurrency determination.
C. Excluded from the application of the concurrency standard are building permits for individual single family dwellings, and any form of housing exclusively for the elderly, including nursing homes and retirement centers. Also excluded from the application of the concurrency standard are shelters for temporary placement, relocation facilities and transitional housing facilities. Replacement, reconstruction or remodeling of existing dwelling units is not subject to the provisions of K.C.C. 21A.28.140 - .180.
D. Also excluded from the application of the concurrency standard set out in this chapter are:
1. short subdivisions;
2. building permits for residential units in preliminary planned unit developments which were under consideration by King County on January 22, 1991;
3. building permits for residential units in recorded planned unit developments approved pursuant to K.C.C. Title 21 that have not yet expired per K.C.C. 21A.56.060;
4. building permits applied for by December 31, 1993, related to rezone applications to actualize potential zoning which were under consideration by King County on January 22, 1991;
5. building permits applied for by December 31, 1993, related to residential development proposals for site plan review to fulfill P-Suffix requirements of multifamily zoning which were under consideration by King County on January 22, 1991; and
6. any residential building permit for any development proposal for which a concurrency determination has already been made pursuant to the terms of this chapter or K.C.C. Title 21A.
E. All of the development activities which are excluded from the application of the concurrency standard are subject to school impact fees imposed pursuant to Title 27.
F. The assessment and payment of impact fees are governed by and shall be subject to the provisions in K.C.C. Title 27 addressing school impact fees.

G. A certification of concurrency for a school district shall not preclude the county from collecting impact fees for the district. Impact fees may be assessed and collected as long as the fees are used to fund capital and system improvements needed to serve the new development, and as long as the use of such fees is consistent with the requirements of Chapter 82.02 RCW and this chapter. Pursuant to Chapter 82.02 RCW, impact fees may also be used to recoup capital and system improvement costs previously incurred by a school district to the extent that new growth and development will be served by the previously constructed improvements or incurred costs.

SECTION 525.

21A.28.150 Findings, recommendations, and decisions regarding school capacities. A. In making a threshhold determination pursuant to SEPA, the director and/or the zoning and subdivision examiner, in the course of reviewing proposals for residential development including applications for plats or UPD's, or multi-family zoning, and multifamily building permits, shall consider the school district's capital facilities plan as adopted by the council.

B. Documentation which the district is required to submit pursuant to Section 21.61.060 or Title 20. shall be incorporated into the record in every case without requiring the district to offer such plans and data into the record. The school district is also authorized to present testimony and documents demonstrating a lack of concurrency in the district and the inability of the district to accommodate the students to be generated by a specific development.

C. Based upon a finding that the impacts generated by the plat, the UPD or the multi-family development were generally not anticipated at the time of the last council review and approval of a school district capital plan and were not included in the district's long-range forecast, the director may require or recommend phasing or provision of the needed facilities and/or sites as appropriate to address the deficiency or deny or condition approval, consistent with the provisions of this chapter, the State Subdivision Act, and the State Environmental Policy Act.

D. Determinations of the examiner or director regarding concurrency can be appealed only pursuant to the provisions for appeal of the development permit process for which the determination has been made. Where no other administrative appeal process is available, an appeal may be taken to the zoning examiner using the appeal procedures for variances. Any errors in the formula identified as a result of an appeal should be referred to the council for possible modifications.

E. Where the council has not adopted an impact fee ordinance for a particular school district, the language of this section shall not affect the authority or duties of the examiner or the director pursuant to the State Environmental Policy Act or the State Subdivision Act.

SECTION 526.

21A.28.160 School concurrency standard. A. Schools shall be considered to have been provided concurrently with the development which will impact the schools if :

1. The permanent and interim improvements necessary to serve the development are planned to be in place at the time the impacts of development are expected to occur; or

2. The necessary financial commitments are in place to assure the completion of the needed improvements to meet the district's standard of service within 3 years of the time that the impacts of development are expected to occur. Necessary improvements are those facilities identified by the district in its capital facilities plan as reviewed and adopted by King County.

B. Any combination of the following shall constitute the "necessary financial commitments" for the purposes of subsection A.

1. The district has received voter approval of and/or has bonding authority;

2. The district has received approval for federal, state, or other funds;

3. The district has received a secured commitment from a developer that the developer will construct the needed permanent school facility, and the school district has found such facility to be acceptable and consistent with its capital facilities plan; and/or

4. The district has other assured funding, including but not limited to school impact fees which have been paid.

C. Compliance with this concurrency requirement of this section shall be sufficient to satisfy the provisions of RCW 58.17.060 and RCW 58.17.110.

SECTION 527.

21A.28.170 Interim Period. A. During the interim period prior to the School Capacity Technical Review Committee completing its review of a district's plans and the county incorporating the plan into the county comprehensive plan, districts shall submit the following materials to the hearing examiner and director:

1. A copy of the Inventory of Permanent School Facilities prepared by the Superintendent of Public Instruction which identifies the number of classrooms at each of the schools by grade span and by type of student;

2. Documentation of the number of other classrooms available in the district which the district believes will best serve its student population; and

3. Based on the information in subsections 1. and 2., a resolution of the school board adopting an interim estimate of the district's overall capacity over the next six (6) years, which shall be a function of the district's standard of service, by the number of students which can be housed in district facilities.

B. Until such time as the committee is able to conduct the review required by Section 21A.61.065, the hearing examiner and the director shall be guided by the interim capacity submitted by the district and adopted by the school board in making finds of concurrency.

C. In the event that the hearing examiner or the director finds that the district's interim capacity is unreasonable based on the standards identified in Section 21.61.065 or Title 20, the examiner or the director shall request the council to review the interim capacity consistent with the requirements of Section 21.61.070 or Title 20.

D. Determinations of the examiner or director may be appealed to the council pursuant to the provisions for appeal of the underlying permit process.

SECTION 528.

21A.28.180 Credit for Improvements. Whenever a development is granted approval subject to a condition that the development proponent actually provide a school facility acceptable to the district, the development proponent shall be entitled to a credit for the actual cost of providing the facility, against the fee that would be chargeable under the formula provided by K.C.C. Title 27. The cost of construction shall be estimated at the time of approval, but must be documented and the documentation confirmed after the construction is completed to assure that an accurate credit amount is provided. If construction costs are less than the calculated fee amount, the difference remaining shall be chargeable as a school impact fee.

CHAPTER 21A.30 DEVELOPMENT STANDARDS ANIMALS, HOME OCCUPATION, HOME INDUSTRY

SECTIONS:

21A.30.010	Purpose
21A.30.020	Animal regulations-small animals
21A.30.030	Animal regulations-livestock
21A.30.040	Animal regulations-livestock-densities
21A.30.050	Farm management plan
21A.30.060	Animal regulations-livestock-management standards
21A.30.070	Existing livestock operations
21A.30.080	Home occupation
21A.30.090	Home industry

SECTION 529.

21A.30.010 Purpose. The purpose of this chapter is to enhance and preserve the compatibility between neighboring properties by regulating the scope and intensity of accessory uses or activities.

SECTION 530.

21A.30.020. Animal regulations-small animals. The raising, keeping, breeding or fee boarding of small animals are subject to K.C.C. 11.04, Animal Control Regulations, and the following requirements:

A. Small animals which are kept indoors as household pets in aquariums, terrariums, cages or similar containers shall not be limited in number, except as may be provided in Title 11. Other small animals excluding cats kept indoors as household pets shall be limited to five, of which not more than three may be unaltered cats or dogs. Cats kept indoors shall not be limited in numbers

B. Other small animals kept outside, including adult cats and dogs, shall be limited to three per household on lots of less than 20,000 square feet, five per household on lots of 20,000 to 35,000 square feet, with an additional 2 per acre of site area over 35,000 square feet up to a maximum of 20, unless more are allowed as an accessory use pursuant to paragraph E., provided that not more than three of such cats or dogs are unaltered, or as authorized for a hobby kennel or cattery or commercial kennel or cattery pursuant to K.C.C. 11.04.

C. Excluding kennels and catteries, the total number of unaltered adult cats and dogs per household shall not exceed three, whether those animals are kept in a dwelling or outside.

D. Animals considered to be household pets shall be treated as other small animals pursuant to K.C.C. 21A.30.020E. when they are kept for commercial breeding, boarding or training;

E. Small animals and household pets kept as an accessory use outside the dwelling, shall be raised, kept or bred only as an accessory use on the premises of the owner, or in a kennel or cattery approved through the conditional use permit process, subject to the following limitations:

1. Birds shall be kept in an aviary or loft that meets the following standards:

a. The aviary or loft shall provide 1/2 square foot for each parakeet, canary or similarly sized birds, 1 square foot for each pigeon, small parrot or similarly sized bird, and 2 square feet for each large parrot, macaw or similarly sized bird.

b. Aviaries or lofts shall not exceed 2000 square feet, provided this limit shall not apply in rural, forestry, or agricultural zones,

c. the aviary is set back at least 10 feet from any property line, and 20 feet from any dwelling unit.

2. Small animals other than birds shall be kept according to the following standards:
a. The minimum site area shall be one-half acre if more than 3 small animals are being kept;
b. All animals shall be confined within a building, pen, aviary or similar structure;
c. Any covered structure used to house or contain such animals shall maintain a distance of not less than 10 feet to any property line, except structures used to house mink and fox shall be a distance of not less than 150 feet;
d. Poultry, chicken, squab, and rabbits are limited to a maximum of one animal per one square foot of structure used to house such animals, up to a maximum of 2000 square feet; provided that this maximum structure size limit shall not apply in rural, forestry, or agricultural zones;
e. Hamsters, nutria and chinchilla are limited to a maximum of one animal per square foot of structure used to house such animals, up to a maximum of 2000 square feet; provided that this maximum structure size limit shall not apply in rural, forestry, or agricultural zones;
f. Mink and fox are permitted only on sites having a minimum area of five acres;
g. Beekeeping is limited as follows:
i. Beehives are limited to 50 on sites less than five acres;
ii. The number of beehives shall not be limited on sites of five acres or greater;
iii. Colonies shall be maintained in movable-frame hives at all times;
iv. Adequate space shall be provided in each hive to prevent overcrowding and swarming;
v. Colonies shall be requeened following any swarming or aggressive behavior;
vi. All colonies shall be registered with the County Extension agent prior to April 1st of each year, on a state registration form acceptable to the county; and
vii. Abandoned colonies, diseased bees, or bees living in trees, buildings, or any other space except in movable-frame hives shall constitute a public nuisance, and shall be abated as set forth in K.C.C. 21A.50, Enforcement;
3. Kennels and catteries are subject to the following requirements:
a. For kennels located on residential zoned sites:
i. The minimum site area shall be five acres; and
ii. Structures housing animals and outdoor animal runs shall be a minimum distance of 100 feet from property lines abutting residential zones;
b. For kennels located on non-residential zoned sites, run areas shall be completely surrounded by an eight foot solid wall or fence, and be subject to the requirements in K.C.C. 11.04.060; and
c. Catteries shall be on sites of 35,000 square feet or more, and buildings used to house cats shall be a minimum distance of 50 feet from property lines abutting residential zones.

SECTION 531.

21A.30.030 Animal regulations-livestock - purpose. The primary purpose of this section is to support the raising and keeping of livestock in the county by setting livestock densities and by implementing applicable best management practices for land used to accommodate such livestock in ways which reduce the impact of livestock on the environment, particularly with regard to their impacts on water quality. The regulations set forth in this section are intended to be consistent with livestock welfare; however, those concerns are more appropriately addressed through K.C.C. 11.04.

SECTION 532.

21A.30.040 Animal regulations-livestock -densities. The raising, keeping, breeding or fee boarding of livestock are subject to K.C.C. 11.04, Animal Control Regulations, and the following requirements:
A. The minimum site which may be used to accommodate large livestock shall be 35,000 square feet, provided that the portion of the total site area used for confinement or grazing meets the requirements of this section;

B. The maximum number of livestock shall be as follows:

1.Commercial dairy farms covered by the Washington State department of Ecology NPDES system; either through a general or special permit - as consistent with the permit requirements.

2. Stables with covered arenas, for which farm management plans are implemented and maintained pursuant to K.C.C. 21A. 030.033 such that pasture and paddock use does not exceed the equivalent of 3 animals per acre on a full time basis, up to 6 resident horses per acre, provided further that higher densities may be allowed subject to the conditional use permit process to confirm compliance with the management standards;

3. For all large livestock not covered by paragraph 1. or 2. above:

(a) if a farm management plan pursuant to K.C.C. 21A.030.033 is implemented and maintained as or, in the alternative, all of the management standards of section K.C.C. 21A.30.035 are met, three horse, cows or similarly sized animals per gross acre of total site area, provided further that two ponies shall be counted as being equivalent to one horse and that miniature horses shall be treated as small livestock subject to paragraph d below.

(b) if paragraph (a) is not met, one horse, cow, or similarly sized animal (excluding any young under 6 months of age) per two acres of fenced grazing area;

4. for small livestock, five of each or any combination (excluding sucklings) per one acre of fenced pasturage, or per one-half acre of total site area subject to the management requirements set out in K.C.C. 21.30.035 below.

SECTION 533.

21A.30.050 Farm management plan. In order to achieve the maximum livestock density allowances provided for in Section K.C.C. 21A.030.032, above, a farm management plan (conservation) plan developed by the property owner with the assistance of the King Conservation District (KCD) which incorporates applicable best management practices for grazing and pasture management, manure management, watering and feeding area management, and stream corridor management must be developed, implemented and maintained. Such plans must include a schedule for implementation. A copy of the proposed and final plans shall be provided to the clerk of the council.

SECTION 534.

21A.30.060 Animal regulations-livestock - management standards. A. As an alternative to a farm management plan, any property owner may implement the following management standards for any site which is used or proposed to be used to accommodate large livestock at densities greater than 1 animal per 2 acres, and small livestock at densities greater than 5 per acre.

1. Livestock access to streams and their buffers shall be limited to stream crossing and watering points which have been addressed by a crossing plan or watering point designed to SCS/KCD specifications which shall prevent free access along the length of the stream; fencing shall be used as necessary to prevent livestock access to streams. Bridges may be used in lieu of stream crossings, provided that piers and abutments shall not be placed within the ordinary high water mark or top-of-bank, whichever is greater. Bridges shall be designed to allow free flow of flood waters and shall not diminish the flood carrying capacity of the stream; these bridges may be placed without a county building permit, provided that such permit waiver shall not constitute any assumption of liability by the county with regard to such bridge or its placement. The waiver of county building permit requirements does not constitute a waiver from other required agency permits;

2. Grazing areas not addressed by K.C.C. 21A.24 shall maintain a vegetative buffer of 25 feet from any naturally occurring pond, wetland edge of a class I or II wetland, (except those wetlands meeting the definition of grazed wet meadows) or the ordinary high water mark of a class I or II stream. If the buffer does not contain vegetation sufficient for bank stability and biofiltration, fencing or timed rotational grazing shall be used to establish and maintain the buffer.

3. Confinement areas located within 200 feet of any class I or II streams, wetlands or drainageways shall:

a. Have a 20 foot wide vegetative filter strip downhill from the confinement area, consisting of heavy grasses or other ground cover with high stem density and which may also include tree cover, in addition to the buffers in paragraph b;

b. Not be located in any stream or wetland buffer area required by the sensitive areas ordinance in effect at the time the confinement area is built, or within 50 feet of any naturally occurring pond, wetland edge of any class I or II wetland or the ordinary high water mark of any class I or II stream, unless some other distance has been approved by a county permit issued following an environment review or by a farm management plan pursuant to 21A.30.050. Existing confinement areas which do not meet these requirements shall be modified as necessary to provide the buffers specified herein within five years of the effective date of this section provided further that buildings in the confinement area need not be so modified;

c. Have roof drains of any buildings in the confinement area diverted away from the confinement area; and

4. Manure storage areas shall be managed as follows:

a. Surface flows and roof runoff shall be diverted away from manure storage areas.

b. All manure stockpiled within 200 feet of any stream, wetland, or drainageway to a stream or wetland shall be covered during the winter months (October 15 to April 15) in a manner that excludes precipitation and allows free flow of air to minimize fire danger; and

c. Manure shall be stored in a location that avoids having runoff from the manure enter streams or wetlands. Manure piles shall not be closer than 50 feet to any wetland edge, the ordinary high water mark of any stream, or any ditch to which the topography would generally direct runoff from the manure, nor in any stream buffer.

5. Manure shall be spread on fields only during the growing season, and not on saturated or frozen fields.

B. The following setback and buffer requirements apply to the keeping of livestock:

1. Any building used to house, confine or feed livestock shall not be located closer than 10 feet to any boundary property line or 35 feet to any residence existing when the livestock structure is built, and shall be increased to 100 feet for any building used to house, confine or feed swine;

2. Any building used to house, confine or feed livestock shall not be located closer than 35 feet to any dwelling unit or accessory living quarters on the same premises, except that a barn or stable may contain a caretaker's accessory living quarters;

3. There shall be no uncovered storage of manure, shavings or similar organic material closer than 45 feet to any dwelling unit or accessory living quarters; and

4. Grazing and confinement areas may extend to the property line.

C. In residential zones, fee boarding of livestock other than in a legally established stable shall only be as an accessory use to a residence on the subject property; and

D. A barn or stable may contain a caretaker's accessory living quarters.

SECTION 535.

21A.30.070 Existing livestock operations. All existing livestock operations shall either implement a farm management plan pursuant to K.C.C. 21A.30.033 or meet the management standards in K.C.C. 21A.30.035A, within five years of the adoption date of this title: existing buildings are exempt from this provision.

SECTION 536.

21A.30.080 Home occupation. Residents of a dwelling unit may conduct one or more home occupations as accessory activities, provided:

A. The total area devoted to all home occupation(s) shall not exceed twenty percent of the floor area of the dwelling unit. Areas with attached garages and storage buildings shall not be considered part of the dwelling unit for purposes of calculating allowable home occupation area but may be used for storage of goods associated with the home occupation;
B. In urban residential zones, all the activities of the home occupation(s) shall be conducted indoors, except for those related to growing or storing of plants used by the home occupation(s);
C. No more than one non-resident shall be employed by the home occupation(s);
D. The following activities shall be prohibited in urban residential zones only::
1. Automobile, truck and heavy equipment repair;
2. Autobody work or painting;
3. Parking and storage of heavy equipment; and
4. Storage of building materials for use on other properties;
E. In addition to required parking for the dwelling unit, on-site parking shall be provided as follows:
1. One stall for a non-resident employed by the home occupation(s); and
2. One stall for patrons when services are rendered on-site;
F. Sales shall be limited to:
1. Mail order sales; and
2. Telephone sales with off-site delivery;
G. Services to patrons shall be arranged by appointment or provided off-site;
H. The home occupation(s) may use or store a vehicle for pickup of materials used by the home occupation(s) or the distribution of products from the site, provided:
1. No more than one such vehicle shall be allowed;
2. Such vehicle shall not park within any required setback areas of the lot or on adjacent streets; and
3. Such vehicle shall not exceed a weight capacity of one ton; and
I. The home occupation(s) shall not use electrical or mechanical equipment that results in:
1. A change to the fire rating of the structure(s) used for the home occupation(s);
2. Visual or audible interference in radio or television receivers, or electronic equipment located off-premises; or
3. Fluctuations in line voltage off-premises.
J. Uses not allowed as home occupations may be allowed as a home industry pursuant to K.C.C. 21A.30.

SECTION 537.

21A.30.090 Home industry. A resident may establish a home industry as an accessory activity, provided:
A. The site area shall be no less than one acre;
B. The area of the home industry shall not exceed 50 percent of the floor area of the dwelling unit. Areas within attached garages and storage buildings shall not be considered part of the dwelling unit for purposes of calculating allowable home industry area but may be used for storage of goods associated with the home occupation;
C. No more than four non-residents shall be employed in a home industry;
D. In addition to required parking for the dwelling unit, on-site parking shall be provided as follows:
1. One stall for each non-resident employee of the home industry; and
2. One stall for customer parking;
E. Additional customer parking shall be calculated for areas devoted to the home industry at the rate of one stall per:
1. 1,000 square feet of building floor area; and
2. 2,000 square feet of outdoor work or storage area;
F. Sales shall be limited to items produced on-site, except for items collected, traded and occasionally sold by hobbyists, such as coins, stamps, and antiques;

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

H. The zoning adjustor shall ensure compatibility of the home industry by:

1. Limiting the type and size of equipment used by the home industry to those which are compatible with the surrounding neighborhood;
2. Providing for setbacks or screening as needed to protect adjacent residential properties;
3. Specifying hours of operation;
4. Determining acceptable levels of outdoor lighting; and
5. Requiring sound level tests for activities determined to produce sound levels which may be in excess of those set forth in KCC 12.88.

CHAPTER 21A.32 GENERAL PROVISIONS - NONCONFORMANCE, TEMPORARY USES, AND RE-USE OF FACILITIES

SECTIONS:

21A.32.010	Purpose
21A.32.020	Nonconformance - applicability
21A.32.030	Nonconformance - determining status
21A.32.040	Nonconformance - abatement of illegal use, structure or development
21A.32.050	Nonconformance - continuation and maintenance of nonconformance
21A.32.060	Nonconformance - re-establishment of discontinued nonconformance
21A.32.070	Nonconformance - repair or reconstruction of nonconforming structure
21A.32.080	Nonconformance - alteration of nonconforming structure
21A.32.090	Nonconformance - expansion of nonconformance
21A.32.100	Temporary use permits - uses requiring permits
21A.32.110	Temporary use permits - exemptions to permit requirement
21A.32.120	Temporary use permits - duration and frequency
21A.32.130	Temporary use permits - parking
21A.32.140	Temporary use permits - traffic control
21A.32.150	Temporary construction buildings
21A.32.160	Temporary construction residence
21A.32.170	Temporary mobile home for medical hardship
21A.32.180	Temporary real estate offices
21A.32.190	Temporary school facilities
21A.32.200	Re-use of facilities - general standards
21A.32.210	Re-use of facilities - re-establishment of closed public school facilities
21A.32.220	Re-use of facilities - standards for conversion of historic buildings

SECTION 538.

21A.32.010 Purpose. The purposes of this chapter are to:

A. Establish the legal status of a nonconformance by creating provisions through which a nonconformance may be maintained, altered, reconstructed, expanded or terminated;

B. Provide for the temporary establishment of uses that are not otherwise permitted in a zone and to regulate such uses by their scope and period of use; and

C. Encourage the adaptive re-use of existing public facilities which will continue to serve the community, and to ensure public review of redevelopment plans by allowing:

1. Temporary re-use of closed public school facilities retained in school district ownership, and the reconversion of a temporary re-use back to a school use;
2. Permanent re-use of surplus nonresidential facilities (e.g. schools, fire stations, government facilities) not retained in school district ownership; or
3. Permanent re-use of historic structures listed on the National Register or designated as county landmarks.

SECTION 539.

21A.32.020 Nonconformance - applicability. A. With the exception of nonconforming extractive operations identified in K.C.C. 21A.22, all nonconformances shall be subject to the provisions of this chapter.

B. The provisions of this chapter do not supersede or relieve a property owner from compliance with:

1. The requirements of the Uniform Building and Fire Codes; or
2. The provisions of this code beyond the specific nonconformance addressed by this chapter.

SECTION 540.

21A.32.030 Nonconformance - determining status. A. Any use, structure or other site improvement (e.g. landscaping or signage) development standard which was legally established prior to the effective date of this title shall be considered nonconforming if:

1. The use is now prohibited or cannot meet use limitations applicable to the zone in which it is located; or

2. The use does not comply with the density, dimensions, landscaping, parking sign or residential design standards of this title.

B. A change in the required permit review process shall not create a nonconformance.

C. Any nonconformance that is brought into conformance for any period of time shall forfeit status as a nonconformance, except as specified by K.C.C. 21A.32.060.

SECTION 541.

21A.32.040 Nonconformance - abatement of illegal use, structure or development. Any use, structure or other site improvement not established in compliance with use and development standards in effect at the time of establishment shall be deemed illegal and shall be discontinued or terminated and subject to removal pursuant to the provisions of K.C.C. Title 23.

SECTION 542.

21A.32.050 Nonconformance - continuation and maintenance of nonconformance. A nonconformance may be continued or physically maintained as provided by this chapter.

SECTION 543.

21A.32.060 Nonconformance - re-establishment of discontinued nonconforming use. A nonconforming use may be re-established as a nonconformance, except any nonconforming use that is discontinued for a period of 12 continuous months shall be deemed abandoned and shall not be re-established.

SECTION 544.

21A.32.070 Nonconformance - repair or reconstruction of nonconforming structure. Any structure nonconforming as to height or setback standards may be repaired or reconstructed provided that:

A. The extent of the previously existing nonconformance is not increased; and

B. The building permit application for repair or reconstruction is submitted within 12 months of the occurrence of damage or destruction.

SECTION 545.

21A.32.080 Nonconformance - modifications to nonconforming structures. Modifications to a nonconforming structure may be permitted, provided the modification does not increase the area, height or degree of an existing nonconformity.

SECTION 546.

21A.32.090 Nonconformance - expansion of nonconformance. A nonconformance may be expanded subject to approval of a conditional use permit or a special use permit, whichever permit is required under existing codes, or if no permit is required through a conditional use permit, provided:

A. A nonconformance with the development standard provisions of K.C.C. 21A.12 through 21A.30 shall not be created or increased;

B. The proposal complies with the development standards of K.C.C. 21A.12 through 21A.30 to the extent feasible;

C. Approval of such proposal shall be based on a finding that the expansion:
   1. Does not allow an expansion that would be detrimental to adjacent uses; and
   2. Improves aspects of safety or function of the nonconformance; and

D. Expansions involving environmentally sensitive areas shall be subject to the provisions of K.C.C. 21A.24.

SECTION 547.

21A.32.100 Temporary use permits - uses requiring permits. Except as provided by K.C.C. 21A.32.110, a temporary use permit shall be required for:

A. Uses not otherwise permitted in the zone that can be made compatible for periods of limited duration and/or frequency; or

B. Limited expansion of any use that is otherwise allowed in the zone but which exceeds the intended scope of the original land use approval.

SECTION 548.

21A.32.110 Temporary use permits - exemptions to permit requirement.

A. The following uses shall be exempt from requirements for a temporary use permit when located in the RB, CB, NB, O, or I zones for the time period specified below:
   1. Uses not to exceed a total of 30 days each calendar year:
      a. Christmas tree lots;
      b. Fireworks stands; and
      c. Produce stands.
   2. Uses not to exceed a total of 14 days each calendar year:
      a. Amusement rides, carnivals, or circuses;
      b. Community festivals; and
      c. Parking lot sales.

B. Any use not exceeding a cumulative total of 2 days each calendar year shall be exempt from requirements for a temporary use permit.

C. Any community event held in a public park and not exceeding a period of 7 days shall be exempt from requirements for a temporary use permit.

SECTION 549.

21A.32.120 Temporary use permits - duration and frequency. Temporary use permits shall be limited in duration and frequency as follows:

A. The temporary use permit shall be effective for no more than 180 days from the date of the first event;

B. The temporary use shall not exceed a total of 60 days, provided that this requirement applies only to the days that the event(s) actually take place;

C. The temporary use permit shall specify a date upon which the use shall be terminated and removed; and

D. A temporary use permit shall not be granted for the same temporary use on a property more than once per calendar year provided that a temporary use permit may be granted for multiple events during the approval period.

SECTION 550.

21A.32.130 Temporary use permits - parking. Parking and access for proposed temporary uses shall be approved by the county.

SECTION 551.

21A.32.140 Temporary use permits - traffic control. The applicant for a proposed temporary use shall provide any parking/traffic control attendants as specified by the King County department of public safety.

SECTION 552.

21A.32.150 Temporary construction buildings. Temporary structures for storage of tools and equipment, or for supervisory offices may be permitted for construction projects, provided that such structures are:

A. Allowed only during periods of active construction; and

B. Removed within 30 days of project completion or cessation of work.

SECTION 553.

21A.32.160 Temporary construction residence. A. A mobile home may be permitted on a lot as a temporary dwelling for the property owner, provided a building permit for a permanent dwelling on the site has been obtained.

B. The temporary mobile home permit shall be effective for a period of 12 months. The permit may be extended for one additional period of 12 months if the permanent dwelling is constructed with a finished exterior by the end of the initial approval period

C. The mobile home shall be removed within 90 days of:

1. The expiration of the temporary mobile home permit; or
2. The issuance of a certificate of occupancy for the permanent residence, whichever occurs first.

SECTION 554.

21A.32.170 Temporary mobile home for medical hardship.

A. A mobile home may be permitted as a temporary dwelling on the same lot as a permanent dwelling, provided:

1. The applicant demonstrates the temporary dwelling is necessary to provide daily care to an individual certified by a physician as needing such care;
2. The primary provider of daily care shall reside on-site; and
3. The mobile home together with the permanent residence shall meet the setback, height, building footprint, and lot coverage provisions of the applicable zone.

B. Temporary mobile home permits for medical hardships shall be effective for 12 months. Extensions of the temporary mobile home permit may be approved in 12 month increments subject to demonstration of continuing medical hardship.

C. The mobile home shall be removed within 90 days of:

1. The expiration of the temporary mobile home permit; or
2. The cessation of provision of daily care.

SECTION 555.

21A.32.180 Temporary real estate offices. One temporary real estate office may be located on any new residential development, provided that activities are limited to the initial sale or rental of property or units within the development. The office use shall be discontinued within one year of recording of a subdivision or short subdivision or issuance of a final certificate of occupancy apartment development.

SECTION 556.

21A.32.190 Temporary school facilities. Temporary school structures may be permitted during construction of new school facilities or during remodeling of existing facilities, provided that such structures are:

A. Allowed only during periods of active construction or remodeling;

B. Do not expand the student capacity beyond the capacity under construction or remodeling; and

C. Removed within 30 days of project completion or cessation of work.

SECTION 557.

21A.32.200 Re-use of facilities - general standards. The interim or permanent re-use of surplus nonresidential facilities in residential zoned areas shall require that no more than 50 percent of the original floor area may be demolished for either permanent or interim re-use of facilities.

SECTION 558.

21A.32.210 Re-use of facilities - re-establishment of closed public school facilities. The re-establishment or reconversion of an interim nonschool use of school facilities back to school uses shall require a site plan and the issuance of a change of use permit pursuant to K.C.C. 16.04.

SECTION 559.

21A.32.220 Re-use of facilities - standards for conversion of historic buildings. In order to insure that significant features of the property are protected pursuant to K.C.C. 20.62, the following standards shall apply to conversion of historic buildings:

A. Gross floor area of building additions or new buildings required for the conversion shall not exceed 20 percent of the gross floor area of the historic building, unless allowed by the zone;

B. Conversions to apartments shall not exceed one dwelling unit for each 3,600 square feet of lot area, unless allowed by the zone; and,

C. Any construction required for the conversion shall require certification of appropriateness from the King County Landmark Commission.

CHAPTER 21A.34 GENERAL PROVISIONS - RESIDENTIAL DENSITY INCENTIVES

SECTION:

21A.34.010	Purpose
21A.34.020	Permitted locations of residential density incentives
21A.34.030	Maximum densities permitted through residential density incentive review
21A.34.040	Public benefits and density incentives
21A.34.050	Rules for calculating total permitted dwelling units
21A.34.060	Review process
21A.34.070	Minor adjustments in final site plans
21A.34.080	Applicability of development standards

SECTION 560.

21A.34.010 Purpose. The purpose of this chapter is to provide density incentives to developers of residential lands in urban areas and rural activity centers, in exchange for public benefits to help achieve Comprehensive Plan goals of affordable housing, open space protection, historic preservation and energy conservation, by:

A. Defining in quantified terms the public benefits that can be used to earn density incentives;

B. Providing rules and formulae for computing density incentives earned by each benefit;

C. Providing a method to realize the development potential of sites containing unique features of size, topography, environmental features or shape; and

D. Providing a review process to allow evaluation of proposed density increases and the public benefits offered to earn them, and to give the public opportunities to review and comment.

SECTION 561.

21A.34.020 Permitted locations of residential density incentives. Residential density incentives (RDI) shall be used only on sites served by public sewers and only in the following zones:

A. In R-4 through R-48 zones; and

B. In NB, CB, RB and O zones when part of a mixed use development.

SECTION 562.

21A.34.030 Maximum densities permitted through residential density incentive review. The maximum density permitted through RDI review shall be 150 percent of the base density of the underlying zone of the development site or 200 percent of the base density for RDI proposals with 100 percent affordable units.

SECTION 563.

21A.34.040 Public benefits and density incentives. A. The public benefits eligible to earn increased densities, and the maximum incentive to be earned by each benefit, are set forth in subsection E. The density incentive is expressed as additional bonus dwelling units (or fractions of dwelling units) earned per amount of public benefit provided.

B. Bonus dwelling units may be earned through any combination of the listed public benefits.

C. The guidlines for affordable housing bonuses including the establishment of rental levels, housing prices and asset limitations, will be updated and adopted annually by the council in the comprehensive housing affordability strategy plan.

D. Bonus dwelling units may also be earned and transferred to the project site through the transfer of density credit ("TDC") process set forth in K.C.C. 21A.36, by providing any of the open space, park site or historic preservation public benefits set forth in subsections E.2. or E.3. on sites other than that of the RDI development.

E. Residential development in R-4 through R-48 zones with property specific development standards requiring any public benefit enumerated in this chapter, shall be eligible to earn bonus dwelling units as set forth in subsection E when the public benefits provided exceed the basic development standards of this title. When a development is located in a special overlay district, bonus units may be earned if the development provides public benefits exceeding corresponding standards of the special district.

F. The following are the public benefits eligible to earn density incentives through RDI review:

BENEFIT	DENSITY INCENTIVE
1. AFFORDABLE HOUSING	
a. Benefit units consisting of rental housing permanently priced to serve non-elderly low-income households (i.e. no greater than 30 percent of gross income for households at or below 50 percent of King County median income, adjusted for household size). A covenant on the site that specifies the income level being served, rent levels and requirements for reporting to King County shall be recorded at final approval.	1.5 bonus units per benefit unit, up to a maximum of 30 low-income units per five acres of site area; projects on sites of less than five acres shall be limited to 30 low-income units.
b. Benefit units consisting of rental housing designed and permanently priced to serve low-income senior citizens (i.e. no greater than 30 percent of gross income for 1 or 2-person households, 1 member of which is 62 years of age or older, with incomes at or below 50 percent of King County median income, adjusted for household size). A covenant on the site that specifies the income level being served, rent levels and requirements for reporting to King County shall be recorded at final approval.	1.5 bonus units per benefit unit, up to a maximum of 60 low-income units per five acres of site area; projects on sites of less than five acres shall be limited to 60 low-income units.

BENEFIT	DENSITY INCENTIVE
c. Benefit units consisting of moderate income housing reserved for income- and asset-qualified home buyers (total household income at or below 80 percent of King County median, adjusted for household size). Benefit 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.	.75 bonus unit per benefit unit.
d. Benefit units consisting of moderate income housing reserved for income- and asset-qualified home buyers (total household income at or below 80 percent of King County median, adjusted for household size). Benefit units shall be limited to owner-occupied housing with prices restricted based on typical underwriting ratios and other lending standards, and with a 15 year restriction binding prices and eligibility on resale to qualified moderate income purchasers. Final approval conditions shall specify requirements for reporting to King County on both buyer eligibility and housing prices.	1 bonus unit per benefit unit.

BENEFIT	DENSITY INCENTIVE
e. Benefit units consisting of moderate income housing reserved for income- and asset-qualified home buyers (total household income at or below 80 percent of King County median, adjusted for household size). Benefit units shall be limited to owner-occupied housing, with prices restricted to same income group, based on current underwriting ratios and other lending standards for 30 years from date of first sale. A covenant on the site that specifies the income level and other aspects of buyer eligibility, price levels and requirements for reporting to King County shall be recorded at final approval.	1.5 bonus units per benefit unit.
f. Projects in which 100 percent of the units are reserved for moderate income - and asset-qualified buyers (total household income at or below 80 percent of the King County median, adjusted for household size). All units shall be limited to owner-occupied housing with prices restricted based on current underwriting ratios and other lending standards, and with prices restricted to same income group, for 15 years from date of first sale. Final approval conditions shall specify requirements for reporting to King County on both buyer eligibility and housing prices.	200 percent of the base density of the underlying zone. Limited to parcels 5 acres or less in size and located in the R-4 through R-8 zones. Housing types in the R-4 or R-6 zones shall be limited to structures containing four or less units, except for townhouses. Such RDI proposals shall not be eligible to utilize other RDI bonus density incentives listed in this section.
g. Benefit units consisting of mobile home park space or pad reserved for the relocation of an insignia or non-insignia mobile home, that has been or will be displaced due to closure of a mobile home park located in incorporated or unincorporated King County.	1.0 bonus unit per benefit unit.

BENEFIT	DENSITY INCENTIVE
2. OPEN SPACE, TRAILS AND PARKS	
a. Dedication of park site or trail right-of-way meeting King County location and size standards for neighborhood, community or regional park, or trail, and accepted by the Parks division.	.5 bonus unit per acre of park area or quarter-mile of trail exceeding the minimum requirement of K.C.C. 21A.14 for on-site recreation space or trail corridors, computed on the number of dwelling units permitted by the site's base density.
b. Improvement of dedicated park site to King County standards for developed parks.	.75 bonus unit per acre of park improvement. If the applicant is dedicating the site of the improvements, the bonus units earned by improvements shall be added to the bonus units earned by the dedication.
c. Improvement of dedicated trail segment to King County standards.	1.8 bonus units per quarter-mile of trail constructed to county standard for pedestrian trails; or 2.5 bonus units per quarter-mile of constructed to county standard for multipurpose trails (pedestrian/ bicycle/equestrian). Shorter segments shall be awarded bonus units on a pro-rate basis. If the applicant is dedicating the site of the improvements, the bonus units earned by improvements shall be added to the bonus units earned by the dedication.
d. Dedication of open space, meeting King County acquisition standards to the county or a qualified public or private organization such as a nature conservancy.	.5 bonus unit per acre of open space.

BENEFIT	DENSITY INCENTIVE
3. HISTORIC PRESERVATION	
a. Dedication of a site containing an historic landmark in accordance with K.C.C. 20.62, to King County or a qualifying nonprofit organization capable of restoring and/or maintaining the premises to standards set by the King County Landmarks Commission.	.5 bonus unit per acre of historic site.
b. Restoration of a site or structure designated as an historic landmark in accordance with K.C.C. 20.62 to a specific architectural or site plan approved by the King County Landmarks Commission.	.5 bonus unit per acre of site or one thousand square feet of floor area of building restored.
4. ENERGY CONSERVATION	
a. Benefit units that incorporate conservation features in the construction of all on-site dwelling units heated by electricity that save at least 20 percent of space heat energy use from the maximum permitted by the Northwest Energy Code, as amended. No more than 50 percent of the required savings may result from the installation of heat pumps. None of the required savings shall be achieved by reduction of glazing area below 15 percent of floor area. Energy use shall be expressed as allowable energy load per square foot or as total transmittance (UA).	0.15 bonus unit per benefit unit that achieves the required savings.

BENEFIT	DENSITY INCENTIVE
b. Benefit units that incorporate conservation features in the construction of all on-site dwelling units heated by natural gas, or other non-electric heat source, that save at least 25 percent of space heat energy use from the maximum permitted by the Northwest Energy Code, as amended. None of the required savings shall be achieved by reduction of glazing area below 15 percent of floor area. Energy use shall be expressed as allowable energy load per square foot or as total transmittance (UA).	0.10 bonus unit per benefit unit that achieves the required savings.
c. Developments located within 1/4 mile of transit routes served on at least a half-hourly basis during the peak hours and hourly during the daytime non-peak hours.	10 percent increase above the base density of the zone.

NOTE: When proposed energy conservation bonus units of K.C.C. 21A.34.040 are reviewed in conjunction with a subdivision or a short subdivision, the applicant shall provide data and calculations for a typical house of the type to be built in the development that demonstrates to the department's satisfaction how the required savings will be achieved. A condition of approval shall be recorded with the plat and shown on the title of each lot specifying the required energy savings that must be achieved in the construction of the dwelling unit. The plat notation shall also specify that the savings shall be based on the energy code in effect at the time of preliminary plat application.

SECTION 564.

