

1 ..title

2 AN ORDINANCE Relating to development processes and  
3 requirements; amending Ordinance 13694, section 70, and  
4 K.C.C. 19A.20.010, Ordinance 13694, section 71, and  
5 K.C.C. 19A.20.020, Ordinance 13694, section 76, and  
6 K.C.C. 19A.24.010, Ordinance 13694, section 78, and  
7 K.C.C. 19A.24.030, Ordinance 13694, section 80, and  
8 K.C.C. 19A.28.020, Ordinance 12196, section 10, as  
9 amended, and K.C.C. 20.20.030, Ordinance 12196,  
10 section 13, as amended, and K.C.C. 20.20.060, Ordinance  
11 12196, section 17, as amended, and K.C.C. 20.20.100,  
12 Ordinance 4461, section 10, as amended, and K.C.C.  
13 20.24.190, Ordinance 10870, section 330, as amended, and  
14 K.C.C. 21A.08.030, Ordinance 10870, section 331, as  
15 amended, and K.C.C. 21A.08.040, Ordinance 10870,  
16 section 332, as amended, and K.C.C. 21A.08.050,  
17 Ordinance 10870, section 333, as amended, and K.C.C.  
18 21A.08.060, Ordinance 10870, section 334, as amended,  
19 and K.C.C. 21A.08.070, Ordinance 10870, section 335, as  
20 amended, and K.C.C. 21A.08.080, Ordinance 10870,  
21 section 341, as amended, and K.C.C. 21A.12.040,  
22 Ordinance 10870, section 350, and K.C.C. 21A.12.130,  
23 Ordinance 15051, section 137, as amended, and K.C.C.

24 21A.24.045, Ordinance 15051, section 185, as amended,  
25 and K.C.C. 21A.24.325, Ordinance 15051, section 193, as  
26 amended, and K.C.C. 21A.24.358, Ordinance 10870,  
27 section 549, as amended, and K.C.C. 21A.32.120,  
28 Ordinance 13274, section 4, as amended, and K.C.C.  
29 21A.37.020, Ordinance 13274, section 6, as amended,  
30 and K.C.C. 21A.37.040, Ordinance 13733, section 10, as  
31 amended, and K.C.C. 21A.37.110, Ordinance 13263,  
32 section 8, as amended, and K.C.C. 23.02.070, Ordinance  
33 13263, section 43, as amended, and K.C.C. 23.36.010 and  
34 Ordinance 13263, section 51, as amended, and K.C.C.  
35 23.40.040, adding new sections to K.C.C. Chapter 19A.04,  
36 20.20 and 21A.38 and repealing Ordinance 12196, section  
37 18 and K.C.C. 20.20.110 and Ordinance 12196, section 20  
38 and K.C.C. 20.20.130.

39 ..body

40 NEW SECTION. SECTION. 1. A new section is hereby added to K.C.C. Chapter  
41 19A.04 to read as follows:

42 Condominium Declaration: the document that creates a condominium by setting  
43 forth the information required by chapters 64.32 and 64.34 RCW, as applicable, including  
44 the survey map and plans, and that is recorded in conjunction with a condominium survey  
45 map and plans.

SECTION 2. Ordinance 13694, section 70, and K.C.C. 19A.20.010 are each hereby amended to read as follows:

The purposes of this chapter are:

A. To provide an alternative method for division of land (~~((for commercial and industrial zoned property, mobile home parks, trailer parks or condominiums))~~) as authorized by RCW 58.17.035;

B. (~~((To allow the director to modify interior lot based or lot line requirements contained within the zoning, building, fire and other similar uniform codes adopted by the county))~~) To ensure through covenants, conditions, restrictions, easements, and other requirements binding upon all lot owners that the collective lots continue to function as one site concerning, but not limited to, public roads, improvements, open spaces, drainage and other elements specified in this chapter;

C. To allow the director to authorize sharing of open space, parking, access and other improvements among contiguous properties subject to the binding site plan; and

D. To specify administrative requirements for binding site plans in addition to the procedural requirements of K.C.C. chapter 20.20 and in accordance with applicable Washington state and King County laws, rules and regulations.

SECTION 3. Ordinance 13694, section 71, and K.C.C. 19A.20.020 are each hereby amended to read as follows:

A. (~~((Any person seeking the use of a binding site plan process to divide property for the purpose of sale, lease or transfer of ownership of commercial or industrial zoned property, lease of mobile homes or travel trailers or creation of condominium units is required to have an approved binding site plan prior to any property division, as provided~~

~~for in chapter 58.17, 64.32 or 64.34 RCW, and as required by this chapter.))~~ The provisions of this chapter shall apply to:

1. The division of commercial or industrial zoned land for sale or lease when used for commercial or industrial purposes, or the division of land for lease when used as a mobile home park, or recreational vehicle park; and

2. The division of land resulting from subjecting a portion of a parcel or tract to the Horizontal Property Regimes Act, chapter 64.32 RCW, or the Condominium Act, chapter 64.34 RCW. After approval of a binding site plan for land, all or a portion of which will be subjected to the provisions of chapter 64.32 or 64.34 RCW.

