



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

February 21, 2001

Ordinance 14045

Proposed No. 2000-0187.3

Sponsors Sullivan

1 AN ORDINANCE relating to zoning and
2 comprehensive planning, revising definitions of the
3 rural area zone and urban residential zone to be
4 consistent with comprehensive plan policies, adding
5 definitions for hazardous liquid and gas transmission
6 pipelines, mixed-use development, resource land
7 tract, rural equestrian community trail, and rural forest
8 focus areas, and amending permitted use tables to
9 address development standards and allowed uses in
10 the rural area and on resource lands and apartments
11 and townhouses in the R-1 through R-8 zones,
12 amending density and dimensions tables to add a
13 minimum lot area to the rural area zone and allowing
14 a density of one dwelling unit per five acres for
15 density transfers, clarifying the minimum density
16 requirements to recognize that P-Suffix, Special
17 District Overlay or Subarea Plan may alter minimum

18 density requirements, revising the method for
19 calculating density in the rural area, establishing
20 setbacks from hazardous liquid and gas transmission
21 pipelines, restricting uses within a hazardous liquid
22 and gas transmission pipeline easement, allowing
23 limited movement of density within a development
24 site consisting of lots with different zoning, amending
25 and creating new development standards relating to
26 size of buildings, setbacks, building placement and
27 landscaping for non-residential uses in the rural area,
28 amending standards for cluster development in the
29 rural area to allow creation of a tract for resource uses
30 and requiring native landscaping along frontage of
31 new cluster subdivisions, establishing site design
32 standards for mixed-use developments, amending on-
33 site recreation space requirements, changing the
34 calculation for fee-in-lieu of recreation space to
35 reflect market value after development, increasing
36 landscaping of surface parking lots and requirements
37 for street trees, strengthening requirements to place
38 parking to the rear or side of buildings in non-
39 residential developments, restricting wetland
40 mitigation banking sites within the Agricultural

41 Production District, clarifying standards for
42 caretaker's accessory living quarters when located
43 within a barn or stable, adding density incentives for
44 providing public art in private development projects,
45 requiring the review process for new high schools in
46 the urban area to apply to new high schools in the
47 rural area, changing the term "rural forest district" to
48 "rural forest focus areas"; amending Ordinance
49 10870, Section 27, as amended, and K.C.C.
50 21A.04.060, Ordinance 10870, Section 29, as
51 amended, and K.C.C. 21A.04.080, Ordinance 10870,
52 Section 330, as amended, and K.C.C. 21A.08.030,
53 Ordinance 10870, Section 331, as amended, and
54 K.C.C. 21A.08.040, Ordinance 10870, Section 332, as
55 amended, and K.C.C. 21A.08.050, Ordinance 10870,
56 Section 333, as amended, and K.C.C. 21A.08.060,
57 Ordinance 10870, Section 334, as amended, and
58 K.C.C. 21A.08.070, Ordinance 10870, Section 335, as
59 amended, and K.C.C. 21A.08.080, Ordinance 10870,
60 Section 336, as amended, and K.C.C. 21A.08.090,
61 Ordinance 10870, Section 337, as amended, and
62 K.C.C. 21A.08.100, Ordinance 10870, Section 340, as
63 amended, and K.C.C. 21A.12.030, Ordinance 10870,

64 Section 341, as amended, and K.C.C. 21A.12.040,
65 Ordinance 10870, Section 343, as amended, and
66 K.C.C. 21A.12.060, Ordinance 10870, Section 344, as
67 amended, and K.C.C. 21A.12.070, Ordinance 10870,
68 Section 345, as amended, and K.C.C. 21A.12.080,
69 Ordinance 10870, Section 351, as amended, and
70 K.C.C. 21A.12.140, Ordinance 10870, Section 357, as
71 amended, and K.C.C. 21A.12.200, Ordinance 10870,
72 Section 359, as amended, and K.C.C. 21A.12.220,
73 Ordinance 10870, Section 364, as amended, and
74 K.C.C. 21A.14.040, Ordinance 10870, Section 374,
75 and K.C.C. 21A.14.140, Ordinance 10870, Section
76 378, as amended, and K.C.C. 21A.14.180, Ordinance
77 11621, Section 49, and K.C.C. 21A.14.185,
78 Ordinance 10870, Section 379, as amended, and
79 K.C.C. 21A.14.190, Ordinance 10870, Section 380, as
80 amended, and K.C.C. 21A.14.200, Ordinance 10870,
81 Section 388, as amended, and K.C.C. 21A.16.030,
82 Ordinance 10870, Section 390, as amended, and
83 K.C.C. 21A.16.050, Ordinance 10870, Section 392, as
84 amended, and K.C.C. 21A.16.070, Ordinance 10870,
85 Section 415, as amended, and K.C.C. 21A.18.010,
86 Ordinance 10870, Section 481, as amended, and