21A.34.050 Rules for calculating total permitted dwelling units. A. The formula for calculating the total number of dwelling units permitted through RDI review is as follows:

DUs allowed by RDI site base density	+	Bonus DUs	+	DUs allowed by sending site density (if any)	=	TOTAL RDI DUs

B. The total dwelling units permitted through RDI review shall be calculated using the following steps:

1. Calculate the number of dwellings permitted by the base density of the site in accordance with K.C.C. 21A.12;
2. Calculate the total number of bonus dwelling units earned by providing the public benefits listed in K.C.C. 21A.34.040;
3. Add the number of bonus dwelling units earned to the number of dwelling units permitted by the base density;
4. Add the number of dwelling units permitted by the base density of the site sending TDCs, if any;

5. Round fractional dwelling units to the nearest whole number; .49 or less dwelling units are rounded down; and

6. On sites with more than one zone or zone density, the maximum density shall be calculated for the site area of each zone. Bonus units may be reallocated within the zone's in the same manner set forth for base units in K.C.C. 21A.12.180.

SECTION 565.

21A.34.060 Review process. A. All RDI proposals shall be reviewed concurrently with a primary proposal to consider the proposed site plan and methods used to earn extra density as follows:

1. For the purpose of this section, a primary proposal is defined as a proposed subdivision, conditional use permit or commercial building permit.

2. When the primary proposal requires a public hearing under this code or Title 19, the public hearing on the primary proposal shall serve as the hearing on the RDI proposal, and the reviewing authority shall make a consolidated decision on the proposed development and use of RDI;

3. When the primary proposal does not require a public hearing under this code or K.C.C. Title 19, the RDI proposal shall be subject to the decision criteria for conditional use permits outlined in K.C.C. 21A.42 and to the procedures set forth for director/adjustor review in this title; and

4. The notice for the RDI proposal also shall include the development's proposed density and a general description of the public benefits offered to earn extra density.

B. RDI applications which propose to earn bonus units by dedicating real property or public facilities shall include a letter from the applicable county receiving agency certifying that the proposed dedication qualifies for the density incentive and will be accepted by the agency or other qualifying organization.

SECTION 566.

21A.34.070 Minor adjustments in final site plans. When issuing building permits in an approved RDI development, the department may allow minor adjustments in the approved site plan involving the location or dimensions of buildings or landscaping, provided such adjustments shall not:

A. Increase the number of dwelling units;
B. Decrease the amount of perimeter landscaping (if any);
C. Decrease residential parking facilities (unless the number of dwelling units is decreased);
D. Locate structures closer to any site boundary line; or
E. Change the locations of any points of ingress and egress to the site.

SECTION 567.

21A.34.080 Applicability of development standards. A. RDI developments shall comply with dimensional standards of the zone with a base density most closely comparable to the total approved density of the RDI development, provided that an RDI proposal in the R-4 through R-8 zone shall conform to the height requirements of the underlying zone in which it is located.

B. RDI developments in the R-4 through R-8 zones shall be landscaped as follows:

1. When 75 percent or more of the units in the RDI development consists of townhouses or apartments, the development shall provide perimeter landscaping and tree retention in accordance with K.C.C. 21A.16 for townhouse or apartment projects.

2. When less than 75 percent of the units in the RDI consists of townhouses or apartments, the development shall provide landscaping and tree retention in accordance with K.C.C. 21A.16 for townhouses or apartments on the portion(s) of the development containing such units provided that, if buildings containing such units are more than 100 feet from the development's perimeter, the required landscaping may be reduced by 50 percent.

3. All other portions of the RDI shall provide landscaping or retain trees in accordance with K.C.C. 21A.16.

C. RDI developments in all other zones shall be landscaped or retain trees in accordance with K.C.C. 21A.16.

D. RDI developments shall provide parking as follows:

1. Projects with 100 percent affordable housing shall provide one off-street parking space per unit. The director may require additional parking, up to the maximum standards for attached dwelling units, which may be provided in common parking areas.

2. All other RDI proposals shall provide parking for:

a. market rate/bonus units at levels consistent with K.C.C. 21A.18, and

b. benefit units at 50 percent of the levels required for market rate/bonus units.

E. RDI developments shall provide on-site recreation space as follows:

1. Projects with 100 percent affordable housing shall provide recreation space at 50 percent of the levels required in K.C.C. 21A.14.

2. All other RDI proposals shall provide recreation space for:

a. market rate/bonus units at levels consistent with K.C.C. 21A.14, and

b. benefit units at 50 percent of the levels required for market rate/bonus units.

CHAPTER 21A.36 GENERAL PROVISIONS -- TRANSFER OF RESIDENTIAL DENSITY CREDITS

SECTIONS:

21A.36.010	Purpose
21A.36.020	Authority and application
21A.36.030	Sending sites
21A.36.040	Receiving sites
21A.36.050	Transfer rules
21A.36.060	Review process

SECTION 568.

21A.36.010 Purpose. The purpose of the transfer of residential density credit system is to supplement land use regulation and open space acquisition programs and to encourage increased residential development density where it can be accommodated with the least impacts on the natural environment and public services, by:

A. Providing an incentive for private property owners to protect open space, environmentally sensitive areas, park sites, historic sites, rural and resource areas beyond the minimum requirements of the code;

B. Using the community planning process as one mechanism for involving King County residents, land owners, cities and other public agencies in designating appropriate sending and receiving areas; and

C. Providing a review system to ensure that transfers of residential density credits to receiving sites are balanced with other county goals and policies, and are adjusted to the specific conditions of each receiving site.

SECTION 569.

21A.36.020 Authority and application. The transfer of residential density credit ("TDC") system for King County is established. The base residential density of a sending site may be transferred and credited to a non-contiguous receiving site only when the TDC is approved in accordance with the rules and procedures in this chapter.

SECTION 570.

21A.36.030 Sending sites. A. Sending sites shall be maintained in a natural state, except for agricultural lands, proposed public park or trail sites suitable for active recreation, shoreline access areas, or historic sites.

B. Sending sites must contain one or more of the following features, as defined in the Comprehensive Plan, Open Space Plan, other functional plan or a community plan:

1. Open spaces
2. Wildlife habitat;
3. Woodlands
4. Shoreline access;
5. Community separator;
6. Regional trail/natural linkage;
7. Historic landmark designation;
8. Agricultural land not encumbered through the county's farmlands preservation development rights purchase program; or
9. Park site that meets adopted size, distance and other standards for serving the receiving sites to which the density credits are being transferred.

C. Sending sites shall have zoning consistent with the Comprehensive Plan map designation.

D. A community plan may develop policies that set priorities for protection of the types of features to be preserved at sending areas.

SECTION 571.

21A.36.040 Receiving sites. A. Receiving sites shall be zoned R-4 through R-48, NB, CB, RB or O, or any combination thereof, before being eligible to participate in a TDC.
B. Except as provided in this chapter, development of a receiving site shall remain subject to all use, lot coverage, height, setback and other requirements of its zone.
C. A receiving site may accept density credits, up to the maximum density permitted pursuant to K.C.C. 21A.12, from any sending site unless a community plan adopts specific policies to allow only transfers from within the same community planning area or within a distance outside of the planning area as specified by the community plan.

SECTION 572.

21A.36.050 Transfer rules. A. The number of density credits that a sending site is eligible to send to a receiving site shall be determined by applying the base density of the zone the sending site is located in to the total sending site area, less any portion of the sending site already in a conservation easement or other encumbrance, or any land area already used to calculate residential density for other development. A plot plan showing environmentally sensitive areas and buffers, conservation easements or other encumbrances shall be submitted as part of the development application to demonstrate compliance with the density calculation rules set forth in K.C.C. 21A.12.
B. Sending sites with environmentally sensitive areas that have been declared unbuildable under K.C.C. 21A.12 shall be considered to have a base density calculated in accordance with that chapter, except that the areas of the sending and receiving sites shall be combined to calculate the overall site percentage of sensitive areas and buffers necessary for determining the allowable density credit as set forth in K.C.C. 21A.24.
C. Density credits from one sending site may be allocated to more than one receiving site. The credit from each segment shall be allocated to a specified receiving site.
D. When the sending site consists only of a portion(s) of an unsubdivided parcel, said portion(s) shall be segregated from the remainder of the lot pursuant to Title 19 or deed restrictions documenting the density credit transfers shall be recorded with the title to both the sending and receiving site. A parcel need not segregate a sending site from the remainder of the parcel when the entire parcel is subject to a conservation easement pursuant to subsection E.
E. Conservation easements shall be required for land contained in the sending site, whether or not such land is dedicated, as follows:

1. For a sending site not zoned A-10 or A-35, a conservation easement as defined in the Open Space Plan shall be recorded on the sending site to indicate development limitations on the sending site.

2. For a sending site zoned A-10 or A-35, a conservation easement shall be recorded on the sending site, consistent in form and substance with the purchase agreements used in the agricultural land development rights purchase program. The conservation easement shall preclude subdivision of the subject property but may permit not more than one dwelling per sending site, and shall permit agricultural uses as provided in the A-10 or A-35 (agriculture) zone.

F. Upon submitting an application to develop a receiving site under the provisions of this chapter, the applicant shall provide evidence of ownership or full legal control of all sending sites proposed to be used in calculating total density on the receiving site. It shall be the applicant's responsibility, prior to application, to ascertain what form of permanent protection of the sending site will be acceptable to King County.
G. Density credits from a sending site shall be considered transferred to a receiving site when the sending site is permanently protected by a completed and recorded land dedication or conservation easement .

H. TDC developments shall comply with dimensional standards of the zone with a base density most closely comparable to the total approved density of the TDC development.

SECTION 573.

21A.36.060 Review process. All TDC proposals shall be reviewed concurrently with a primary proposal as follows:

A. For the purpose of this section, a primary proposal is defined as a proposed subdivision, conditional use permit, or commercial building permit.

B. When the primary proposal requires a public hearing under this title or Title 19, that public hearing shall also serve as the hearing on the TDC proposal, and the reviewing authority shall make a consolidated decision on the proposed development and use of TDC;

C. When the primary proposal does not require a public hearing under this title or Title 19, that TDC proposal shall be subject to the decision criteria for conditional use permits outlined in K.C.C. 21A.42 and to the procedures set forth for director/adjustor review in this title.

CHAPTER 21A.38 PROPERTY - SPECIFIC DEVELOPMENT STANDARDS/ SPECIAL DISTRICT OVERLAYS

SECTIONS:

21A.38.010	Purpose
21A.38.020	Authority and application
21A.38.030	Property-specific development standards - general provisions
21A.38.040	Special district overlay - general provisions
21A.38.050	Special district overlay - pedestrian-oriented commercial development
21A.38.060	Special district overlay - office/research park development
21A.38.070	Special district overlay - Urban Planned Development purpose and location
21A.38.080	Special district overlay - UPD implementation

SECTION 574.

21A.38.010 Purpose. The purposes of this chapter are to provide for alternative development standards to address unique site characteristics and to address development opportunities which can exceed the quality of standard developments, by:

A. Establishing authority to adopt property-specific development standards for increasing minimum requirements of this title on individual sites; or

B. Establishing special district overlays with alternative standards for special areas designated by community plans.

SECTION 575.

21A.38.020 Authority and application. A. This chapter authorizes King County to increase development standards or limit uses on specific properties beyond the general requirements of this title through property-specific development standards, and to carry out comprehensive and community plan policies and map designations through special overlay districts which supplement or modify standard zones through different uses, design or density standards or review processes;

B. Property-specific development standards shall be applied to specific properties through either area zoning as provided in K.C.C. 20.12 and 20.18, or reclassifications of individual properties as provided in K.C.C. 20.24 and 21A.44; and

C. Special district overlays shall be applied to specific properties or areas containing several properties through area zoning adopted in conjunction with community plans as provided in K.C.C. 20.12 and 20.18.

SECTION 576.

21A.38.030 Property-specific development standards - general provisions. A. Property-specific development standards, denoted by the zoning map symbol -P after the zone's map symbol, shall be established on individual properties through either reclassifications or area zoning. Upon the effective date of reclassification of a property to a zone with a -P suffix, the property-specific development standards adopted thereby shall apply to any development proposal on the subject property subject to county review, including, but not limited to, a building permit, grading permit, subdivision, short subdivision, subsequent reclassification to a potential zone, urban planned development, conditional use permit, variance, and special use permit.

B. Property-specific development standards shall address problems unique to individual properties or specifically defined geographic areas that are not addressed or anticipated by general minimum requirements of this title or other regulations.

C. Property-specific development standards shall cite the provisions of this title, if any, that are to be augmented, limited, or increased, shall be supported by documentation that addresses the need for such condition(s), and shall include street addresses, tax lot numbers or other clear means of identifying the properties subject to the additional standards. Property-specific development standards are limited to:

1. Limiting the range of permitted land uses;
2. Requiring special development standards for property with physical constraints (e.g. environmental hazards, view corridors);
3. Requiring specific site design features (e.g. building orientation, lot layout, clustering, trails or access location);
4. Specifying the phasing of the development of a site;
5. Requiring public facility site dedications or improvements (e.g. roads, utilities, parks, open space, trails, school sites); or
6. Designating sending and receiving sites for transferring density credits as provided in K.C.C. 21A.36.

D. Property-specific development standards shall not be used to expand permitted uses or reduce minimum requirements of this title.

SECTION 577.

21A.38.040 Special district overlay - general provisions. Special district overlays shall be designated on community plan maps and indicated on area zoning maps as follows:

A. A special district overlay shall be designated in a community plan, plan update or plan amendment as provided in K.C.C. 20.12. Designation of an overlay district shall include policies that prescribe the purposes and location of the overlay;

B. A special district overlay shall be applied to land through the area zoning adopted in conjunction with the community plan and shall be indicated on the zoning map with the suffix "-SO" following the map symbol of the underlying zone or zones;

C. The special district overlays set forth in this chapter are the only overlays authorized by the code. New or amended overlays to carry out new or different goals or policies shall be adopted as part of this chapter and be available for use in all appropriate community planning areas ;

D. The special district overlays set forth in this chapter may waive, modify and substitute for the range of permitted uses and development standards established by this title for any use or underlying zone;

E. Unless they are specifically modified by the provisions of this chapter, the standard requirements of this title and other county ordinances and regulations govern all development and land uses within special district overlays; and

F. A special district overlay on an individual site may be modified by property-specific development standards as provided in K.C.C. 21A.38.030.

SECTION 578.

21A.38.050 Special district overlay - pedestrian-oriented commercial development.

A. The purpose of the pedestrian-oriented commercial development special district overlay is to provide for high-density, pedestrian-oriented retail/employment uses. Pedestrian-oriented commercial district shall only be established in areas designated within a community plan as an urban activity center and zoned CB, RB or O. Permitted uses shall be those uses permitted in the underlying zone, excluding the following:

1. Motor vehicle, boat and mobile home dealer;
2. Gasoline service station;
3. Drive-through retail and service uses;
4. Car washes;
5. Retail and service uses with outside storage, e.g. lumber yards, miscellaneous equipment rental or machinery sales;

6. Wholesale uses;

7. Recreation/cultural uses as set forth in K.C.C. 21A.08.040, except parks, sports clubs, theaters, libraries and museums;

8. SIC Major Group 75 (Automotive repair, services and parking) except 7521 (automobile parking; but excluding tow-in parking lots);

9. SIC Major Group 76 (Miscellaneous repair services), except 7631 (Watch, clock and jewelry repair);

10. SIC Major Group 78 (Motion pictures), except 7832(theater) and 7841 (video tape rental);

11. SIC Major Group 80 (Health services), except offices and outpatient clinics (801-804);

12. SIC Industry Group 421 (Trucking and courier service);

13. Public agency archives;

14. Self-service storage;

15. Manufacturing land uses as set forth in K.C.C. 21A.08.080, except 2759 (Commercial printing); and

16. Resource land uses as set forth in K.C.C. 21A.08.090.

B. The following development standards shall apply to uses locating in pedestrian-oriented commercial overlay districts:

1. Every use shall be subject to pedestrian-oriented use limitations and street facade development standards (e.g. placement and orientation of buildings with respect to streets and sidewalks, arcades or marquees) identified and adopted through the area zoning that implements a community plan;

2. Floor/lot area ratio shall not exceed 5:1, including the residential component of mixed use developments, but not including parking structures;

3. Building setback and height requirements may be waived, except for areas within 50 feet of the perimeter of any special district overlay area abutting an R-12 or lower density residential zone;

4. The landscaping requirements of K.C.C. 21A.16 may be waived if landscaping conforms to a special district overlay landscaping plan adopted as part of the area zoning. The overlay district landscaping plan shall include features addressing street trees, and other design amenities (e.g. landscaped plazas or public parks);

5. Sidewalk width requirements shall be increased to a range of 12 to 16 feet on streets designated as major pedestrian corridors. The sidewalk widths exceeding the amount required in the King County Road Standards may occur on private property adjoining the public street right-of-way; and

6. Off-street parking requirements K.C.C. 21A.18 are modified as follows for all nonresidential uses:

a. No less than one space for every 1000 square feet of floor area shall be provided;

b. No more than 75 percent of parking shall be on-site surface parking. Such parking shall be placed in the interior of the lot, or at the rear of the building it serves; and

c. At least 25 percent of the required parking shall be enclosed in an on-site parking structure or located at an off-site common parking facility , provided that this requirement is waived when the applicant signs a no protest agreement to participate in any improvement district for the future construction of such facilities.

SECTION 579.

21A.38.060 Special district overlay - office/research park development. A. The purpose of the office/research park special district overlay is to establish an area for development to occur in a campus setting with integrated building designs, flexible grouping of commercial and industrial uses, generous landscaping and buffering treatment, and coordinated auto and pedestrian circulation plans. Office/research park districts shall only be established in areas designated within a community plan and zoned RB, O or I zones. Permitted uses shall include all uses permitted in the RB, O and I zones, as set forth in K.C.C. 21A.08, regardless of the classification used as the underlying zone on a particular parcel of land.

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

1. All uses shall be conducted inside an entirely enclosed building;

2. An internal circulation plan shall be developed to facilitate pedestrian and vehicular traffic flow between major project phases and individual developments;

3. The standards set forth in this section shall be applied to the development as a unified site, not withstanding any division of the development site under a binding site plan or subdivision;

4. All buildings shall maintain a 50-foot setback from perimeter streets and from residential zoned areas;

5. The total permitted impervious lot coverage shall be 80 percent. The remaining 20 percent shall be devoted to open space. Open space may include all required landscaping, and any unbuildable environmentally sensitive areas and their associated buffers;

6. The landscaping standards set forth in K.C.C. 21A.16 are modified as follows:

a. 20-foot wide Type II landscaping shall be provided along exterior streets, and 20-foot wide Type III landscaping shall be provide along interior streets;

b. 20-foot wide Type I landscaping shall be provided along property lines adjacent to residential zoned areas;

c. 15-foot wide Type II landscaping shall be provided along lines adjacent to nonresidential zoned areas; and

d. Type IV landscaping shall be provided within all surface parking lots as follows:

(1) Fifteen percent of the parking area, excluding required perimeter landscaping, shall be landscaped in parking lots with more than 30 parking stalls;

(2) At least one tree for every four parking stalls shall be provided, to be reasonably distributed throughout the parking lot; and

(3) No parking stall shall be more than 40 feet from some landscaping;

e. An inventory of existing site vegetation shall be conducted pursuant to the procedures set forth in K.C.C. 21A.16. Significant trees identified in the inventory shall be retained as set forth in K.C.C. 21A.16 for commercial and industrial developments, and

f. An overall landscaping plan which conforms to the requirements of this subsection shall be submitted for the entire district or each major development phase prior to the issuance of any site development, grading, or building permits;

7. Lighting within an office/industrial park shall shield the light source from the direct view of surrounding residential areas;

8. Refuse collection/recycling areas and loading or delivery areas shall be located at least 100 feet from residential areas and screened with a solid view obscuring barrier;

9. Off street parking standards as set forth in Chapter 21A.18 are modified as follows:

a. one space for every 300 square feet of floor area shall be provided for all uses, except on-site daycare, exercise facilities, eating areas for employees, archive space for tenants, retail/service uses;

b. parking for on-site daycare, exercise facilities, eating areas for employees, archive space for tenants, and retail/service uses shall be no less than one space for every 1000 square feet of floor area and no greater than one space for every 500 square feet of floor area; and

c. at least 25 percent of required parking shall be located in a parking structure; and

10. Sign standards as set forth in Chapter 21A.20 are modified as follows:

a. Signs visible from the exterior of the park shall be limited to one monument office/research park identification sign at each entrance. Such signs shall not exceed an area of 64 square feet per sign;

b. no pole signs shall be permitted; and

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

SECTION 580.

21A.38.070 Special district overlay - urban planned development (UPD)purpose and designation A. The purpose of the UPD special district overlay is to provide a means for community plans to designate urban areas which are appropriate for development on a large scale basis:

B. In designating a overlay district, the community plan and area zoning shall:

1. Delineate UPD overlay district boundaries; and
2. Adopt the urban residential zoning consistent with community plan policies.

C. In designating an overlay district, the community plan and area zoning may:

1. Set a maximum or range of the number of dwelling units within the UPD; and
2. Incorporate project description elements or requirements to the extent known, including but not limited to the following: conceptual site plan; mix of attached and detached housing; affordable housing goals and/or programs; major transportation or other major infrastructure programs and the UPD's participation therein; and any other provision or element deemed appropriate.

SECTION 581.

21A.38.080 Special district overlay - UPD implementation. Implementation of the UPD designation shall comply with the following:

A. The minimum site size for an UPD permit application shall be not less than 200 acres. "Site size" for purposes of this subsection means contiguous land under one ownership or under the control of a single legal entity responsible for submitting an UPD permit application and for carrying out all provisions of the development agreement; and

B. The UPD shall comply with the standards and procedures set out in Chapter 21A.39.

CHAPTER 21A.39 GENERAL PROVISIONS - URBAN PLANNED DEVELOPMENTS

SECTIONS:

21A.39.010	Urban Planned Development ("UPD") permit - purpose
21A.39.020	UPD permit - application/review process
21A.39.030	UPD permit - conditions of approval
21A.39.040	UPD permit - development agreement
21A.39.050	UPD standards - land use
21A.39.060	UPD standards - affordable housing
21A.39.070	UPD standards - recreation and open space
21A.39.080	UPD standards - road and school adequacy
21A.39.090	UPD standards - water and sewer service
21A.39.100	UPD standards - road design
21A.39.110	UPD standards - storm water management design
21A.39.120	UPD standards - applicability of other zoning code provisions
21A.39.130	Latecomer agreements and fair share

SECTION 582.

21A.39.010 Urban planned development (UPD) permit - purpose. The purpose of the urban planned development (UPD) permit process and standards set out in this chapter is to:

A. Establish the UPD permit as the mechanism for standardized and consolidated review to implement a UPD;

B. Establish conditions for the UPD to be complied with by all subsequent land use approvals implementing the UPD;

C. Coordinate infrastructure and project phasing to the adequacy of public services;

D. Implement open space protection specifically tailored to the UPD;

E. Establish a specific range and intensity of land uses for the UPD, tailored to fit the site; and

F. Provide diversity in housing types and affordability within UPDs.

G. Promote site design that it supports and encourage the use of transit.

SECTION 583.

21A.39.020 UPD permit - application/review process. A. King County shall accept an application for an UPD permit only in areas designated urban by the comprehensive plan and contained within the boundaries of UPD Special District Overlays designated by a community plan, provided that density transfer from adjacent rural lands is allowed as provided for in Chapter 21A.34.

B. A UPD permit application, or modifications of an approved UPD permit which requires council review, shall be reviewed pursuant to the hearing examiner process outlined in K.C.C. 21.42, provided that:

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

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

C. If requested by the applicant, a processing memorandum of understanding (MOU) shall be adopted containing any of the following elements. :

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

2. Budget for permit processing and review;

3. Establishment of a core UPD review team with one representative from each county department having a principal UPD permit review role. The department responsible for coordinating review of the UPD shall enter into memorandums of understanding with other county departments specifying special tasks and timetables consistent with the schedule for performance by each department and/or independent consulting

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

5. Establishment of baseline monitoring requirements and design parameters which are to apply under existing law during the UPD application and review process;

6. Final scope for EIS, which shall be adjusted for adopted county substantive environmental or mitigation requirements which will apply to the UPD permit such as the sensitive area ordinance, the SWM Manual, road and school adequacy standards, impact fee or mitigation programs or other adopted standards.

D. The processing MOU shall be completed initially within 90 days after the request by a UPD permit applicant, unless the county and applicant agree to a different time. If the county and applicant have not reached agreement within 90 days, then either may request final resolution of the processing MOU by a committee consisting of the directors of the departments of public works, development and environmental services, and parks planning and resources;

E. UPD Application Form. The County shall prepare an application form consistent with the information required under K.C.C. 21A.39.030, which shall take into account that detailed information which may not be available at the time of the application will be developed through the environmental impact statement and review process.

SECTION 584.

21A.39.030 UPD permit - conditions of approval. A. In approving a UPD permit, conditions of approval shall at a minimum establish:

1. A site plan for the entire UPD showing locations of sensitive areas and buffers, required open spaces, UPD perimeter buffers, location and range of densities for residential development, and location and size of non-residential development;

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

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

4. Affordable housing requirements;

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

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

7. The size and range of uses authorized for any non-residential development within the UPD;

8. The minimum and maximum number of residential units for the UPD; and

9. Any sewer and/or water comprehensive utility plans or amendments required to be completed before development can occur; and

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

B. A UPD permit and development agreement may allow development standards different from those otherwise imposed under the king county code, including but not limited to K.C.C. 21A.39.050 through 120, in order to provide flexibility to achieve public benefits, respond to changing community needs, and encourage modifications which provide the functional equivalent or adequately achieve the purposes of county standards. Any approved development standards that differ from those in the Code shall not require any further zoning reclassification, variance from King County standards or other county approval apart from the UPD permit approval. The development standards as approved through the UPD permit and development agreement shall

apply to and govern the development and implementation of each UPD site in lieu of any conflicting or different standards or requirements elsewhere in the king county code.
C. Subsequently adopted standards which differ from those of the UPD permit shall apply to the UPD only where necessary to address imminent public health and safety hazards or where the UPD permit specifies a time period or phase after which certain identified standards can be modified. Determination of the appropriate standards for future phases which are not fully defined during the initial approval process may be postponed. Building permit applications shall be subject to the building codes in effect when the permit is applied for.
D. An approved UPD permit, including site plan elements or conditions of approval, may be amended or modified at the request of the applicant or the applicant's successor in interest. The director may administratively approve minor modifications to an approved UPD permit. Modifications that do not qualify as minor shall be deemed major modifications and shall be reviewed in the same manner as that set forth in Sections 21A.39.020 for new UPD permit applications. Any increase in the total number of dwelling units in a UPD above the maximum number set forth in the approved UPD permit, or any decrease in the minimum density for residential areas of the UPD (exclusive of roads and sensitive areas), shall be deemed major modifications. The county through the development agreement for an approved UPD may specify additional criteria for determining whether proposed modifications are major or minor.
E. Unless otherwise provided for through the UPD permit approval, and subject to any appropriate credits for fees paid or facilities provided by the UPD, applicable impact fee payment requirements shall be those which are in effect when subsequent implementing approvals such as subdivision applications, binding site plans, building permits or other approvals are applied for.

SECTION 585.

21A.39.040 UPD permit - development agreement. The conditions of UPD permit approval shall be attached to a development agreement that is:
A. Signed by King County Executive and all property owners within the UPD in a form acceptable to King County.
B. Binding on all property owners and their successors to develop a UPD only in accordance with the conditions of the UPD permit, but subject to surrender or cessation of the UPD permit and development as provided in 21A. 39 030 A 10.
C. Recorded with King County division of Records prior to the effective date of the UPD permit or any development proposal which was submitted and reviewed concurrently with the UPD permit application.

SECTION 586.

21A.39.050 UPD standards - land uses. A. Except as required by subsections B and C, a UPD may contain any non-residential use set out in the K.C.C. 21A.08 (Land Use Tables) when approved as part of the UPD permit. Any non-residential use shall be subject to any applicable UPD conditions contained in the development agreement that limits the scope or intensity of such use.
B. The primary land use shall be residential and shall be provided as follows:
1. the base density of the UPD shall be that of the zone set for the site were it to not develop with a UPD, applied to the entire site including portions proposed for nonresidential uses.
2. the minimum density of the UPD shall be not less than the minimum residential density of the underlying zoning calculated for the total area of the site, including areas proposed for non-residential development, pursuant to the methodology outlined in K.C.C. 21A.12, and
3. the maximum density of the UPD shall be determined by the council in the UPD permit, subject to any maximum density set out in the community plan which designated in the UPD special district overlay.

C. UPDs shall at a minimum:

1. provide retail/commercial areas at a rate of one acre per 2500 projected UPD residents, or

2. demonstrate that existing or potential commercial development within one quarter mile of UPD boundaries will meet the convenience shopping needs of UPD residents.

SECTION 587.

21A.39.060 UPD standards - affordable housing. A. Exclusive of dwelling units from the density bonus provisions, at least 30 percent of the residential units in each phase shall be affordable housing units defined and allocated as follows:

1. Ten percent of the affordable housing units shall be affordable to households at an income level:

a. below 80 percent of the median household income for ownership units, and/or

b. below 50 percent of the median household income for rental units.

c. Housing affordable for households at this level of median income will be required in any phase only if publicly funded or private non-profit programs for such housing are available, provided that the developer sets aside sufficient land for a period of up to five years. That period shall begin with approval of the final plat for each subdivision containing any land set aside for low income housing. If during that period, programs become available, the developer shall cooperate with the public agency or private non-profit for the development of such housing.

d. If housing funds do not become available by the end of the five year period the land shall be released for other development consistent with the UPD. The overall requirement for units available to below 80 or 50 percent of median income households, whichever is applicable, shall be reduced by the number for which the five year period has elapsed and the overall requirement for units available to households between 80 to less than 100 percent (ownership units) or 50 to less than 80 percent (rental units) of median income shall be increased by the same number.

2. Ten percent of the affordable housing units shall be affordable to households at an income level:

a. between 80 and less than 100 percent of the median household income for ownership units, and/or

b. between 50 and less than 80 percent of the median household income for rental units;

3. Ten percent of the affordable housing units shall be affordable to households at an income level:

a. between 100 and 120 percent of the median household income for ownership units; and/or

b. between 80 and 100 percent of the median household income for rental units; and

4. The formula for determining median income for King County and affordable monthly housing payments based on a percentage of this income shall be determined at the time of the UPD permit approval.

B. The affordable housing units that are owner-occupied shall be resale restricted to same income group (based on typical underwriting ratios and other lending standards) for 15 years from date of first sale. Renter occupied units shall be restricted for thirty years to ensure continuing affordability for households of the applicable income level.

SECTION 588.

21A.39.070 UPD standards - on-site recreation. The UPD shall provide the amount of on-site recreation required pursuant to K.C.C. 21A.14

SECTION 589.

21A.39.080 UPD standards - Transportation road and school adequacy. A. Transportation, and school adequacy impacts relative to the standards set forth in K.C.C. 21A.28 shall be evaluated based on complete development of the total site area in the UPD permit application.
B. Required facility construction and dedication and other mitigation measures may be phased in conjunction with subsequent land use approvals consistent with their proportion of the total project impacts.

SECTION 590.

21A.39.090 UPD standards - water and sewer service. A. All UPDs shall be served with public water and sewer systems that:

1. comply with applicable comprehensive utility plans, and
2. are in place at the time said service is needed for the UPD or any completed phase thereof.

B. The UPD shall provide all on-site and off-site improvements and additions to water and sewer facilities required to support the UPD, at the expense of the UPD, which may include developer extension agreements (latecomer provision), LIDs or other capital facility financing.

SECTION 591.

21A.39.100 UPD standards - road design. The road design standards applied to subsequent land use actions which implement the UPD shall be such standards in effect at the time of UPD permit approval, except when new standards are specifically determined by the King County Council to be necessary for public safety.

SECTION 592.

21A.39.110 UPD standards - storm water management design. The SWM design standards in effect at the time of UPD permit approval shall be applied to subsequent land use actions which implement the UPD except when new standards are specifically determined by the King County Council to be necessary for public safety.

SECTION 593.

21A.39.120 UPD standards - applicability of other zoning code provisions. A. Except as may be specified in the UPD permit conditions, all developments and uses on the UPD site proposed subsequent to the UPD permit approval shall comply with all the other applicable provisions of this title.
B. Except as may be otherwise specified in the UPD permit conditions the development standards for the UPD shall be as follows:

1. individual residential subareas shall use the standards of the zone that is closest in density to the proposed subarea development; and
2. commercial or industrial uses shall be subject to the standards of CB zone.

SECTION 594.

21A.39.130 Latecomer agreements and fair share. If the UPD provides more than its fair share contribution, to infrastructure improvements or public services including but not limited to roads, sewers, water, fire, police, schools or park and recreation facilities, then the UPD shall receive latecomer fees, offsets, credits, reductions, or other adjustments to reflect the UPD's fair share obligations.

CHAPTER 21A.40 APPLICATION REQUIREMENTS / NOTICE METHODS

SECTIONS:

21A.40.010	Applications - Specific form and content of application determined
21A.40.020	Applications - Initiation of required approvals or permits
21A.40.030	Applications - Complete applications
21A.40.035	Applications - Vesting
21A.40.040	Applications - Modifications to proposal
21A.40.050	Applications - Supplemental information
21A.40.060	Applications - Oath of accuracy
21A.40.070	Applications - Limitations on refiling of applications
21A.40.080	Notice - Content
21A.40.090	Notice - Posted notice
21A.40.100	Notice - Published notice
21A.40.110	Notice - Mailed notice
21A.40.120	Notice - Additional notice
21A.40.130	Notice - Exception to notice requirements

SECTION 595.

21A.40.010 Applications - Specific form and content of application determined. As provided by the administrative rule process of K.C.C. 2.98, the department shall:

A. Prescribe, prepare and provide the form on which applications required by this are made; and

B. Prescribe the type of information to be submitted by the applicant.

SECTION 596.

21A.40.020 Applications - Initiation of required approvals or permits. The department shall not commence review of any application set forth in this chapter until the property owner has submitted the materials and fees specified for complete applications.

SECTION 597.

21A.40.030 Applications - Complete applications. A. Applications for conditional use permits, variances, zone reclassifications, and special use permits, shall be considered complete as of the date of submittal upon determination by the department that the materials submitted contain the following:

1. Application forms provided by the department and completed by the applicant;
2. Certificates of sewer and water availability from the appropriate purveyors, where sewer and/or water service is proposed to be obtained from a purveyor, confirming that the proposed water supply and/or sewage disposal are adequate to serve the development in compliance with adopted state and local system design and operating guidelines;
3. Receipt signed by the fire district verifying application submittal pursuant to K.C.C. 17.10.020E, if applicable;
4. Identification on the site plan of all easements, deed restrictions, or other encumbrances restricting the use of the property, if applicable;
5. Proof that the lot or lots are recognized as separate lots pursuant to the provisions of K.C.C. 19.04;
6. A sensitive area affidavit as provided by K.C.C. 21A.24;
7. A completed environmental checklist, if required by K.C.C. 20.44, County Environmental Procedures;
8. Payment of any development permit review fees, excluding impact fees collectible pursuant to K.C.C. Title 27, Development Permit Fees; and

9. Complete applications for other required permits that are required to be processed concurrently with the proposed application, or copies of approved permits that are required to be obtained prior to the proposed application.
B. Applications found to contain material errors shall not be deemed complete until such material errors are corrected.
C. The director may waive specific submittal requirements determined to be unnecessary for review of an application.

SECTION 598.
21A.40.035 Vesting. A. Only a complete application for a conditional use permit shall be considered under zoning and other land use control ordinances in effect as of the date of submittal.
B. Supplemental information required after acceptance and vesting of a complete application shall not affect the validity of the vesting for such application.
C. Vesting of an application does not vest any subsequently required permits, nor does it affect the requirements for vesting of subsequent permits or approvals.
D. This section vests only conditional use permits. Vesting for other development permits shall be governed by other applicable titles.

SECTION 599.
21A.40.040 Applications - Modifications to proposal. A. Modifications to an application required by the county shall not be deemed a new application.
B. An applicant-requested modification occurring either before or after issuance of the permit shall be deemed a new application for the purpose of vesting when such modification would result in a substantial increase in a project's impacts as determined by the department. Such substantially increased impacts may include increases in residential density or traffic generation or a greater than 10 percent increase in building square footage.

SECTION 600.
21A.40.050 Applications - Supplemental information. A. The department may cease processing of a complete application while awaiting supplemental information which is found to be necessary for continued review subsequent to the initial screening by the department.
B. The department shall set a reasonable deadline for the submittal of such supplemental information and shall provide written notification to the applicant by certified mail. An extension of such deadline may be granted upon submittal by the applicant of a written request providing satisfactory justification for an extension.
C. Failure by the applicant to meet such deadline shall be cause for the department to cancel/deny the application:
D. When granting a request for a deadline extension, the department shall give consideration to the number of days between receipt by the department of a written request for a deadline extension and the mailing to the applicant of the department's decision regarding that request.

SECTION 601.
21A.40.060 Applications - Oath of accuracy. The applicant shall attest by written oath to the accuracy and completeness of all information submitted for an application.

SECTION 602.
21A.40.070 Applications - Limitations on refiling of applications. Upon denial by the council of a zone reclassification or a special use permit, no new application for substantially the same proposal shall be accepted within one year from the date of denial.

SECTION 603.

21A.40.080 Notice - Content. A. Notice of applications shall be provided as specified under the respective review procedures in K.C.C. 21A.42.

B. All required notice of proposed actions shall contain the following information:

1. The file number;
2. The name of the applicant;
3. The description of the requested action and the proposed use of the property;
4. A vicinity map and general location description in non-technical terms;
5. A site plan, if applicable;
6. The procedures and deadline for filing comments;
7. The time and place of public hearing, if applicable;
8. A form to request department reports decisions; and
9. Identification of the responsible county official.

SECTION 604.

21A.40.090 Notice - Posted notice. Posted notice for a proposed action shall consist of one or more notice boards as follows.

A. A single notice board shall be placed by the applicant:

1. At the midpoint of the site street frontage or as otherwise directed by the department for maximum visibility;
2. Five feet inside the street property line except when the board is structurally attached to an existing building, provided that no notice board shall be placed more than five feet from the street property without approval of the department;
3. So that the top of the notice board is between seven to nine feet above grade; and
4. Where it is completely visible to pedestrians.

B. Additional notice boards may be required when:

1. The site does not abut a public road;
2. A large site abuts more than one public road; or
3. The department determines that additional notice boards are necessary to provide adequate public notice.

C. Notice boards shall be:

1. maintained in good condition by the applicant during the notice period;
2. in place at least 30 days prior to the date of hearing, or at least 15 days prior to the end of any required comment period; and
3. removed within 15 days after the end of the notice period.

D. Removal of the notice board prior to the end of the notice period may be cause for discontinuance of the department review until the notice board is replaced and remains in place for the specified time period.

E. An affidavit of posting shall be submitted to the department by the applicant prior to the hearing or final comment date.

F. Notice boards shall be constructed and installed in accordance with specifications promulgated by the department pursuant to K.C.C. 2.98, Rules of County Agencies.

SECTION 605.

21A.40.100 Notice - Published notice. Notice of a proposed action shall be published by the department at least 15 days prior to the end of any required comment period in the official county newspaper and another newspaper of general circulation in the affected area.

SECTION 606.

21A.40.110 Notice - Mailed notice. Mailed notice for a proposed action shall:

A. Be sent by the department by first class mail to owners of property in an area within 500 feet of the site, provided such area shall be expanded as necessary to send mailed notice to at least 20 different property owners.

B. Be considered supplementary to posted or published notice.

C. Be deemed satisfactory despite the failure of one or more owners to receive mailed notice.

SECTION 607.

21A.40.120 Notice - Additional notice. The department may provide additional notice or may expand the area of notice in order to inform affected property owners of a proposed action.

SECTION 608.

21A.40.130 Notice - Exception to notice requirements. If testimony cannot be completed prior to adjournment on the date set for a hearing, the presiding official shall:

A. Announce prior to adjournment the time and place said hearing will be continued; or

B. Provide mailed notice for a continued hearing to all parties of record, when a new time and place is determined.

CHAPTER 21A.42 REVIEW PROCEDURES / NOTICE REQUIREMENTS

SECTIONS:

21A.42.010	Code compliance review - Permits subject to review
21A.42.020	Code compliance review - Notice requirements and comment periods
21A.42.030	Code compliance review - Decisions and appeals
21A.42.040	Director/adjustor review - Actions subject to review
21A.42.050	Director/adjustor review - Notice requirements and comment period
21A.42.060	Director/adjustor review - Decision or public hearing required
21A.42.070	Director/adjustor review - Additional requirements prior to hearing
21A.42.080	Director/adjustor review - Decision regarding proposal
21A.42.090	Director/adjustor review - Decision final unless appealed
21A.42.100	Examiner review - Zone reclassification, urban plan developments ("UPD"), and special use permits
21A.42.110	Combined review
21A.42.120	Establishment of hearing rules
21A.42.130	Records

SECTION 609.