B. The applicant shall record the approved binding site plan with the King County Recorder's Office. Following recordation of the binding site plan, the applicant shall submit to the department for review a condominium declaration, survey map and plans as required by chapters 64.32 and 64.34 RCW.

C. A binding site plan for a condominium shall be based on a recorded final planned unit development, a building permit, an as-built site plan for developed sites or a site development permit issued for the entire site or a general site plan showing the anticipated development plan for the entire site(~~((, notwithstanding the provisions of K.C.C. 21A.41.010 through 21A.41.020))~~). As determined by the department, binding site plan reviews may take place independently for developed sites or concurrently with or subsequent to a building permit or site development permit.

~~((B.))~~ D. The site that is subject to the binding site plan shall consist of one or more contiguous lots.

91           ((C:)) E. The site that is subject to the binding site plan may be reviewed  
92           independently for developed sites, concurrently with or subsequent to a site development  
93           permit application for undeveloped land or concurrently with or subsequent to a building  
94           permit application.

95           ((D:)) F. The binding site plan process creates or alters lot lines and does not  
96           authorize substantial improvements or changes to the property or the uses thereon.

97           SECTION 4. Ordinance 13694, section 76, and K.C.C. 19A.24.010 are each  
98           hereby amended to read as follows:

99           The purpose of this chapter is to provide for review of ((a)) condominiums ~~((survey~~  
100          ~~map and plans for the precision and accuracy of the exterior boundary and legal description~~  
101          ~~of the subject property, as shown on the final map))~~ and condominium declarations to  
102          assure compliance with standards set forth in RCW 64.32 and RCW 64.34. This review  
103          shall include, but is not limited to, the review of a condominium survey map and plans for  
104          the precision and accuracy of the exterior boundary and legal description of the subject  
105          property, as shown on the final map. Pursuant to RCW 64.34.050(1), this review shall not  
106          impose any requirement upon a condominium which it would not impose upon a physically  
107          identical development under a different form of ownership.

108          SECTION 5. Ordinance 13694, section 78, and K.C.C. 19A.24.030 are each  
109          hereby amended to read as follows:

110          ((A. The following notes)) An approval block for the department or its successor  
111          in substantially the following form shall be ((placed on the final condominium map page))  
112          added to the recording document:

113                 "Approval of the Department of Development and Environmental Services;

114 ((1. The exterior boundary and legal description of this condominium meets  
115 or exceeds the review standards of the department of development and environmental  
116 services.

117 2. The department of development and environmental services review consisted  
118 only of review of item 1 above and does not constitute binding site plan approval as  
119 contemplated under RCW 58.17.040(7).

120 B. A signature line for the manager of the land use services division shall appear  
121 following the notes required by this section.)) Examined and Approved this  
122 day of \_\_\_\_\_, 2\_\_\_\_\_.

123 Division Director, Land Use Services Division"

124 SECTION 6. Ordinance 13694, section 80, and K.C.C. 19A.28.020 are each  
125 hereby amended to read as follows:

126 Adjustment of boundary lines between adjacent lots shall be consistent with the  
127 following review procedures and limitations:

128 A. Applications for boundary line adjustments shall be reviewed as a Type 1  
129 permit as provided in K.C.C. chapter 20.20. The review shall include examination for  
130 consistency with the King County zoning code, K.C.C. Title 21A., shoreline master  
131 program, K.C.C. Title 25, applicable board of health regulations and, for developed lots,  
132 uniform fire and building codes;

133 B. Any adjustment of boundary lines must be approved by the department prior to  
134 the transfer of property ownership between adjacent legal lots;

135 C. A boundary line adjustment proposal shall not:

- 136           1. Result in the creation of an additional lot or the creation of more than one  
137 additional building site;
- 138           2. Result in a lot that does not qualify as a building site pursuant to this title;
- 139           3. Relocate an entire lot from one parent parcel into another parent parcel;
- 140           4. Reduce the overall area in a plat or short plat devoted to open space;
- 141           5. Be inconsistent with any restrictions or conditions of approval for a recorded  
142 plat or short plat;
- 143           6. Involve lots which do not have a common boundary; or
- 144           7. Circumvent the subdivision or short subdivision procedures set forth in this  
145 title. Factors which indicate that the boundary line adjustment process is being used in a  
146 manner inconsistent with statutory intent include: numerous and frequent adjustments to  
147 the existing lot boundary, a proposal to move a lot or building site to a different location,  
148 and a large number of lots being proposed for a boundary line adjustment;

149           D. The elimination of lines between two or more lots (~~for the purpose of creating a~~  
150 ~~single lot that meets requirements as a building site~~)) shall in all cases shall be considered a  
151 minor adjustment of boundary lines and shall not be subject to the subdivision and short  
152 subdivision provisions of this title or to K.C.C. 19A.28.030. The format and requirements  
153 of a minor adjustment under this subsection shall be specified by the department.; and

154           E. Recognized lots in an approved site plan for a conditional use permit, special  
155 use permit, urban planned development, or commercial site development permit shall be  
156 considered a single site and no lot lines on the site may be altered by a boundary line  
157 adjustment to transfer density or separate lots to another property not included in the  
158 original site plan of the subject development.