87 K.C.C. 21A.24.340, Ordinance 11621, Section 72,
88 and K.C.C. 21A.24.345, Ordinance 11168, Section 5,
89 as amended, and K.C.C. 21A.30.062, Ordinance
90 10870, Section 563, and K.C.C. 21A.34.040,
91 Ordinance 10870, Section 634 (part), and K.C.C.
92 21A.42.140, Ordinance 13274, Section 2, and K.C.C.
93 21A.55.110, Ordinance 13274, Section 4, and K.C.C.
94 21A.55.130, Ordinance 13274, Section 5, and K.C.C.
95 21A.55.140, Ordinance 13274, Section 6, and K.C.C.
96 21A.55.150, adding new sections to K.C.C. chapter
97 21A.06 and adding new sections to K.C.C. chapter
98 21A.14.

99
100

101 **PREAMBLE**

102 For the purposes of effective land use planning and regulation the King
103 County council makes the following legislative findings:

104 A. King County has adopted the 1994 King County Comprehensive Plan
105 to meet the requirements of the Washington state Growth Management
106 Act (GMA).

107 B. The GMA requires that the Comprehensive Plan and development
108 regulations be subject to continuing review and evaluation by the county.

109 C. King County has approved annual amendments to correct technical
110 errors and to make changes that do not require a substantive policy change
111 or alter the urban growth line.

112 D. King County has performed its first comprehensive four-year cycle
113 review of the Comprehensive Plan and development regulations. As a
114 result of the review, King County is amending the 1994 Comprehensive
115 Plan through passage of the 2000 King County Comprehensive Plan.

116 E. The GMA requires that King County adopt development regulations,
117 to be consistent with and implement the Comprehensive Plan.

118 F. The changes to the King County zoning code, K.C.C. Title 21A,
119 contained in this ordinance are needed to bring K.C.C. Title 21A into
120 conformance with the 2000 King County Comprehensive Plan, as required
121 by the GMA. As such, they bear a substantial relationship to, and are
122 necessary for, the public health, safety and general welfare of King
123 County and its residents.

124 G. The following legislative findings support new standards for the
125 preservation of rural area equestrian trails:

126 1. The planning goals set forth by GMA include a goal to “encourage the
127 retention of open space and development of recreational opportunities,
128 conserve fish and wildlife habitat, increase access to natural resource lands
129 and water, and develop parks” (R.C.W. 36.70A.020(9)), and a goal to
130 “ensure that those public facilities and services necessary to support
131 development shall be adequate to serve the development at the time the

132 development is available for occupancy and use without decreasing
133 current service levels below locally established minimum standards”
134 (R.C.W. 36.70A.020(12)).

135 2. The Washington state Subdivision Act requires local governments, in
136 deciding whether to approve or disapprove subdivisions, to consider if
137 “appropriate provisions are made for...parks and recreation....” (R.C.W.
138 58.17.110).

139 3. As development occurs within the Rural Areas designated by the 1994
140 King County Comprehensive Plan, particularly those areas designated as
141 Equestrian Communities in the 2000 revision of the Comprehensive Plan,
142 safe travel routes for nonmotorized users including equestrians,
143 pedestrians and bicyclists, and safe non-road access to regional trails, are
144 being blocked or lost.

145 4. In 1993 King County adopted the Nonmotorized Transportation Plan,
146 which calls for the preservation of existing dedicated and informal trail
147 systems...

148 5. King County has adopted a variety of policies and implementing
149 measures, including regulations, incentives and capital improvement
150 programs to preserve and enhance rural character. Raising of livestock is
151 specifically called out as an appropriate activity in Rural Areas.

152 6. The department of development and environmental services (DDES)
153 determined that since valid equestrian communities include a large
154 proportion of the Rural Area, general code requirements tied to adopted

155 equestrian community land use designations would be more appropriate
156 than a special district overlay as an implementing mechanism. The
157 provisions adopted by this ordinance are consistent with and provide
158 additional means of implementing these policies.