21.42.010 Code compliance review - Actions subject to review. The following actions shall be subject to administrative review for determining compliance with the provisions of this title and/or any applicable development conditions which may affect the proposal:

A. Building permits;
B. Grading permits; and
C. Temporary use permits.

SECTION 610.

21A.42.020 Code compliance review - Notice requirements and comment period. A. The department shall provide posted, and published notice pursuant to K.C.C. 21A.40 for temporary use permits. In addition, mailed notice pursuant to K.C.C. 21A.40 shall be provided for temporary use permits in resource zones

B. Any written comments on applications subject to code compliance review shall be submitted within 15 days of the date of published notice or the posting date, whichever is later.

SECTION 611.

21A.42.030 Code compliance review - Decisions and appeals. A. The department shall approve, approve with conditions, or deny permits based on compliance with this title and any other development condition affecting the proposal.

B. Decisions on temporary use permits may be appealed to the zoning and subdivision examiner.

C. Permits approved through code compliance review shall be effective for the time periods and subject to the terms set out as follows:

1. Building permits shall comply with K.C.C. 16.04;
2. Grading permits shall comply with K.C.C. 16.82; and
3. Temporary use permits shall comply with K.C.C. 21A.32.

SECTION 612.

21A.42.040 Director/adjustor review - Actions subject to review. The following actions shall be subject to the director/adjustor review procedures set forth in this chapter:

A. Applications for variances and conditional uses; and
B. Periodic review of extractive operations.

SECTION 613.

21A.42.050 Director/adjustor review - Notice requirements and comment period. A. The department shall provide published, posted and mailed notice pursuant to K.C.C. 21A.40.080- .130 for all applications subject to director/adjustor review.
to all parties of record.

B. Written comments and materials regarding applications subject to director/adjustor review procedures shall be submitted within 15 days of the date of published notice or the posting date, whichever is later.

SECTION 614.

21A.42.060 Director/adjustor review - Decision or public hearing required. Following the comment period provided in K.C.C. 21A.42.050, the director shall:

A. Review the information in the record and render a decision pursuant to K.C.C. 21A.42.080; or

B. Forward the application to the adjustor for public hearing, if:

1. Adverse comments are received from at least five persons or agencies during the comment period which are relevant to the decision criteria of K.C.C. 21A.44 or state specific reasons why a hearing should be held; or

2. The director determines that a hearing is necessary to address issues of vague, conflicting or inadequate information, or issues of public significance.

C. Mailed notice of any public hearing required pursuant to K.C.C. 21A.40.110 shall be provided by the department to all parties of record.

SECTION 615.

21A.42.070 Director/adjustor review - Additional requirements prior to hearing. When a hearing before the adjustor is deemed necessary by the director:

A. Application processing shall not proceed until the supplemental permit review fees set forth in K.C.C. Title 27 are received; and

B. The application shall be deemed withdrawn if the supplemental fees are not received within 30 days of applicant notification by the department.

SECTION 616.

21A.42.080 Director/adjustor review - Decision regarding proposal. A. Decisions regarding the approval or denial of proposals (excluding periodic review of extractive operations) subject to director/adjustor review shall be based upon compliance with the required showings of K.C.C. 21A.44. Periodic reviews of extractive operations shall be based upon the criteria outlined in K.C.C. 21A.22.050.B.

B. Decisions shall be rendered no more than 40 days after the termination of a public hearing or comment period. A public hearing or comment period may be reopened for purposes of obtaining additional information.

C. The written decision contained in the record shall show:

1. Facts, findings and conclusions supporting the decision and demonstrating compliance with the applicable decision criteria; and

2. Any conditions and limitations imposed, if the request is granted.

D. The director or adjustor shall mail a copy of the written decision to the applicant and to all parties of record.

SECTION 617.

21A.42.090 Director/adjustor review - Decision final unless appealed. A. The decision of the director or adjustor shall be final unless the applicant or an adverse party files an appeal to the zoning and subdivision examiner pursuant to K.C.C. 20.24.

B. Prior to an appeal hearing by the examiner, the examiner shall mail notice of the appeal to parties of record.

C. The examiner shall review and make decisions based upon information contained in the written appeal and the record.
D. As provided by K.C.C. 20.24.210A. and C.:
   1. The examiner shall render a decision within ten days of the closing of hearing; and
   2. The decision shall be final unless appealed under the provisions of K.C.C. 20.24.240B.
E. Permit approvals which are subject to review per K.C.C. 21A.42.040 shall have a time limit of two years from issuance or date of the final appeal decision, whichever is applicable, in which any required conditions of approval must be met; however conditional use approval for schools shall have a time limit of five years. The time limit may be extended one additional year by the director/adjustor or the examiner if the applicant provides written justification prior to the expiration of the time limit. For the purpose of this chapter, issuance date shall be the date the permit is issued or date upon which the examiner's decision is issued on an appeal of a permit, whichever is later. A permit is effective indefinitely once any required conditions of approval have been met.

SECTION 618.

21A.42.100 Examiner review - Zone reclassifications, urban plan developments, and special use permits. Applications for zone reclassifications, special use permits and urban plan developments shall be reviewed by the department subject to the procedures and criteria set forth in K.C.C. 20.24 for action subject to approval by the council.

SECTION 619.

21A.42.110 Combined review. Proposed actions may be combined for review purposes with any other action subject to the same review process, provided:
A. Notice requirements for combined review shall not be less than the greatest individual action requirement; and
B. No permit shall be approved without prior review and approval of any required variance.

SECTION 620.

21A.42.120 Establishment of hearing rules. The department shall establish rules governing the conduct of public hearings before the adjustor pursuant to K.C.C. 2.98.

SECTION 621.

21A.42.130 Records. The department shall maintain public records for all permit approvals and denials containing the following information:
A. Application documents;
B. Tape recorded verbatim records of required public hearing;
C. Written recommendations and decisions for proposed actions;
D. Ordinances showing final council actions;
E. Evidence of notice;
F. Written comments received; and
G. Material submitted as exhibits.

SECTIONS:

21A.44.010 Purpose
21A.44.020 Temporary use permit
21A.44.030 Variance
21A.44.040 Conditional use permit
21A.44.050 Special use permit
21A.44.060 Zone reclassification
21A.44.070 Urban plan development permit

SECTION 622.

21A.44.010 Purpose. The purposes of this chapter are to allow for consistent evaluation of land use applications and to protect nearby properties from the possible effects of such requests by:

A. Providing clear criteria on which to base a decision;
B. Recognizing the effects of unique circumstances upon the development potential of a property;
C. Avoiding the granting of special privileges;
D. Avoiding development which may be unnecessarily detrimental to neighboring properties;
E. Requiring that the design, scope and intensity of development is in keeping with the physical aspects of a site and adopted land use policies for the area; and
F. Providing criteria which emphasize protection of the general character of neighborhoods.

SECTION 623.

21A.44.020 Temporary use permit. A temporary use permit shall be granted by the County, only if the applicant demonstrates that:

A. The proposed temporary use will not be materially detrimental to the public welfare;
B. The proposed temporary use is compatible with existing land uses in the immediate vicinity in terms of noise and hours of operation;
C. The proposed temporary use, if located in a resource zone, will not be materially detrimental to the use of the land for resource purposes and will provide adequate off-site parking if necessary to protect against soil compaction;
D.. Adequate public off-street parking and traffic control for the exclusive use of the proposed temporary use can be provided in a safe manner; and
E. The proposed temporary use is not otherwise permitted in the zone in which it is proposed.

SECTION 624.

21A.44.030 Variance. A variance shall be granted by the county, only if the applicant demonstrates all of the following:

A. The strict enforcement of the provisions of this title creates an unnecessary hardship to the property owner;
B. The variance is necessary because of the unique size, shape, topography, or location of the subject property;
C. The subject property is deprived, by provisions of this title, of rights and privileges enjoyed by other properties in the vicinity and under an identical zone;
D. The need for the variance is not the result of deliberate actions of the applicant or property owner;
E. The variance does not create health and safety hazards;
F. The variance does not relieve an applicant from any of the procedural provisions of this title;
G. The variance does not relieve an applicant from any standard or provision that specifically states that no variance from such standard or provision is permitted;

H. The variance does not relieve an applicant from conditions established during prior permit review or from provisions enacted pursuant to K.C.C. 21A.38, Property-Specific Development Standards;
I. The variance does not allow establishment of a use that is not otherwise permitted in the zone in which the proposal is located;
J. The variance does not allow the creation of lots or densities that exceed the base residential density for the zone by more than 10 percent;
K. The variance is the minimum necessary to grant relief to the applicant;
L. The variance from setback or height requirements does not infringe upon or interfere with easement or covenant rights or responsibilities; and
M. The variance does not relieve an applicant from any provisions of K.C.C. 21A.24 Sensitive Areas, except for the required buffer widths set forth in K.C.C. 21A.24.270, 21A.24.300, 21A.24.310, or 21A.24.350

SECTION 625.

21A.44.040 Conditional use permit. A conditional use permit shall be granted by the County, only if the applicant demonstrates that:
A. The conditional use is designed in a manner which is compatible with the character and appearance with the existing, or proposed development in the vicinity of the subject property;
B. The location, size and height of buildings, structures, walls and fences, and screening vegetation for the conditional use shall not hinder neighborhood circulation or discourage the permitted development or use of neighboring properties;
C. The conditional use is designed in a manner that is compatible with the physical characteristics of the subject property;
D. Requested modifications to standards are limited to those which will mitigate impacts in a manner equal to or greater than the standards of this title;
E. The conditional use is not in conflict with the health and safety of the community;
F. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood; and
G. The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts on such facilities.

SECTION 626.

21A.44.050 Special use permit. A special use permit shall be granted by the County, only if the applicant demonstrates that:
A. The characteristics of the special use will not be unreasonably incompatible with the types of uses permitted in surrounding areas;
B. The special use will not materially endanger the health, safety and welfare of the community;
C. The special use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood;
D. The special use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts;
E. The location, size and height of buildings, structures, walls and fences, and screening vegetation for the special use shall not hinder or discourage the appropriate development or use of neighboring properties; and
F. The special use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this title.

SECTION 627.

21A.44.060 Zone reclassification. A zone reclassification shall be granted only if the applicant demonstrates that the proposal complies with the criteria for approval specified in K.C.C. Title 20.24.180 and 20.24.190 and is consistent with the Comprehensive Plan and applicable community and functional plans.

SECTION 628.

21A.44.070 Urban plan development permit. An urban plan development permit shall be granted only if the applicant demonstrates compliance with the provisions of K.C.C. 21A.39.

CHAPTER 21A.50 ENFORCEMENT

SECTIONS:

21A.50.010	Purpose
21A.50.020	Authority and application
21A.50.030	Violations defined
21A.50.040	Permit suspension, revocation or modification
21A.50.050	Initiation of revocation or modification proceedings

SECTION 629.

21A.50.010 Purpose. The purpose of this chapter is to promote compliance with this title by establishing enforcement authority, defining violations, and setting standards for initiating the procedures set forth in K.C.C. Title 23, Enforcement, when violations of this title occur.

SECTION 630.

21A.50.020 Authority and application. The director is authorized to enforce the provisions of this code, any implementing administrative rules adopted under K.C.C. 2.98, administration, and approval conditions attached to any land use approval, through revocation or modification of permits, or through the enforcement, penalty and abatement provisions of K.C.C. Title 23, Enforcement.

SECTION 631.

21A.50.030 Violations defined. No building permit or land use approval in conflict with the provisions of this Title shall be issued. Structures or uses which do not conform to this title, except legal nonconformances specified in K.C.C. 21A.32 and approved variances, are violations subject to the enforcement, penalty and abatement provisions of Title 23, including but not limited to:

A. Establishing a use not permitted in the zone in which it is located;

B. Constructing, expanding or placing a structure in violation of setback, height and other dimensional standards in this title;

C. Establishing a permitted use without complying with applicable development standards set forth in other Titles, ordinances, rules or other laws, including but not limited to, road construction, surface water management, the Fire Code, and rules of the department of public health;

D. Failing to carry out or observe conditions of land use or permit approval, including contract development standards;

E. Failing to secure required land use or permit approval prior to establishing a permitted use; and

F. Failing to maintain site improvements, such as landscaping, parking or drainage control facilities as required by this code or other King County ordinances.

SECTION 632.

21A.50.040 Permit suspension, revocation or modification. A. Permit suspension, revocation or modification shall be carried out through the procedures set forth in K.C.C. Title 23. Any permit, variance, or other land use approval issued by King County pursuant to this Title may be suspended, revoked or modified on one or more of the following grounds:

1. The approval was obtained by fraud;
2. The approval was based on inadequate or inaccurate information;
3. The approval, when given, conflicted with existing laws or regulations applicable thereto;
4. An error of procedure occurred which prevented consideration of the interests of persons directly affected by the approval;
5. The approval or permit granted is being exercised contrary to the terms or conditions of such approval or in violation of any statute, law or regulation;

6. The use for which the approval was granted is being exercised in a manner detrimental to the public health or safety;

7. The holder of the permit or approval interferes with the director or any authorized representative in the performance of his or her duties; or

8. The holder of the permit or approval fails to comply with any notice and order issued pursuant to K.C.C. Title 23.

B. Authority to revoke or modify a permit or land use approval shall be exercised by the issuer, as follows:

1. The council may, after a recommendation from the Examiner, revoke or modify any residential density incentive approval, transfer of development credit, Urban Planned Development, preliminary subdivision, zone reclassification or special use permit;

2. The adjustor may revoke or modify any variance or conditional use permit, provided that if it was reviewed through a public hearing, a new public hearing shall be held on its revocation or modification; and

3. The director may revoke or modify any permit or other land use approval issued by the director.

SECTION 633.

21A.50.050 Initiation of revocation or modification proceedings. A. The director may suspend any permit, variance or land use approval issued by any King County issuing agency and processed by the department pending its revocation or modification, or pending a public hearing on its revocation or modification;

B. The issuing agency may initiate proceedings to revoke or modify any permit or land use approval it has issued; and

C. Persons who are aggrieved may petition the issuing agency to initiate revocation or modification proceedings, and may petition the director to suspend a permit, variance or land use approval pending a public hearing on its revocation or modification.

SECTION 634.

The amendments to this ordinance noted as passed on the attached amendment sheets are hereby adopted and incorporated herein.

INTRODUCED AND READ for the first time this 23rd day of September, 1991.

PASSED this 7th day of June, 1993.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

VICE Chair Cynthia Sullivan

ATTEST:

Gerald A. Peterson
Clerk of the Council

APPROVED this 18th day of June, 1993.

Patricia B. Steel for
King County Executive
Tim Hill

ATTACHMENTS:
King county Zoning Code Amendments No. 1 - 58

ZONING CODE AMENDMENTS JUNE 1 AND 7, 1993

NO.	TOPIC	COUNCIL ACTION 6/1/93	COUNCIL ACTION 6/7/93
1A 1B CS	Minimum Density Advisory Committee Miscellaneous Technical Amendments	**PASSED 7-1, AG "NO", LP EXC. PASSED 8-0, LP EXC.**	
2 BD	P-suffix	Part 1/**WITHDRAWN** Part 2/**PASSED 7-2, KP, CS "NO"**	
3 BD	Conversion provisions for Bear Creek MPD's	**WITHDRAWN**	
4 CS	Amendments relating to senior citizen housing	**PASSED UNANIMOUSLY, AS AMENDED**	
5 CS	Amendments relating to electrical utility facilities	**PASSED UNANIMOUSLY**	
	Note: Amendments 6-12 relate to use tables in chapter 21A.08		
6 RS	Utility offices and maintenance yards in urban residential zones	**PASSED SUBSTITUTE 6-1, BD "NO", LP, GN EXC.**	
7 CS	Bulk gas storage facilities in the rural and urban residential zones	**PASSED 7-0, LP, GN EXC.**	
8 CS	Growing forest products in the mineral zone	**PASSED 7-0, LP, GN EXC.**	
9	Development conditions for school support facilities and bus bases	**NOT OFFERED**	
10 BD	Schools in rural areas	**PASSED AS AMENDED UNANIMOUSLY**	**SUBSTITUTE 10 AND 11 PASSED 7-2, BD, BL "NO"** **SPONSOR RS**
11 BD	Clarification of requirements for schools in urban residential zones	**PASSED AS AMENDED 8-1, BL "NO"**	
12 BD	Churches in Industrial zone	**PASSED 5-4, AG, CS, RS, PB "NO"**	**DO NOT PASS, PASSED 5-4, AG, BL, KP, BD "NO"**
	Note: Amendments 13-16 relate to Density and Dimensions 21A.12		
13 CS	Building coverage and impervious surface requirements for small clustered lots.	**PASSED AS AMENDED 7-0 PB, BL EXC.**	
14 KP RS	Impervious surface limitations for nonresidential uses in the rural and urban residential zones	**PASSED 4-3, GN, LP, AG "NO", PB, BL EXC.**	
15 BD	Convenience services in residential zones	**FAILED 4-4, BD, AG, RS, KP "YES", BL EXC.**	

Revised 6/1/93 and 6/7/93

NO.	TOPIC	COUNCIL ACTION 6/1/93	COUNCIL ACTION 6/7/93
16 CS	Modification to the building facade modulation requirements	**PASSED UNANIMOUSLY**	
17 CS	On-site recreation space (21A.14)	**HELD**	**PASSED 8-0, RS EXC.**
18 BD	Tree retention & landscaping in rural and resource zones (21A.16)	**WITHDRAWN**	
19 GN	Limitation on parked and stored vehicles in urban residential zones (21A.18)	**FAILED 2-6, GN, LP "YES", CS EXC.**	**PASSED SUBSTITUTE 8-1, BD "NO"**
	Note: Amendments 20-22 relate to 21A.20 Signs		
20 PB	Exclusion of support structures in sign area calculations	**PASSED 8-0. CS EXC.**	
21 AG	Sign height and area requirements	**FAILED 3-5, AG, BD, RS "YES", CS EXC.**	**PASSED 5-4, PB, KP, BL, CS "NO"**
22 AG	Deposits for political signs	**WITHDRAWN**	
	Note: amendments 23-25 relate to 21A.24 Sensitive Areas		
23 BD	SAO retention/detention facilities	**FAILED 3-5, BD, LP, RS "YES" CS EXC.**	
24 BD	Partial exemptions	**FAILED 3-6, BD, GN, AG "YES"**	
25 CS	Nonresidential structures in the zero-rise floodway	**PASSED UNANIMOUSLY**	
26 BD	Water supply requirements (21A.28)		**WITHDRAWN**
27 CS	Expansion of nonconforming uses (21A.32)		**PASSED 8-0, LP EXC.**
	Note: Amendments 28-34 relate to minimum densities and density bonuses		
28 UAC	Minimum densities Chapter 21A.12		**FAILED 3-6, BD, AG, KP "YES"**
29 AG	Minimum densities - community plan designations		**WITHDRAWN**
30 CS	Minimum densities in Urban Plan Developments		**PASSED 6-3, BD, KP, GN "NO"**

NO.	TOPIC	COUNCIL ACTION 6/1/93	COUNCIL ACTION 6/7/93
31 UAC	Density Bonuses: Chapters 21A.34 and 36		**CH. 21A.34, FAILED 3-6 BD, KP AG "YES"** **CH. 21A.36, FAILED 3-6 BD, KP** **AG "YES"**
32 AG	Neighborhood design review program		**PASSED 5-4, PB, CS, BL, GN "NO"**
33 AG	Residential density incentives - community plan designations		**WITHDRAWN**
34 AG	Transfer of residential density credits - community plan designations		**PASSED 5-4, PB, CS, BL, RS "NO"**
	Note: Amendments 35-37 & 56 relate to 21A.39 UPD's		
35 BD	UPD's - rural areas		**WITHDRAWN**
36 BD	Water & sewer comprehensive plans relative to UPD's		**FAILED 1-7, BD "YES", LP EXC.**
37 BD	UPD's - flexibility of standards		**FAILED 2-6, BD, AG "YES", LP EXC.**
38 BD	Vesting of CUP's		**FAILED 1-7, BD "YES", LP EXC.**
	Note: amendments 39-51, and 53-55 all address Livestock, 21A.30		
39 RS	Livestock commercial dairies		**WITHDRAWN**
	Note: amendments 40 & 41 propose to change the same section		
40 KP	Best management practices requirements livestock		**WITHDRAWN**
KP	**Motion to defer consideration of livestock management**	**PASSED 5-4, LP, CS, RS, PB "NO"**	**RECONSIDERED: PASSED AS AMENDED 5-4, KP, GN, BL, BD "NO"** (SPONSOR AG)
41 RS	Livestock - fisheries habitat		**WITHDRAWN**
	Note: amendments 42, 43 and 44 propose to change the same section		
42 KP	Livestock densities		**WITHDRAWN**
43 KP	Livestock densities		**WITHDRAWN**

NO.	TOPIC	COUNCIL ACTION 6/1/93	COUNCIL ACTION 6/7/93
44 RS	Livestock densities		**WITHDRAWN**
45 UAC	Farm management plans		**FAILED 3-5, KP, BD, AG "YES", LP EXC.**
	Note: Amendments 46, 49, 50 and 51 would all amend the same section		
46 UAC	Livestock management standards		**WITHDRAWN**
	Note: Amendments 47 and 48 would amend the same section		
47 RS	Livestock - farm management plan minimum requirements		**WITHDRAWN**
48 KP	Farm management plans		**WITHDRAWN**
49 LP	Rotational grazing of livestock		**NOT OFFERED**
50 RS	Livestock - buffer requirements		**WITHDRAWN**
51 KP	Management standards - livestock		**WITHDRAWN**
52 BD	New R-3 zone		**FAILED 4-5, BD, BL, AG, KP "YES"**
53 UAC	Livestock standards - applications to existing operations		**WITHDRAWN**
54 RS	Livestock - King Conservation District levy oversight committee		**WITHDRAWN**
55 BD	Livestock standards		**NOT OFFERED**
56 BD	UPD Effective Date		**FAILED 1-7, BD "YES", LP EXC.**
57 CS	Adopt attachments		**PASSED UNANIMOUSLY**
58 CS	Density shifts between different zones on one property		**PASSED 6-3, KP, BD, GN "NO"**

6/1/93 MS. SULLIVAN MOVE AMENDMENT 1A
PASSED 7-1. AG "NO". LP EXC.

#1A

10870

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 1A **OFFERED BY:** Sullivan

TOPIC: Minimum Density Advisory Committee

A new section 11 is added as follows:

SECTION 11.

Minimum Density Advisory Committee. After adoption of the 1993 zoning code, an advisory committee shall be formed to analyze the application of the new zoning code to sample residential sites selected by the committee to evaluate the practical effect of the density and dimension standards and determine whether adjustments to the minimum density standards or other code requirements are necessary in order to achieve the purposes set forth in Section 21A.04.080. The advisory committee shall, within six months from the effective date of this ordinance, issue a report to the Council, including any recommendations or modifications to the Code which the committee deems appropriate. The Council shall review the committee's recommendations within one month of its receipt by the Council.

6/1/93 MS. SULLIVAN MOVE AMENDMENT 1B
PASSED 8-0, LP EXC.

10870

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93 MAY 27 AM 11:55
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KING COUNTY COUNCIL

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 18 **OFFERED BY:** Sullivan

TOPIC: Miscellaneous technical amendments

SECTION 55.

21A.06.070 Applicant. Applicant: a property owner, or any person or entity acting as an agent for the property owner, in an application for a development proposal, permit or approval.

SECTION 226.

21A.06.930 Public agency or utility office. Public agency or utility office: an office for the administration of any governmental or utility activity or program, with no outdoor storage and including, but not limited to uses located in SIC Major Group, Industry Group and Industry Nos.:

A. 91-Executive, Legislative, and General Government, except Finance;
B. 93-Public Finance, Taxation, and Monetary Policy;
C. 94-Administration of Human Resource Programs;
D. 95-Administration of Environmental Quality and Housing Program;
E. 96-Administration of Economic Programs;
F. 972-International Affairs;
G. 9222-Legal Counsel and Prosecution; and
H. 9229-Public Order and Safety.

SECTION 333.

10870

K.C.C. 21A.08.060
A. GOVERNMENT/

BUSINESS SERVICES
LAND USES

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

		ZONE	RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
			AGRICULTURE	FOREST	MINERAL	RURAL	URBAN RESERVE	URBAN	RESIDENTIAL	NEIGHBORHOOD	BUSINESS	COMMUNITY	BUSINESS	REGIONAL	OFFICE	INDUSTRIAL
SIC#	SPECIFIC LAND USE		A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	GOVERNMENT SERVICES:													
*	Public agency or utility office					P3 C5	P3 C5	P3 C5	P3 C5	P4	P	P	P	P ((14)) 16
*	Public agency or utility yard					P 27	P 27					P		P
*	Public agency archives											P	P	P
921	Court										P4	P	P	
9221	Police Facility										P	P	P	P
9224	Fire Facility					C 6	C 6	C 6	C 6	P	P	P	P	P
*	Utility Facility		P 7 C	P 7 C	P 7	P7 C	P	P	P	P	P	P	P	P
*	Minor Communication Facility (18)		C	P		C	C	C	C	C	P	P	P	P
*	Private Stormwater Management Facility		P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8
	BUSINESS SERVICES:													
15-17	Construction and Trade											P 9	P	P
*	Individual Transportation and Taxi										P 25	P	P 10	P
421	Trucking and Courier Service										P 11	P 12	P 13	P
*	Warehousing, (1) and Wholesale Trade													P
*	Self-service Storage								C 14		P	P	P	P
4221 4222	Farm Product Warehousing, Refrigeration and Storage		P 15 C			C 15	C 15							P
*	Log Storage		P15	P		P26								P
47	Transportation Service													P
473	Freight and Cargo Service											P	P	P
472	Passenger Transportation Service										P	P	P	
48	Communication Offices											P	P	P
482	Telegraph and other Communications										P	P	P	P
*	General Business Service									P	P	P	P	P16
*	Professional Office									P	P	P	P	P 16
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					P19	P19	P19	P19	P 20	P 20	P 21	P 20	P
7941	Professional Sport Teams/Promoters											P	P	
873	Research, Development and Testing											P2	P2	P2
*	Heavy Equipment and Truck Repair													P
*	Commercial/Industrial Accessory Uses				P	P 22				P22	P22	P	P	P
*	Helistop						C 23	C 23	C 23	C 23	C 23	C 24	C 23	C 24

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

K.C.C. 21A.08.060 B. DEVELOPMENT CONDITIONS.

1. Except self-service storage.
2. Except SIC Industry No. 8732-Commercial Economic, Sociological, and Educational Research, see general business service/office.
3. A. Only as a re-use of a public school facility or a surplus non-residential facility subject to the provisions of K.C.C. 21A.32; or
B. Only when accessory to a fire facility and the office is no greater than 1500 square feet of floor area.
4. Only as a re-use of a surplus non-residential facility subject to K.C.C. 21A.32.
5. Utility offices only if there is no commercial/industrial zoning in the utility district.
6. a. All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
b. Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street; and
c. No outdoor storage.
7. Limited to utility transmission, distribution, and service lines and associated switching stations, substations, booster stations, electrical conversion substations, natural gas gate stations and limiting stations.
8. Except in commercial/industrial zones, such facilities shall be located on the same lot that they are designed to serve except in subdivisions that set aside a separate tract for such facilities. In commercial/industrial zones, such facilities which are not located on the lot they are designed to serve shall be located on a lot with the same or more intensive zoning designation.
9. No outdoor storage of materials.
10. Limited to office uses.
11. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station.
12. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station and SIC Industry No. 4215-Courier Services, except by air.
13. Limited to SIC Industry No. 4215-Courier Services, except by air.
14. Accessory to an apartment development of at least 12 units provided:
a. The gross floor area in self service storage shall not exceed the total gross floor area of the apartment dwellings on the site;
b. All outdoor lights shall be deflected, shaded and focused away from all adjoining property;
c. The use of the facility shall be limited to dead storage of household goods;
d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;
e. No outdoor storage or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;
f. No residential occupancy of the storage units;
g. No business activity other than the rental of storage units; and
h. A resident director shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.
15. Limited to products produced on-site.
16. Only as an accessory use to another permitted use.
17. No outdoor storage.
18. Minor communication facilities shall be regulated relative to setback, height and review process pursuant to K.C.C. 21A.26.
19. Limited to commuter parking facilities for users of transit, carpools or ride-share programs, provided:
a. They are located on existing parking lots for churches, schools, or other permitted nonresidential uses which have excess capacity available during commuting hours ; and
b. The site is adjacent to a designated arterial that has been improved to a standard acceptable to the department of public works.
20. No tow-in lots for damaged, abandoned or otherwise impounded vehicles.

21. No dismantling or salvage of damaged, abandoned or otherwise impounded vehicles.
22. Storage limited to accessory storage of commodities sold at retail on the premises or materials used in the fabrication of commodities sold on the premises.
23. Limited to emergency medical evacuation sites in conjunction with police, fire or health service facility.
24. Allowed as accessory to an allowed use.
25. Limited to private road ambulance services with no outside storage of vehicles.
26. Limited to 2 acres or less.
27. a. Utility yards only on sites with utility district offices; or
    b. Public agency yards are limited to material storage for road maintenance facilities.

SECTION 355.

21A.12.180 Height - exceptions to limits. The following structures may be erected above the height limits of K.C.C. 21A.12.030-.050.

A. Roof structures housing or screening elevators, stairways, tanks, ventilating fans or similar equipment required for building operation and maintenance; and
B. Fire or parapet walls, skylights, flagpoles, chimneys, smokestacks, church steeples, crosses, spires, communication transmission and receiving structures, utility line towers and poles, and similar structures.

SECTION 359.

21A.12.220 Nonresidential land uses in residential zones. Except for utility facilities, ((~~personal service and retail establishments, and~~))uses listed in K.C.C. 21A.08.100, and nonresidential uses regulated by 21A.12.230 all nonresidential uses located in the RA, UR, or R zones shall be subject to the following requirements:

A. Building coverage shall not exceed:
    1. Twenty percent of the site in the RA zone.
    2. Forty percent of the site in the UR and the R-1 through R-8 zones.
    3. Sixty percent of the site in the R-12 through R-48 zones.
B. Impervious surface coverage shall not exceed:
    1. Thirty-five percent of the site in the RA zone.
    2. Sixty percent of the site in the UR and the R-1 through R-8 zones.
    3. Eighty percent of the site in the R-12 through R-48 zones.
C. Buildings and structures, except fences and wire or mesh backstops, shall not be closer than 30 feet to any property line, except as provided in subsection D.
D. Single detached dwelling allowed as accessory to a church or school shall conform to the setback requirements of the zone.
E. Parking areas are permitted within the required setback area from property lines, provided such parking areas are located outside of the required landscape area.
F. Sites shall abut or be accessible from at least one public street functioning at a level consistent with King County Road Design Standards. New high school sites shall abut or be accessible from a public street functioning as an arterial per the King County Design Standards.
G. The base height shall conform to the zone in which the use is located.
H. Building illumination and lighted signs shall be designed so that no direct rays of light are projected into neighboring residences or onto any street right-of-way

6/1/93 MR. DERDOWSKI WITHDREW AMENDMENT 2, Part No. 1
MR. DERDOWSKI MOVE AMENDMENT 2, Part No. 2
PASSED 7-2, KP, CS "NO"

KING COUNTY ZONING CODE **10870**

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 2 **OFFERED BY:** Derdowski

TOPIC: P-suffix conditions

Amend Section 5 F & G as follows to require that P-suffix conditions in community plan area zoning documents be retained until the community plan is updated, if the P-suffix conditions set standards that are stricter than the code.

Part No. 1

.... 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 have been replaced adequately by standards adopted in the 1993 zoning code from the area zoning documents. Any such P-suffix conditions which establish standards that are ((~~not adequately addressed by this code shall be recommended to be included directly in the 1993 zoning code.~~))stricter than those ~~provided~~ provided by this code shall remain in effect until amended throough a community plan amendment process.

Part No. 2

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 ((~~only where~~))wherever they address conditions unique to a particular property and not addressed by the standards in the 1993 Zoning Code.....

6/7/93 MR. DERDOWSKI WITHDREW AMENDMENT NO. 3

10870

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 3 **OFFERED BY:** Derdowski

TOPIC: Conversion provisions for Bear Creek MPD's

Delete paragraph I of Section 5

Basis: Violates constitutional requirement for equal protection. Same topic is addressed in Section 5H and page 215, Section 575 (March 10 legislative draft).

6/1/93 MS. SULLIVAN MOVE AMENDMENT NO. 4
PASSED UNANIMOUSLY, AS AMENDED

10870

KING COUNTY ZONING CODE

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93 MAY 27 AM 11:55
CLERK
KING COUNTY COUNCIL

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 4 **OFFERED BY:** Sullivan

TOPIC: Amendments relating to senior citizen housing.

The purpose of these amendments is to provide greater flexibility in determining parking ratios for senior citizen housing, to provide a wider range of options for required recreation spaces for senior citizens and to provide a density bonus for small senior citizen units. In addition, the term senior citizen replaces the term elderly and the definition of senior citizen housing is clarified to allow units without kitchens and also to require that at least one senior citizen (defined as a person aged 62 or older) occupies each unit.

21A.06.245 Consolidation
21A.06.250 Construction cost per student, school
21A.06.255 Critical drainage area
21A.06.260 Critical facility
21A.06.265 Daycare
21A.06.270 Deciduous
21A.06.275 Density credit, transfer ("TDC")
21A.06.280 Department
21A.06.285 Department and variety store
21A.06.290 Destination resort
21A.06.295 Developer
21A.06.300 Development activity
21A.06.305 Development agreement
21A.06.310 Development proposal
21A.06.315 Development proposal site
21A.06.320 Direct traffic impact
21A.06.325 Director
21A.06.330 Dormitory
21A.06.335 Drop box facility
21A.06.340 Drug store
21A.06.345 Dwelling unit
21A.06.350 Dwelling unit, accessory
21A.06.355 Dwelling unit, apartment
21A.06.360 ((~~Dwelling unit, s~~))Senior citizen assisted housing
21A.06.365 Dwelling unit, single detached
21A.06.370 Dwelling unit, townhouse
21A.06.375 Earth station
21A.06.380 Effective radiated power
((~~21A.06.385 Elderly~~))
21A.06.390 Electrical conversion substation
21A.06.395 Energy resource recovery facility
21A.06.400 Enhancement

CS MOVE AMENDMENT 4 (Part A)
(Delete 21A.06.385 - substitute senior citizen wherever elderly use
PASSED UNANIMOUSLY

CS MOVE AMENDMENT 4 (Part B)
(Adds new bonus density incentive)
SECTION 563, 21A.34.040 F 1)
PASSED 6-3, BD, AG, KP "NO"

CS MOVE AMENDMENT 4 (Part C)
(Re parking requirements.
SECTION 409, 21A.18.050)
PASSED 7-2, AG, KP "NO"

CS MOVE AMENDMENT 4 (Part D)
(SECTION 378, 21A.14.180,
on-site recreation)
PASSED UNANIMOUSLY, AS AMENDED

senior.amd

1. Residential subdivision and townhouses developed at a density of eight units or less per acre - 390 square feet per unit;

2. Mobile home park - 260 square feet per unit; and

3. Apartment,townhouses developed at a density of greater than eight units per acre, and mixed use:

a. Studio and one bedroom - 90 square feet per unit;

b. Two bedroom - 130 square feet per unit; and

c. Three or more bedroom - 170 square feet per unit;

B. Any recreation space located outdoors shall:

1. Be of a grade and surface suitable for recreation;

2. Be on the site of the proposed development;

3. Contain at least 5,000 square feet in area, provided that when more than one recreation space is proposed, only one of the proposed recreation spaces is required to meet the area requirement;

4. Have no dimensions less than 30 feet (except trail segments);

5. In single detached or townhouse subdivision development, have a street roadway or parking area frontage along 10 to 50 percent of the recreation space perimeter (except trail segments);

6. Be centrally located and accessible and convenient to all residents within the development ; and

7. Be connected by trail or walkway to any existing or planned community park, public open space or trail system, which may be located on adjoining property.

C. Indoor recreation areas may be credited towards the total recreation space requirement, when the county determines that such areas are located, designed and improved in a manner which provides recreational opportunities functionally equivalent to those recreational opportunities available outdoors. For senior citizen assisted housing, indoor recreation areas may include social areas, game and craft rooms, and other multi-purpose entertainment and education areas. need not be functionally equivalent but (PB friendly)

SECTION 524.

21A.28.140 School Concurrency - Applicability and Relationship with Fees. A. The school concurrency standard set out in Section 21A.28.160 shall apply to applications for preliminary plat or UPD approval which would result in the creation of new residential building lots or mobile home parks or the construction of new dwelling units, requests for multifamily zoning, and building permits for multifamily housing projects which have not been previously evaluated for compliance with the concurrency standard.

B. The county's finding of concurrency shall be made at the time of preliminary plat or urban planned development approval, at the time that a request to actualize potential multifamily zoning is approved, or prior to building permit issuance for multifamily housing projects which have not been previously established for compliance with the concurrency standard. Once such a finding has been made, the development shall be considered as vested for purposes of the concurrency determination.

C. Excluded from the application of the concurrency standard are building permits for individual single family dwellings, and any form of housing exclusively for((~~the elderly~~)) senior citizens, including nursing homes and retirement centers. Also excluded from the application of the concurrency standard are shelters for temporary placement, relocation facilities and transitional housing facilities. Replacement, reconstruction or remodeling of existing dwelling units is not subject to the provisions of K.C.C. 21A.28.140 - .180.

D. Also excluded from the application of the concurrency standard set out in this chapter are:

1. short subdivisions;

2. building permits for residential units in preliminary planned unit developments which were under consideration by King County on January 22, 1991;

3. building permits for residential units in recorded planned unit developments approved pursuant to K.C.C. Title 21 that have not yet expired per K.C.C. 21A.56.060;

4. building permits applied for by December 31, 1993, related to rezone applications to actualize potential zoning which were under consideration by King County on January 22, 1991;

5. building permits applied for by December 31, 1993, related to residential development proposals for site plan review to fulfill P-Suffix requirements of multifamily zoning which were under consideration by King County on January 22, 1991; and

6. any residential building permit for any development proposal for which a concurrency determination has already been made pursuant to the terms of this chapter or K.C.C. Title 21A.

E. All of the development activities which are excluded from the application of the concurrency standard are subject to school impact fees imposed pursuant to Title 27.

21A.06.405 Equipment, heavy
21A.06.410 Erosion
21A.06.415 Erosion hazard areas
21A.06.420 Evergreen
21A.06.425 Examiner
21A.06.430 Fabric shop
21A.06.435 Facilities standards
21A.06.440 Factory-built commercial building
21A.06.445 Fairground
21A.06.450 Family
21A.06.455 Federal Emergency Management Agency ("FEMA") Floodway
21A.06.460 Feed Store
21A.06.465 Fence
21A.06.470 Flood fringe
21A.06.475 Flood hazard areas
21A.06.480 Flood insurance rate map
21A.06.485 Flood insurance study for King County
21A.06.490 Flood protection elevation
21A.06.495 Floodplain
21A.06.500 Floodproofing

SECTION 112.

21A.06.360 ((~~Dwelling unit, s~~))Senior citizen assisted housing. ((~~Dwelling unit, s~~)) Senior citizen assisted housing: ((~~a dwelling unit~~)) housing in a building consisting of two or more dwelling units or sleeping units restricted to occupancy by at least one senior citizen((~~s~~)) per unit, and may include, the following support services, as deemed necessary:

A. Food preparation and dining areas;
B. Group activity areas;
C. Medical supervision; and
D. Similar activities.

((~~SECTION 117.~~
~~21A.06.385 Elderly. Elderly: a person aged 62 or older.~~))

SECTION 409.

21A.18.050 Exceptions for community residential facilities (CRF's) and senior citizen assisted housing.

A. The minimum requirement of one off-street parking space per two bedrooms for CRF's and one off-street parking space per two senior citizen assisted housing units may be reduced((~~to no less than one space for every four bedrooms~~)) by up to 50 percent, as determined by the director based on the following considerations:

1. Availability of private, convenient transportation services to meet the needs of the CRF residents;
2. Accessibility to and frequency of public transportation; and
3. Pedestrian access to health, medical, and shopping facilities;

B. If a CRF facility or senior citizen assisted housing is no longer used for such purposes, additional off-street parking spaces shall be required in compliance with this chapter prior to the issuance of a new certificate of occupancy.

SECTION 378.

21A.14.180 On-site recreation - Space required. A. Residential developments if more than four units in the UR and R zones, and mixed use developments if more than four units, shall provide recreation space as follows:

F. The assessment and payment of impact fees are governed by and shall be subject to the provisions in K.C.C. Title 27 addressing school impact fees.

G. A certification of concurrency for a school district shall not preclude the county from collecting impact fees for the district. Impact fees may be assessed and collected as long as the fees are used to fund capital and system improvements needed to serve the new development, and as long as the use of such fees is consistent with the requirements of Chapter 82.02 RCW and this chapter. Pursuant to Chapter 82.02 RCW, impact fees may also be used to recoup capital and system improvement costs previously incurred by a school district to the extent that new growth and development will be served by the previously constructed improvements or incurred costs.

SECTION 563. 21A.34.040

BENEFIT	DENSITY INCENTIVE
1. AFFORDABLE HOUSING	
a. Benefit units consisting of rental housing permanently priced to serve non-((~~elderly~~)) senior citizen low-income households (i.e. no greater than 30 percent of gross income for households at or below 50 percent of King County median income, adjusted for household size). A covenant on the site that specifies the income level being served, rent levels and requirements for reporting to King County shall be recorded at final approval.	1.5 bonus units per benefit unit, up to a maximum of 30 low-income units per five acres of site area; projects on sites of less than five acres shall be limited to 30 low-income units.
b. Benefit units consisting of rental housing designed and permanently priced to serve low-income senior citizens (i.e. no greater than 30 percent of gross income for 1 or 2-person households, 1 member of which is 62 years of age or older, with incomes at or below 50 percent of King County median income, adjusted for household size). A covenant on the site that specifies the income level being served, rent levels and requirements for reporting to King County shall be recorded at final approval.	1.5 bonus units per benefit unit, up to a maximum of 60 low-income units per five acres of site area; projects on sites of less than five acres shall be limited to 60 low-income units.
c. Benefit units consisting of senior citizen assisted housing units 600 square feet or less.	1 bonus unit per benefit unit.

BENEFIT	DENSITY INCENTIVE
((e))d. Benefit units consisting of moderate income housing reserved for income- and asset-qualified home buyers (total household income at or below 80 percent of King County median, adjusted for household size). Benefit 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.	.75 bonus unit per benefit unit.
((d))e. Benefit units consisting of moderate income housing reserved for income- and asset-qualified home buyers (total household income at or below 80 percent of King County median, adjusted for household size). Benefit units shall be limited to owner-occupied housing with prices restricted based on typical underwriting ratios and other lending standards, and with a 15 year restriction binding prices and eligibility on resale to qualified moderate income purchasers. Final approval conditions shall specify requirements for reporting to King County on both buyer eligibility and housing prices.	1 bonus unit per benefit unit.

BENEFIT	DENSITY INCENTIVE
((e))f. Benefit units consisting of moderate income housing reserved for income- and asset-qualified home buyers (total household income at or below 80 percent of King County median, adjusted for household size). Benefit units shall be limited to owner-occupied housing, with prices restricted to same income group, based on current underwriting ratios and other lending standards for 30 years from date of first sale. A covenant on the site that specifies the income level and other aspects of buyer eligibility, price levels and requirements for reporting to King County shall be recorded at final approval.	1.5 bonus units per benefit unit.
((f))g. Projects in which 100 percent of the units are reserved for moderate income - and asset-qualified buyers (total household income at or below 80 percent of the King County median, adjusted for household size). All units shall be limited to owner-occupied housing with prices restricted based on current underwriting ratios and other lending standards, and with prices restricted to same income group, for 15 years from date of first sale. Final approval conditions shall specify requirements for reporting to King County on both buyer eligibility and housing prices.	200 percent of the base density of the underlying zone. Limited to parcels 5 acres or less in size and located in the R-4 through R-8 zones. Housing types in the R-4 or R-6 zones shall be limited to structures containing four or less units, except for townhouses. Such RDI proposals shall not be eligible to utilize other RDI bonus density incentives listed in this section.
((g))h. Benefit units consisting of mobile home park space or pad reserved for the relocation of an insignia or non-insignia mobile home, that has been or will be displaced due to closure of a mobile home park located in incorporated or unincorporated King County.	1.0 bonus unit per benefit unit.

6/1/93 MS: SULLIVAN MOVE AMENDMENT NO: 5
PASSED UNANIMOUSLY

10870

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93 MAY 27 AM 11:56
CLERK
KING COUNTY COUNCIL

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 5 **OFFERED BY:** Sullivan

TOPIC: Amendments relating to electrical utility facilities.

These amendments clarify the terms and definitions for electrical utility facilities.

SECTION 21.

21A.02.110 Classification of right-of-way. A. Except when such areas are specifically designated on the zoning map as being classified in one of the zones provided in this title, land contained in rights-of-way for streets or alleys, or railroads shall be considered unclassified.

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

C. Within railroad rights-of-way, allowed uses shall be limited to tracks, signals or other operating devices, movement of rolling stock, utility lines and equipment, and facilities accessory to and used directly for the delivery and distribution of services to abutting property.

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

SECTION 118.

21A.06.390 Electrical ((~~conversion~~)) substation. Electrical ((~~conversion~~)) substation: a site containing equipment for the conversion of high voltage electrical power transported through transmission lines into lower voltages transported through distribution lines and suitable for individual users.

SECTION 236.

21A.06.980 Regional utility corridor. Regional utility corridor: a right-of-way tract or easement other than a street right-of-way which contains transmission lines or pipelines for utility companies((~~,~~)). ((~~excluding distribution lines contained within street rights-of-way or~~)) Right-of-way tracts or easements containing lines serving individual lots or developments are not regional utility corridors.

SECTION 310.

21A.06.1350 Utility facility. Utility facility: a facility for the distribution or transmission of services to an area((~~; requiring location in the area to be served~~)); including, but not limited to:

A. Telephone exchanges;
B. Water pumping or treatment stations;
C. Electrical ((~~switching~~)) substations;
D. Water storage reservoirs or tanks;
E. Municipal groundwater well-fields;
F. Regional stormwater management facilities.
G. Natural gas gate stations and limiting stations;
H. Propane, compressed natural gas and liquified natural gas storage tanks serving multiple lots or uses from which fuel is distributed directly to individual users;
I. Sewer lift stations; and
J. Pipes, electrical wires and associated structural supports.

SECTION 333.

10870

K.C.C. 21A.08.060
A. GOVERNMENT/

BUSINESS SERVICES
LAND USES

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

		ZONE	RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
			AGRICULTURE	FOREST	MINERAL	RURAL	URBAN RESERVE	URBAN RESIDENTIAL		NEIGHBORHOOD BUSINESS	COMMUNITY BUSINESS	REGIONAL BUSINESS	OFFICE	INDUSTRIAL
SIC#	SPECIFIC LAND USE		A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	GOVERNMENT SERVICES:													
*	Public agency or utility office					P3 C5	P3 C5	P3 C5	P3 C5	P4	P	P	P	P 14
*	Public agency or utility yard					P 27	P 27					P		P
*	Public agency archives											P	P	P
921	Court										P4	P	P	
9221	Police Facility										P	P	P	P
9224	Fire Facility					C 6	C 6	C 6	C 6	P	P	P	P	P
*	Utility Facility		P 7 C	P 7 C	P 7	P 7 C	P	P	P	P	P	P	P	P
*	Minor Communication Facility (18)		C	P		C	C	C	C	C	P	P	P	P
*	Private Stormwater Management Facility		P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8
	BUSINESS SERVICES:													
15-17	Construction and Trade											P 9	P	P
*	Individual Transportation and Taxi										P 25	P	P 10	P
421	Trucking and Courier Service										P 11	P 12	P 13	P
*	Warehousing, (1) and Wholesale Trade													P
*	Self-service Storage								C 14		P	P	P	P
4221 4222	Farm Product Warehousing, Refrigeration and Storage		P 15 C			C 15	C 15							P
*	Log Storage		P15	P		P26								P
47	Transportation Service													P
473	Freight and Cargo Service											P	P	P
472	Passenger Transportation Service										P	P	P	
48	Communication Offices											P	P	P
482	Telegraph and other Communications										P	P	P	P
*	General Business Service									P	P	P	P	P16
*	Professional Office									P	P	P	P	P 16
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					P19	P19	P19	P19	P 20	P 20	P 21	P 20	P
7941	Professional Sport Teams/Promoters											P	P	
873	Research, Development and Testing											P2	P2	P2
*	Heavy Equipment and Truck Repair													P
*	Commercial/Industrial Accessory Uses				P	P 22				P22	P22	P	P	P
*	Helistop						C 23	C 23	C 23	C 23	C 23	C 24	C 23	C 24

GENERAL CROSS REFERENCES:

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

K.C.C. 21A.08.060 B. DEVELOPMENT CONDITIONS.

1. Except self-service storage.
2. Except SIC Industry No. 8732-Commercial Economic, Sociological, and Educational Research, see general business service/office.
3. A. Only as a re-use of a public school facility or a surplus non-residential facility subject to the provisions of K.C.C. 21A.32; or
B. Only when accessory to a fire facility and the office is no greater than 1500 square feet of floor area.
4. Only as a re-use of a surplus non-residential facility subject to K.C.C. 21A.32.
5. Utility offices only if there is no commercial/industrial zoning in the utility district.
6. a. All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
b. Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street; and
c. No outdoor storage.
7. Limited to utility transmission, distribution, and service lines and associated switching stations, ((~~substations,~~)) transmission line booster stations, electrical ((~~conversion~~)) substations, natural gas gate stations and limiting stations.
8. Except in commercial/industrial zones, such facilities shall be located on the same lot that they are designed to serve except in subdivisions that set aside a separate tract for such facilities. In commercial/industrial zones, such facilities which are not located on the lot they are designed to serve shall be located on a lot with the same or more intensive zoning designation.
9. No outdoor storage of materials.
10. Limited to office uses.
11. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station.
12. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station and SIC Industry No. 4215-Courier Services, except by air.
13. Limited to SIC Industry No. 4215-Courier Services, except by air.
14. Accessory to an apartment development of at least 12 units provided:
a. The gross floor area in self service storage shall not exceed the total gross floor area of the apartment dwellings on the site;
b. All outdoor lights shall be deflected, shaded and focused away from all adjoining property;
c. The use of the facility shall be limited to dead storage of household goods;
d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;
e. No outdoor storage or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;
f. No residential occupancy of the storage units;
g. No business activity other than the rental of storage units; and
h. A resident director shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.
15. Limited to products produced on-site.
16. Only as an accessory use to another permitted use.
17. No outdoor storage.
18. Minor communication facilities shall be regulated relative to setback, height and review process pursuant to K.C.C. 21A.26.
19. Limited to commuter parking facilities for users of transit, carpools or ride-share programs, provided:
a. They are located on existing parking lots for churches, schools, or other permitted nonresidential uses which have excess capacity available during commuting hours ; and
b. The site is adjacent to a designated arterial that has been improved to a standard acceptable to the department of public works.

20. No tow-in lots for damaged, abandoned or otherwise impounded vehicles.
21. No dismantling or salvage of damaged, abandoned or otherwise impounded vehicles.
22. Storage limited to accessory storage of commodities sold at retail on the premises or materials used in the fabrication of commodities sold on the premises.
23. Limited to emergency medical evacuation sites in conjunction with police, fire or health service facility.
24. Allowed as accessory to an allowed use.
25. Limited to private road ambulance services with no outside storage of vehicles.
26. Limited to 2 acres or less.
27. a. Utility yards only on sites with utility district offices; or
    b. Public agency yards are limited to material storage for road maintenance facilities.

SECTION 391.

21A.16.060 Landscaping - interior lot lines. Perimeter landscaping along interior lot lines shall be provided as follows:

A. Twenty feet of Type I landscaping shall be included in a commercial or industrial development along any portion adjacent to a residential development;

B. Ten feet of Type II landscaping shall be included in an attached/group residence development, except along portions of the development adjacent to another attached/group residence development or any non-residential use the requirement shall be five feet of Type II landscaping;

C. Ten feet of Type II landscaping shall be included in an industrial development along any portion adjacent to a commercial or institutional development; and

D. Ten feet of Type II landscaping shall be included in an institutional use, excluding of playgrounds and playfields, or an above-ground ((~~subregional~~)) utility facility development, excluding distribution or transmission corridors, when located outside a public right-of-way.

6/1/93 MR. SIMS MOVE TO SUBSTITUTE AMENDMENT NO. 6
PASSED 7-0, LP, GN EXC.
MR. SIMS MOVE SUBSTITUTE AMENDMENT NO. 6
PASSED 6-1, BD "NO", LP, GN EXC.

KING COUNTY ZONING CODE

10870

ORDINANCE NUMBER 91-729

SUBSTITUTE
AMENDMENT 6

AMENDMENT NUMBER: _____ **OFFERED BY:** Sims

TOPIC: Utility offices and maintenance yards in urban residential zones.

SIMS.AMD

SECTION 333.

K.C.C. 21A.08.060
A. GOVERNMENT/

BUSINESS SERVICES
LAND USES

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

		RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
	ZONE	AGRICULTURE	FOREST	MINERAL	RURAL	URBAN RESERVE	URBAN	RESIDENTIAL	NEIGHBORHOOD BUSINESS	COMMUNITY BUSINESS	REGIONAL BUSINESS	OFFICE	INDUSTRIAL
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	GOVERNMENT SERVICES:												
*	Public agency or utility office				P3 C5	P3 C(5)	P3 C(5)	P3 C(5)	P4	P	P	P	P 14
*	Public agency or utility yard				P 27	P 27	P27	P27			P		P
*	Public agency archives										P	P	P
921	Court									P4	P	P	
9221	Police Facility									P	P	P	P
9224	Fire Facility				C 6	C 6	C 6	C 6	P	P	P	P	P
*	Utility Facility	P 7 C	P 7 C	P 7	P 7 C	P	P	P	P	P	P	P	P
*	Minor Communication Facility (18)	C	P		C	C	C	C	C	P	P	P	P
*	Private Stormwater Management Facility	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8
	BUSINESS SERVICES:												
15-17	Construction and Trade										P 9	P	P
*	Individual Transportation and Taxi									P 25	P	P 10	P
421	Trucking and Courier Service									P 11	P 12	P 13	P
*	Warehousing, (1) and Wholesale Trade												P
*	Self-service Storage							C 14		P	P	P	P
4221 4222	Farm Product Warehousing, Refrigeration and Storage	P 15 C			C 15	C 15							P
*	Log Storage	P15	P		P26								P
47	Transportation Service												P
473	Freight and Cargo Service										P	P	P
472	Passenger Transportation Service									P	P	P	
48	Communication Offices										P	P	P
482	Telegraph and other Communications									P	P	P	P
*	General Business Service								P	P	P	P	P16
*	Professional Office								P	P	P	P	P 16
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				P19	P19	P19	P19	P 20	P 20	P 21	P 20	P
7941	Professional Sport Teams/Promoters										P	P	
873	Research, Development and Testing										P2	P2	P2
*	Heavy Equipment and Truck Repair												P
*	Commercial/Industrial Accessory Uses			P	P 22				P22	P22	P	P	P
*	Helistop					C 23	C 23	C 23	C 23	C 23	C 24	C 23	C 24

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

K.C.C. 21A.08.060 B. DEVELOPMENT CONDITIONS.

1. Except self-service storage.
2. Except SIC Industry No. 8732-Commercial Economic, Sociological, and Educational Research, see general business service/office.
3. A. Only as a re-use of a public school facility or a surplus non-residential facility subject to the provisions of K.C.C. 21A.32; or
B. Only when accessory to a fire facility and the office is no greater than 1500 square feet of floor area.
4. Only as a re-use of a surplus non-residential facility subject to K.C.C. 21A.32.
5. New Utility office((s)) locations only if there is no commercial/industrial zoning in the utility district.
6. a. All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
b. Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street; and
c. No outdoor storage.
7. Limited to utility transmission, distribution, and service lines and associated switching stations, substations, booster stations, electrical conversion substations, natural gas gate stations and limiting stations.
8. Except in commercial/industrial zones, such facilities shall be located on the same lot that they are designed to serve except in subdivisions that set aside a separate tract for such facilities. In commercial/industrial zones, such facilities which are not located on the lot they are designed to serve shall be located on a lot with the same or more intensive zoning designation.
9. No outdoor storage of materials.
10. Limited to office uses.
11. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station.
12. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station and SIC Industry No. 4215-Courier Services, except by air.
13. Limited to SIC Industry No. 4215-Courier Services, except by air.
14. Accessory to an apartment development of at least 12 units provided:
a. The gross floor area in self service storage shall not exceed the total gross floor area of the apartment dwellings on the site;
b. All outdoor lights shall be deflected, shaded and focused away from all adjoining property;
c. The use of the facility shall be limited to dead storage of household goods;
d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;
e. No outdoor storage or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;
f. No residential occupancy of the storage units;
g. No business activity other than the rental of storage units; and
h. A resident director shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.
15. Limited to products produced on-site.
16. Only as an accessory use to another permitted use.
17. No outdoor storage.
18. Minor communication facilities shall be regulated relative to setback, height and review process pursuant to K.C.C. 21A.26.
19. Limited to commuter parking facilities for users of transit, carpools or ride-share programs, provided:
a. They are located on existing parking lots for churches, schools, or other permitted nonresidential uses which have excess capacity available during commuting hours ; and
b. The site is adjacent to a designated arterial that has been improved to a standard acceptable to the department of public works.
20. No tow-in lots for damaged, abandoned or otherwise impounded vehicles.

21. No dismantling or salvage of damaged, abandoned or otherwise impounded vehicles.
22. Storage limited to accessory storage of commodities sold at retail on the premises or materials used in the fabrication of commodities sold on the premises.
23. Limited to emergency medical evacuation sites in conjunction with police, fire or health service facility.
24. Allowed as accessory to an allowed use.
25. Limited to private road ambulance services with no outside storage of vehicles.
26. Limited to 2 acres or less.
27. a. Utility yards only on sites with utility district offices; or
    b. Public agency yards are limited to material storage for road maintenance facilities.

6/1/93 WITHDRAWN SEE SUBSTITUTE

10870

RECEIVED
93 MAY 27 AM 11:55
CLERK
KING COUNTY COUNCIL

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 6 **OFFERED BY:** Sims

TOPIC: Utility offices and maintenance yards in urban residential zones.

SIMS.AMD

SECTION 333.

10870

K.C.C. 21A.08.060
A. GOVERNMENT/

BUSINESS SERVICES
LAND USES

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

		RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
	ZONE	AGRICULTURE	FOREST	MINERAL	RURAL	URBAN RESERVE	URBAN	RESIDENTIAL	NEIGHBORHOOD	BUSINESS	COMMUNITY	BUSINESS	REGIONAL BUSINESS	OFFICE	INDUSTRIAL
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	GOVERNMENT SERVICES:												
*	Public agency or utility office				P3 C5	P3 C(5)	P3 C(5)	P3 C(5)	P4	P	P	P	P 14
*	Public agency or utility yard				P 27	P 27					P		P
*	Public agency archives										P	P	P
921	Court									P4	P	P	
9221	Police Facility									P	P	P	P
9224	Fire Facility				C 6	C 6	C 6	C 6	P	P	P	P	P
*	Utility Facility	P 7 C	P 7 C	P 7	P 7 C	P	P	P	P	P	P	P	P
*	Minor Communication Facility (18)	C	P		C	C	C	C	C	P	P	P	P
*	Private Stormwater Management Facility	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8
	BUSINESS SERVICES:												
15-17	Construction and Trade										P 9	P	P
*	Individual Transportation and Taxi									P 25	P	P 10	P
421	Trucking and Courier Service									P 11	P 12	P 13	P
*	Warehousing, (1) and Wholesale Trade												P
*	Self-service Storage							C 14		P	P	P	P
4221 4222	Farm Product Warehousing, Refrigeration and Storage	P 15 C			C 15	C 15							P
*	Log Storage	P15	P		P26								P
47	Transportation Service												P
473	Freight and Cargo Service										P	P	P
472	Passenger Transportation Service									P	P	P	
48	Communication Offices										P	P	P
482	Telegraph and other Communications									P	P	P	P
*	General Business Service								P	P	P	P	P16
*	Professional Office								P	P	P	P	P 16
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				P19	P19	P19	P19	P 20	P 20	P 21	P 20	P
7941	Professional Sport Teams/Promoters										P	P	
873	Research, Development and Testing										P2	P2	P2
*	Heavy Equipment and Truck Repair												P
*	Commercial/Industrial Accessory Uses			P	P 22				P22	P22	P	P	P
*	Helistop					C 23	C 23	C 23	C 23	C 23	C 24	C 23	C 24

GENERAL CROSS REFERENCES:

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

K.C.C. 21A.08.060 B. DEVELOPMENT CONDITIONS.

1. Except self-service storage.
2. Except SIC Industry No. 8732-Commercial Economic, Sociological, and Educational Research, see general business service/office.
3. A. Only as a re-use of a public school facility or a surplus non-residential facility subject to the provisions of K.C.C. 21A.32; or
   B. Only when accessory to a fire facility and the office is no greater than 1500 square feet of floor area.
4. Only as a re-use of a surplus non-residential facility subject to K.C.C. 21A.32.
5. Utility offices only if there is no commercial/industrial zoning in the utility district.
6. a. All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
   b. Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street; and
   c. No outdoor storage.
7. Limited to utility transmission, distribution, and service lines and associated switching stations, substations, booster stations, electrical conversion substations, natural gas gate stations and limiting stations.
8. Except in commercial/industrial zones, such facilities shall be located on the same lot that they are designed to serve except in subdivisions that set aside a separate tract for such facilities. In commercial/industrial zones, such facilities which are not located on the lot they are designed to serve shall be located on a lot with the same or more intensive zoning designation.
9. No outdoor storage of materials.
10. Limited to office uses.
11. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station.
12. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station and SIC Industry No. 4215-Courier Services, except by air.
13. Limited to SIC Industry No. 4215-Courier Services, except by air.
14. Accessory to an apartment development of at least 12 units provided:
   a. The gross floor area in self service storage shall not exceed the total gross floor area of the apartment dwellings on the site;
   b. All outdoor lights shall be deflected, shaded and focused away from all adjoining property;
   c. The use of the facility shall be limited to dead storage of household goods;
   d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;
   e. No outdoor storage or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;
   f. No residential occupancy of the storage units;
   g. No business activity other than the rental of storage units; and
   h. A resident director shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.
15. Limited to products produced on-site.
16. Only as an accessory use to another permitted use.
17. No outdoor storage.
18. Minor communication facilities shall be regulated relative to setback, height and review process pursuant to K.C.C. 21A.26.
19. Limited to commuter parking facilities for users of transit, carpools or ride-share programs, provided:
   a. They are located on existing parking lots for churches, schools, or other permitted nonresidential uses which have excess capacity available during commuting hours ; and
   b. The site is adjacent to a designated arterial that has been improved to a standard acceptable to the department of public works.
20. No tow-in lots for damaged, abandoned or otherwise impounded vehicles.

21. No dismantling or salvage of damaged, abandoned or otherwise impounded vehicles.
22. Storage limited to accessory storage of commodities sold at retail on the premises or materials used in the fabrication of commodities sold on the premises.
23. Limited to emergency medical evacuation sites in conjunction with police, fire or health service facility.
24. Allowed as accessory to an allowed use.
25. Limited to private road ambulance services with no outside storage of vehicles.
26. Limited to 2 acres or less.
27. a. Utility yards only on sites with utility district offices; or
    b. Public agency yards are limited to material storage for road maintenance facilities.

6/1/93 MS: SULLIVAN MOVE AMENDMENT NO: 7
PASSED 7-0, LP, GN-EXC.

10870

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93 MAY 27 AM 11:55
CLERK
KING COUNTY COUNCIL

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 7 **OFFERED BY:** Sullivan

TOPIC: Bulk gas storage facilities in the rural and urban residential zones.

This amendment prohibits liquified natural gas storage tanks in rural and urban residential zones and requires conditional use approval for bulk propane and compressed natural gas storage tanks in those zones.

BULK.AMD

SECTION 333.

K.C.C. 21A.08.060
A. GOVERNMENT/

BUSINESS SERVICES
LAND USES

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

	RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
ZONE	AGRICULTURE	FOREST	MINERAL	RURAL	URBAN RESERVE	URBAN	RESIDENTIAL	NEIGHBORHOOD BUSINESS	COMMUNITY BUSINESS	REGIONAL BUSINESS	OFFICE	INDUSTRIAL
SIC# / SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	GOVERNMENT SERVICES:											
*	Public agency or utility office			P3 C5	P3 C5	P3 C5	P3 C5	P4	P	P	P	P 14
*	Public agency or utility yard			P 27	P 27					P		P
*	Public agency archives									P	P	P
921	Court								P4	P	P	
9221	Police Facility								P	P	P	P
9224	Fire Facility				C 6	C 6	C 6	C 6	P	P	P	P
*	Utility Facility	P 7 C	P 7 C	P 7	P7 C28	P29 C28	P29 C28	P29 C28	P	P	P	P
*	Minor Communication Facility (18)	C	P		C	C	C	C	C	P	P	P
*	Private Stormwater Management Facility	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8
	BUSINESS SERVICES:											
15-17	Construction and Trade									P 9	P	P
*	Individual Transportation and Taxi								P 25	P	P 10	P
421	Trucking and Courier Service								P 11	P 12	P 13	P
*	Warehousing, (1) and Wholesale Trade											P
*	Self-service Storage						C 14		P	P	P	P
4221 4222	Farm Product Warehousing, Refrigeration and Storage	P 15 C			C 15	C 15						P
*	Log Storage	P15	P		P26							P
47	Transportation Service											P
473	Freight and Cargo Service									P	P	P
472	Passenger Transportation Service								P	P	P	
48	Communication Offices									P	P	P
482	Telegraph and other Communications								P	P	P	P
*	General Business Service							P	P	P	P	P16
*	Professional Office							P	P	P	P	P 16
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				P19	P19	P19	P19	P 20	P 20	P 21	P 20	P
7941	Professional Sport Teams/Promoters									P	P	
873	Research, Development and Testing									P2	P2	P2
*	Heavy Equipment and Truck Repair											P
*	Commercial/Industrial Accessory Uses			P	P 22				P22	P22	P	P	P
*	Helistop					C 23	C 23	C 23	C 23	C 23	C 24	C 23	C 24

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

K.C.C. 21A.08.060 B. DEVELOPMENT CONDITIONS.

1. Except self-service storage.
2. Except SIC Industry No. 8732-Commercial Economic, Sociological, and Educational Research, see general business service/office.
3. A. Only as a re-use of a public school facility or a surplus non-residential facility subject to the provisions of K.C.C. 21A.32; or
B. Only when accessory to a fire facility and the office is no greater than 1500 square feet of floor area.
4. Only as a re-use of a surplus non-residential facility subject to K.C.C. 21A.32.
5. Utility offices only if there is no commercial/industrial zoning in the utility district.
6. a. All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
b. Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street; and
c. No outdoor storage.
7. Limited to utility transmission, distribution, and service lines and associated switching stations, substations, booster stations, electrical conversion substations, natural gas gate stations and limiting stations.
8. Except in commercial/industrial zones, such facilities shall be located on the same lot that they are designed to serve except in subdivisions that set aside a separate tract for such facilities. In commercial/industrial zones, such facilities which are not located on the lot they are designed to serve shall be located on a lot with the same or more intensive zoning designation.
9. No outdoor storage of materials.
10. Limited to office uses.
11. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station.
12. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station and SIC Industry No. 4215-Courier Services, except by air.
13. Limited to SIC Industry No. 4215-Courier Services, except by air.
14. Accessory to an apartment development of at least 12 units provided:
a. The gross floor area in self service storage shall not exceed the total gross floor area of the apartment dwellings on the site;
b. All outdoor lights shall be deflected, shaded and focused away from all adjoining property;
c. The use of the facility shall be limited to dead storage of household goods;
d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;
e. No outdoor storage or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;
f. No residential occupancy of the storage units;
g. No business activity other than the rental of storage units; and
h. A resident director shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.
15. Limited to products produced on-site.
16. Only as an accessory use to another permitted use.
17. No outdoor storage.
18. Minor communication facilities shall be regulated relative to setback, height and review process pursuant to K.C.C. 21A.26.
19. Limited to commuter parking facilities for users of transit, carpools or ride-share programs, provided:
a. They are located on existing parking lots for churches, schools, or other permitted nonresidential uses which have excess capacity available during commuting hours ; and
b. The site is adjacent to a designated arterial that has been improved to a standard acceptable to the department of public works.
20. No tow-in lots for damaged, abandoned or otherwise impounded vehicles.

21. No dismantling or salvage of damaged, abandoned or otherwise impounded vehicles.
22. Storage limited to accessory storage of commodities sold at retail on the premises or materials used in the fabrication of commodities sold on the premises.
23. Limited to emergency medical evacuation sites in conjunction with police, fire or health service facility.
24. Allowed as accessory to an allowed use.
25. Limited to private road ambulance services with no outside storage of vehicles.
26. Limited to 2 acres or less.
27. a. Utility yards only on sites with utility district offices; or
    b. Public agency yards are limited to material storage for road maintenance facilities.
28. Excluding liquified natural gas storage tanks.
29. Excluding bulk gas storage tanks.

6/1/93 MS. SULLIVAN MOVE AMENDMENT NO. 8
PASSED 7-0, LP, GN EXC.

10870

KING COUNTY ZONING CODE

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93 MAY 27 AM 11:55
CLERK
KING COUNTY COUNCIL

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 8 **OFFERED BY:** Sullivan

TOPIC: Growing forest products in the mineral zone.

This amendment allows the growing and harvesting of forest products in conjunction with mineral extraction activities.

Mineral.amd

SECTION 336.

K.C.C. 21A.08.090
A. RESOURCE
LAND USE

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

ZONE	RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
	AGRICULTURE	FOREST	MINERAL	RURAL	URBAN RESERVE	URBAN	RESIDENTIAL	NEIGHBORHOOD	BUSINESS	COMMUNITY	BUSINESS	REGIONAL	OFFICE	INDUSTRIAL
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	AGRICULTURE:												
01	Growing and Harvesting Crops	P	P		P	P	P						P
02	Raising Livestock and Small Animals	P	P		P	P	P6						P
	FORESTRY:												
08	Growing and Harvesting Forest Product	P	P	P7	P	P	P						P
*	Forest Research		P		P	P						P2	P
	Fish and Wildlife Management:												
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							
	MINERAL:												
10(-),14	Mineral Extraction and Processing			P									
2951	Asphalt Paving Mixtures and Block			P									P
	RESOURCE ACCESSORY USES:												
*	Resource Accessory Uses	P3	P4	P5	P3	P3							P4

GENERAL CROSS REFERENCES:

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

21A.08.090 B. DEVELOPMENT CONDITIONS.

1. May be further subject to the provisions of K.C.C. Title 25, Shoreline Management Program.
2. Only Forest Research conducted within an enclosed building.
3. Housing for agricultural workers and their families employed on the premises only as an accessory to a permanent residence, provided:
   a. Sites are limited to those with ten acres or more;
   b. Accessory housing is limited to one unit on less than 20 acres, or two on 20 acres or more; and
   c. Accessory housing shall not be rented to the public at large.
4. Excluding housing for agricultural workers
5. Limited to maintenance and/or storage facilities in conjunction with mineral extraction or processing operation.
6. Large livestock allowed only in the R-1 zone.
7. Only in conjunction with a mineral extraction site plan approved pursuant to 21A.22.

NOT OFFERED

Amendment #9

10870

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92 MAY 27 PM 12:00

CLERK
KING COUNTY COUNCIL

SECTION 332.

SECTION 21A.08.100B (24) DEVELOPMENT CONDITIONS.

24. Only when adjacent to an existing or proposed school, which shall include but not be limited to property separated from the school property by a public right of way.

SECTION 337.

SECTION 21A.08.100B (5) DEVELOPMENT CONDITIONS.

5. Only ~~in conjunction with an existing or proposed school~~ where proposed to be located on the same property as an existing or proposed school or to be located adjacent to the property, which shall include but not be limited to property separated from the school property by a public right of way.

w/D

6/7/93 MR. SIMS MOVE SUBSTITUTE AMENDMENT 10 AND 11 TO MAKE TECHNICAL CORRECTIONS TO 10 and 11 PASSED 6/1/93
PASSED 7-2. BD. BL "NO"

KING COUNTY ZONING CODE 10870

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: SUBSTITUTE 10 & 11 **OFFERED BY:** SIMS

TOPIC: Schools

Amend permitted use tables to allow:

Elementary schools as permitted use in rural areas.
High Schools as permitted use in urban residential zones, subject to review process for high schools.

MISC.AMD

SECTION 332.

10870

K.C.C. 21A.08.050

A. GENERAL SERVICES LAND USES

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

ZONE	RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
	AGRICULTURE	FOREST	MINERAL	RURAL	URBAN RESERVE	URBAN	RESIDENTIAL	NEIGHBORHOOD	BUSINESS	COMMUNITY	BUSINESS	REGIONAL	BUSINESS	OFFICE	INDUSTRIAL
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	PERSONAL SERVICES:												
72	General Personal Service						C 26	C 26	P	P	P	P3	P3
7216	Drycleaning plants												P
7218	Industrial Launderers												P
7261	Funeral Home/Crematory					C4	C4	C4		P	P		
*	Cemetery, Columbarium or Mausoleum				P25 C5	P25 C5	P25 C5	P25 C5	P25	P25	P25 C5	P25	
*	Day care I	P6			P6	P6	P6	P6	P	P	P	P7	P7
*	Day care II				P8	P8	P8	P8	P	P	P	P8	P8
074	Veterinary Clinic	P9			P9 C10	P9 C10			P10	P10	P10		P
753	Automotive repair (1)									P	P		P
754	Automotive service								P11	P	P		P
76	Miscellaneous repair									P	P		P
866	Churches, synagogue, temple				P12 C	P12 C	P12 C	P12 C	P	P	P	P	
83	Social Services (2)				P12 C13	P12 C13	P12 C13	P12 C13	P13	P	P	P	
*	Stable	P14 C			P14 C	P14 C	P 14 C						
*	Kennel or Cattery				C	C				C	P		
	HEALTH SERVICES:												
801-04	Office/Outpatient Clinic				P12 C 13	P12 C 13	P12 C 13	P12 C 13	P	P	P	P	P
805	Nursing and personal care facilities							C		P	P		
806	Hospital						C13	C13		P	P	C	
807	Medical/Dental Lab									P	P	P	P
808-09	Miscellaneous Health									P	P	P	
	EDUCATION SERVICES:												
*	Elementary ((~~or Middle/Junior High~~)) School				P16,15 ((~~C15~~))	P	P	P					
*	Middle/Junior High School				P16 C15	P	P	P					
*	Secondary or High School				P16 C15	P27 ((~~C~~))	P27 ((~~C~~))	P27 ((~~C~~))		C	C		
*	Vocational School				P13 C	P13 C	P13 C	P13 C			P	P17	P
*	Specialized Instruction School		P18		P19 C20	P19 C20	P19 C20	P19 C20	P	P	P	P17	P
*	School District Support Facility				C 24	P 24 C	P 24 C	P 24 C	C	P	P	P	P
*	Interim Recycling Facility	P 21	P21	P21	P 22		P 22	P 22	P 23	P 23	P		P

GENERAL CROSS REFERENCES:

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

21A.08.050 B. DEVELOPMENT CONDITIONS.

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

2. Except SIC Industry Group Nos.:

a. 835-Day Care Services, and

b. 836-Residential Care, which is otherwise provided for on the residential permitted land use table.

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

a. 723-Beauty Shops;

b. 724-Barber Shops;

c. 725-Shoe Repair Shops and Shoeshine Parlors;

d. 7212-Garment Pressing and Agents for Laundries and Drycleaners;

e. 7217-Carpet and Upholstery Cleaning.

4. Only as an accessory to a cemetery.

5. Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.

6. Only as an accessory to residential use, provided:

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

b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones.

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

8. Only as a re-use of a public school facility subject to the provisions of K.C.C. 21A.32, or an accessory use to a school or church, provided:

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

b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;

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

d. Hours of operation may be restricted to assure compatibility with surrounding development. 9. As a home occupation only, provided that the square footage limitations in K.C.C. 21A.30 for home occupations applies only to the office space for the clinic, and provided further that:

a. Boarding or overnight stay of animals is allowed only on sites of 5 acres or more;

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

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

d. The provisions of 21A.30 relative to animal keeping are met.

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

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

c. The provisions of 21A.30 relative to animal keeping are met.

11. Only as an accessory to a gasoline service station, see retail and wholesale permitted use table.

12. Only as a re-use of a public school facility subject to the provisions of K.C.C. 21A.32.

13. Only as a re-use of a surplus non-residential facility subject to K.C.C. 21A.32.

14. Covered riding arenas are subject to the provisions of 21A.30.030 and shall not exceed 20,000 square feet provided that; stabling areas, whether attached or detached, shall not be counted in this calculation.

15. Limited to projects which do not require or result in an expansion of the sewer local service area (LSA), unless a finding is made that no cost effective alternative technologies are feasible, in which case a tightline to a sewer sized only to meet the needs of the school may be used.

16. a. For middle/junior high schools and secondary or high schools, ((~~O~~))only as a re-use of a public school facility subject to the provisions of K.C.C. 21A.32. An expansion of such school facility shall be

subject to approval of a conditional use permit and the expansion shall not require or result in an extension of the sewer local service area (LSA), unless a finding is made that no cost effective alternative technologies are feasible, in which case a tightline to a sewer sized only to meet the needs of the school may be used.

((~~b. Expansion of elementary or middle school facilities in rural zones by the addition of relocatable facilities on existing school sites is a permitted use.~~

~~c. Relocatable facilities sited at high schools or secondary schools are a permitted use.~~

~~d. The renovation, expansion, modernization, and/or reconstruction of existing high schools or secondary schools is a permitted use.~~

~~e. The renovation, expansion, modernization, and/or reconstruction of existing elementary or middle/junior high schools is a permitted use.~~))

b. Renovation, expansion, modernization, reconstruction or the addition of relocatable facilities is permitted but shall not require or result in an expansion of the sewer local service area (LSA), unless a finding is made that no cost effective alternative technologies are feasible, in which case a tightline to a sewer sized only to meet the needs of the school may be used.

17. All instruction must be within an enclosed structure.
18. Limited to resource management education programs.
19. Only as an accessory to residential use, provided:
    a. Students are limited to twelve per one hour session,
    b. All instruction must be within an enclosed structure, and
    c. Structures used for the school shall maintain a distance of 25 feet from property lines adjoining residential zones.
20. Subject to the following:
    a. Structures used for the school and accessory uses shall maintain a minimum distance of 25 feet from property lines adjoining residential zones; and
    b. On lots over 2.5 acres:
        i. Retail sales of items related to the instructional courses is permitted, provided total floor area for retail sales is limited to 2,000 square feet;
        ii. Sales of food prepared in the instructional courses is permitted, provided total floor area for food sales is limited to 1,000 square feet and is located in the same structure as the school.
        iii. Other incidental student-supporting uses are allowed, provided such uses are found to be both compatible with and incidental to the principal use.
21. Limited to source-separated organic waste processing facilities.
22. Limited to drop box facilities accessory to a public or community use such as a school, fire station or community center.
23. With the exception of drop box facilities for the collection and temporary storage of recyclable materials, all processing and storage of material shall be within enclosed buildings. Yard waste processing is not permitted.
24. Only when adjacent to an existing or proposed school.
25. Limited to columbariums accessory to a church provided that required landscaping and parking are not reduced.
26. Not permitted in R-1 and limited to a maximum of 5,000 square feet per establishment and subject to the additional requirements in K.C.C. 21A.12 .230.
27. New high schools shall be permitted in urban residential and urban reserve zones subject to the ((~~special development standards~~)) review process set forth ((~~below~~)) in Section 21A.42.140.