159 7. In 1999, DDES convened an Equestrian Communities Citizens'
160 Advisory Committee (CAC). The CAC, which included representatives
161 from equestrian, hiking and bicycling organizations, was supported with
162 staff from DDES, King County department of natural resources, King
163 County department of transportation, and King County department of
164 parks and recreation. The CAC made recommendations on the specific
165 provisions to be included in this ordinance and identified specific
166 designated Rural Area lands appropriate for protection as equestrian
167 communities. The provisions adopted by this ordinance are based in part
168 on the recommendations of the CAC.

169 8. Equestrian communities significantly contribute to the rural character
170 of King County through the provision of activities such as equestrian
171 livestock husbandry, training, competition and recreation. Protecting
172 equestrian communities serves a substantial public interest by preserving
173 that rural character. Maintaining equestrian trails and trail links serves a
174 substantial public interest because such trails and trail links are critical to
175 the preservation of equestrian communities. Trail riding is a significant
176 part of a horse's training. Maintaining such trails and trail links also

177 serves a substantial public interest by providing opportunities for other
178 types of nonmotorized recreation such as hiking and bicycling.

179 9. New development near equestrian communities often causes adverse
180 impacts on equestrian uses. These impacts include, for example, the
181 increase in the use of equestrian facilities such as road-side or off-road
182 trails, open spaces and parks, the obstruction of trails historically traveled
183 by equestrian or other nonmotorized users, and increases in automobile
184 traffic and other activities that conflict with equestrian uses.

185 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

186 SECTION 1. Ordinance 10870, Section 27, as amended, and K.C.C. 21A.04.060
187 are each hereby amended to read as follows:

188 **Rural area zone.** A. The purpose of the rural zone (RA) is to provide for an
189 area-wide long-term rural character and to minimize land use conflicts with nearby
190 agricultural~~((s))~~ or forest ~~((or mineral extraction))~~ production districts or mineral
191 extraction sites. These purposes are accomplished by:

192 1. Limiting residential densities and permitted uses to those that are compatible
193 with rural character and nearby resource production districts and sites and are able to be
194 adequately supported by rural service levels;

195 2. Allowing small-scale farming and forestry activities and tourism and
196 recreation uses ~~((which))~~ that can be supported by rural service levels and ~~((which))~~ that
197 are compatible with rural character; ~~((and))~~

198 3. Increasing required setbacks to minimize conflicts with adjacent agriculture,
199 forest or mineral zones~~((s))~~; and

200 4. Requiring tracts created through cluster development to be designated as
201 permanent open space or as permanent resource use.

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

204 1. ~~((AR-2.5/))~~RA-2.5 in rural areas where the predominant ~~((densities already~~
205 ~~exceed one dwelling per))~~ lot pattern is below five acres in size for lots established prior
206 to the adoption of the 1994 Comprehensive Plan ~~((and the soils can support on-site~~
207 ~~sewage disposal without damage to water resources))~~;

208 2. ~~((AR-5/))~~RA-5 in rural areas ~~((without established subdivision patterns and~~
209 ~~predominantly))~~ where the predominant lot pattern is five acres or greater but less than
210 ten acres in size and the area is generally environmentally unconstrained ~~((lands))~~;

211 3. ~~((AR-10/))~~RA-10 in rural areas~~((next to designated resource production areas~~
212 ~~where additional buffering is required, or where area wide environmental features~~
213 ~~constrain development. RA 10 is also applied to Rural Farm Districts designated by the~~
214 ~~King County Comprehensive Plan))~~ where the predominant lot pattern is ten acres or
215 greater but less than twenty acres in size. RA-10 is also applied on land that is generally
216 environmentally constrained, as defined by county, state or federal law, to protect critical
217 habitat and regionally significant resource areas (RSRAs). The RA-10 zone is also
218 applied to lands within one-quarter mile of a forest or agricultural production district or
219 an approved long-term mineral extraction site. On Vashon-Maury Island RA-10 zoning
220 shall be maintained on areas zoned RA-10 as of 1994 and on areas with a predominant lot
221 size of ten acres or greater that are identified on the Areas Highly Susceptible to
222 Groundwater Contamination map; and

223 4. RA-20 in Rural Forest Focus Districts designated by the King County -
224 Comprehensive Plan.