((~~a. New high schools sites shall abut or be accessible from a public street functioning as an arterial per the King County Design Standards.~~

~~b. The impacts of traffic on the neighborhood shall be addressed pursuant to the State Environmental Policy Act, Chapter 43.21C RCW, and/or through the payment of road impact fees.~~

~~c. The District shall comply with the requirements and procedures for determining parking spaces set forth in K.C.C. chapter 21A.18 governing parking and circulation.~~

~~d. Parking areas shall be permitted within the required setback areas from the property lines, provided such parking areas are located outside of the required landscape area. The required setbacks for the purposes of determining the parking areas and the height limits are as follows:~~

~~1. Minimum street setbacks:~~

~~a. 30 feet in the UR and R-1 zones.~~

~~b. 10 feet in the R-4 to R-48 zones.~~

~~2. Minimum interior setbacks:~~

~~a. 10 feet in the UR and R-1 zones.~~

~~b. 5 feet in the R-4 to R-48 zones.~~

~~e. The base height of the building shall be as follows:~~

~~1. 35 feet in the UR zone and in the R-1 through R-8 zones.~~

~~2. 60 feet in R-12 to R-24 zones.~~

~~3. 80 feet in the R-48 zone.~~

~~f. Height limits may be increased when portions of the structure which exceed the base height limit provide one additional foot of street setback and one additional foot of interior setback for each additional foot above the base height limit. The street setbacks and interior setbacks for determining increases in height limits are set forth in subsection d.~~

~~g. Building coverage shall not exceed:~~

~~1. Forty percent of the site in the UR zone.~~

~~2. Fifty percent of the site in the R-1 through R-6 zones.~~

~~3. Sixty percent of the site in the R-8 through R-48 zones~~

~~h. Impervious surface coverage shall not exceed:~~

~~1. Sixty percent of the site in the UR zones.~~

~~2. Seventy percent of the site in the R-1 through R-6 zones.~~

~~3. Eighty percent of the site in the R-8 through R-48 zones.~~

~~i. Buildings and structures shall not be closer than 30 feet to any property line, except for fences and backstops for ballfields which may be located within the 30 feet setback and except as provided in subsection j.~~

~~j. Single detached dwelling allowed as accessory to a school may be setback 10 feet from the property line.~~

~~k. The District shall provide for the necessary utilities, including the extension of sewer and water lines as may be required.~~

~~l. The District shall hold a public hearing on the request for a building permit on the proposed high school and may merge the public hearing for environmental review with this hearing. The hearing may be conducted by the Board of Directors, or where authorized by board policy, by a hearing examiner appointed by the School Board. The District shall provide notice of the hearing as follows:~~

~~1. by posting the property;~~

~~2. by publishing in a newspaper of general circulation in the general area where the proposed high school is located;~~

~~3. by sending notices by first class mail to owners of property in an area within 500 feet of the proposed high school, provided such area shall be expanded as necessary to send mailed notices to at least 20 different property owners; and~~

~~4. by sending notices to other residents of the District that have requested notice.~~

~~m. At a regularly scheduled or special Board meeting, the Board of Directors shall adopt findings of compliance with the development standards set forth in this section and/or adopt proposed actions necessary to reach compliance. Where a hearing examiner has been appointed, the Board of Directors shall review and adopt or reject the hearing examiner's proposed findings and/or proposed actions. The board may include in the record any information supporting its findings or any information from prior public meetings held on the same general subject at the discretion of the Board.~~

~~n. Copies of the findings and/or the proposed actions shall be mailed to all parties of record and to the County. "A party of record" is a person or group that testified at the public hearing or the County.~~

~~o. Any aggrieved party of record may request the Board of Directors to reconsider the findings within 20 calendar days of its adoption. An aggrieved party requesting reconsideration shall submit written evidence challenging the findings or otherwise specifically identify reasons why the District has failed to reasonably comply with the development standards set forth in this section. Within 30 calendar days after a request for reconsideration has been filed with the District, the Board of Directors may reconsider and revise the findings and/or proposed actions, or may decline to reconsider. Failure to act, or to initiate the process for reconsideration by notifying the aggrieved party of record of intent to reconsider, within the 30 day period shall be deemed to constitute a decision not to reconsider.~~

~~p. the Board's final findings shall be attached to the District's building permit application, and such findings shall be deemed to constitute binding evidence of compliance with the development standards set forth in this section.~~))

b. Renovation, expansion, modernization, reconstruction or the addition of relocatable facilities is permitted.

21A.42.140 Review Process For High Schools. A. The School District shall hold a public hearing on the request for a building permit on the proposed high school and may merge the public hearing for environmental review with this hearing. The hearing shall address the proposal's compliance with the applicable development standards and whether the impacts of traffic on the neighborhood have been addressed pursuant to the State Environmental Policy Act, Chapter 43.21C RCW, and/or through the payment of road impact fees. The hearing may be conducted by the Board of Directors, or where authorized by board policy, by a hearing examiner appointed by the School Board. The District shall provide notice of the hearing as follows:

1. by posting the property;
2. by publishing in a newspaper of general circulation in the general area where the proposed high school is located;
3. by sending notices by first class mail to owners of property in an area within 500 feet of the proposed high school, provided such area shall be expanded as necessary to send mailed notices to at least 20 different property owners; and
4. by sending notices to other residents of the District that have requested notice.

B. At a regularly scheduled or special Board meeting, the Board of Directors shall adopt findings of compliance with applicable King County development standards or adopt proposed actions necessary to reach compliance. Where a hearing examiner has been appointed, the Board of Directors shall review and adopt or reject the hearing examiner's proposed findings and/or proposed actions. The board may include in the record any information supporting its findings or any information from prior public meetings held on the same general subject at the discretion of the Board.

C. Copies of the findings and/or the proposed actions shall be mailed to all parties of record and to the County.

D. Any aggrieved party of record may request the Board of Directors to reconsider the findings within 20 calendar days of its adoption. An aggrieved party requesting reconsideration shall submit written evidence challenging the findings or otherwise specifically identify reasons why the District has failed to reasonably comply with the applicable King County development standards. Within 30 calendar days after a request for reconsideration has been filed with the District, the Board of Directors may reconsider and revise the findings and/or proposed actions, or may decline to reconsider. Failure to act, or to initiate the process for reconsideration by notifying
g the aggrieved party of record of intent to reconsider, within the 30-day period shall be deemed to constitute a decision not to reconsider.

E. The Board's final findings shall be attached to the District's building permit application and shall be considered as prima facie evidence of compliance with the applicable King County development standards.

6/1/93 MR. DERDOWSKI MOVE AMENDMENT NO. 10
PASSED UNANIMOUSLY, AS AMENDED

10870

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 10 **OFFERED BY:** Derdowski

TOPIC: Schools

Amend permitted use tables to have:

~~High schools as special use in rural areas.~~
Elementary schools as permitted use in rural areas.

MR. SIMS MOVE STRIKE high schools as special use in SECTION 332A.
PASSED 6-1, BD "NO", GN, LP, EXC.

MR. SIMS MOVE to permit elementary schools in rural areas, and strike 21A.08.050 B 16 a.
PASSED UNANIMOUSLY

SEE SUBSTITUTE #10 & 11

MISC.AMD

SECTION 332A.

K.C.C. 21A.08.050

A. GENERAL SERVICES LAND USES

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

		ZONE	RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
			AGRICULTURE	FOREST	MINERAL	RURAL	URBAN RESERVE	URBAN	RESIDENTIAL	NEIGHBORHOOD	BUSINESS	COMMUNITY	BUSINESS	REGIONAL	BUSINESS	OFFICE	INDUSTRIAL
SIC#	SPECIFIC LAND USE		A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	PERSONAL SERVICES:													
72	General Personal Service							C 25	C 26	P	P	P	P3	P3
7216	Drycleaning plants													P
7218	Industrial Launderers													P
7261	Funeral Home/Crematory						C4	C4	C4		P	P		
*	Cemetery, Columbarium or Mausoleum					P25 C5	P25 C5	P25 C5	P25 C5	P25	P25	P25 C5	P25	
*	Day care I		P6			P6	P6	P6	P6	P	P	P	P7	P7
*	Day care II					P8	P8	P8	P8	P	P	P	P8	P8
074	Veterinary Clinic		P9			P9 C10	P9 C10			P10	P10	P10		P
753	Automotive repair (1)										P	P		P
754	Automotive service									P11	P	P		P
76	Miscellaneous repair										P	P		P
866	Churches, synagogue, temple					P12 C	P12 C	P12 C	P12 C	P	P	P	P	
83	Social Services (2)					P12 C13	P12 C13	P12 C13	P12 C13	P13	P	P	P	
*	Stable		P14 C			P14 C	P14 C	P 14 C						
*	Kennel or Cattery					C	C				C	P		
	HEALTH SERVICES:													
801-04	Office/Outpatient Clinic					P12 C 13	P12 C 13	P12 C 13	P12 C 13	P	P	P	P	P
805	Nursing and personal care facilities								C		P	P		
806	Hospital							C13	C13		P	P	C	
807	Medical/Dental Lab										P	P	P	P
808-09	Miscellaneous Health										P	P	P	
	EDUCATION SERVICES:													
*	Elementary ((~~or Middle/Junior High~~)) School					P15 & 16 ((~~C15~~))	P	P	P					
*	Middle/Junior High School					P16 C15	P	P	P					
*	Secondary or High School					P16 ((~~S~~))C15	P27 C	P27 C	P27 C		C	C		
*	Vocational School					P13 C	P13 C	P13 C	P13 C			P	P17	P
*	Specialized Instruction School			P18		P19 C20	P19 C20	P19 C20	P19 C20	P	P	P	P17	P
*	School District Support Facility					C 24	P 24 C	P 24 C	P 24 C	C	P	P	P	P
*	Interim Recycling Facility		P 21	P21	P21	P 22		P 22	P 22	P 23	P 23	P		P

GENERAL CROSS REFERENCES:

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

21A.08.050 B. DEVELOPMENT CONDITIONS.

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

2. Except SIC Industry Group Nos.:

a. 835-Day Care Services, and

b. 836-Residential Care, which is otherwise provided for on the residential permitted land use table.

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

a. 723-Beauty Shops;

b. 724-Barber Shops;

c. 725-Shoe Repair Shops and Shoeshine Parlors;

d. 7212-Garment Pressing and Agents for Laundries and Drycleaners;

e. 7217-Carpet and Upholstery Cleaning.

4. Only as an accessory to a cemetery.

5. Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.

6. Only as an accessory to residential use, provided:

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

b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones.

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

8. Only as a re-use of a public school facility subject to the provisions of K.C.C. 21A.32, or an accessory use to a school or church, provided:

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

b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;

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

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

9. As a home occupation only, provided that the square footage limitations in K.C.C. 21A.30 for home occupations applies only to the office space for the clinic, and provided further that:

a. Boarding or overnight stay of animals is allowed only on sites of 5 acres or more;

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

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

d. The provisions of 21A.30 relative to animal keeping are met.

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

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

c. The provisions of 21A.30 relative to animal keeping are met.

11. Only as an accessory to a gasoline service station, see retail and wholesale permitted use table.

12. Only as a re-use of a public school facility subject to the provisions of K.C.C. 21A.32.

13. Only as a re-use of a surplus non-residential facility subject to K.C.C. 21A.32.

14. Covered riding arenas are subject to the provisions of 21A.30.030 and shall not exceed 20,000 square feet provided that; stabling areas, whether attached or detached, shall not be counted in this calculation.

15. Limited to projects which do not require or result in an expansion of the sewer local service area (LSA), unless a finding is made that no cost effective alternative technologies are feasible, in which case a tightline to a sewer sized only to meet the needs of the school may be used.

16. ~~a. Only as a re-use of a public school facility subject to the provisions of K.C.C. 21A.32. An expansion of such school facility shall be subject to approval of a conditional use permit and the expansion shall~~

~~not require or result in an extension of the sewer local service area (LSA), unless a finding is made that no cost-effective alternative technologies are feasible, in which case a tightline to a sewer sized only to meet the needs of the school may be used~~.

a. ~~b.~~ Expansion of elementary or middle school facilities in rural zones by the addition of relocatable facilities on existing school sites is a permitted use.

b. ~~c.~~ Relocatable facilities sited at high schools or secondary schools are a permitted use.

c. ~~d.~~ The renovation, expansion, modernization, and/or reconstruction of existing high schools or secondary schools is a permitted use.

d. ~~e.~~ The renovation, expansion, modernization, and/or reconstruction of existing elementary or middle/junior high schools is a permitted use.

17. All instruction must be within an enclosed structure.

18. Limited to resource management education programs.

19. Only as an accessory to residential use, provided:

a. Students are limited to twelve per one hour session,

b. All instruction must be within an enclosed structure, and

c. Structures used for the school shall maintain a distance of 25 feet from property lines adjoining residential zones.

20. Subject to the following:

a. Structures used for the school and accessory uses shall maintain a minimum distance of 25 feet from property lines adjoining residential zones; and

b. On lots over 2.5 acres:

i. Retail sales of items related to the instructional courses is permitted, provided total floor area for retail sales is limited to 2,000 square feet;

ii. Sales of food prepared in the instructional courses is permitted, provided total floor area for food sales is limited to 1,000 square feet and is located in the same structure as the school.

iii. Other incidental student-supporting uses are allowed, provided such uses are found to be both compatible with and incidental to the principal use.

21. Limited to source-separated organic waste processing facilities.

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

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

24. Only when adjacent to an existing or proposed school.

25. Limited to columbariums accessory to a church provided that required landscaping and parking are not reduced.

26. Not permitted in R-1 and limited to a maximum of 5,000 square feet per establishment and subject to the additional requirements in K.C.C. 21A.12.230.

27. New high schools shall be permitted in urban residential and urban reserve zones subject to the special development standards set forth below.

a. New high schools sites shall abut or be accessible from a public street functioning as an arterial per the King County Design Standards.

b. The impacts of traffic on the neighborhood shall be addressed pursuant to the State Environmental Policy Act, Chapter 43.21C RCW, and/or through the payment of road impact fees.

c. The District shall comply with the requirements and procedures for determining parking spaces set forth in K.C.C. chapter 21A.18 governing parking and circulation.

d. Parking areas shall be permitted within the required setback areas from the property lines, provided such parking areas are located outside of the required landscape area. The required setbacks for the purposes of determining the parking areas and the height limits are as follows:

1. Minimum street setbacks:

a. 30 feet in the UR and R-1 zones.

b. 10 feet in the R-4 to R-48 zones.

2. Minimum interior setbacks:
   a. 10 feet in the UR and R-1 zones.
   b. 5 feet in the R-4 to R-48 zones.

e. The base height of the building shall be as follows:
   1. 35 feet in the UR zone and in the R-1 through R-8 zones.
   2. 60 feet in R-12 to R-24 zones.
   3. 80 feet in the R-48 zone.

f. Height limits may be increased when portions of the structure which exceed the base height limit provide one additional foot of street setback and one additional foot of interior setback for each additional foot above the base height limit. The street setbacks and interior setbacks for determining increases in height limits are set forth in subsection d.

g. Building coverage shall not exceed:
   1. Forty percent of the site in the UR zone.
   2. Fifty percent of the site in the R-1 through R-6 zones.
   3. Sixty percent of the site in the R-8 through R-48 zones

h. Impervious surface coverage shall not exceed:
   1. Sixty percent of the site in the UR zones.
   2. Seventy percent of the site in the R-1 through R-6 zones.
   3. Eighty percent of the site in the R-8 through R-48 zones.

i. Buildings and structures shall not be closer than 30 feet to any property line, except for fences and backstops for ballfields which may be located within the 30 feet setback and except as provided in subsection j.

j. Single detached dwelling allowed as accessory to a school may be setback 10 feet from the property line.

k. The District shall provide for the necessary utilities, including the extension of sewer and water lines as may be required.

l. The District shall hold a public hearing on the request for a building permit on the proposed high school and may merge the public hearing for environmental review with this hearing. The hearing may be conducted by the Board of Directors, or where authorized by board policy, by a hearing examiner appointed by the School Board. The District shall provide notice of the hearing as follows:
   1. by posting the property;
   2. by publishing in a newspaper of general circulation in the general area where the proposed high school is located;
   3. by sending notices by first class mail to owners of property in an area within 500 feet of the proposed high school, provided such area shall be expanded as necessary to send mailed notices to at least 20 different property owners; and
   4. by sending notices to other residents of the District that have requested notice.

m. At a regularly scheduled or special Board meeting, the Board of Directors shall adopt findings of compliance with the development standards set forth in this section and/or adopt proposed actions necessary to reach compliance. Where a hearing examiner has been appointed, the Board of Directors shall review and adopt or reject the hearing examiner's proposed findings and/or proposed actions. The board may include in the record any information supporting its findings or any information from prior public meetings held on the same general subject at the discretion of the Board.

n. Copies of the findings and/or the proposed actions shall be mailed to all parties of record and to the County. "A party of record" is a person or group that testified at the public hearing or the County.

o. Any aggrieved party of record may request the Board of Directors to reconsider the findings within 20 calendar days of its adoption. An aggrieved party requesting reconsideration shall submit written evidence challenging the findings or otherwise specifically identify reasons why the District has failed to reasonably comply with the development standards set forth in this section. Within 30 calendar days after a request for reconsideration has been filed with the District, the Board of Directors may reconsider and revise the findings and/or proposed actions, or may decline to reconsider. Failure to act, or to initiate the process for

reconsideration by notifying the aggrieved party of record of intent to reconsider, within the 30-day period shall be deemed to constitute a decision not to reconsider.

p. the Board's final findings shall be attached to the District's building permit application, and such findings shall be deemed to constitute binding evidence of compliance with the development standards set forth in this section.

6/1/93 MS. SULLIVAN MOVE AMENDMENT TO AMENDMENT NO. 11 PASSED UNANIMOUSLY

10870

MS. SULLIVAN MOVE AMENDMENT NO. 11, AS AMENDED PASSED 8-1, BL "NO"

KING COUNTY ZONING CODE

RECEIVED
93 MAY 27 AM 11:55
CLERK
KING COUNTY COUNCIL

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 11 **OFFERED BY:** B.D.

TOPIC: Clarification of requirements for schools in urban residential zones.

SEE SUBSTITUTE
10 & 11

SECTION 332.

10870

K.C.C. 21A.08.050

A. GENERAL SERVICES LAND USES

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

		ZONE	RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
			AGRICULTURE	FOREST	MINERAL	RURAL	URBAN RESERVE	URBAN	RESIDENTIAL	NEIGHBORHOOD	BUSINESS	COMMUNITY	BUSINESS	REGIONAL	BUSINESS	OFFICE	INDUSTRIAL
SIC#	SPECIFIC LAND USE		A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	PERSONAL SERVICES:													
72	General Personal Service							C 26	C 26	P	P	P	P3	P3
7216	Drycleaning plants													P
7218	Industrial Launderers													P
7261	Funeral Home/Crematory						C4	C4	C4		P	P		
*	Cemetery, Columbarium or Mausoleum					P25 C5	P25 C5	P25 C5	P25 C5	P25	P25	P25 C5	P25	
*	Day care I		P6			P6	P6	P6	P6	P	P	P	P7	P7
*	Day care II					P8	P8	P8	P8	P	P	P	P8	P8
074	Veterinary Clinic		P9			P9 C10	P9 C10			P10	P10	P10		P
753	Automotive repair (1)										P	P		P
754	Automotive service									P11	P	P		P
76	Miscellaneous repair										P	P		P
866	Churches, synagogue, temple					P12 C	P12 C	P12 C	P12 C	P	P	P	P	
83	Social Services (2)					P12 C13	P12 C13	P12 C13	P12 C13	P13	P	P	P	
*	Stable		P14 C			P14 C	P14 C	P 14 C						
*	Kennel or Cattery					C	C				C	P		
	HEALTH SERVICES:													
801-04	Office/Outpatient Clinic					P12 C 13	P12 C 13	P12 C 13	P12 C 13	P	P	P	P	P
*805	Nursing and personal care facilities								C		P	P		
806	Hospital							C13	C13		P	P	C	
807	Medical/Dental Lab										P	P	P	P
808-09	Miscellaneous Health										P	P	P	
	EDUCATION SERVICES:													
*	Elementary or Middle/Junior High School					P16 C15	P	P	P					
*	Secondary or High School					P16 C15	P27 ((~~e~~))	P27 ((~~e~~))	P27 ((~~e~~))		C	C		
*	Vocational School					P13 C	P13 C	P13 C	P13 C			P	P17	P
*	Specialized Instruction School			P18		P19 C20	P19 C20	P19 C20	P19 C20	P	P	P	P17	P
*	School District Support Facility					C 24	P 24 C	P 24 C	P 24 C	C	P	P	P	P
*	Interim Recycling Facility		P 21	P21	P21	P 22		P 22	P 22	P 23	P 23	P		P

GENERAL CROSS REFERENCES:

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

21A.08.050 B. DEVELOPMENT CONDITIONS.

1. Except SIC Industry No. 7534-Tire Retreading, see manufacturing permitted use table.
2. Except SIC Industry Group Nos.:
   a. 835-Day Care Services, and
   b. 836-Residential Care, which is otherwise provided for on the residential permitted land use table.
3. Limited to SIC Industry Group and Industry Nos.:
   a. 723-Beauty Shops;
   b. 724-Barber Shops;
   c. 725-Shoe Repair Shops and Shoeshine Parlors;
   d. 7212-Garment Pressing and Agents for Laundries and Drycleaners;
   e. 7217-Carpet and Upholstery Cleaning.
4. Only as an accessory to a cemetery.
5. Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.
6. Only as an accessory to residential use, provided:
   a. Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates, and have a minimum height of six feet; and
   b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones.
7. Permitted as an accessory use, see commercial/industrial accessory, K.C.C. 21A.08.060A.
8. Only as a re-use of a public school facility subject to the provisions of K.C.C. 21A.32, or an accessory use to a school or church, provided:
   a. Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates and have a minimum height of six feet;
   b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
   c. Direct access to a developed arterial street shall be required in any residential zone; and
   d. Hours of operation may be restricted to assure compatibility with surrounding development. 9. As a home occupation only, provided that the square footage limitations in K.C.C. 21A.30 for home occupations applies only to the office space for the clinic, and provided further that:
   a. Boarding or overnight stay of animals is allowed only on sites of 5 acres or more;
   b. No burning of refuse or dead animals is allowed;
   c. The portion of the building or structure in which animals are kept or treated shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be surrounded by an eight-foot solid wall and surfaced with concrete or other impervious material; and
   d. The provisions of 21A.30 relative to animal keeping are met.
10. a. No burning of refuse or dead animals is allowed;
   b. The portion of the building or structure in which animals are kept or treated shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be surrounded by an eight-foot solid wall and surface with concrete or other impervious material; and
   c. The provisions of 21A.30 relative to animal keeping are met.
11. Only as an accessory to a gasoline service station, see retail and wholesale permitted use table.
12. Only as a re-use of a public school facility subject to the provisions of K.C.C. 21A.32.
13. Only as a re-use of a surplus non-residential facility subject to K.C.C. 21A.32.
14. Covered riding arenas are subject to the provisions of 21A.30.030 and shall not exceed 20,000 square feet provided that; stabling areas, whether attached or detached, shall not be counted in this calculation.
15. Limited to projects which do not require or result in an expansion of the sewer local service area (LSA), unless a finding is made that no cost effective alternative technologies are feasible, in which case a tightline to a sewer sized only to meet the needs of the school may be used.
16. a. Only as a re-use of a public school facility subject to the provisions of K.C.C. 21A.32. An expansion of such school facility shall be subject to approval of a conditional use permit and the expansion shall not require or result in an extension of the sewer local service area (LSA), unless a finding is made that no cost effective alternative technologies are feasible, in which case a tightline to a sewer sized only to meet the needs of the school may be used.

((~~b. Expansion of elementary or middle school facilities in rural zones by the addition of relocatable facilities on existing school sites is a permitted use.~~

~~c. Relocatable facilities sited at high schools or secondary schools are a permitted use.~~

~~d. The renovation, expansion, modernization, and/or reconstruction of existing high schools or secondary schools is a permitted use.~~

~~e. The renovation, expansion, modernization, and/or reconstruction of existing elementary or middle/junior high schools is a permitted use.~~))

b. Renovation, expansion, modernization, reconstruction or the addition of relocatable facilities is permitted but shall not require or result in an expansion of the sewer local service area (LSA), unless a finding is made that no cost effective alternative technologies are feasible, in which case a tightline to a sewer sized only to meet the needs of the school may be used.

17. All instruction must be within an enclosed structure.

18. Limited to resource management education programs.

19. Only as an accessory to residential use, provided:

a. Students are limited to twelve per one hour session,

b. All instruction must be within an enclosed structure, and

c. Structures used for the school shall maintain a distance of 25 feet from property lines adjoining residential zones.

20. Subject to the following:

a. Structures used for the school and accessory uses shall maintain a minimum distance of 25 feet from property lines adjoining residential zones; and

b. On lots over 2.5 acres:

i. Retail sales of items related to the instructional courses is permitted, provided total floor area for retail sales is limited to 2,000 square feet;

ii. Sales of food prepared in the instructional courses is permitted, provided total floor area for food sales is limited to 1,000 square feet and is located in the same structure as the school.

iii. Other incidental student-supporting uses are allowed, provided such uses are found to be both compatible with and incidental to the principal use.

21. Limited to source-separated organic waste processing facilities.

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

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

24. Only when adjacent to an existing or proposed school.

25. Limited to columbariums accessory to a church provided that required landscaping and parking are not reduced.

26. Not permitted in R-1 and limited to a maximum of 5,000 square feet per establishment and subject to the additional requirements in K.C.C. 21A.12 .230.

27. a. New high schools shall be permitted in urban residential and urban reserve zones subject to the ~~special~~ ((~~development standards~~)) review process set forth ((~~below~~)) in Section 21A.42.140.

((~~a. New high schools sites shall abut or be accessible from a public street functioning as an arterial per the King County Design Standards.~~

~~b. The impacts of traffic on the neighborhood shall be addressed pursuant to the State Environmental Policy Act, Chapter 43.21C RCW, and/or through the payment of road impact fees.~~

~~c. The District shall comply with the requirements and procedures for determining parking spaces set forth in K.C.C. chapter 21A.18 governing parking and circulation.~~

~~d. Parking areas shall be permitted within the required setback areas from the property lines, provided such parking areas are located outside of the required landscape area. The required setbacks for the purposes of determining the parking areas and the height limits are as follows:~~

~~1. Minimum street setbacks:~~

~~a. 30 feet in the UR and R-1 zones.~~

~~b. 10 feet in the R-4 to R-48 zones.~~

~~2. Minimum interior setbacks:~~

~~a. 10 feet in the UR and R-1 zones.~~

~~b. 5 feet in the R-4 to R-48 zones.~~

~~e. The base height of the building shall be as follows:~~

~~1. 35 feet in the UR zone and in the R-1 through R-8 zones.~~

~~2. 60 feet in R-12 to R-24 zones.~~

~~3. 80 feet in the R-48 zone.~~

~~f. Height limits may be increased when portions of the structure which exceed the base height limit provide one additional foot of street setback and one additional foot of interior setback for each additional foot above the base height limit. The street setbacks and interior setbacks for determining increases in height limits are set forth in subsection d.~~

~~g. Building coverage shall not exceed:~~

~~1. Forty percent of the site in the UR zone.~~

~~2. Fifty percent of the site in the R-1 through R-6 zones.~~

~~3. Sixty percent of the site in the R-8 through R-48 zones~~

~~h. Impervious surface coverage shall not exceed:~~

~~1. Sixty percent of the site in the UR zones.~~

~~2. Seventy percent of the site in the R-1 through R-6 zones.~~

~~3. Eighty percent of the site in the R-8 through R-48 zones.~~

~~i. Buildings and structures shall not be closer than 30 feet to any property line, except for fences and backstops for ballfields which may be located within the 30 feet setback and except as provided in subsection j.~~

~~j. Single detached dwelling allowed as accessory to a school may be setback 10 feet from the property line.~~

~~k. The District shall provide for the necessary utilities, including the extension of sewer and water lines as may be required.~~

~~l. The District shall hold a public hearing on the request for a building permit on the proposed high school and may merge the public hearing for environmental review with this hearing. The hearing may be conducted by the Board of Directors, or where authorized by board policy, by a hearing examiner appointed by the School Board. The District shall provide notice of the hearing as follows:~~

~~1. by posting the property;~~

~~2. by publishing in a newspaper of general circulation in the general area where the proposed high school is located;~~

~~3. by sending notices by first class mail to owners of property in an area within 500 feet of the proposed high school, provided such area shall be expanded as necessary to send mailed notices to at least 20 different property owners; and~~

~~4. by sending notices to other residents of the District that have requested notice.~~

~~m. At a regularly scheduled or special Board meeting, the Board of Directors shall adopt findings of compliance with the development standards set forth in this section and/or adopt proposed actions necessary to reach compliance. Where a hearing examiner has been appointed, the Board of Directors shall review and adopt or reject the hearing examiner's proposed findings and/or proposed actions. The board may include in the record any information supporting its findings or any information from prior public meetings held on the same general subject at the discretion of the Board.~~

~~n. Copies of the findings and/or the proposed actions shall be mailed to all parties of record and to the County. "A party of record" is a person or group that testified at the public hearing or the County.~~

~~o. Any aggrieved party of record may request the Board of Directors to reconsider the findings within 20 calendar days of its adoption. An aggrieved party requesting reconsideration shall submit written evidence challenging the findings or otherwise specifically identify reasons why the District has failed to reasonably comply with the development standards set forth in this section. Within 30 calendar days after a request for reconsideration has been filed with the District, the Board of Directors may reconsider and revise the findings and/or proposed actions, or may decline to reconsider. Failure to act, or to initiate the process for reconsideration by notifying the aggrieved party of record of intent to reconsider, within the 30-day period shall be deemed to constitute a decision not to reconsider.~~

~~p. the Board's final findings shall be attached to the District's building permit application, and such findings shall be deemed to constitute binding evidence of compliance with the development standards set forth in this section.))~~

AMENDMENTS to AMENDMENT 11 on SITING NEW HIGH SCHOOL IN THE URBAN AREA

27. a. New high schools shall be permitted in urban residential and urban reserve zones subject to the ~~special~~ review process set forth in Section 21A.42.140.

b. Renovation, expansion, modernization, reconstruction or the addition of relocatable facilities is permitted.

21A.42.140 ~~Special~~ Review Process ~~For~~ High Schools. A. The School District shall hold a public hearing on the request for a building permit on the proposed high school and may merge the public hearing for environmental review with this hearing. The hearing shall address the proposal's compliance with the applicable development standards and whether the impacts of traffic on the neighborhood have been addressed pursuant to the State Environmental Policy Act, Chapter 43.21C RCW, and/or through the payment of road impact fees. The hearing may be conducted by the Board of Directors, or where authorized by Board policy, by a hearing examiner appointed by the School Board. The District shall provide notice of the hearing as follows:

1. by posting the property;
2. by publishing in a newspaper of general circulation in the general area where the proposed high school is located;
3. by sending notices by first class mail to owners of property in an area within 500 feet of the proposed high school, provided such area shall be expanded as necessary to send mailed notices to at least 20 different property owners; and
4. by sending notices to other residents of the District that have requested notice.

B. At a regularly scheduled or special Board meeting, the Board of Directors shall adopt findings of compliance with the development standards -and/or adopt proposed actions necessary to reach compliance. Where a hearing examiner has been appointed, the Board of Directors shall review and adopt or reject the hearing examiner's proposed findings and/or proposed actions. The Board may include in the record any information supporting its findings or any information from prior public meetings held on the same general subject at the discretion of the Board.

C. Copies of the findings and/or the proposed actions shall be mailed to all parties of record and to the County.

D. Any aggrieved party of record may request the Board of Directors to reconsider the findings within 20 calendar days of its adoption. An aggrieved party requesting reconsideration shall submit written evidence challenging the findings or otherwise specifically identify reasons why the District has failed to reasonably comply with the development standards set forth in this section. Within 30 calendar days after a request for reconsideration

has been filed with the District, the Board of Directors may reconsider and revise the findings and/or proposed actions, or may decline to reconsider. Failure to act, or to initiate the process for reconsideration by notifying the aggrieved party of record of intent to reconsider, within the 30-day period shall be deemed to constitute a decision not to reconsider.

E. The Board's final findings shall be attached to the District's building permit application and shall be considered as prima facie evidence of compliance with the applicable King County development standards.

b. Renovation, expansion, modernization, reconstruction or the addition of relocatable facilities is permitted.

21A.42.140 Special Review Process - High Schools. A. The School District shall hold a public hearing on the request for a building permit on the proposed high school and may merge the public hearing for environmental review with this hearing. The hearing may be conducted by the Board of Directors, or where authorized by board policy, by a hearing examiner appointed by the School Board. The District shall provide notice of the hearing as follows:

1. by posting the property;
2. by publishing in a newspaper of general circulation in the general area where the proposed high school is located;
3. by sending notices by first class mail to owners of property in an area within 500 feet of the proposed high school, provided such area shall be expanded as necessary to send mailed notices to at least 20 different property owners; and
4. by sending notices to other residents of the District that have requested notice.

B. At a regularly scheduled or special Board meeting, the Board of Directors shall adopt findings of compliance with applicable King County development standards or adopt proposed actions necessary to reach compliance. Where a hearing examiner has been appointed, the Board of Directors shall review and adopt or reject the hearing examiner's proposed findings and/or proposed actions. The board may include in the record any information supporting its findings or any information from prior public meetings held on the same general subject at the discretion of the Board.

C. Copies of the findings and/or the proposed actions shall be mailed to all parties of record and to the County.

D. Any aggrieved party of record may request the Board of Directors to reconsider the findings within 20 calendar days of its adoption. An aggrieved party requesting reconsideration shall submit written evidence challenging the findings or otherwise specifically identify reasons why the District has failed to reasonably comply with the applicable King County development standards. Within 30 calendar days after a request for reconsideration has been filed with the District, the Board of Directors may reconsider and revise the findings and/or proposed actions, or may decline to reconsider. Failure to act, or to initiate the process for reconsideration by notifying the aggrieved party of record of intent to reconsider, within the 30-day period shall be deemed to constitute a decision not to reconsider.

E. The Board's final findings shall be attached to the District's building permit application and shall be considered as prima facie evidence of compliance with the applicable King County development standards.

6/1/93 MR. DERDOWSKI MOVE AMENDMENT 12. PASSED 5-4. AG, CS, RS, PB "NO"
6/7/93 MR. NICKELS MOVE RECONSIDER. PASSED 5-3, KP, BD, PB, "NO", BL EXC.
6/7/93 MR. NICKELS MOVE DO NOT PASS PASSED 5-4, AG, BL, KP, BD "NO"

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93 MAY 27 AM 11:57
CLERK
KING COUNTY COUNCIL

10870

KING COUNTY ZONING CODE
ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 12 **OFFERED BY:** Derdowski

TOPIC: Churches

Amend permitted use tables to allow churches in the I (Industrial) zone.

6/1/93 MS. SULLIVAN MOVE AMENDMENT AS AMENDED
PASSED 7-0, PB, BL EXC.

10870

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93 MAY 27 AM 11:56
CLERK
KING COUNTY COUNCIL

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 13 **OFFERED BY:** Sullivan

TOPIC: Building coverage and impervious surface requirements for small clustered lots. This amendment permits clustered development on small lots (less than 5000 square feet) in the R-4 through R-8 zones to utilize the building coverage and impervious surface restrictions of the R-12 zone.

SECTION 340.

21A.12.030 A Densities and Dimensions - Residential Zones

ZONES	RESIDENTIAL											
	RURAL			URBAN RESERVE	URBAN RESIDENTIAL							
STANDARDS	RA-2.5	RA-5	RA-10	UR	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Base Density: Dwelling Unit/Acre	0.4 du/ac	0.2 du/ac	0.1 du/ac	0.2 du/ac	1 du/ac	4 du/ac (6)	6 du/ac	8 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac
Maximum Density: Dwelling Unit/Acre (1)						6 du/ac	9 du/ac	12 du/ac	18 du/ac	27 du/ac	36 du/ac	72 du/ac
Minimum Density: % of Base Density (2)						85%	85%	85%	80%	75%	70%	65%
Minimum Lot Width: (3)	135 ft	135 ft	135 ft	35 ft (7)	35 ft (7)	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft
Minimum Street Setback (3)	30 ft	30 ft	30 ft	30 ft (7)	30 ft (7)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 FT (8)	10 FT (8)
Minimum Interior Setback (3)	35 ft (9)	35 ft (9)	35 ft (9)	10 ft (7)	10 ft (7)	5 ft	5 ft	5 ft	5 ft (10)	5 ft (10)	5 ft (10)	5 ft (10)
Base Height (4)	40 ft	40 ft	40 ft	35 ft	35 ft	35 ft	35 ft	35 ft	60 ft	60 ft	60 ft	60 ft 80 ft (14)
Maximum Building Coverage: Percentage (5)	4% (11) (12)	2% (11) (12)	1% (11) (12)	10 % (11) (12)	15% (11) (12)	35%	50%	55%	60%	60%	70%	70%
Maximum Impervious Surface: Percentage (5)	15% (13)	10% (13)	15% (13)	20% (13)	20%	45%	70%	75%	85%	85%	85%	90%

CLUSTER.AMD

21A.12.030 B. DEVELOPMENT CONDITIONS.

1. The maximum density may be achieved only through the application of residential density incentives or transfers of density credits pursuant to Chapters 21A.34 or 21A.36. Maximum density may only be exceeded pursuant to Section 21A.34.040 F. 1. f.

2. Also see Section 21A.12.060.

3. These standards may be modified under the provisions for zero-lot-line and townhouse developments.

4. Height limits may be increased when portions of the structure which exceed the base height limit provide one additional foot of street and interior setback for each foot above the base height limit, provided that the maximum height may not exceed 75 feet.

5. Applies to each individual lot. Building coverage and impervious surface area standards for:

   a. regional uses shall be established at the time of permit review; or

   b. nonresidential uses in residential zones shall comply with K.C.C. 21A.12.120 and .220.

   ~~c. individual lots in the R-4 through R-8 zones which are less than 5000 square feet in area shall be subject to the applicable provisions of the R-12 zone.~~ (See substitute language)

6. Mobile home parks shall be allowed a base density of six dwelling units per acre.

7. The standards of the R-4 zone shall apply if a lot is less than 15,000 square feet in area.

8. At least 20 linear feet of driveway shall be provided between any garage, carport, or other fenced parking area and the street property line. The linear distance shall be measured along the centerline of the driveway from the access point to such garage, carport or fenced area to the street property line.

9. Residences shall have a setback of at least 100 feet from any property line adjoining A, M or F zones or existing extractive operations.

10. For townhouse and apartment development, the setback shall be 20 feet along any property line abutting R-1 through R-8, RA and UR zones.

11. On any lot over 1 acre in area, an additional 5 percent may be used for buildings related to agricultural or forestry practices.

12. The maximum building coverage shall be 10 percent where the lot is between 1.0 and 1.25 acres in area. The maximum building coverage shall be 15 percent where the lot is less than 1 acre in area.

13. The impervious surface area shall be twenty percent when the lot is between 1.0 and 1.25 acres, and thirty-five percent when the lot is less than 1 acre in area.

14. The base height for projects using residential density incentives and transfer of density credits pursuant to this title is 80 feet. In all other cases, the base height is 60 feet.

6/1/93 MS. SULLIVAN MOVE SUBSTITUTE LANGUAGE FOR
AMENDMENT NO. 13 21A.12.030 B.5.c
PASSED 8-0, BL EXC.

KING COUNTY ZONING CODE

10870

ORDINANCE NUMBER 91-729

SUBSTITUTE LANGUAGE FOR
AMENDMENT NUMBER: 13 **OFFERED BY:** SULLIVAN

TOPIC: Building coverage and impervious surface requirements for small clustered lots.

Amend 21A.12.030 B, paragraph 5c to read as follows:

c. individual lots in the R-4 through R-8 zones which are less than 6500 square feet in area shall be subject to the applicable provisions of the R-8 zone.

6/I/93 MR: SIMS/MR: PULLEN MOVE AMENDMENT NO: 14
PASSED 4-3, GN, LP, AG "NO", PB, BL, EXC.

10870

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93 MAY 27 AM 11:56

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KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 14 **OFFERED BY:** Pullen, Sims

TOPIC: Impervious surface limitations for nonresidential uses in the rural and urban residential zones.

SECTION 359.

21A.12.220 Nonresidential land uses in residential zones. Except for utility facilities, personal service and retail establishments, and uses listed in K.C.C. 21A.08.100, all nonresidential uses located in the RA, UR, or R zones shall be subject to the following requirements:

A. Building coverage shall not exceed:
   1. Twenty percent of the site in the RA zone.
   2. Forty percent of the site in the UR and the R-1 through R-8 zones.
   3. Sixty percent of the site in the R-12 through R-48 zones.

B. Impervious surface coverage shall not exceed:
   1. ((~~Thirty five~~)) forty percent of the site in the RA zone.
   2. ((~~Sixty~~)) seventy percent of the site in the UR and the R-1 through R-8 zones.
   3. Eighty percent of the site in the R-12 through R-48 zones.

C. Buildings and structures, except fences and wire or mesh backstops, shall not be closer than 30 feet to any property line, except as provided in subsection D.

D. Single detached dwelling allowed as accessory to a church or school shall conform to the setback requirements of the zone.

E. Parking areas are permitted within the required setback area from property lines, provided such parking areas are located outside of the required landscape area.

F. Sites shall abut or be accessible from at least one public street functioning at a level consistent with King County Road Design Standards. New high school sites shall abut or be accessible from a public street functioning as an arterial per the King County Design Standards.

G. The base height shall conform to the zone in which the use is located.

H. Building illumination and lighted signs shall be designed so that no direct rays of light are projected into neighboring residences or onto any street right-of-way

6/1/93 MR. DERDOWSKI MOVE AMENDMENT NO. 15
FAILED 4-4, BD, AG, RS, KP "YES" BL EXC.

10870

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 15 **OFFERED BY:** Derdowski

TOPIC: Convenience services in residential zones (21A.12)

Delete Section 360, (proposed 21A.12.230) which provides for personal services and retail uses in residential zones.

6/1/93 MS. SULLIVAN MOVE AMENDMENT NO. 16:
MR. DERDOWSKI MOVE DELETE "EIGHT" insert "ELEVEN"
FAILED 1-8, BD "YES"
VOTING ON CS MOTION, PASSED UNANIMOUSLY

10870

KING COUNTY ZONING CODE

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93 MAY 27 AM 11:55
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ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 16 **OFFERED BY:** Sullivan

TOPIC: Modification to the building facade modulation requirements.

SECTION I.

21A.14.090 Attached dwellings and group residences - Building facade modulation. Apartment and townhouse developments and all group residences shall provide building facade modulation on facades exceeding 60 feet and facing abutting streets or properties zoned R-1 through R-8. The following standards shall apply:

A. The maximum wall length without modulation shall be 30 feet and;

B. ((~~The minimum modulation depth shall be three feet; and~~

~~C. The minimum modulation width shall be eight feet.~~)) The sum of the modulation depth and the modulation width shall be no less than eight feet. Neither the modulation depth nor the modulation width shall be less than two feet.

modul.amd

6/7/93 MS. SULLIVAN MOVE AMENDMENT NO. 17, PASSED 8-0, RS EXC.

10870

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93 MAY 27 AM 11:56
CLERK
KING COUNTY COUNCIL

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 17 **OFFERED BY:** Sullivan

TOPIC: On-site recreation space.

This amendment eliminates the requirement that required outdoor recreation areas be at least 5000 square feet, since this would be too onerous for small projects.

SECTION 378.

21A.14.180 On-site recreation - Space required. A. Residential developments if more than four units in the UR and R zones, and mixed use developments if more than four units, shall provide recreation space for leisure, play and sport activities as follows:

1. Residential subdivision and townhouses developed at a density of eight units or less per acre - 390 square feet per unit;
2. Mobile home park - 260 square feet per unit; and
3. Apartment,townhouses developed at a density of greater than eight units per acre, and mixed use:
   a. Studio and one bedroom - 90 square feet per unit;
   b. Two bedroom - 130 square feet per unit; and
   c. Three or more bedroom - 170 square feet per unit;

B. Any recreation space located outdoors shall:

1. Be of a grade and surface suitable for recreation;
2. Be on the site of the proposed development;

((~~3. Contain at least 5,000 square feet in area, provided that when more than one recreation space is proposed, only one of the proposed recreation spaces is required to meet the area requirement;~~))

((~~4.~~))3. Have no dimensions less than ((~~30~~)) 20 feet (except trail segments);

((~~5.~~))4. In single detached or townhouse subdivision development with at least 5000 square feet of required outdoor recreation space, have a street roadway or parking area frontage along 10 to 50 percent of the recreation space perimeter (except trail segments);

((~~6.~~))5. Be centrally located and accessible and convenient to all residents within the development ; and

((~~7.~~))6. Be connected by trail or walkway to any existing or planned community park, public open space or trail system, which may be located on adjoining property.

C. Indoor recreation areas may be credited towards the total recreation space requirement, when the county determines that such areas are located, designed and improved in a manner which provides recreational opportunities functionally equivalent to those recreational opportunities available outdoors.

6/1/93 MR. DERDOWSKI WITHDREW AMENDMENT NO. 18.

10870

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 18 **OFFERED BY:** Derdowski

TOPIC: Tree Retention & Landscaping

Amend Section 387 (proposed 21A.16.020) to apply the requirements only to residential, commercial and industrial properties (excluding rural and resource areas) as follows:

SECTION 387.

21A.16.020 Application. Except for communication facilities regulated pursuant to K.C.C. 21A.26, all new development listed in K.C.C. 21A.16.030 in the residential, commercial or industrial zones shall be subject to the landscaping and significant tree retention provisions of this chapter, provided that specific landscaping and tree retention provisions for uses established through a conditional use permit or a special use permit shall be determined during the applicable review process . For the purpose of this chapter, a new development is one that requires a change of occupancy permit or a substantial improvement as defined in K.C.C. 21A.06.

6/1/93 MR. NICKELS MOVE AMENDMENT NO. 19
FAILED 2-6, GN, LP "YES", CS EXC.

KING COUNTY ZONING CODE 10870

ORDINANCE NUMBER 91-729

RECEIVED
93 MAY 27 AM 11:56
CLERK
KING COUNTY COUNCIL

AMENDMENT NUMBER: 19 **OFFERED BY:** Nickels

TOPIC: Limitation on parked and stored vehicles in urban residential zones.

This amendment limits the number of vehicles which can be parked or stored on a single family lot.

SECTION 415.

21A.18.110 Off-street parking plan design standards.

A. Off-street parking areas shall not be located more than 500 feet from the building they are required to serve for all uses except those specified below; where the off-street parking areas do not abut the buildings they serve, the required maximum distance shall be measured from the nearest building entrance that the parking area serves:

1. For all single detached dwellings the parking spaces shall be located on the same lot they are required to serve;

2. For all other residential dwellings at least a portion of parking areas shall be located within 100 feet from the building(s) they are required to serve; and

3. For all non-residential uses permitted in residential zones, the parking spaces shall be located on the same lot they are required to serve and at least a portion of parking areas shall be located within 150 feet from the nearest building entrance they are required to serve.

B. The minimum parking space and aisle dimensions for the most common parking angles are shown on chart below. For parking angles other than those shown on the chart, the minimum parking space and aisle dimensions shall be determined by the director. Regardless of the parking angle, one-way aisles shall be at least 10 feet wide, and two-way aisles shall be at least 20 feet wide. Parking plans for angle parking shall use space widths no less than eight feet six inches for a standard parking space design and eight feet for a compact car parking space design.

MINIMUM PARKING STALL AND AISLE DIMENSIONS.

A	B	C	D	E		F	
PARKING ANGLE	STALL WIDTH	CURB LENGTH	STALL DEPTH	AISLE WIDTH 1-WAY	2-	UNIT DEPTH 1-WAY	2-
0	8.0*	20.0*	8.0	12.0	20.0	**	**
	Min 8.5	22.5	8.5	12.0	20.0	29.0	37.0
	Desired 9.0	22.5	9.0	12.0	20.0	30.0	38.0
30	8.0*	16.0*	15.0	10.0	20.0	**	**
	Min 8.5	17.0	16.5	10.0	20.0	42.0	53.0
	Desired 9.0	18.0	17.0	10.0	20.0	44.0	54.0
45	8.0*	11.5*	17.0*	12.0	20.0	**	**
	Min 8.5	12.0		12.0	20.0	50.0	58.0
	Desired 9.0	12.5		12.0	20.0	51.0	59.0
60	8.0*	9.6*	18.0	18.0	20.0	**	**
	Min 8.5	10.0	20.0	18.0	20.0	58.0	60.0
	Desired 9.0	10.5	21A.0	18.0	20.0	60.0	62.0

90		8.0*	8.0*	16.0*	23.0	23.0	**	**
	Min	8.5	8.5	20.0	23.0	23.0	63.0	63.0
	Desired	9.0	9.0	20.0	23.0	23.0	63.0	63.0

* for compact stalls only
** variable with compact and standard combinations

C. Any parking spaces abutting a landscaped area on the driver or passenger side of the vehicle shall provide an additional 18 inches above the minimum space width requirement to provide a place to step other than in the landscaped area. The additional width shall be separated from the adjacent parking space by a parking space division stripe. The parking space depth may be reduced when vehicles overhang a walkway under the following conditions:

1. Wheelstops or curbs are installed; and
2. The remaining walkway provides a minimum of 60 inches of unimpeded passageway for pedestrians.

D. The amount of space depth reduction is limited to a maximum of 18 inches.

E. Driveways providing ingress and egress between off-street parking areas and abutting streets shall be designed, located and constructed in accordance with the provisions of K.C.C. 14.42, Road Standards. Driveways for single detached dwellings, no more than 20 feet in width, may cross required setbacks or landscaped areas in order to provide access between the off-street parking areas and the street, provided no more than 15 percent of the required landscaping or setback area is displaced by the driveway. Driveways for all other developments may cross required setbacks or landscaped areas in order to provide access between the off-street parking areas and the street, provided no more than 10 percent of the required landscaping or setback area is displaced by the driveway.

F. Required parking spaces shall be located outside of any required setbacks, provided driveways located in setbacks may be used for parking.

G. Lighting shall be provided for safety of traffic and pedestrian circulation on the site, as required by K.C.C.16.04, the Uniform Building Code. It shall be designed to minimize direct illumination of abutting properties and adjacent streets. The director shall have the authority to waive the requirement to provide lighting.

H. Tandem or end-to-end parking is allowed in residential developments. Apartment/townhouse developments may have tandem parking areas for each dwelling unit but shall not combine parking for separate dwelling units in tandem parking areas.

I. All vehicle parking and storage for single detached dwellings must be in a garage, carport or on an approved impervious surface. Any impervious surface used for vehicle parking or storage must have direct and unobstructed driveway access.

J. The total number of vehicles, including recreational vehicles and trailers, parked or stored outside of ~~an enclosed garage~~ on a single family lot in the R-4 through R-8 zones, shall not exceed four vehicles on lots 12,500 square feet or less and six vehicles on lots greater than 12,500 square feet.

~~a~~ building (friendly)

~~J.~~K. Vanpool/carpool parking areas shall meet the following minimum design standards:

1. A minimum vertical clearance of 7 feet 3 inches shall be provided to accommodate van vehicles if designated vanpool/carpool parking spaces are located in a parking structure; and
2. A minimum turning radius of 26 feet 4 inches with a minimum turning diameter (curb to curb) of 52 feet 5 inches shall be provided from parking aisles to adjacent carpool/vanpool parking spaces.

~~K.~~L. Direct access from the street right-of-way to off-street parking areas shall be subject to the requirements of K.C.C. 21A.28.120.

~~L.~~M. No dead-end alley may provide access to more than eight required off-street parking spaces.

~~M.~~N. Any parking stalls located in enclosed buildings must be totally within the enclosed building.

6/7/93
MR. SIMS MOVE TO RECONSIDER AMENDMENT 19. PASSED 7-2. KP. BD "NO"
MR. SIMS MOVE TO SUBSTITUTE AMENDMENT 19. PASSED UNANIMOUSLY
MR. SIMS MOVE TO PASS SUBSTITUTE AMENDMENT 19. PASSED 8-1. BD "NO"

KING COUNTY ZONING CODE 10870

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: _____ **OFFERED BY:** Nickels

TOPIC: Limitation on parked and stored vehicles in urban residential zones.

This amendment limits the number of vehicles which can be parked or stored on a single family lot.

SECTION 415.

21A.18.110 Off-street parking plan design standards.

A. Off-street parking areas shall not be located more than 500 feet from the building they are required to serve for all uses except those specified below; where the off-street parking areas do not abut the buildings they serve, the required maximum distance shall be measured from the nearest building entrance that the parking area serves:

1. For all single detached dwellings the parking spaces shall be located on the same lot they are required to serve;

2. For all other residential dwellings at least a portion of parking areas shall be located within 100 feet from the building(s) they are required to serve; and

3. For all non-residential uses permitted in residential zones, the parking spaces shall be located on the same lot they are required to serve and at least a portion of parking areas shall be located within 150 feet from the nearest building entrance they are required to serve.

B. The minimum parking space and aisle dimensions for the most common parking angles are shown on chart below. For parking angles other than those shown on the chart, the minimum parking space and aisle dimensions shall be determined by the director. Regardless of the parking angle, one-way aisles shall be at least 10 feet wide, and two-way aisles shall be at least 20 feet wide. Parking plans for angle parking shall use space widths no less than eight feet six inches for a standard parking space design and eight feet for a compact car parking space design.

MINIMUM PARKING STALL AND AISLE DIMENSIONS.

A	B	C	D	E		F	
PARKING ANGLE	STALL WIDTH	CURB LENGTH	STALL DEPTH	AISLE WIDTH 1-WAY	AISLE WIDTH 2-WAY	UNIT DEPTH 1-WAY	UNIT DEPTH 2-WAY
0	8.0*	20.0*	8.0	12.0	20.0	**	**
	Min 8.5	22.5	8.5	12.0	20.0	29.0	37.0
	Desired 9.0	22.5	9.0	12.0	20.0	30.0	38.0
30	8.0*	16.0*	15.0	10.0	20.0	**	**
	Min 8.5	17.0	16.5	10.0	20.0	42.0	53.0
	Desired 9.0	18.0	17.0	10.0	20.0	44.0	54.0
45	8.0*	11.5*	17.0*	12.0	20.0	**	**
	Min 8.5	12.0		12.0	20.0	50.0	58.0
	Desired 9.0	12.5		12.0	20.0	51.0	59.0
60	8.0*	9.6*	18.0	18.0	20.0	**	**
	Min 8.5	10.0	20.0	18.0	20.0	58.0	60.0
	Desired 9.0	10.5	21.0	18.0	20.0	60.0	62.0

90		8.0*	8.0*	16.0*	23.0	23.0	**	**
	Min	8.5	8.5	20.0	23.0	23.0	63.0	63.0
	Desired	9.0	9.0	20.0	23.0	23.0	63.0	63.0

10870

* for compact stalls only
** variable with compact and standard combinations

C. Any parking spaces abutting a landscaped area on the driver or passenger side of the vehicle shall provide an additional 18 inches above the minimum space width requirement to provide a place to step other than in the landscaped area. The additional width shall be separated from the adjacent parking space by a parking space division stripe. The parking space depth may be reduced when vehicles overhang a walkway under the following conditions:

1. Wheelstops or curbs are installed; and
2. The remaining walkway provides a minimum of 60 inches of unimpeded passageway for pedestrians.

D. The amount of space depth reduction is limited to a maximum of 18 inches.

E. Driveways providing ingress and egress between off-street parking areas and abutting streets shall be designed, located and constructed in accordance with the provisions of K.C.C. 14.42, Road Standards. Driveways for single detached dwellings, no more than 20 feet in width, may cross required setbacks or landscaped areas in order to provide access between the off-street parking areas and the street, provided no more than 15 percent of the required landscaping or setback area is displaced by the driveway. Driveways for all other developments may cross required setbacks or landscaped areas in order to provide access between the off-street parking areas and the street, provided no more than 10 percent of the required landscaping or setback area is displaced by the driveway.

F. Required parking spaces shall be located outside of any required setbacks, provided driveways located in setbacks may be used for parking.

G. Lighting shall be provided for safety of traffic and pedestrian circulation on the site, as required by K.C.C.16.04, the Uniform Building Code. It shall be designed to minimize direct illumination of abutting properties and adjacent streets. The director shall have the authority to waive the requirement to provide lighting.

H. Tandem or end-to-end parking is allowed in residential developments. Apartment/townhouse developments may have tandem parking areas for each dwelling unit but shall not combine parking for separate dwelling units in tandem parking areas.

I. All vehicle parking and storage for single detached dwellings must be in a garage, carport or on an approved impervious surface. Any impervious surface used for vehicle parking or storage must have direct and unobstructed driveway access.

J. The total number of vehicles parked or stored outside of a building on a single family lot in the R-4 through R-8 zones, excluding recreational vehicles and trailers, shall not exceed six vehicles on lots 12,500 square feet or less and eight vehicles on lots greater than 12,500 square feet.

~~J.~~K. Vanpool/carpool parking areas shall meet the following minimum design standards:

1. A minimum vertical clearance of 7 feet 3 inches shall be provided to accommodate van vehicles if designated vanpool/carpool parking spaces are located in a parking structure; and
2. A minimum turning radius of 26 feet 4 inches with a minimum turning diameter (curb to curb) of 52 feet 5 inches shall be provided from parking aisles to adjacent carpool/vanpool parking spaces.

~~K.~~L. Direct access from the street right-of-way to off-street parking areas shall be subject to the requirements of K.C.C. 21A.28.120.

~~L.~~M. No dead-end alley may provide access to more than eight required off-street parking spaces.

~~M.~~N. Any parking stalls located in enclosed buildings must be totally within the enclosed building.

6/1/93 MR: BARDEN MOVE AMENDMENT NO. 20
PASSED 8-0, CS EXC

10870

KING COUNTY ZONING CODE

RECEIVED
93 MAY 27 AM 11:56
CLERK
KING COUNTY COUNCIL

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 20 **OFFERED BY:** Barden

TOPIC: Exclusion of support structures in sign area calculations.

SECTION 423.

21A.20.050 Sign area calculation. A. Sign area for freestanding signs shall be calculated by determining the total surface area of the sign as viewed from any single vantage point, ((~~in~~))excluding support structures.

B. Sign area for letters or symbols painted or mounted directly on walls or fences shall be calculated by measuring the smallest single rectangle which will enclose the combined letters and symbols.

6/1/93 MRS. GRUGER MOVE AMENDMENT NO. 21
FAILED 3-5, AG, BD, RS "YES", CS EXC.
6/7/93 MR. PHILLIPS MOVE RECONSIDER NO. 21, PASSED 5-4, PB, KP, BL, CS "N
MR. PHILLIPS MOVE PASS NO. 21, PASSED 5-4, PB, KP, BL, CS "NO"

10870

KING COUNTY ZONING CODE

RECEIVED
93 MAY 27 AM 11:56
CLERK
KING COUNTY COUNCIL

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 21 **OFFERED BY:** Gruger

TOPIC: Sign height and area requirements.

These amendments exclude support structures from sign area calculations and reduce the height and area for commercial signs in the NB, CB and RB zones. These amendments also clarify the types of signs for purposes of calculating sign area (i.e. pole vrs. monument signs).

SECTION 262.

21A.06.1110 Sign, freestanding. Sign, freestanding: a sign standing directly upon the ground or having one or more supports standing directly upon the ground, and being detached from any building or ((~~structure~~)) fence.

SECTION 269.

21A.06.1145 Sign, permanent residential development identification. Sign, permanent residential development identification: a permanent((~~, freestanding~~)) sign identifying the residential development upon which the sign is located.

SECTION 273.

21A.06.1165 Sign, wall. Sign, wall: any sign painted on, or attached directly to and supported by a ((~~wall, facade,~~)) building or fence; with the exposed face of the sign on a plane parallel to the portion of the structure to which it is attached; projecting no more than one foot; including window signs which are permanently attached.

SECTION 423.

21A.20.050 Sign area calculation. A. Sign area for non-monument freestanding signs shall be calculated by determining the total surface area of the sign as viewed from any single vantage point, ((~~including~~)) excluding support structures.

B. Sign area for letters or symbols painted or mounted directly on wall((~~s~~)) or ((~~fences~~)) monument signs shall be calculated by measuring the smallest single rectangle which will enclose the combined letters and symbols.

C. Sign area for signs contained entirely within a cabinet and mounted on a wall or monument shall be calculated by measuring the entire area of the cabinet.

SECTION 429.

21A.20.095 Neighborhood business zone signs. Signs in the NB zones shall be limited as follows:

A. Wall signs are permitted, provided they do not total an area more than 10 percent of the building facade on which they are located;

B. Freestanding signs:

SIGN.AMD

1. One freestanding sign not exceeding 50 square feet is permitted for each street frontage of the lot, provided corner lots with a street frontage of less than 100 feet on each street shall be permitted only one freestanding sign;

2. Multiple tenant developments that have more than 300 feet of street frontage on one street may have one additional freestanding sign for each 300 feet of street frontage, or portion thereof. Such signs shall be separated from one another by a minimum of 150 feet, if located on the same street frontage;

3. On lots where more than one freestanding sign is permitted, the sign area permitted for individual freestanding signs may be combined; provided the combined sign does not exceed 150 square feet; and

4. The maximum height for freestanding signs shall be ((~~25~~)) 15 feet.

SECTION 430.

21A.20.100 Community business and Industrial zone signs. Signs in the CB and I zones shall be limited as follows:

A. Wall signs are permitted, provided they do not total an area more than 15 percent of the building facade on which they are located;

B. Freestanding signs:

1. One freestanding sign not exceeding ((~~100~~)) 85 square feet, plus an additional 20 square feet for each additional business in a multiple tenant structure but not to exceed ((~~160~~)) 145 square feet total, is permitted for each street frontage of the lot, provided corner lots with a street frontage of less than 100 feet on each street shall be permitted only one freestanding sign;

2. Multiple tenant developments that have more than 300 feet of street frontage on one street may have one additional freestanding sign for each 300 feet of street frontage, or portion thereof. Such signs shall be separated from one another by a minimum of 150 feet, if located on the same street frontage;

3. On lots where more than one freestanding sign is permitted, the sign area permitted for individual freestanding signs may be combined provided the combined sign area does not exceed ((~~300~~)) 250 square feet; and

4. The maximum height for freestanding signs shall be ((~~30~~)) 20 feet.

SECTION 431.

21A.20.110 Regional business zone signs. Signs in the RB zone shall be limited as follows:

A. Wall signs are permitted, provided they do not total an area more than 15 percent of the building facade on which they are located;

B. Freestanding signs;

1. One freestanding sign not exceeding ((~~200~~)) 170 square feet is permitted for each street frontage of the lot, provided corner lots with a street frontage of less than 100 feet on each street shall be permitted only one freestanding sign;

2. Multiple tenant developments that have more than 300 feet of street frontage on one street may have one additional freestanding sign for each 300 feet of street frontage, or portion thereof. Such signs shall be separated from one another by a minimum of 150 feet, if located on the same street frontage not exceeding 150 square feet;

3. On lots where more than one freestanding sign is permitted, the sign area permitted for individual freestanding signs may be combined; provided the combined sign area does not exceed 300 square feet; and

4. The maximum height for a freestanding sign shall be ((~~35~~)) 25 feet.

6/1/93 MRS. GRUGER WITHDREW AMENDMENT NO: 22

10870

RECEIVED

93 MAY 27 PM 12: 08

CLERK
KING COUNTY COUNCIL

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 22 **OFFERED BY:** Gruger

TOPIC: Deposits for political signs.

SECTION 432.

21A.20.120 Signs or displays of limited duration. The following temporary signs or displays are permitted and except as required by the Uniform Building Code, or as otherwise permitted in this chapter, do not require building permits:

A. Grand opening displays:

1. Signs, posters, pennants, strings of lights, blinking lights, balloons and searchlights are permitted for a period of up to one month to announce the opening of a new enterprise or the opening of an enterprise under new management; and

2. All grand opening displays shall be removed upon the expiration of 30 consecutive days;

B. Construction signs:

1. Construction signs identifying architects, engineers, planners, contractors or other individuals or firms involved with the construction of a building and announcing the character of the building or the purpose for which the building is intended may be displayed;

2. One nonilluminated, double-faced sign is permitted for each public street upon which the project fronts;

3. No sign shall exceed 32 square feet in surface area or ten feet in height, or be located closer than 30 feet from the property line of the adjoining property; and

4. Construction signs must be removed by the date of first occupancy of the premises or one year after placement of the sign, whichever occurs first;

C. Political Signs:

1. Signs, posters or bills promoting or publicizing candidates for public office or issues that are to be voted upon in a general or special election may be displayed on private property with the consent of the property owner. Any such sign, poster or bill shall be removed within ten days following the election; and

2. No sign, poster, bill or other advertising device shall be located on public property or within public easements or street right-of-way;

3. Political signs or posters may be placed on private property only, shall not be larger than 6 square feet in area, and shall not be posted upon or attached to telephone poles, power poles, or other public utility facilities. Such signs may be displayed 30 days prior to an election and must be removed 7 days after the election.

The candidate for whom the sign is displayed shall be responsible for its removal and be subject to the penalties as provided in the Zoning Code.

No political signs shall be placed except upon issuance of a special sign permit which shall be issued by the which shall be issued by General Services Division, License Section upon deposit of a sign removal guarantee deposit. Such deposit shall be in the amount determined by a fee schedule to be established by the Division of General Services Division. Such deposit shall be in the amount determined by a fee schedule to be established by the General Services Division.

D. Real estate signs. All temporary real estate signs may be single or double-faced signs.:

1. Signs advertising an individual residential unit for sale or rent shall be limited to one sign per street frontage. The sign may not exceed eight square feet in area, and shall not exceed six feet in height. The sign shall be removed within five days after closing of the sale, lease or rental of the property.

2. Portable off-premise residential directional signs announcing directions to an open house at a specified residence which is offered for sale or rent shall not exceed six square feet in area for each sign, and shall not exceed 42 inches in height. Such signs shall be permitted only when the agent or seller is in attendance at the property for sale or rent and
may be located on the right-of-way outside of vehicular and bicycle lanes.

3. On-site commercial or industrial property for sale or rent signs shall be limited to one sign per street frontage, and shall not exceed 32 square feet in area. The sign shall not exceed 12 feet in height. The sign shall be removed within 30 days after closing of the sale, lease or rental of the property. A building permit is required and shall be issued for a one year period. The permit is renewable for one year increments up to a maximum of three years.

4. On-site residential development for sale or rent signs shall be limited to one sign per development. The sign shall not exceed 32 square feet in area, and shall not exceed 12 feet in height. A building permit is required and shall be issued for a one year period. The permit is renewable annually for up to a maximum of three years

5.Off-site directional signs for residential developments shall be limited to six signs. Each sign shall not exceed 16 square feet in area, and shall include only the name of and directions to the residential development. The sign(s) shall be placed a maximum of two miles from the nearest residential development entrance. No two signs for one residential development shall be located closer than 500 feet from one another on the same street. A single building permit is required for all signs and shall be issued for a one year period. The permit number and the permit expiration date must be clearly displayed on the face of each sign. The permit is renewable for one year increments up to a maximum of three years, provided that extensions will only be granted if the sign permit applicant has complied with the applicable regulations.

6. Residential on-premise informational signs shall be limited to one sign per feature , including but not limited to signs for information centers, model homes, parking areas or announcing features such as parks, playgrounds, or trails. Each sign shall not exceed 16 square feet in area, and shall not exceed six feet in height.

E. Community event signs:

1. Community event signs shall be limited to announcing or promoting a non-profit sponsored community fair, festival or event;

2. Community event signs may be displayed no more than the time period specified in the temporary use permit issued pursuant to K.C.C. 21A.44; and

3. Community event signs shall be removed by the event sponsor within two weeks following the end of the community fair, festival or event.

6/1/93 MR. DERDOWSKI MOVE AMENDMENT NO. 23
FAILED 3-5, BD, LP, RS "YES" CS EXC

10870

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 23 **OFFERED BY:** Derdowski

TOPIC: SAO retention/detention facilities

Amend the SAO public agency exemption as follows to clarify that retention/detention facilities which are not regional in character are not allowed in sensitive areas under any circumstances:

SECTION 454.

21A.24.070 Exceptions. A. If the application of this chapter would prohibit a development proposal by a public agency or public utility, the agency or utility may apply for an exception pursuant to this subsection:

1. the public agency or utility shall apply to the department and shall make available to the department other related project documents such as permit applications to other agencies, special studies and SEPA documents. The department shall prepare a recommendation to the zoning and subdivision examiner;

2. the examiner shall review the application and conduct a public hearing pursuant to the provisions of K.C.C. 20.24.070. The examiner shall make a recommendation to the council based on the following criteria:

a. there is no other practical alternative to the proposed development with less impact on the sensitive area; and

b. the proposal minimizes the impact on sensitive areas;

3. this exception shall not allow the use of the following sensitive areas for regional retention/detention facilities except where there is a clear showing that the facility will protect public health and safety or repair damaged natural resources:

a. class 1 streams or buffers;

b. class 1 wetlands or buffers with plant associations of infrequent occurrence; or

c. class 1 or 2 wetlands or buffers which provide critical or outstanding habitat for herons, raptors or state or federal designated endangered or threatened species unless clearly demonstrated by the applicant that there will be no impact on such habitat.

4. This exception shall not allow the use of any of the sensitive areas specified in paragraph A3 for retention/detention in facilities other than regional facilities allowed by paragraph A3.

B. If the application of this chapter would deny all reasonable use of the property, the applicant may apply for an exception pursuant to this subsection:

1. the applicant shall apply to the department, and the department shall prepare a recommendation to the zoning and subdivision examiner. The applicant may apply for a reasonable use exception without first having applied for a variance if the requested exception includes relief from standards for which a variance cannot be granted pursuant to the provisions of K.C.C. 21A.44;

2. the examiner shall review the application in consultation with the prosecuting attorney and shall conduct a public hearing pursuant to the provisions of K.C.C. 20.24.080. The examiner shall make a final decision based on the following criteria:

a. the application of this chapter would deny all reasonable use of the property;

b. there is no other reasonable use with less impact on the sensitive area;

c. the proposed development does not pose an unreasonable threat to the public health, safety or welfare on or off the development proposal site and is consistent with the general purposes of this chapter and the public interest; and

d. any alterations permitted to the sensitive area shall be the minimum necessary to allow for reasonable use of the property; and

3. any authorized alteration of a sensitive area under this subsection shall be subject to conditions established by the examiner including, but not limited to, mitigation under an approved mitigation plan.

6/1/93 MR. DERDOWSKI MOVE AMENDMENT NO. 24
FAILED 3-6. BD. GN. AG. YES"

10870

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 24 OFFERED BY: Derdowski

TOPIC: SAO partial exemptions

Amend SAO as follows to allow decks and other structures to be extended within sensitive areas buffers.

SECTION 453.

21A.24.060 Partial exemptions. A. The following are exempt from the provisions of this chapter and any administrative rules promulgated thereunder, except for the notice on title provisions, K.C.C. 21A.24.170 - 21A.24.180, and the flood hazard area provisions, K.C.C. 21A.24.230 - 21A.24.270:

1. structural modification of, addition to or replacement of structures, except single detached residences, in existence before November 27, 1990 which do not meet the building setback or buffer requirements for wetlands, streams or steep slope hazard areas if the modification, addition, replacement or related activity does not increase the existing footprint of the structure lying within the above-described building setback area, sensitive area or buffer;

2. structural modification of, addition to or replacement of single detached residences in existence before November 27, 1990 which do not meet the building setback or buffer requirements for wetlands, streams or steep slope hazard areas if the modification, addition,replacement or related activity does not increase the existing footprint of the residence lying within the above-described buffer or building setback area by more than 1000 square feet over that existing before November 27, 1990 and no portion of the modification, addition or replacement is located closer than 25 feet to the sensitive area or, if the existing residence is in the sensitive area, extends farther into the sensitive area; and

3. maintenance or repair of structures which do not meet the development standards of this chapter for coal mine, landslide, seismic or volcanic hazard areas if the maintenance or repair does not increase the footprint of the structure and there is no increased risk to life or property as a result of the proposed maintenance or repair;

B. The grazing of livestock is exempt from the provisions of this chapter and any administrative rules promulgated thereunder, except for the livestock restriction provisions, K.C.C. 21A.24.320 and 21A.24.360, and any animal density limitations established by law, if the grazing activity was in existence before November 27, 1990;

C. A permit or approval sought as part of a development proposal for which multiple permits are required is exempt from the provisions of this chapter and any administrative rules

promulgated thereunder, except for the notice on title provisions, K.C.C. 21A.24.170 - 21A.24.180, if:

1. King County previously reviewed all sensitive areas on the site;
2. there is no material change in the development proposal since the prior review;
3. there is no new information available which is important to any sensitive area review of the site or particular sensitive area;
4. the permit or approval under which the prior review was conducted has not expired or, if no expiration date, no more than five years lapsed since the issuance of that permit or approval; and
5. the prior permit or approval, including any conditions, has been complied with.

6/1/93 MS: SULLIVAN MOVE AMENDMENT NO. 25
PASSED UNANIMOUSLY

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ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 25 OFFERED BY: Sullivan

TOPIC: Nonresidential structures in the zero-rise floodway.

This amendment clarifies that only residential structures and structures accessory to residential uses are subject to the limitations in paragraph F.

SECTION 472.

21A.24.250 Zero-rise floodway: development standards and permitted alterations. A. The requirements which apply to the flood fringe shall also apply to the zero-rise floodway. The more restrictive requirements shall apply where there is a conflict.

B. A development proposal including, but not limited to, new or reconstructed structures shall not cause any increase in the base flood elevation unless the following requirements are met:

1. amendments to the Flood Insurance Rate Map are adopted by FEMA, in accordance with 44 CFR 70, to incorporate the increase in the base flood elevation; and

2. appropriate legal documents are prepared in which all property owners affected by the increased flood elevations consent to the impacts on their property. These documents shall be filed with the title of record for the affected properties.

C. The following are presumed to produce no increase in base flood elevation and shall not require a special study to establish this fact:

1. new residential structures outside the FEMA floodway on lots in existence before November 27, 1990 which contain less than 5,000 square feet of buildable land outside the zero-rise floodway and which have a total building footprint of all proposed structures on the lot of less than 2,000 square feet;

2. substantial improvements of existing residential structures in the zero-rise floodway, but outside the FEMA floodway, where the footprint is not increased; or

3. substantial improvements of existing residential structures meeting the requirements for new residential structures in K.C.C. 21A.24.240.

D. Post or piling construction techniques which permit water flow beneath a structure shall be used.

E. All temporary structures or substances hazardous to public health, safety and welfare, except for hazardous household substances or consumer products containing hazardous substances, shall be removed from the zero-rise floodway during the flood season from September 30 to May 1.

F. New residential ((~~or non-residential~~)) structures <u>or any structure accessory to a residential use</u> shall meet the following requirements:

1. the structures shall be outside the FEMA floodway; and

6/7/93 MR. DERDOWSKI WITHDREW AMENDMENT NO. 26

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KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 26 **OFFERED BY:** Derdowski

TOPIC: Water supply requirements

Amend Section 514 as follows to require that water quantity needed by development proposal be available for approval of building permits, plats and other proposals:

SECTION 514.

21A.28.040 Adequate water supply. All new development shall be served by an adequate public or private water supply system as follows:

A. A public water system is adequate for a development proposal provided that:

1. For the issuance of a building permit, preliminary plat approval or other land use approval, the applicant must demonstrate that the existing water supply system available to serve the site:

a. currently has available quantity for use the quality of water sought by the applicant.

((a))b. complies with the applicable planning, operating and design requirements of WAC 246.290; K.C.C. 14.42 and K.C.C. 14.44 and K.C.C. Title 17; Coordinated Water system plans; K.C.C. Title 12, K.C.C. Title 13 and other applicable provisions of the rules and regulations of the King County board of health; and any limitation or condition imposed by the county-approved comprehensive plan of the water purveyor; and

((b))c. the proposed improvements to an existing water system have been reviewed by the department and determined to comply with the design standards and conditions specified in paragraph a of this subsection; or

((c))d. a proposed new water supply system has been reviewed by the department and determined to comply with the design standards and conditions specified in paragraph a of this subsection;.....

zoning.amd

2. the structures shall be on lots in existence before November 27, 1990 which contain less than 5000 square feet of buildable land outside the zero-rise floodway.

G. Utilities may be allowed within the zero-rise floodway if King County determines that no feasible alternative site is available, subject to the following requirements:

1. installation of new on-site sewage disposal systems shall be prohibited unless a waiver is granted by the Seattle/King County department of public health; and

2. construction of sewage treatment facilities shall be prohibited.

H. Critical facilities shall not be allowed within the zero-rise floodway except as provided in subsection J.

I. Livestock manure storage facilities and associated non-point source water pollution facilities designed, constructed and maintained to the standards of and approved in a conservation plan by the King County Conservation District may be allowed if King County reviews and approves the location and design of the facilities.

J. Structures and installations which are dependent upon the floodway may be located in the floodway if the development proposal is approved by all agencies with jurisdiction. Such structures include, but are not limited to:

1. dams or diversions for water supply, flood control, hydroelectric production, irrigation or fisheries enhancement;

2. flood damage reduction facilities, such as levees and pumping stations;

3. stream bank stabilization structures where no feasible alternative exists for protecting public or private property;

4. storm water conveyance facilities subject to the development standards for streams and wetlands and the Surface Water Design Manual;

5. boat launches and related recreation structures;

6. bridge piers and abutments; and

7. other fisheries enhancement or stream restoration projects.

6/7/93 MS. SULLIVAN MOVE AMENDMENT NO. 27, PASSED 8-0, LP EXC.

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ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 27 **OFFERED BY:** Sullivan

TOPIC: Expansion of nonconforming uses.

This amendment eliminates unnecessary criteria for establishing an expansion of a nonconforming use, since the conditional use or special use criteria already applies.

SECTION 546.

21A.32.090 Nonconformance - expansion of nonconformance. A nonconformance may be expanded subject to approval of a conditional use permit or a special use permit, whichever permit is required under existing codes, or if no permit is required through a conditional use permit, provided:

A. A nonconformance with the development standard provisions of K.C.C. 21A.12 through 21A.30 shall not be created or increased;

B. The proposal complies with the development standards of K.C.C. 21A.12 through 21A.30 to the extent feasible;

((~~C. Approval of such proposal shall be based on a finding that the expansion:~~

~~1. Does not allow an expansion that would be detrimental to adjacent uses; and~~

~~2. Improves aspects of safety or function of the nonconformance;~~)) and

((~~D.~~))C. Expansions involving environmentally sensitive areas shall be subject to the provisions of K.C.C. 21A.24.

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6/7/93 MR. DERDOWSKI MOVE AMENDMENT 28. FAILED 3-6, BD, AG, KP "YES"

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ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 28 **OFFERED BY:** UAC

TOPIC: Minimum Densities: Chapter 21A.12

The UAC recommends deleting the mandatory minimum density requirements and instead allowing communities, through the community planning process, to designate areas appropriate for minimum density provisions. The following changes to the dimensional chart implements this recommendation.

SECTION 340

21A.12.030 A Densities and Dimensions - Residential Zones

STANDARDS / ZONES	RESIDENTIAL											
	RURAL			URBAN RESERVE	URBAN RESIDENTIAL							
	RA-2.5	RA-5	RA-10	UR	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Base Density: Dwelling Unit/Acre	0.4 du/ac	0.2 du/ac	0.1 du/ac	0.2 du/ac	1 du/ac	4 du/ac (6)	6 du/ac	8 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac
Maximum Density: Dwelling Unit/Acre (1)						6 du/ac	9 du/ac	12 du/ac	18 du/ac	27 du/ac	36 du/ac	72 du/ac
((~~Minimum Density: % of Base Density (2)~~))						((~~85%~~))	((~~85%~~))	((~~85%~~))	((~~80%~~))	((~~75%~~))	((~~70%~~))	((~~65%~~))
Minimum Lot Width: (3)	135 ft	135 ft	135 ft	35 ft (7)	35 ft (7)	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft
Minimum Street Setback (3)	30 ft	30 ft	30 ft	30 ft (7)	30 ft (7)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)
Minimum Interior Setback (3)	35 ft (9)	35 ft (9)	35 ft (9)	10 ft (7)	10 ft (7)	5 ft	5 ft	5 ft	5 ft (10)	5 ft (10)	5 ft (10)	5 ft (10)
Base Height (4)	40 ft	40 ft	40 ft	35 ft	35 ft	35 ft	35 ft	35 ft	60 ft	60 ft	60 ft	60 ft 80 ft (14)
Maximum Building Coverage: Percentage (5)	4% (11) (12)	2% (11) (12)	1% (11) (12)	10 % (11) (12)	15% (11) (12)	35%	50%	55%	60%	60%	70%	70%
Maximum Impervious Surface: Percentage (5)	15% (13)	10% (13)	15% (13)	20% (13)	20%	45%	70%	75%	85%	85%	85%	90%

21A.12.030 B. DEVELOPMENT CONDITIONS.

1. The maximum density may be achieved only through the application of residential density incentives ((~~or transfers of density credits~~)) pursuant to Chapters 21A.34 ((~~or 21A.36~~)). ((~~Maximum density may only be exceeded pursuant to Section 21A.34.040 F. 1. f.~~))

((~~2. Also see Section 21A.12.060.~~))

3. These standards may be modified under the provisions for zero-lot-line and townhouse developments.

4. Height limits may be increased when portions of the structure which exceed the base height limit provide one additional foot of street and interior setback for each foot above the base height limit, provided that the maximum height may not exceed 75 feet.

5. Applies to each individual lot. Building coverage and impervious surface area standards for:

   a. regional uses shall be established at the time of permit review; or

   b. nonresidential uses in residential zones shall comply with K.C.C. 21A.12.120 and .230.