225 SECTION 2. Ordinance 10870, Section 29, as amended, and K.C.C. 21A.04.080
226 are each hereby amended to read as follows:

227 **Urban residential zone.** A. The purpose of the urban residential zone (R) is to
228 implement ((€)) comprehensive ((P)) plan goals and policies for housing quality,
229 diversity and affordability, and to efficiently use urban residential land, public services
230 and energy. These purposes are accomplished by:

231 1. Providing, in the R-1 through R-8 zones, for a mix of predominantly single
232 detached dwelling units and other development types, with a variety of densities and sizes
233 in locations appropriate for urban densities;

234 2. Providing, in the R-12 through R-48 zones, for a mix of predominantly
235 apartment and townhouse dwelling units, mixed-use and other development types, with a
236 variety of densities and sizes in locations appropriate for urban densities;

237 3. Allowing only those accessory and complementary nonresidential uses that
238 are compatible with urban residential communities; and

239 4. Establishing density designations to facilitate advanced area-wide planning
240 for public facilities and services, and to protect environmentally sensitive sites from over
241 development.

242 B. Use of this zone is appropriate in urban areas, activity centers, or ((#))Rural
243 ((#))Towns designated by the Comprehensive Plan ((or community plans)) as follows:

244 1. The R-1 zone on or adjacent to lands with area-wide environmental
245 constraints where development is required to cluster away from sensitive areas, on lands

246 designated urban separators or wildlife habitat network where development is required to
247 cluster away from the axis of the corridor(~~(;)~~) on critical aquifer recharge areas, and on
248 Regionally and Locally Significant Resource Areas (RSRAs/LSRAs) or in well-
249 established subdivisions of the same density, which are served at the time of development
250 by public or private facilities and services adequate to support planned densities;

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

254 3. The R-12 through R-48 zones in (~~(urban areas, urban or community)~~) next to
255 Unincorporated ((a))Activity ((e))Centers, ((urban neighborhood centers)), in Community
256 or Neighborhood Business Centers, in mixed-use development, on small, scattered lots
257 integrated into existing residential areas, or in ((r))Rural ((t))Towns, that are served at the
258 time of development by adequate public sewers, water supply, roads and other needed
259 public facilities and services.

260 NEW SECTION. SECTION 3. There is hereby added to K.C.C. chapter 21A.06
261 a new section to read as follows:

262 **Active recreation space.** Active recreation space: recreation space that
263 recognizes a higher level of public use than passive recreation space, and that will be
264 developed for organized or intense recreation. Active recreation site includes both the
265 active recreation uses and all necessary support services and facilities.

266 NEW SECTION. SECTION 4. There is hereby added to K.C.C. chapter 21A.06
267 a new section to read as follows:

268 **Hazardous liquid and gas transmission pipeline.** Hazardous liquid and gas
269 transmission pipeline: Hazardous liquid and gas transmission pipelines, as defined by
270 RCW 81.88.040 and WAC 480-93-005.

271 NEW SECTION. SECTION 5. There is hereby added to K.C.C. chapter 21A.06
272 a new section to read as follows:

273 **Mixed-use development.** Mixed-use development: a combination of residential
274 and non-residential uses within the same building or site as part of an integrated
275 development project with functional interrelationships and coherent physical design.

276 NEW SECTION. SECTION 6. There is hereby added to K.C.C. chapter 21A.06
277 a new section to read as follows:

278 **Open space.** Open space: areas left predominately in a natural state to create
279 urban separators and greenbelts, sustain native ecosystems, connect and increase
280 protective buffers for environmentally sensitive areas, provide a visual contrast to
281 continuous development, reinforce community identity and aesthetics, or provide links
282 between important environmental or recreational resources.

283 NEW SECTION. SECTION 7. There is hereby added to K.C.C. chapter 21A.06
284 a new section to read as follows:

285 **Rural equestrian community trail.** Rural equestrian community trail: an
286 existing trail within the Equestrian Community, as mapped in the King County
287 Comprehensive Plan, that has historically been used by the public for riding horses, and
288 that may also have historically been used by or is suitable for use by other non-motorized
289 trail users.

290 NEW SECTION. SECTION 8. There is hereby added to K.C.C. chapter 21A.06
291 a new section to read as follows:

292 **Rural forest focus areas.** Rural forest focus areas: Mapped geographic areas
293 where special efforts to maintain forest cover and the practice of sustainable forestry are
294 warranted.

295 NEW SECTION. SECTION 9. There is hereby added to K.C.C. chapter 21A.06
296 a new section to read as follows:

297 **Resource land tract.** Resource land tract: a tract of land, created through a
298 subdivision or short subdivision cluster development in the RA zone, that may be used as
299 a working forest or farm.