6. Mobile home parks shall be allowed a base density of six dwelling units per acre.

7. The standards of the R-4 zone shall apply if a lot is less than 15,000 square feet in area.

8. At least 20 linear feet of driveway shall be provided between any garage, carport, or other fenced parking area and the street property line. The linear distance shall be measured along the centerline of the driveway from the access point to such garage, carport or fenced area to the street property line.

9. Residences shall have a setback of at least 100 feet from any property line adjoining A, M or F zones or existing extractive operations.
10. For townhouse and apartment development, the setback shall be 20 feet along any property line abutting R-1 through R-8, RA and UR zones.
11. On any lot over 1 acre in area, an additional 5 percent may be used for buildings related to agricultural or forestry practices.
12. The maximum building coverage shall be 10 percent where the lot is between 1.0 and 1.25 acres in area. The maximum building coverage shall be 15 percent where the lot is less than 1 acre in area.
13. The impervious surface area shall be twenty percent when the lot is between 1.0 and 1.25 acres, and thirty-five percent when the lot is less than 1 acre in area.
14. The base height for projects using residential density incentives and transfer of density credits pursuant to this title is 80 feet. In all other cases, the base height is 60 feet.

((~~SECTION 343~~

~~21A.12.060 Minimum Urban Residential Density. Minimum density for residential development in the urban areas designated by the comprehensive plan shall be based on the tables in K.C.C. 21A.12.030, adjusted as provided for in 21A.12.070 - .080.~~

~~A. A proposal may be phased, when compliance with the minimum density requirement results in noncompliance with the standards of K.C.C. 21A.28, provided the overall density of the proposal is consistent with this section.~~

~~B. Minimum density requirements may be waived by King County if the applicant demonstrates one or more of the following:~~

~~1. The proposed layout of the lots in a subdivision or the buildings in a multiple dwelling development will not preclude future residential development consistent with the minimum density of the zone.~~

~~2. The non-sensitive area of the parcel is of a size or configuration that results in lots which cannot meet the minimum dimensional requirements of the zone.~~

~~3. In the R-12 through R-48 zones, the area of the parcel required to accommodate storm water facilities exceeds 10 percent of the area of the site.~~

~~4. The site contains a national, state or county historic landmark.~~))

6/7/93 MRS. GRUGER WITHDREW AMENDMENT NO. 29

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ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 29 **OFFERED BY:** Gruger

TOPIC: Minimum densities - Community Plan Designations

SECTION 343.

21A.12.060 Minimum Urban Residential Density. Minimum density for residential development in the urban areas designated by the comprehensive plan shall be based on the tables in K.C.C. 21A.12.030, adjusted as provided for in 21A.12.070 - .080. Minimum density requirements shall only apply in specific areas which are designated by community plan policies as appropriate for minimum densities.

A. A proposal may be phased, when compliance with the minimum density requirement results in noncompliance with the standards of K.C.C. 21A.28, provided the overall density of the proposal is consistent with this section.

B. Minimum density requirements may be waived by King County if the applicant demonstrates one or more of the following:

1. The proposed layout of the lots in a subdivision or the buildings in a multiple dwelling development will not preclude future residential development consistent with the minimum density of the zone.
2. The non-sensitive area of the parcel is of a size or configuration that results in lots which cannot meet the minimum dimensional requirements of the zone.
3. In the R-12 through R-48 zones, the area of the parcel required to accommodate storm water facilities exceeds 10 percent of the area of the site.
4. The site contains a national, state or county historic landmark.

6/7/93 MS: SULLIVAN MOVE AMENDMENT NO. 30. PASSED 6-3 BD: KP: GN "NO"

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ORDINANCE 91-729

AMENDMENT NUMBER: 30 **OFFERED BY:** Sullivan

TOPIC: **Minimum Densities in Urban Plan Developments**

SECTION 586.

21A.39.050 UPD standards - land uses. A. Except as required by subsections B and C, a UPD may contain any non-residential use set out in the K.C.C. 21A.08 (Land Use Tables) when approved as part of the UPD permit. Any non-residential use shall be subject to any applicable UPD conditions contained in the development agreement that limits the scope or intensity of such use.

B. The primary land use shall be residential and shall be provided as follows:

1. the base density of the UPD shall be that of the zone set for the site were it to not develop with a UPD, applied to the entire site including portions proposed for nonresidential uses.

2. the minimum density of the UPD shall be not less than the minimum residential density of the underlying zoning calculated for the ((~~total area of the site, including areas proposed for non-residential development~~)) portion of the site to be used for residential purposes, pursuant to the methodology outlined in K.C.C. 21A.12, and

3. the maximum density of the UPD shall be determined by the council in the UPD permit, subject to any maximum density set out in the community plan which designated in the UPD special district overlay.

C. UPDs shall at a minimum:

1. provide retail/commercial areas at a rate of one acre per 2500 projected UPD residents, or

2. demonstrate that existing or potential commercial development within one quarter mile of UPD boundaries will meet the convenience shopping needs of UPD residents.

6/7/93 MR. DERDOWSKI MOVE AMENDMENT NO. 31. CH. 21A.34. FAILED 3-6
BD, KP, AG "YES"

MR. DERDOWSKI MOVE AMENDMENT NO. 31. CH. 21A.36 FAILED 3-6
BD, KP, AG "YES"

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ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 31 OFFERED BY: UAC

TOPIC: Density Bonuses: Chapters 21A.34 and 36

The committee recommends limiting density bonuses (Chapter 34) to public benefits which mitigate the effects of density, such as open space preservation. The Committee also recommends deleting the transfer of residential density credit provisions since there is no nexus between the sending sites providing the open space and the receiving sites which receive the density increases. Further, there are concerns about how sending and receiving sites would be selected. As with the minimum density provisions, the committee expressed concern with the lack of environmental review on density bonus provisions. The following amendments implement these recommendations.

CHAPTER 21A.34 GENERAL PROVISIONS - RESIDENTIAL DENSITY INCENTIVES

SECTION:

21A.34.010 Purpose
21A.34.020 Permitted locations of residential density incentives
21A.34.030 Maximum densities permitted through residential density incentive review
21A.34.040 Public benefits and density incentives
21A.34.050 Rules for calculating total permitted dwelling units
21A.34.060 Review process
21A.34.070 Minor adjustments in final site plans
21A.34.080 Applicability of development standards

SECTION 560.

21A.34.010 Purpose. The purpose of this chapter is to provide density incentives to developers of residential lands in urban areas and rural activity centers, in exchange for public benefits to help achieve Comprehensive Plan goals of ((~~affordable housing,~~)) open space protection((~~, historic preservation and energy conservation,~~)) by:

A. Defining in quantified terms the public benefits that can be used to earn density incentives;

B. Providing rules and formulae for computing density incentives earned by each benefit;

C. Providing a method to realize the development potential of sites containing unique features of size, topography, environmental features or shape; and

D. Providing a review process to allow evaluation of proposed density increases and the public benefits offered to earn them, and to give the public opportunities to review and comment.

SECTION 561.

21A.34.020 Permitted locations of residential density incentives. Residential density incentives (RDI) shall be used only on sites served by public sewers and only in the following zones:

A. In R-4 through R-48 zones; and

B. In NB, CB, RB and O zones when part of a mixed use development.

SECTION 562.

21A.34.030 Maximum densities permitted through residential density incentive review. The maximum density permitted through RDI review shall be 150 percent of the base density of the underlying zone of the development site. ((~~or 200 percent of the base density for RDI proposals with 100 percent affordable units.~~))

SECTION 563.

21A.34.040 Public benefits and density incentives. A. The public benefits eligible to earn increased densities, and the maximum incentive to be earned by each benefit, are set forth in subsection E. The density incentive is expressed as additional bonus dwelling units (or fractions of dwelling units) earned per amount of public benefit provided.

((~~B. Bonus dwelling units may be earned through any combination of the listed public benefits.~~

~~C. The guidelines for affordable housing bonuses including the establishment of rental levels, housing prices and asset limitations, will be updated and adopted annually by the council in the comprehensive housing affordability strategy plan.~~

~~D. Bonus dwelling units may also be earned and transferred to the project site through the transfer of density credit ("TDC") process set forth in K.C.C. 21A.36, by providing any of the open space, park site or historic preservation public benefits set forth in subsections E.2. or E.3. on sites other than that of the RDI development.~~((

((~~E~~))B. Residential development in R-4 through R-48 zones with property specific development standards requiring any public benefit enumerated in this chapter, shall be eligible to earn bonus dwelling units as set forth in subsection E when the public benefits provided exceed the basic development standards of this title. When a development is located in a special overlay district, bonus units may be earned if the development provides public benefits exceeding corresponding standards of the special district .

((~~F~~))C. The following are the public benefits eligible to earn density incentives through RDI review:

((~~BENEFIT~~))	((~~DENSITY INCENTIVE~~))
((~~1. AFFORDABLE HOUSING~~))	
((~~a. Benefit units consisting of rental housing permanently priced to serve non-elderly low-income households (i.e. no greater than 30 percent of gross income for households at or below 50 percent of King County median income, adjusted for household size). A covenant on the site that specifies the income level being served, rent levels and requirements for reporting to King County shall be recorded at final approval.~~))	((~~1.5 bonus units per benefit unit, up to a maximum of 30 low income units per five acres of site area; projects on sites of less than five acres shall be limited to 30 low income units.~~))
((~~b. Benefit units consisting of rental housing designed and permanently priced to serve low-income senior citizens (i.e. no greater than 30 percent of gross income for 1 or 2 person households, 1 member of which is 62 years of age or older, with incomes at or below 50 percent of King County median income, adjusted for household size). A covenant on the site that specifies the income level being served, rent levels and requirements for reporting to King County shall be recorded at final approval.~~))	((~~1.5 bonus units per benefit unit, up to a maximum of 60 low income units per five acres of site area; projects on sites of less than five acres shall be limited to 60 low income units.~~))

((~~BENEFIT~~))	((~~DENSITY INCENTIVE~~))
((~~c. Benefit units consisting of moderate income housing reserved for income- and asset-qualified home buyers (total household income at or below 80 percent of King County median, adjusted for household size). Benefit 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.~~))	((~~.75 bonus unit per benefit unit.~~))
((~~d. Benefit units consisting of moderate income housing reserved for income- and asset-qualified home buyers (total household income at or below 80 percent of King County median, adjusted for household size). Benefit units shall be limited to owner-occupied housing with prices restricted based on typical underwriting ratios and other lending standards, and with a 15-year restriction binding prices and eligibility on resale to qualified moderate income purchasers. Final approval conditions shall specify requirements for reporting to King County on both buyer eligibility and housing prices.~~))	((~~1 bonus unit per benefit unit.~~))

((~~BENEFIT~~))	((~~DENSITY INCENTIVE~~))
((~~e. Benefit units consisting of moderate income housing reserved for income- and asset-qualified home buyers (total household income at or below 80 percent of King County median, adjusted for household size). Benefit units shall be limited to owner-occupied housing, with prices restricted to same income group, based on current underwriting ratios and other lending standards for 30 years from date of first sale. A covenant on the site that specifies the income level and other aspects of buyer eligibility, price levels and requirements for reporting to King County shall be recorded at final approval.~~))	((~~1.5 bonus units per benefit unit.~~))
((~~f. Projects in which 100 percent of the units are reserved for moderate income- and asset-qualified buyers (total household income at or below 80 percent of the King County median, adjusted for household size). All units shall be limited to owner-occupied housing with prices restricted based on current underwriting ratios and other lending standards, and with prices restricted to same income group, for 15 years from date of first sale. Final approval conditions shall specify requirements for reporting to King County on both buyer eligibility and housing prices.~~))	((~~200 percent of the base density of the underlying zone. Limited to parcels 5 acres or less in size and located in the R-4 through R-8 zones. Housing types in the R-4 or R-6 zones shall be limited to structures containing four or less units, except for townhouses. Such RDI proposals shall not be eligible to utilize other RDI bonus density incentives listed in this section.~~))
((~~g. Benefit units consisting of mobile home park space or pad reserved for the relocation of an insignia or non-insignia mobile home, that has been or will be displaced due to closure of a mobile home park located in incorporated or unincorporated King County.~~))	((~~1.0 bonus unit per benefit unit.~~))

BENEFIT	DENSITY INCENTIVE
((~~2~~))1. OPEN SPACE, TRAILS AND PARKS	
a. Dedication of park site or trail right-of-way meeting King County location and size standards for neighborhood, community or regional park, or trail, and accepted by the Parks division.	.5 bonus unit per acre of park area or quarter-mile of trail exceeding the minimum requirement of K.C.C. 21A.14 for on-site recreation space or trail corridors, computed on the number of dwelling units permitted by the site's base density.
b. Improvement of dedicated park site to King County standards for developed parks.	.75 bonus unit per acre of park improvement. If the applicant is dedicating the site of the improvements, the bonus units earned by improvements shall be added to the bonus units earned by the dedication.
c. Improvement of dedicated trail segment to King County standards.	1.8 bonus units per quarter-mile of trail constructed to county standard for pedestrian trails; or 2.5 bonus units per quarter-mile of constructed to county standard for multipurpose trails (pedestrian/ bicycle/equestrian). Shorter segments shall be awarded bonus units on a pro-rate basis. If the applicant is dedicating the site of the improvements, the bonus units earned by improvements shall be added to the bonus units earned by the dedication.
d. Dedication of open space, meeting King County acquisition standards to the county or a qualified public or private organization such as a nature conservancy.	.5 bonus unit per acre of open space.

((~~BENEFIT~~))	((~~DENSITY INCENTIVE~~))
((~~3. HISTORIC PRESERVATION~~))	
((~~a. Dedication of a site containing a historic landmark in accordance with K.C.C. 20.62, to King County or a qualifying nonprofit organization capable of restoring and/or maintaining the premises to standards set by the King County Landmarks Commission.~~))	((~~.5 bonus unit per acre of historic site.~~))
((~~b. Restoration of a site or structure designated as an historic landmark in accordance with K.C.C. 20.62 to a specific architectural or site plan approved by the King County Landmarks Commission.~~))	((~~.5 bonus unit per acre of site or one thousand square feet of floor area of building restored.~~))
((~~4. ENERGY CONSERVATION~~))	
((~~a. Benefit units that incorporate conservation features in the construction of all on-site dwelling units heated by electricity that save at least 20 percent of space heat energy use from the maximum permitted by the Northwest Energy Code, as amended. No more than 50 percent of the required savings may result from the installation of heat pumps. None of the required savings shall be achieved by reduction of glazing area below 15 percent of floor area. Energy use shall be expressed as allowable energy load per square foot or as allowable energy load per square foot or as total transmittance (UA).~~))	((~~0.15 bonus unit per benefit unit that achieves the required savings.~~))

((~~BENEFIT~~))	((~~DENSITY INCENTIVE~~))
((~~b. Benefit units that incorporate conservation features in the construction of all on-site dwelling units heated by natural gas, or other non-electric heat source, that save at least 25 percent of space heat energy use from the maximum permitted by the Northwest Energy Code, as amended. None of the required savings shall be achieved by reduction of glazing area below 15 percent of floor area. Energy use shall be expressed as allowable energy load per square foot or as total transmittance (UA).~~))	((~~0.10 bonus unit per benefit unit that achieves the required savings.~~))
((~~c. Developments located within 1/4 mile of transit routes served on at least a half hourly basis during the peak hours and hourly during the daytime non-peak hours.~~))	((~~10 percent increase above the base density of the zone.~~))

((~~NOTE: When proposed energy conservation bonus units of K.C.C. 21A.34.040 are reviewed in conjunction with a subdivision or a short subdivision, the applicant shall provide data and calculations for a typical house of the type to be built in the development that demonstrates to the department's satisfaction how the required savings will be achieved. A condition of approval shall be recorded with the plat and shown on the title of each lot specifying the required energy savings that must be achieved in the construction of the dwelling unit. The plat notation shall also specify that the savings shall be based on the energy code in effect at the time of preliminary plat application.~~))

SECTION 567.

21A.34.080 Applicability of development standards. A. RDI developments shall comply with dimensional standards of the zone with a base density most closely comparable to the total approved density of the RDI development, provided that an RDI proposal in the R-4 through R-8 zone shall conform to the height requirements of the underlying zone in which it is located.

B. RDI developments in the R-4 through R-8 zones shall be landscaped as follows:

1. When 75 percent or more of the units in the RDI development consists of townhouses or apartments, the development shall provide perimeter landscaping and tree retention in accordance with K.C.C. 21A.16 for townhouse or apartment projects.

2. When less than 75 percent of the units in the RDI consists of townhouses or apartments, the development shall provide landscaping and tree retention in accordance with K.C.C. 21A.16 for townhouses or apartments on the portion(s) of the development containing such units provided that, if buildings containing such units are more than 100 feet from the development's perimeter, the required landscaping may be reduced by 50 percent.

3. All other portions of the RDI shall provide landscaping or retain trees in accordance with K.C.C. 21A.16.

C. RDI developments in all other zones shall be landscaped or retain trees in accordance with K.C.C. 21A.16.

D. RDI developments shall provide parking as follows:

((~~1. Projects with 100 percent affordable housing shall provide one off-street parking space per unit. The director may require additional parking, up to the maximum standards for attached dwelling units, which may be provided in common parking areas.~~

~~2. All other RDI proposals shall provide parking for:~~))

a. market rate/bonus units at levels consistent with K.C.C. 21A.18, and

b. benefit units at 50 percent of the levels required for market rate/bonus units.

E. RDI developments shall provide on-site recreation space as follows:

((~~1. Projects with 100 percent affordable housing shall provide recreation space at 50 percent of the levels required in K.C.C. 21A.14.~~

~~2. All other RDI proposals shall provide recreation space for:~~))

a. market rate/bonus units at levels consistent with K.C.C. 21A.14, and

b. benefit units at 50 percent of the levels required for market rate/bonus units.

((~~CHAPTER 21A.36 GENERAL PROVISIONS~~))
((~~TRANSFER OF RESIDENTIAL DENSITY CREDITS~~))

((~~SECTIONS:~~

~~21A.36.010 Purpose~~
~~21A.36.020 Authority and application~~
~~21A.36.030 Sending sites~~
~~21A.36.040 Receiving sites~~
~~21A.36.050 Transfer rules~~
~~21A.36.060 Review process~~

~~SECTION 568.~~

~~21A.36.010 Purpose. The purpose of the transfer of residential density credit system is to supplement land use regulation and open space acquisition programs and to encourage increased residential development density where it can be accommodated with the least impacts on the natural environment and public services, by:~~

~~A. Providing an incentive for private property owners to protect open space, environmentally sensitive areas, park sites, historic sites, rural and resource areas beyond the minimum requirements of the code;~~

~~B. Using the community planning process as one mechanism for involving King County residents, land owners, cities and other public agencies in designating appropriate sending and receiving areas; and~~

~~C. Providing a review system to ensure that transfers of residential density credits to receiving sites are balanced with other county goals and policies, and are adjusted to the specific conditions of each receiving site.~~

~~SECTION 569.~~

~~21A.36.020 Authority and application. The transfer of residential density credit ("TDC") system for King County is established. The base residential density of a sending site may be transferred and credited to a non-contiguous receiving site only when the TDC is approved in accordance with the rules and procedures in this chapter.~~

~~SECTION 570.~~

~~21A.36.030 Sending sites. A. Sending sites shall be maintained in a natural state, except for agricultural lands, proposed public park or trail sites suitable for active recreation, shoreline access areas, or historic sites.~~

~~B. Sending sites must contain one or more of the following features, as defined in the Comprehensive Plan, Open Space Plan, other functional plan or a community plan:~~

~~1. Open spaces~~
~~2. Wildlife habitat;~~
~~3. Woodlands~~
~~4. Shoreline access;~~
~~5. Community separator;~~
~~6. Regional trail/natural linkage;~~
~~7. Historic landmark designation;~~

~~8. Agricultural land not encumbered through the county's farmlands preservation development rights purchase program; or~~

~~9. Park site that meets adopted size, distance and other standards for serving the receiving sites to which the density credits are being transferred.~~

~~C. Sending sites shall have zoning consistent with the Comprehensive Plan map designation.~~

~~D. A community plan may develop policies that set priorities for protection of the types of features to be preserved at sending areas.~~

~~SECTION 571.~~

~~21A.36.040 Receiving sites. A. Receiving sites shall be zoned R-4 through R-48, NB, CB, RB or O, or any combination thereof, before being eligible to participate in a TDC.~~

~~B. Except as provided in this chapter, development of a receiving site shall remain subject to all use, lot coverage, height, setback and other requirements of its zone.~~

~~C. A receiving site may accept density credits, up to the maximum density permitted pursuant to K.C.C. 21A.12, from any sending site unless a community plan adopts specific policies to allow only transfers from within the same community planning area or within a distance outside of the planning area as specified by the community plan.~~

~~SECTION 572.~~

~~21A.36.050 Transfer rules. A. The number of density credits that a sending site is eligible to send to a receiving site shall be determined by applying the base density of the zone the sending site is located in to the total sending site area, less any portion of the sending site already in a conservation easement or other encumbrance, or any land area already used to calculate residential density for other development. A plot plan showing environmentally sensitive areas and buffers, conservation easements or other encumbrances shall be submitted as part of the development application to demonstrate compliance with the density calculation rules set forth in K.C.C. 21A.12.~~

~~B. Sending sites with environmentally sensitive areas that have been declared unbuildable under K.C.C. 21A.12 shall be considered to have a base density calculated in accordance with that chapter, except that the areas of the sending and receiving sites shall be combined to calculate the overall site percentage of sensitive areas and buffers necessary for determining the allowable density credit as set forth in K.C.C. 21A.24.~~

~~C. Density credits from one sending site may be allocated to more than one receiving site. The credit from each segment shall be allocated to a specified receiving site.~~

~~D. When the sending site consists only of a portion(s) of an unsubdivided parcel, said portion(s) shall be segregated from the remainder of the lot pursuant to Title 19 or deed restrictions documenting the density credit transfers shall be recorded with the title to both the sending and receiving site. A parcel need not segregate a sending site from the remainder of the parcel when the entire parcel is subject to a conservation easement pursuant to subsection E.~~

~~E. Conservation easements shall be required for land contained in the sending site, whether or not such land is dedicated, as follows:~~

~~1. For a sending site not zoned A-10 or A-35, a conservation easement as defined in the Open Space Plan shall be recorded on the sending site to indicate development limitations on the sending site.~~

~~2. For a sending site zoned A-10 or A-35, a conservation easement shall be recorded on the sending site, consistent in form and substance with the purchase agreements used in the agricultural land development rights purchase program. The conservation easement shall preclude subdivision of the subject property but may permit not more than one dwelling per sending site, and shall permit agricultural uses as provided in the A-10 or A-35 (agriculture) zone.~~

~~F. Upon submitting an application to develop a receiving site under the provisions of this chapter, the applicant shall provide evidence of ownership or full legal control of all sending sites proposed to be used in calculating total density on the receiving site. It shall be the applicant's responsibility, prior to application, to ascertain what form of permanent protection of the sending site will be acceptable to King County.~~

~~G. Density credits from a sending site shall be considered transferred to a receiving site when the sending site is permanently protected by a completed and recorded land dedication or conservation easement.~~

~~H. TDC developments shall comply with dimensional standards of the zone with a base density most closely comparable to the total approved density of the TDC development.~~

~~SECTION 573.~~

~~21A.36.060 Review process. All TDC proposals shall be reviewed concurrently with a primary proposal as follows:~~

~~A. For the purpose of this section, a primary proposal is defined as a proposed subdivision, conditional use permit, or commercial building permit.~~

~~B. When the primary proposal requires a public hearing under this title or Title 19, that public hearing shall also serve as the hearing on the TDC proposal, and the reviewing authority shall make a consolidated decision on the proposed development and use of TDC;~~

~~C. When the primary proposal does not require a public hearing under this title or Title 19, that TDC proposal shall be subject to the decision criteria for conditional use permits outlined in K.C.C. 21A.42 and to the procedures set forth for director/adjustor review in this title.~~))

6/7/93 MRS: GRUGER MOVE PASS AMENDMENT NO. 32; PASSED 5-4;
PB, CS, BL, GN "NO"

10870

KING COUNTY ZONING CODE

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93 MAY 27 AM 11:57
CLERK
KING COUNTY COUNCIL

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 32 **OFFERED BY:** Gruger

TOPIC: Neighborhood Design Review Program

Add a new Section 10 to read as follows:

SECTION 10.

Chapter 21A.34 (Residential Density Incentives), and Chapter 21A.36 (Transfer of Residential Density Credits) will not become effective until such time that the Council adopts an ordinance creating a neighborhood design review program. This program will require design review for projects utilizing density bonuses and will ensure public participation by interested community groups and individuals.

6/7/93 MS. GRUGER WITHDREW AMENDMENT NO. 33

10870

KING COUNTY ZONING CODE

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93 MAY 27 AM 11: 57

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KING COUNTY COUNCIL

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 33 **OFFERED BY:** Gruger

TOPIC: Residential Density Incentives - Community Plan Designations

SECTION 561.

21A.34.020 Permitted locations of residential density incentives. Residential density incentives (RDI) shall be used only on sites designated by community plan policies as appropriate for residential density incentives and served by public sewers and only in the following zones:

A. In R-4 through R-48 zones; and

B. In NB, CB, RB and O zones when part of a mixed use development.

6/7/93 MS. GRUGER MOVE AMENDMENT NO. 34. PASSED 5-4, PB, CS, BL, RS "NO"

10870

KING COUNTY ZONING CODE

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KING COUNTY COUNCIL

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 34 **OFFERED BY:** Gruger

TOPIC: Transfer of Residential Density Credits - Community Plan Designations

SECTION 571.

21A.36.040 Receiving sites. A. Receiving sites shall be zoned R-4 through R-48, NB, CB, RB or O, or any combination thereof, and must be designated by community plan policies as appropriate for the transfer of residential density credits before being eligible to participate in a TDC.

B. Except as provided in this chapter, development of a receiving site shall remain subject to all use, lot coverage, height, setback and other requirements of its zone.

C. A receiving site may accept density credits, up to the maximum density permitted pursuant to K.C.C. 21A.12, from any sending site unless a community plan adopts specific policies to allow only transfers from within the same community planning area or within a distance outside of the planning area as specified by the community plan.

6/7/93 MR. DERDOWSKI WITHDREW AMENDMENT NO. 35

10870

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 35 **OFFERED BY:** Derdowski

TOPIC: UPD's

Add new Section to Chapter 21A.38, Special District Overlays, to read:

21A.38.xxx Special District overlay - urban planned development - rural areas.
Urban Planned Developments shall not be allowed as ~~unincorporated~~ islands in the resource or rural zones.

delete BD

6/7/93 MR. DERDOWSKI MOVE AMENDMENT NO. 36, FAILED 1-7, BD "YES"
LP EXC.

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

10870

AMENDMENT NUMBER: 36 **OFFERED BY:** Derdowski

TOPIC: Water and sewer comprehensive plans relative to UPD's

Amend section 583 as follows to require that water and sewer plans or amendments be completed before council review of a UPD permit:

SECTION 583.

21A.39.020 UPD permit - application/review process. A. King County shall accept an application for an UPD permit only in areas designated urban by the comprehensive plan and contained within the boundaries of UPD Special District Overlays designated by a community plan, provided that density transfer from adjacent rural lands is allowed as provided for in Chapter 21A.34.

B. A UPD permit application, or modifications of an approved UPD permit which requires council review, shall be reviewed pursuant to the hearing examiner process outlined in K.C.C. 21.42, provided that:

1. ((~~the~~))Council review of the UPD permit application shall not ((~~be completed~~))begin until applicable sewer and/or water comprehensive utility plans or plan amendments are ((~~identified~~adopted by the service provider;

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

zoning.amd

6/7/93 MR. DERDOWSKI MOVE AMENDMENT NO. 37, FAILED 2-6, BD, AG YES
LP EXC.

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

10870

AMENDMENT NUMBER: 37 OFFERED BY: Derdowski

TOPIC: UPD's - flexibility of standards

Amend Section 584 as follows to reduce the ability of UPD's to apply standards in a flexible way.

SECTION 584.

21A.39.030 UPD permit - conditions of approval. A. In approving a UPD permit, conditions of approval shall at a minimum establish:

1. A site plan for the entire UPD showing locations of sensitive areas and buffers, required open spaces, UPD perimeter buffers, location and range of densities for residential development, and location and size of non-residential development;
2. The expected buildout time period for the entire project and the various phases.
3. Project phasing and other project-specific conditions to mitigate impacts on the environment, on public facilities and services including transportation, utilities, drainage, police and fire protection, schools, and parks;
4. Affordable housing requirements;
5. Road and storm water design standards that shall apply to the various phases of the project;
6. Bulk design and dimensional standards that shall be implemented throughout subsequent development within the UPD;
7. The size and range of uses authorized for any non-residential development within the UPD;
8. The minimum and maximum number of residential units for the UPD; and
9. Any sewer and/or water comprehensive utility plans or amendments required to be completed before development can occur; and
10. Provisions for the applicant's surrender of an approved UPD permit before commencement of construction or cessation of UPD development based upon causes beyond the applicant's control or other circumstances, with the property to develop thereafter under the base zoning in effect prior to the UPD permit approval.

B. ((~~A UPD permit and development agreement may allow development standards different from those otherwise imposed under the king county code, including but not limited to K.C.C. 21A.39.050 through 120, in order to provide flexibility to achieve public benefits, respond to changing community needs, and encourage modifications which provide the functional equivalent or adequately achieve the purposes of county standards. Any approved development standards that differ from those in the Code shall not require any further zoning reclassification, variance from King County standards or other county approval apart from~~

~~the UPD permit approval.~~)) The development standards as approved through the UPD permit and development agreement shall apply to and govern the development and implementation of each UPD site in lieu of any conflicting or different standards or requirements elsewhere in the king county code.....

6/7/93 MR. DERDOWSKI MOVE AMENDMENT NO. 38. FAILED 1-7. BD "YES" LP EXC.

10870

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KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 38 **OFFERED BY:** Derdowski

TOPIC: Vesting of CUP's

Delete section 598 to delete provisions allowing vesting of CUP's.

6/7/93 MR. SIMS WITHDREW AMENDMENT NO. 39

10870

KING COUNTY ZONING CODE

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93 MAY 27 AM 11:57
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KING COUNTY COUNCIL

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 39 **OFFERED BY:** Sims

TOPIC: Livestock commercial dairies

Add new definition for commercial dairies, to read as follows:

Commercial dairy operation. Commercial dairy operation: a facility engaged in the commercial production of milk from dairy cows. The dairy facility includes the animal confinement area, milking parlor, animal passageways, pasture, and fields where manure and wastewater are applied.

Basis: This definition is taken from the DOE proposed permit system for regulating dairies. Using this definition will clearly separate the coverage of the county's ordinance from the state's permit coverage.

6/7/93 MR. PULLEN WITHDREW AMENDMENT NO. 40

10870

KING COUNTY ZONING CODE

RECEIVED

ORDINANCE NUMBER 91-729

93 MAY 27 AM 11:58

CLERK
KING COUNTY COUNCIL

AMENDMENT NUMBER: 40 OFFERED BY: Pullen

TOPIC: Best management practices requirements livestock.

SECTION 531.

21A.30.030 Animal regulations-livestock - purpose. The primary purpose of this section is to support the raising and keeping of livestock in the county by setting livestock densities ((~~and by implementing applicable best management practices for land used to accommodate such livestock~~)) in ways which reduce the impact of livestock on the environment((~~, particularly with regard to their impacts on water quality~~)). The regulations set forth in this section are intended to be consistent with livestock welfare; however, those concerns are more appropriately addressed through K.C.C. 11.04.

BASIS: The UAC committee is recommends that all management standards be removed from the proposed code, due to public resistance to the standards.

Livestock2.AMD

6/1/93 MR. PULLEN MOVE AMENDMENT AS FOLLOWS
(offered at Amendment No. 40)
PASSED 5-4. LP. CS. RS. PB "NO"

10870

Motion to defer consideration of certain sections of Proposed Ordinance 91-729 relating to livestock management by:

Pullen
Fine
Gruger
Barden

6/7/93 MS. GRUGER MOVE RECONSIDER THIS AMENDMENT. PASSED 6-3. KP. BD. GN "NO"
6/7/93 MS. GRUGER MOVE REINSTATE SECTIONS 534A.2 and 535.
6/7/93 MR. BARDEN MOVE REINSTATE SECTION 534A.1. PASSED 5-4. GN. BL. KP. BD "NO"
MR. DERDOWSKI MOVE ATTACHED AMENDMENTS FAILED 3-6.BD. BL. KP "YES" & 2-7.BD.KP Ye
VOTING ON MS. GRUGER'S MOTION TO REINSTATE. PASSED 5-4. KP. GN. BL. BD "N
MR. NICKELS MOVE DELETE 'COUNTY COUNCILMEMBERS' AND 'COUNTY COUNCIL STAFF' PASSED UNANIMOUSLY.
MR. BARDEN MOVE CHANGE JULY 31 to AUG 31 FAILED 3-6. PB. AG. BL. "YES"

I move that we defer further consideration of Sections 531, 533, 534, (part) ~~and 535~~ (relating to livestock management), that these sections be temporarily deleted from Proposed Ordinance 91-729 subject to further study, and that the Chair of the County Council appoint a fair, balanced, and impartial panel that will include, but not necessarily be limited to ~~County Councilmembers~~, environmentalists, farmers, fish biologists, ~~county council staff~~, executive staff, water quality scientists, and Muckleshoot Indian representatives to seek a compromise on the proposed livestock regulations and to report their recommendations to the County Council prior to July 31, 1993

B. The maximum number of livestock shall be as follows:

1.Commercial dairy farms covered by the Washington State department of Ecology NPDES system; either through a general or special permit - as consistent with the permit requirements.

2. Stables with covered arenas, for which farm management plans are implemented and maintained pursuant to K.C.C. 21A. 030.033 such that pasture and paddock use does not exceed the equivalent of 3 animals per acre on a full time basis, up to 6 resident horses per acre, provided further that higher densities may be allowed subject to the conditional use permit process to confirm compliance with the management standards;

3. For all large livestock not covered by paragraph 1. or 2. above:

(a) if a farm management plan pursuant to K.C.C. 21A.030.033 is implemented and maintained as or, in the alternative, all of the management standards of section K.C.C. 21A.30.035 are met, three horse, cows or similarly sized animals per gross acre of total site area, provided further that two ponies shall be counted as being equivalent to one horse and that miniature horses shall be treated as small livestock subject to paragraph d below.

(b) if paragraph (a) is not met, one horse, cow, or similarly sized animal (excluding any young under 6 months of age) per two acres of fenced grazing area;

4. for small livestock, five of each or any combination (excluding sucklings) per one acre of fenced pasturage, or per one-half acre of total site area subject to the management requirements set out in K.C.C. 21.30.035 below.

SECTION 533.

21A.30.050 Farm management plan. In order to achieve the maximum livestock density allowances provided for in Section K.C.C. 21A.030.032, above, a farm management plan (conservation) plan developed by the property owner with the assistance of the King Conservation District (KCD) which incorporates applicable best management practices for grazing and pasture management, manure management, watering and feeding area management, and stream corridor management must be developed, implemented and maintained. Such plans must include a schedule for implementation. A copy of the proposed and final plans shall be provided to the clerk of the council. MR . DERDOWSKI MOVE ADD "adopted by administrative rule approved by the County Council" FAILED 2-7. BD. KP YES"

SECTION 534.

21A.30.060 Animal regulations-livestock - management standards. A. As an alternative to a farm management plan any property owner may implement the following management standards for any site which is used or proposed to be used to accommodate large livestock at densities greater than 1 animal per 2 acres, and small livestock at densities greater than 5 per acre.

1. Livestock access to streams and their buffers shall be limited to stream crossing and watering points which have been addressed by a crossing plan or watering point designed to SCS/KCD specifications which shall prevent free access along the length of the stream; fencing ~~shall be used as necessary~~ to prevent livestock access to streams. Bridges may be used in lieu of stream crossings, provided that piers and abutments shall not be placed within the ordinary high water mark or top-of-bank, whichever is greater. Bridges shall be designed to allow free flow of flood waters and shall not diminish the flood carrying capacity of the stream; these bridges may be placed without a county building permit, provided that such permit waiver shall not constitute any assumption of liability by the county with regard to such bridge or its placement. The waiver of county building permit requirements does not constitute a waiver from other required agency permits;

2. Grazing areas not addressed by K.C.C. 21A.24 shall maintain a vegetative buffer ~~of 25 feet~~ from any naturally occurring pond, wetland or stream. ~~wetland edge of a class I or II wetland, (except those wetlands meeting the definition of grazed wet meadows) or the ordinary high water mark of a class I or II stream~~. If the buffer does not contain vegetation sufficient for bank stability and biofiltration, fencing or timed rotational grazing shall be used to establish and maintain the buffer.

6/7/93 MR. DERDOWSKI MOVE AMEND SECTION 534 A.2. FAILED 3-6. BD. BL. KP "YES"

3. Confinement areas located within 200 feet of any class I or II streams, wetlands or drainageways shall:

a. Have a 20 foot wide vegetative filter strip downhill from the confinement area, consisting of heavy grasses or other ground cover with high stem density and which may also include tree cover, in addition to the buffers in paragraph b;

b. Not be located in any stream or wetland buffer area required by the sensitive areas ordinance in effect at the time the confinement area is built, or within 50 feet of any naturally occurring pond, wetland edge of any class I or II wetland or the ordinary high water mark of any class I or II stream, unless some other distance has been approved by a county permit issued following an environmental review or by a farm management plan pursuant to 21A.30.050. Existing confinement areas which do not meet these requirements shall be modified as necessary to provide the buffers specified herein within five years of the effective date of this section provided further that buildings in the confinement area need not be so modified;

c. Have roof drains of any buildings in the confinement area diverted away from the confinement area; and

4. Manure storage areas shall be managed as follows:

a. Surface flows and roof runoff shall be diverted away from manure storage areas.

b. All manure stockpiled within 200 feet of any stream, wetland, or drainageway to a stream or wetland shall be covered during the winter months (October 15 to April 15) in a manner that excludes precipitation and allows free flow of air to minimize fire danger; and

c. Manure shall be stored in a location that avoids having runoff from the manure enter streams or wetlands. Manure piles shall not be closer than 50 feet to any wetland edge, the ordinary high water mark of any stream, or any ditch to which the topography would generally direct runoff from the manure, nor in any stream buffer.

5. Manure shall be spread on fields only during the growing season, and not on saturated or frozen fields.

B. The following setback and buffer requirements apply to the keeping of livestock:

1. Any building used to house, confine or feed livestock shall not be located closer than 10 feet to any boundary property line or 35 feet to any residence existing when the livestock structure is built, and shall be increased to 100 feet for any building used to house, confine or feed swine;

2. Any building used to house, confine or feed livestock shall not be located closer than 35 feet to any dwelling unit or accessory living quarters on the same premises, except that a barn or stable may contain a caretaker's accessory living quarters;

3. There shall be no uncovered storage of manure, shavings or similar organic material closer than 45 feet to any dwelling unit or accessory living quarters; and

4. Grazing and confinement areas may extend to the property line.

C. In residential zones, fee boarding of livestock other than in a legally established stable shall only be as an accessory use to a residence on the subject property; and

D. A barn or stable may contain a caretaker's accessory living quarters.

SECTION 535.

21A.30.070 Existing livestock operations. All existing livestock operations shall either implement a farm management plan pursuant to K.C.C. 21A.30.033 or meet the management standards in K.C.C. 21A.30.035A, within five years of the adoption date of this title: existing buildings are exempt from this provision.

SECTION 536.

21A.30.080 Home occupation. Residents of a dwelling unit may conduct one or more home occupations as accessory activities, provided:

6/7/93 MR. SIMS WITHDREW AMENDMENT NO. 41

10870

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93 MAY 27 AM 11:58

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KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 41 **OFFERED BY:** Sims

TOPIC: Livestock - fisheries habitat

SECTION 531.

21A.30.030 Animal regulations-livestock - purpose. The primary purpose of this section is to support the raising and keeping of livestock in the county by setting livestock densities and by implementing applicable best management practices for land used to accommodate such livestock in ways which ((~~reduce~~)) minimize the impact of livestock on the environment, particularly with regard to their impacts on water quality and salmonid fisheries habitat. The regulations set forth in this section are intended to be consistent with livestock welfare; however, those concerns are more appropriately addressed through K.C.C. 11.04.

BASIS: Reinstates original wording and intent, which recognize federal and state goals to protect fisheries resource; meeting water quality standards is simply one of the tools used to achieve this goal.

One goal if Agricultural nonpoint Source Pollution program is to "prevent and/or minimize potential contamination of ground and surface water, both on and off farm."

"Salmonid" replaces "anadromous" in recognition of the native trout populations which must be protected, and to conform with language in Sensitive Areas Ordinance.

6/7/93 MR. PULLEN WITHDREW AMENDMENT NO. 42

10870

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KING COUNTY COUNCIL

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 42 **OFFERED BY:** PULLEN

TOPIC: Livestock Densities.

Amend livestock density provisions to allow livestock on a minimum lot size of 21,500 square feet.

SECTION 532.

21A.30.040 Animal regulations-livestock -densities. The raising, keeping, breeding or fee boarding of livestock are subject to K.C.C. 11.04, Animal Control Regulations, and the following requirements:

A. The minimum site which may be used to accommodate large livestock shall be ((~~35,000~~)) 21,500 square feet, provided that the portion of the total site area used for confinement or grazing meets the requirements of this section;

B. The maximum number of livestock shall be as follows:

1. Commercial dairy farms covered by the Washington State department of Ecology NPDES system; either through a general or special permit - as consistent with the permit requirements.

2. Stables with covered arenas, for which farm management plans are implemented and maintained pursuant to K.C.C. 21A. 030.033 such that pasture and paddock use does not exceed the equivalent of 3 animals per acre on a full time basis, up to 6 resident horses per acre, provided further that higher densities may be allowed subject to the conditional use permit process to confirm compliance with the management standards;

3. For all large livestock not covered by paragraph 1. or 2. above:

(a) if a farm management plan pursuant to K.C.C. 21A.030.033 is implemented and maintained as or, in the alternative, all of the management standards of section K.C.C. 21A.30.035 are met, three horse, cows or similarly sized animals per gross acre of total site area, provided further that two ponies shall be counted as being equivalent to one horse and that miniature horses shall be treated as small livestock subject to paragraph d below.

(b) if paragraph (a) is not met, one horse, cow, or similarly sized animal (excluding any young under 6 months of age) per two acres of fenced grazing area;

4. for small livestock, five of each or any combination (excluding sucklings) per one acre of fenced pasturage, or per one-half acre of total site area subject to the management requirements set out in K.C.C. 21.30.035 below.

BASIS: Matches site requirements more closely to allowed densities.

Livestock.amd

6/7/93 MR. PULLEN WITHDREW AMENDMENT NO. 43

10870
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93 MAY 27 AM 11:58
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KING COUNTY COUNCIL

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 43 **OFFERED BY:** Pullen

TOPIC: Livestock densities.

SECTION 532.

21A.30.040 Animal regulations-livestock -densities. The raising, keeping, breeding or fee boarding of livestock are subject to K.C.C. 11.04, Animal Control Regulations, and the following requirements:

A. The minimum site which may be used to accommodate large livestock shall be 35,000 square feet((~~, provided that the portion of the total site area used for confinement or grazing meets the requirements of this section~~));

B. The maximum number of livestock shall be as follows:

1. Commercial dairy farms - as authorized by the Washington State department of Ecology NPDES system;

2. Stables with covered arenas, ((~~for which farm management plans are implemented and maintained pursuant to K.C.C. 21A. 030.033 such that pasture and paddock use does not exceed the equivalent of 3 animals using the areas on a full time basis,~~)) up to 6 resident horses per acre, provided that pasture and paddock area use does not exceed the equivalent of 2 animals per acre on a full time basis, and provided further that higher densities may be allowed subject to the conditional use permit process to confirm compliance with the management standards;

3. For all large livestock not covered by paragraph 1. or 2. above:

(a) for sites of one acre or less, one horse, cow or similarly sized animal per 17,500 square feet((~~if a farm management plan pursuant to K.C.C. 21A.030.033 is implemented and maintained as or, in the alternative, all of the management standards of section K.C.C. 21A.30.035 are met,~~))

(b) for sites larger than one acre, ((~~three~~)) two horses, cows or similarly sized animals per gross acre of total site area, provided further that two ponies shall be counted as being equivalent to one horse and that miniature horses and cows shall be treated as small livestock subject to paragraph d below.

((~~(b) if paragraph (a) is not met, one horse, cow, or similarly sized animal (excluding any young under 6 months of age) per two acres of fenced grazing area~~));

4. for small livestock, five of each or any combination (excluding sucklings) per one acre of fenced pasturage, or per one-half acre of total site area((~~subject to the management requirements set out in K.C.C. 21.30.035 below~~)).

BASIS: Return to two animal per acre rule in existing code.

Livestock2.AMD

6/7/93 MR: SIMS WITHDREW AMENDMENT NO. 44

KING COUNTY ZONING CODE 10870

ORDINANCE NUMBER 91-729

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93 MAY 27 AM 11:57

CLERK
KING COUNTY COUNCIL

AMENDMENT NUMBER: 44

OFFERED BY: Sims

TOPIC: Livestock Densities.

Amend livestock density provisions to allow livestock densities to be set by a farm management plan.

SECTION 532.

21A.30.040 Animal regulations-livestock -densities. The raising, keeping, breeding or fee boarding of livestock are subject to K.C.C. 11.04, Animal Control Regulations, and the following requirements:

A. The minimum site which may be used to accommodate large livestock shall be 35,000 square feet, provided that the portion of the total site area used for confinement or grazing meets the requirements of this section;

B. The maximum number of livestock shall be as follows:

1. Commercial dairy farms covered by the Washington State department of Ecology NPDES system; either through a general or special permit - as consistent with the permit requirements.

((~~2. Stables with covered arenas, for which farm management plans are implemented and maintained pursuant to K.C.C. 21A. 030.033 such that pasture and paddock use does not exceed the equivalent of 3 animals per acre on a full time basis, up to 6 resident horses per acre, provided further that higher densities may be allowed subject to the conditional use permit process to confirm compliance with the management standards;~~

~~3. For all large livestock not covered by paragraph 1. or 2. above:~~

~~(a) if a farm management plan pursuant to K.C.C. 21A.030.033 is implemented and maintained as or, in the alternative, all of the management standards of section K.C.C. 21A.30.035 are met, three horse, cows or similarly sized animals per gross acre of total site area, provided further that two ponies shall be counted as being equivalent to one horse and that miniature horses shall be treated as small livestock subject to paragraph d below.~~

~~(b) if paragraph (a) is not met, one horse, cow, or similarly sized animal (excluding any young under 6 months of age) per two acres of fenced grazing area;~~

~~4. for small livestock, five of each or any combination (excluding sucklings) per one acre of fenced pasturage, or per one half acre of total site area subject to the management requirements set out in K.C.C. 21.30.035 below.~~))

2. For properties with an approved and implemented farm management plan, livestock densities shall be set as part of the plan.

3. For properties without a farm management plan, the following limits shall apply, provided that the management standards set out in Section 534 are met on any property located within 200 feet of a stream or wetland:

a. three horse, cows or other large livestock per gross acre of total site area, provided further that two ponies shall be counted as being equivalent to one horse and that miniature horses shall be treated as small livestock

b. ten small livestock per acre of total site area

4. For properties without a farm management plan that do not meet the management standards in Section 534, 1 large livestock per 2 acres of grazing area, and 5 small livestock per 1 acre of grazing area.

BASIS: Recognizes that farm management plans may need to stipulate densities as well as site management.

6/7/93 MR. PULLEN MOVE AMENDMENT NO. 45. FAILED 3-5. KP, BD, AG "YES" LP EXC.

10870

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93 MAY 27 AM 11:58

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KING COUNTY COUNCIL

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 45 **OFFERED BY:** Pullen, UAC

TOPIC: Farm management plans.

((~~SECTION 533.~~

~~21A.30.050 Farm management plan. In order to achieve the maximum livestock density allowances provided for in Section K.C.C. 21A.030.032, above, a farm management plan (conservation) plan developed by the property owner with the assistance of the King County Conservation District which incorporates applicable best management practices for grazing and pasture management, manure management, watering and feeding area management, and stream corridor management must be developed, implemented and maintained. Such plans must include a schedule for implementation. A copy of the proposed and final plans shall be provided to the clerk of the council.~~))

BASIS: Don't require best management practices, don't need farm management plan sections.

Livestock2.AMD

6/7/93 MR. PULLEN WITHDREW AMENDMENT NO. 46

10870

KING COUNTY ZONING CODE

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ORDINANCE NUMBER 91-729

93 MAY 27 AM 11:58

CLERK
KING COUNTY COUNCIL

AMENDMENT NUMBER: 46 OFFERED BY: Pullen, UAC

TOPIC: Livestock management standards.

((~~SECTION 534.~~

~~21.30.060 Animal regulations livestock - management standards. A. As an alternative to a farm management plan, any property owner may implement the following management standards for any site which is used or proposed to be used to accommodate large livestock at densities greater than 1 animal per 2 acres, and small livestock at densities greater than 5 per acre.~~

~~1. Livestock access to streams and their buffers shall be limited to stream crossing and watering points which have been addressed by a crossing plan or watering point designed to SCS/SCD specifications which shall prevent free access along the length of the stream; fencing shall be used as necessary to prevent livestock access to streams. Bridges may be used in lieu of stream crossings, provided that piers and abutments shall not be placed within the ordinary high water mark or top of bank, whichever is greater. Bridges shall be designed to allow free flow of flood waters and shall not diminish the flood carrying capacity of the stream; these bridges may be placed without a county building permit, provided that such permit waiver shall not constitute any assumption of liability by the county with regard to such bridge or its placement. The waiver of county building permit requirements does not constitute a waiver from other required agency permits;~~

~~2. Grazing areas not addressed by K.C.C. 21A.24 shall maintain a vegetative buffer of 25 feet from any naturally occurring pond, wetland edge of a class I or II wetland, (except those wetlands meeting the definition of grazed wet meadows) or the ordinary high water mark of a class I or II stream (excluding grazed wet meadows). If the buffer does not contain vegetation sufficient for bank stability and biofiltration, fencing or timed rotational grazing shall be used to establish and maintain the buffer.~~

~~3. Confinement areas located within 200 feet of any class I or II streams, wetlands or drainageways shall:~~

~~a. Have a 20 foot wide vegetative filter strip downhill from the confinement area, consisting of heavy grasses or other ground cover with high stem density and which may also include tree cover, in addition to the buffers in paragraph 2;~~

~~b. Not be located in any stream or wetland buffer area required by the sensitive areas ordinance in effect at the time the confinement area is built, or within 50 feet of any naturally occurring pond, wetland edge of any class I or II wetland or the ordinary high water mark of any class I or II stream, unless some other distance has been approved by a county permit issued following an environment review or by a conservation district plan pursuant to paragraph D. Existing confinement areas which do not meet these requirements shall be modified as necessary to provide the buffers specified herein within five years of the effective date of this section provided further that buildings in the confinement area need not be so modified;~~

~~c. Have roof drains of any buildings in the confinement area diverted away from the confinement area; and~~

~~4. Manure storage areas shall be managed as follows:~~

~~a. Surface flows and roof runoff shall be diverted away from manure storage areas.~~

~~b. All manure stockpiled within 200 feet of any stream, wetland, or drainageway to a stream or wetland shall be covered during the winter months (October 15 to April 15) in a manner that excludes precipitation and allows free flow of air to minimize fire danger; and~~

~~c. Manure shall be stored in a location that avoids having runoff from the manure enter streams or wetlands. Manure piles shall not be closer than 50 feet to any wetland edge, the ordinary high water mark of any stream, or any ditch to which the topography would generally direct runoff from the manure, nor in any stream buffer.~~

~~6. Manure shall be spread on fields only during the growing season, and not on saturated or frozen fields.~~

~~A. The following setback and buffer requirements apply to the keeping of livestock:~~

~~1. Any building used to house, confine or feed livestock shall not be located closer than 10 feet to any boundary property line or 35 feet to any residence existing when the livestock structure is built, and shall be increased to 100 feet for any building used to house, confine or feed swine;~~

~~2. Any building used to house, confine or feed livestock shall not be located closer than 35 feet to any dwelling unit or accessory living quarters on the same premises, except that a barn or stable may contain a caretaker's accessory living quarters;~~

~~3. There shall be no uncovered storage of manure, shavings or similar organic material closer than 45 feet to any dwelling unit or accessory living quarters; and~~

~~4. Grazing and confinement areas may extend to the property line.~~

~~B. In residential zones, fee boarding of livestock other than in a legally established stable shall only be as an accessory use to a residence on the subject property; and~~

~~C. A barn or stable may contain a caretaker's accessory living quarters.~~))

BASIS: Remove livestock management standards due to public resistance.

6/7/93 MR. SIMS WITHDREW AMENDMENT NO. 47

10870

KING COUNTY ZONING CODE

RECEIVED
93 MAY 27 AM 11:58
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KING COUNTY COUNCIL

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 47 **OFFERED BY:** Sims

TOPIC: Livestock - farm management plan minimum requirements.

SECTION 533.

21A.30.050 Farm management plan. In order to achieve the maximum livestock density allowances provided for in Section K.C.C. 21A.030.032, above, a farm management((~~plan~~)) (conservation) plan developed by the property owner with the assistance of the King Conservation District (KCD) which incorporates applicable best management practices for grazing and pasture management, manure management, watering and feeding area management, and wetland and stream corridor management must be developed, implemented and maintained. Such plans must, at a minimum:

1. Achieve 25 foot vegetated buffers for all class 1 and class 2 streams and wetlands and 10 foot vegetated buffers for class 3 streams and wetlands using buffer averaging where necessary to accommodate existing structures and stream meander;
2. Assure that drainage ditches on the site do not channel animal waste to such streams; and
3. Include a schedule for implementation.

A copy of the proposed and final plans shall be provided to the clerk of the council within 60 days of approval.

BASIS: Eliminates unnecessary word, and recognizes KCD's new title.

Reinstates original language, requiring minimum buffers for class 1 and class 2 streams, recognizing studies which identify 25 foot vegetated buffer as minimum required to protect fish habitat; also recognized the need to accommodate existing structures.

Adds protection of class 3 streams, recognizing the importance of headwater streams.

requires minimum buffer for class 1, class 2 and class 3 wetlands, based on similar information.

Provides time frame for filling plan with clerk of council.

6/7/93 MR: PULLEN WITHDREW AMENDMENT NO: 48

KING COUNTY ZONING CODE

10870

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93 MAY 27 AM 11:57

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KING COUNTY COUNCIL

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 48 **OFFERED BY:** PULLEN

TOPIC: Farm Management Plans.

Section 533.

21A.30.050 Farm management plan. In order to achieve the maximum livestock density allowances provided for in Section K.C.C. 21A.030.040, above, a farm management plan (conservation) plan developed by the property owner with the assistance of the King Conservation District (KCD) which incorporates applicable best management practices for grazing and pasture management, manure management, watering and feeding area management, and stream corridor management must be developed, implemented and maintained. Such plans must include a schedule for implementation. An additional copy of the proposed and final plans shall be provided to ((~~the clerk of the council~~)) the livestock owner to be available upon request by the Washington State Department of Ecology who shall be made aware of the plan by the Conservation District.

BASIS: The Washington State Department of Ecology, King County Conservation District and Washington State Conservation Commission have a formal Memoranda of Agreement outlining provisions for complaints, compliance and enforcement of Clean Water Act violations. Leaving an additional copy of a Conservation Plan with the livestock owner and notifying DOE that it is available for them, is a part of that Memoranda.

AMENDMENT NO: 49 NOT OFFERED

KING COUNTY ZONING CODE

10870

ORDINANCE NUMBER 91-729

RECEIVED

93 MAY 27 AM 11:57

CLERK KING COUNTY COUNCIL

AMENDMENT NUMBER: 49 **OFFERED BY:** Phillips

TOPIC: Rotational grazing of livestock.

This amendment will:

A. preclude rotational grazing in stream buffers;
B. apply manure pile cover provision only to piles located uphill from streams and wetlands

SECTION 534.

21A.30.060 Animal regulations-livestock - management standards. A. As an alternative to a farm management plan, any property owner may implement the following management standards for any site which is used or proposed to be used to accommodate large livestock at densities greater than 1 animal per 2 acres, and small livestock at densities greater than 5 per acre.

1. Livestock access to streams and their buffers shall be limited to stream crossing and watering points which have been addressed by a crossing plan or watering point designed to SCS/KCD specifications which shall prevent free access along the length of the stream; fencing shall be used as necessary to prevent livestock access to streams. Bridges may be used in lieu of stream crossings, provided that piers and abutments shall not be placed within the ordinary high water mark or top-of-bank, whichever is greater. Bridges shall be designed to allow free flow of flood waters and shall not diminish the flood carrying capacity of the stream; these bridges may be placed without a county building permit, provided that such permit waiver shall not constitute any assumption of liability by the county with regard to such bridge or its placement. The waiver of county building permit requirements does not constitute a waiver from other required agency permits;

2. Grazing areas not addressed by K.C.C. 21A.24 shall maintain a vegetative buffer of 25 feet from any naturally occurring pond, wetland edge of a class I or II wetland, (except those wetlands meeting the definition of grazed wet meadows) or the ordinary high water mark of a class I or II stream. If the buffer does not contain vegetation sufficient for bank stability and biofiltration, fencing ((~~or timed rotational grazing~~)) shall be used to establish and maintain the buffer.

3. Confinement areas located within 200 feet of any class I or II streams, wetlands or drainageways shall:

a. Have a 20 foot wide vegetative filter strip downhill from the confinement area, consisting of heavy grasses or other ground cover with high stem density and which may also include tree cover, in addition to the buffers in paragraph b;

b. Not be located in any stream or wetland buffer area required by the sensitive areas ordinance in effect at the time the confinement area is built, or within 50 feet of any naturally occurring pond, wetland edge of any class I or II wetland or the ordinary high water mark of any class I or II stream, unless some other distance has been approved by a county permit issued following an environment review or by a farm management plan pursuant to 21A.30.050. Existing confinement areas which do not meet these requirements shall be modified as necessary to provide the buffers specified herein within five years of the effective date of this section provided further that buildings in the confinement area need not be so modified;

c. Have roof drains of any buildings in the confinement area diverted away from the confinement area; and

4. Manure storage areas shall be managed as follows:

a. Surface flows and roof runoff shall be diverted away from manure storage areas.

b. All manure stockpiled within 200 feet uphill of any stream, wetland, or drainageway to a stream or wetland shall be covered during the winter months (October 15 to April 15) in a manner that excludes precipitation and allows free flow of air to minimize fire danger; and

c. Manure shall be stored in a location that avoids having runoff from the manure enter streams or wetlands. Manure piles shall not be closer than 50 feet to any wetland edge, the ordinary high water

mark of any stream, or any ditch to which the topography would generally direct runoff from the manure, nor in any stream buffer.

5. Manure shall be spread on fields only during the growing season, and not on saturated or frozen fields.

B. The following setback and buffer requirements apply to the keeping of livestock:

1. Any building used to house, confine or feed livestock shall not be located closer than 10 feet to any boundary property line or 35 feet to any residence existing when the livestock structure is built, and shall be increased to 100 feet for any building used to house, confine or feed swine;

2. Any building used to house, confine or feed livestock shall not be located closer than 35 feet to any dwelling unit or accessory living quarters on the same premises, except that a barn or stable may contain a caretaker's accessory living quarters;

3. There shall be no uncovered storage of manure, shavings or similar organic material closer than 45 feet to any dwelling unit or accessory living quarters; and

4. Grazing and confinement areas may extend to the property line.

C. In residential zones, fee boarding of livestock other than in a legally established stable shall only be as an accessory use to a residence on the subject property; and

D. A barn or stable may contain a caretaker's accessory living quarters.

BASIS: Buffers cannot be maintained if they are allowed to be grazed without a farm management plan.

6/7/93 MR: SIMS WITHDREW AMENDMENT NO: 50

KING COUNTY ZONING CODE 10870

ORDINANCE NUMBER 91-729

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93 MAY 27 AM 11:58
CLERK
KING COUNTY COUNCIL

AMENDMENT NUMBER: 50 OFFERED BY: Sims

TOPIC: Livestock - buffer requirements.

SECTION 534.

21A.30.060 Animal regulations-livestock - management standards. A. As an alternative to a farm management plan, any property owner may implement the following management standards for any site which is used or proposed to be used to accommodate large livestock at densities greater than 1 animal per 2 acres, and small livestock at densities greater than 5 per acre.

1. Livestock access to streams and their buffers shall be limited to stream crossing and watering points which have been addressed by a crossing plan or watering point designed to SCS/KCD specifications which shall prevent free access along the length of the stream; fencing shall be used as necessary to prevent livestock access to streams. Bridges may be used in lieu of stream crossings, provided that piers and abutments shall not be placed within the ordinary high water mark or top-of-bank, whichever is greater. Bridges shall be designed to allow free flow of flood waters and shall not diminish the flood carrying capacity of the stream; these bridges may be placed without a county building permit, provided that such permit waiver shall not constitute any assumption of liability by the county with regard to such bridge or its placement. The waiver of county building permit requirements does not constitute a waiver from other required agency permits;

2. Grazing areas not addressed by K.C.C. 21A.24 shall maintain an average vegetative buffer of ((~~25~~))50 feet from any naturally occurring pond, wetland edge of a class I or II wetland, (except those wetlands meeting the definition of grazed wet meadows) or the ordinary high water mark of a class I or II stream. ((~~If the buffer does not contain vegetation sufficient for bank stability and biofiltration, f~~)). The buffer size may be reduced to 25 feet as part of a county permit issued following an environmental review or by a farm management plan pursuant to section 21A.30.050 or where a buffer of at least 25 feet already exists. Class 3 wetlands and drainage ditches shall have buffers of 10 feet in grazing areas. Fencing or timed rotational grazing shall be used to establish and maintain the buffer.

3. Confinement areas located within 200 feet of any ((~~class 1 or 2~~)) streams, wetlands or drainage((~~ways~~)) ditches shall:

a. Have a 20 foot wide vegetative filter strip downhill from the confinement area, consisting of heavy grasses or other ground cover with high stem density and which may also include tree cover, in addition to the buffers in paragraph 2;

b. Not be located in any stream or wetland buffer area required by the sensitive areas ordinance in effect at the time the confinement area is built, or within 50 feet of any naturally occurring pond, wetland edge of any class 1 or 2 wetland or the ordinary high water mark of any class 1 or 2 stream, unless some other distance has been approved by a county permit issued following an environment review or by a conservation district plan pursuant to paragraph D. Existing confinement areas which do not meet these requirements shall be modified as necessary to provide the buffers specified herein within five years of the effective date of this section provided further that buildings in the confinement area need not be so modified;

c. Have roof drains of any buildings in the confinement area diverted away from the confinement area; and

4. Manure storage areas shall be managed as follows:

a. Surface flows and roof runoff shall be diverted away from manure storage areas.

b. All manure stockpiled within 200 feet of any stream, wetland, or drainage((~~way~~)) ditch to a stream or wetland shall be covered during the winter months (October 15 to April 15) in a manner that excludes precipitation and allows free flow of air to minimize fire danger; and

c. Manure shall be stored in a location that avoids having runoff from the manure enter streams or wetlands. Manure piles shall not be closer than 50 feet to any wetland edge, the ordinary high water mark of any stream, or any ditch to which the topography would generally direct runoff from the manure, nor in any stream buffer.

5. Manure shall be spread on fields only during the growing season, and not on saturated or frozen fields.

B. The following setback and buffer requirements apply to the keeping of livestock:

1. Any building used to house, confine or feed livestock shall not be located closer than 10 feet to any boundary property line or 35 feet to any residence existing when the livestock structure is built, and shall be increased to 100 feet for any building used to house, confine or feed swine;

2. Any building used to house, confine or feed livestock shall not be located closer than 35 feet to any dwelling unit or accessory living quarters on the same premises, except that a barn or stable may contain a caretaker's accessory living quarters;

3. There shall be no uncovered storage of manure, shavings or similar organic material closer than 45 feet to any dwelling unit or accessory living quarters; and

4. Grazing and confinement areas may extend to the property line.

C. In residential zones, fee boarding of livestock other than in a legally established stable shall only be as an accessory use to a residence on the subject property; and

D. A barn or stable may contain a caretaker's accessory living quarters.

BASIS: Reinstates original language, recognizing that a 50 foot buffer provides adequate protection under most circumstances, and that professional review is required to ensure that 25 foot buffer will provide minimum protection. Encourages use of Conservation District expertise.

Adds protection of Class III streams and wetlands.

Eliminates subjective language - who and how will the amount of "vegetation sufficient for bank stability and biofiltration" be determined?

Avoids requiring fencing to parallel meandering streams, and clarifies treatment of drainage ditches and class 3 streams.

Eliminates "timed rotational grazing" in buffers, which is neither enforceable nor protective of the stream or wetland. Experts use rotational grazing within the riparian zone (this is already allowed under this rule). However, only rarely is it done within buffers ("stream corridors"), and then it is very closely controlled.

6/7/93 MR: PULLEN WITHDREW AMENDMENT NO. 51

KING COUNTY ZONING CODE 10870

ORDINANCE NUMBER 91-729

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93 MAY 27 AM 11:57

CLERK KING COUNTY COUNCIL

AMENDMENT NUMBER: 51 **OFFERED BY:** PULLEN

TOPIC: Management standards - livestock.

Amend Section 534, proposed 21A.30.060 as follows, to

A. reduce required stream and wetland buffers:
B. allow manure piles closer to streams and wetlands

SECTION 534.

21A.30.060 Animal regulations-livestock - management standards. A. As an alternative to a farm management plan, any property owner may implement the following management standards for any site which is used or proposed to be used to accommodate large livestock at densities greater than 1 animal per 2 acres, and small livestock at densities greater than 5 per acre.

1. Livestock access to streams and their buffers shall be limited to stream crossing and watering points which have been addressed by a crossing plan or watering point designed to SCS/SCD specifications which shall prevent free access along the length of the stream; fencing shall be used as necessary to prevent livestock access to streams. Bridges may be used in lieu of stream crossings, provided that piers and abutments shall not be placed within the ordinary high water mark or top-of-bank, whichever is greater. Bridges shall be designed to allow free flow of flood waters and shall not diminish the flood carrying capacity of the stream; these bridges may be placed without a county building permit, provided that such permit waiver shall not constitute any assumption of liability by the county with regard to such bridge or its placement. The waiver of county building permit requirements does not constitute a waiver from other required agency permits;

2. Grazing areas not addressed by K.C.C. 21A.24 shall maintain a vegetative buffer of ((~~25~~)) 10 feet from any naturally occurring pond, wetland edge of a class 1 or 2 wetland, (except those wetlands meeting the definition of grazed wet meadows) or the ordinary high water mark of a class 1 or 2 stream (excluding grazed wet meadows). If the buffer does not contain vegetation sufficient for bank stability and biofiltration, fencing or timed rotational grazing shall be used to establish and maintain the buffer.

3. Confinement areas located within 200 feet of any class 1 or 2 streams, wetlands or drainageways shall:

a. Have a ((~~20~~)) 10 foot wide vegetative filter strip downhill from the confinement area, consisting of heavy grasses or other ground cover with high stem density and which may also include tree cover, in addition to the buffers in paragraph 2;

b. Not be located in any stream or wetland buffer area required by the sensitive areas ordinance in effect at the time the confinement area is built, or within ((~~50~~)) 25 feet of any naturally occurring pond, wetland edge of any class 1 or 2 wetland or the ordinary high water mark of any class 1 or 2 stream, unless some other distance has been approved by a county permit issued following an environment review or by a conservation district plan ((~~pursuant to 21A.30.050. Existing confinement areas which do not meet these requirements shall be modified as necessary to provide the buffers specified herein within five years of the effective date of this section provided further that buildings in the confinement area need not be so modified~~));

c. Have roof drains of any buildings in the confinement area diverted away from the confinement area; and

4. Manure storage areas shall be managed as follows:

a. Surface flows and roof runoff shall be diverted away from manure storage areas.

b. ((~~All manure stockpiled within 200 feet of any stream, wetland, or drainageway to a stream or wetland shall be covered during the winter months (October 15 to April 15) in a manner that excludes precipitation and allows free flow of air to minimize fire danger; and~~

~~c.~~)) Manure shall be stored in a location that avoids having runoff from the manure enter streams or wetlands. Manure piles shall not be closer than 50 feet to any wetland edge, the ordinary high water mark of any stream, or any ditch to which the topography would generally direct runoff from the manure, nor in any stream buffer.

c. Upon initiation of a King County manure recycling or manure composting program, stockpiled manure shall be encouraged to be brought for recycling or composting before the winter months (October 15 to April 15).

5. Manure shall be spread on fields only during the growing season, and not on saturated or frozen fields.

B. The following setback and buffer requirements apply to the keeping of livestock:

1. Any building used to house, confine or feed livestock shall not be located closer than 10 feet to any boundary property line or 35 feet to any residence existing when the livestock structure is built, and shall be increased to 100 feet for any building used to house, confine or feed swine;

2. Any building used to house, confine or feed livestock shall not be located closer than 35 feet to any dwelling unit or accessory living quarters on the same premises, except that a barn or stable may contain a caretaker's accessory living quarters;

3. There shall be no uncovered storage of manure, shavings or similar organic material closer than 45 feet to any dwelling unit or accessory living quarters; and

4. Grazing and confinement areas may extend to the property line.

C. In residential zones, fee boarding of livestock other than in a legally established stable shall only be as an accessory use to a residence on the subject property; and

D. A barn or stable may contain a caretaker's accessory living quarters.

BASIS: The grazing areas not addressed by K.C.C. 21A.24 are solely those livestock operations existing before November 1990 that have not applied for any County permit. K.C.C. 21A.24 set buffers from 25 to 100 feet for livestock operations established since November 1990 or for existing uses that have applied for a County permit since then.

Vested, existing uses should be granted some exception from regulations that were not in practice at the instigation of the land use.

USEPA and PSWQA identify existing and ongoing agricultural activities as allowed activities.

Grazing is a low-intensity land use.

SCS and Washington Department of Fisheries have used 10 foot stream buffers with positive results.

A 10 foot buffer eliminates the fear of Adverse Possession for trail rights by County or other groups.

the 20 foot filter strip plus the 50 foot buffer renders a minimum buffer area of 70 feet, that's 20 feet more than the current SAO establishes for existing uses.

The goal is to protect the streams form manure.

Wetlands are natural biofiltration.

Many properties would not have the 400 feet width needed to stockpile away from streams or wetlands.

On farms that have been "ditched", removing stockpiles 200 feet away from all ditches could eliminate the entire farm.

Covering all stockpiles in such a manner would practically involve roofing it; which in turn, requires a county permit, which in turn would eliminate any vesting of the farm, requiring compliance with the Sensitive Areas Ordinance.

A manure recycling or composting program must be encouraged.

6/7/93 MR. DERDOWSKI MOVE AMENDMENT NO. 52; FAILED 4-5; BD; BL; AG; KP YE

KING COUNTY ZONING CODE 10870

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 52 **OFFERED BY:** Derdowski

TOPIC: Create an R-3 zone.

This amendment would create a new R-3 urban residential zone (3 units to the acre).

6/7/93 MR: PULLEN WITHDREW AMENDMENT NO: 53

10870

KING COUNTY ZONING CODE

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ORDINANCE NUMBER 91-729

93 MAY 27 AM 11:57

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KING COUNTY COUNCIL

AMENDMENT NUMBER: 53 OFFERED BY: Pullen, UAC

TOPIC: Livestock standards - application to existing operations.

((~~SECTION 535.~~

~~21A.30.070 Existing livestock operations. All existing livestock operations shall either implement a farm management plan pursuant to K.C.C. 21A.30.033 or meet the management standards in K.C.C. 21A.30.035A, within five years of the adoption date of this title; existing buildings are exempt from this provision.~~))

BASIS: Existing operations previous to November 1990 will gradually turn-over in ownership and through the county permit process. This will lend itself to facilitated implementation of farm plans through the Conservation District, while eliminating the challenge to vested rights.

Federal and State agencies identify existing ongoing agricultural activities as exempt from regulations related to the Clean Water Act.

This Section was never presented or voted upon by the GMHE Committee, having appeared in this form for the first time in this draft.

If matching funds are not available, farmers should not be penalized with mandatory dates of compliance.

6/7/93 MR. SIMS WITHDREW AMENDMENT NO. 54

10870

KING COUNTY ZONING CODE

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93 MAY 27 AM 11:58
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KING COUNTY COUNCIL

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 54 **OFFERED BY:** Sims

TOPIC: Livestock - King Conservation District Levy Oversight Committee

SECTION XXX.

21A.30.XXX Livestock - King Conservation District Levy Oversight Committee. A. Within 90 days of adoption of this chapter, King County shall establish a Levy Oversight Committee comprised of representatives from county, state and federal agencies with expertise in the area of water quality and habitat impact of livestock, affected tribes, commercial and hobby farms, consumers and the environmental community.. The group will:

1. Evaluate the effectiveness of farm management plans and provide guidance regarding changes required to ensure that the goals of this legislation are being met;
2. Review the efficacy of current performance standards and best management practices, and determine how and where they could best be applied in King County; and
3. Provided a link between government "experts" and the average livestock owners who must implement this legislation.

A professional facilitator and experts in the field will be provided to ensure that the best information is provided to King County Council as the elements of the livestock density legislation are improved.

B. KCD levy monies will be used to find monitoring of from management plans, to provide information regarding the efficacy of the best management practices being implemented. The level of finding required will be set by the County and District jointly. This information can be used to demonstrate the value of such plans to other farmers, and will be reported to the Levy Oversight Committee, for use in development of improved standards for the livestock density legislation.

BASIS: Under current wording, the Conservation District will receive major taxpayer funds, with no oversight. It is in the public interest to establish some form of oversight, to ensure that the goals of this legislation are met.

AMENDMENT NO. 55 NOT OFFERED

10870

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

AMENDMENT NUMBER: 55 OFFERED BY: Derdowski

TOPIC: LIvestock standards

Amend livestock management standards as follows to clarify that requirements for confinement areas and manure piles relate to those uphill from streams, and to clarify what classifications of wetlands the standards apply to.

SECTION 534.

21A.30.060 Animal regulations-livestock - management standards. A. As an alternative to a farm management plan, any property owner may implement the following management standards for any site which is used or proposed to be used to accommodate large livestock at densities greater than 1 animal per 2 acres, and small livestock at densities greater than 5 per acre.

1. Livestock access to streams and their buffers shall be limited to stream crossing and watering points which have been addressed by a crossing plan or watering point designed to SCS/KCD specifications which shall prevent free access along the length of the stream; fencing shall be used as necessary to prevent livestock access to streams. Bridges may be used in lieu of stream crossings, provided that piers and abutments shall not be placed within the ordinary high water mark or top-of-bank, whichever is greater. Bridges shall be designed to allow free flow of flood waters and shall not diminish the flood carrying capacity of the stream; these bridges may be placed without a county building permit, provided that such permit waiver shall not constitute any assumption of liability by the county with regard to such bridge or its placement. The waiver of county building permit requirements does not constitute a waiver from other required agency permits;

2. Grazing areas not addressed by K.C.C. 21A.24 shall maintain a vegetative buffer of 25 feet from any naturally occurring pond, wetland edge of a class I or II wetland, (except those wetlands meeting the definition of grazed wet meadows) or the ordinary high water mark of a class I or II stream. If the buffer does not contain vegetation sufficient for bank stability and biofiltration, fencing or timed rotational grazing shall be used to establish and maintain the buffer.

3. Confinement areas located within 200 feet of any class ((I))1 or ((II))2 streams, class 1 or 2 wetlands or drainageways shall:

a. Have a 20 foot wide vegetative filter strip downhill from the confinement area, consisting of heavy grasses or other ground cover with high stem density and which may also include tree cover, in addition to the buffers in paragraph b;

b. Not be located in any stream or wetland buffer area required by the sensitive areas ordinance in effect at the time the confinement area is built, or within 50 feet of any naturally occurring pond, wetland edge of any class I or II wetland or the ordinary high water mark of any class I or II stream, unless some other distance has been approved by a county permit issued following an environment review or by a farm management plan pursuant to 21A.30.050. Existing confinement areas which do not meet these requirements shall be modified as necessary to provide the buffers specified herein within five years of the effective date of this section provided further that buildings in the confinement area need not be so modified;

c. Have roof drains of any buildings in the confinement area diverted away from the confinement area; and

4. Manure storage areas shall be managed as follows:

a. Surface flows and roof runoff shall be diverted away from manure storage areas.

b. All manure stockpiled within 200 feet uphill of any stream, wetland, or drainageway to a stream or wetland shall be covered during the winter months (October 15 to April 15) in a manner that excludes precipitation and allows free flow of air to minimize fire danger; and

c. Manure shall be stored in a location that avoids having runoff from the manure enter streams or wetlands. Manure piles shall not be closer than 50 feet to any wetland edge, the ordinary high water mark of any stream, or any ditch to which the topography would generally direct runoff from the manure, nor in any stream buffer.

5. Manure shall be spread on fields only during the growing season, and not on saturated or frozen fields.

B. The following setback and buffer requirements apply to the keeping of livestock:

1. Any building used to house, confine or feed livestock shall not be located closer than 10 feet to any boundary property line or 35 feet to any residence existing when the livestock structure is built, and shall be increased to 100 feet for any building used to house, confine or feed swine;

2. Any building used to house, confine or feed livestock shall not be located closer than 35 feet to any dwelling unit or accessory living quarters on the same premises, except that a barn or stable may contain a caretaker's accessory living quarters;

3. There shall be no uncovered storage of manure, shavings or similar organic material closer than 45 feet to any dwelling unit or accessory living quarters; and

4. Grazing and confinement areas may extend to the property line.

C. In residential zones, fee boarding of livestock other than in a legally established stable shall only be as an accessory use to a residence on the subject property; and

D. A barn or stable may contain a caretaker's accessory living quarters.

6/7/93 MR. DERDOWSKI MOVE AMENDMENT NO. 56, AS AMENDED, FAILED 1-7, BD "YES" LP EXC.

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

10870

AMENDMENT NUMBER: 56 **OFFERED BY:** Derdowski

TOPIC: Effective date for UPD chapter

Add a new section after section 9, to read as follows:

Aug. 31 1993 Chapter 21A.39 is reserved for additional council review, which shall be completed by ~~December 31~~, 1993. The chapter shall be effective as shown in this code as of ~~January 1, 1994~~, Sept. 1, subject to other relevant provisions in Sections 1 through 5, if such review is not completed or if the review does not result in changes to the chapter.

6/7/93 MS. SULLIVAN MOVE AMENDMENT NO. 57. PASSED UNANIMOUSLY. #57

MOTION OR
ORDINANCE AMENDMENT

10870

~~Motion~~
Proposed Ordinance No. 91-729

Page 232, Section 634, line

after ((modification.)) and before ((INTRODUCED

shall be amended to read as follows:

SECTION 634. The amendments to this ordinance noted as passed on the attached amendment sheets are hereby adopted and incorporated herein.

after ((King County Executive)) and before ((232))

Attachments: King County Zoning Code Amendments No. 1 - 58

Cynthia Sullivan
Council Member

6/7/93 MS. SULLIVAN MOVE AMENDMENT NO. 58.
VOTING ON AMENDMENT NO. 58, AS AMENDED. PASSED 6-3. KP. BD. GN "NO"

KING COUNTY ZONING CODE

ORDINANCE NUMBER 91-729

10870

AMENDMENT NUMBER: 58 **OFFERED BY: SULLIVAN**

TOPIC: Density shifts between different zones on one property

Amend Section 357 as follows:

21A.12.200 Lot divided by zone boundary. When a lot is divided by a zone boundary, the following rules shall apply:

A. When a lot contains both residential and non-residential zoning, the zone boudnary between the zones shall be considered a lot line for determining permitted building hieght and required setbacks on the site;

B. When a lot contains residential zones of varying density,

1. any residential density transfer within the lot shall ((~~only~~)) be allowed from the portion with the lesser residential density to that of the greater residential density; ((~~and~~))

2. residential density transfer from the higher density zone to the lower density zone may be allowed only when:

a. the units transferred from any R-12 to R-48 zoned portion of the lot are maintained in an attached dwelling unit configuration on the lower density portion receiving such units.

b. the transfer does not reduce the minimum density achievable on the lot,

c. the transfer enhances the efficient use of needed infrastructure,

d. the transfer does not result in significant adverse impacts to the low density portion of the lot,

d. the transfer contributes to preservation of environmentally sensitive areas, wildlife corridors, or other natural features, and

~~e. the transfer is limited to a maximum of 25% of the minimum units allowed on the higher density site;~~

3. compliance with these criteria shall be evaluated during review of any development proposals in which such a transfer is proposed; and

C. Uses on each portion of the lot shall only be those permitted in each zone pursuant to K.C.C. 21A.08.

MR. DERDOWSKI MOVE AMEND BY ADDING: "~~f~~ e. the transfer does not result in significant adverse impacts to adjoining lower density properties." PASSED 5-4. PB. LP. CS. RS "NO"

MR. BARDEN MOVE STRIKE "e." and renumber letter? PASSED 6-3. BD. GN. AG "NO"