F. Lots that have been subject to a boundary line adjustment process that resulted in the qualification of an additional building site shall not be permitted to utilize the boundary line adjustment process again for five years to create an additional building site.

SECTION 7. Ordinance 12196, section 10, as amended, and K.C.C. 20.20.030 are each hereby amended to read as follows:

A. Prior to filing a permit application for a Type 1 decision, the applicant shall contact the department to schedule a preapplication conference which shall be held prior to filing the application, if the property will have five thousand square feet of development site or right-of-way improvements, the property is in a critical drainage basin, or the property has a wetland, steep slope, landslide hazard, erosion hazard, or coal mine on site. Exempt from this requirement are:

1. A single family residence and its accessory buildings;

2. Other structures where all work is in an existing building and no parking is required or added.

B. Except as otherwise provided in this subsection, ~~p((P))~~ prior to filing a permit application requiring a Type 2, 3 or 4 decision, the applicant shall contact the department to schedule a pre-application conference which shall be held prior to filing the application ~~((except as provided herein))~~. The purpose of the pre-application conference is to review and discuss the application requirements with the applicant and provide comments on the development proposal. The pre-application conference shall be scheduled by the department, at the request of an applicant, and shall be held in a timely manner, within thirty days from the date of the applicant's request. ~~((A))~~ The department shall assign a project ~~((coordinator shall be assigned by the department))~~ manager



182 following the pre-application conference. The director may waive the requirement for a  
183 pre-application conference if ~~((it is determined to be))~~ the director determines the pre-  
184 application conference is unnecessary for review of an application. Nothing in this  
185 section shall be interpreted to require more than one pre-application conference or to  
186 prohibit the applicant from filing an application if the department is unable to schedule a  
187 pre-application conference within thirty days following the applicant's request.

188 C. Information presented at or required as a result of the pre-application  
189 conference shall be valid for a period of one ~~((hundred eighty days))~~ year following the  
190 pre-application conference. An applicant wishing to submit a permit application more  
191 than one ~~((hundred eighty days))~~ year following a pre-application for the same permit  
192 application shall be required to schedule another pre-application conference.

193 ~~((B-))~~ D. At or subsequent to a pre-application conference, the department may  
194 issue a preliminary determination that a proposed development is not permissible under  
195 applicable county policies or regulatory enactments. In that event, the applicant shall  
196 have the option to appeal the preliminary determination to the hearing examiner in the  
197 manner provided for a Type 2 permit, as an alternative to proceeding with a complete  
198 application. Mailed and published notice of the appeal shall be provided for as in K.C.C.  
199 20.20.060G and H.

200 SECTION 8. Ordinance 12196, section 13, as amended, and K.C.C. 20.20.060  
201 are each hereby amended to read as follows:

202 A. A notice of application shall be provided to the public for all land use permit  
203 applications requiring Type 2, 3 or 4 decisions or Type 1 decisions subject to SEPA or

K.C.C. 20.20.060J and K((;)) under this section or Type 1 decisions requiring a preapplication community meeting under section 9 of this ordinance.

B. Notice of the application shall be provided by the department within fourteen days following the department's determination that the application is complete. A public comment period on a notice of application of at least twenty-one days shall be provided, except as otherwise provided in chapter 90.58 RCW and RCW 58.17.215 with regards to alterations. The public comment period shall commence on the third day following the department's mailing of the notice of application as provided for in subsection G of this section.

C. If the county has made a determination of significance ("DS") under chapter 43.21 RCW before the issuance of the notice of application, the notice of the DS shall be combined with the notice of application and the scoping notice.

D. All required notices of application shall contain the following information:

1. The file number;
2. The name of the applicant;
3. The date of application, the date of the notice of completeness and the date of the notice of application;
4. A description of the project, the location, a list of the permits included in the application and the location where the application and any environmental documents or studies can be reviewed;
5. A site plan on eight and one-half by fourteen inch paper, if applicable;
6. The procedures and deadline for filing comments, requesting notice of any required hearings and any appeal procedure;

227           7. The date, time, place and type of hearing, if applicable and scheduled at the  
228 time of notice;

229           8. The identification of other permits not included in the application to the  
230 extent known;

231           9. The identification of existing environmental documents that evaluate the  
232 proposed project; and

233           10. A statement of the preliminary determination, if one has been made, of those  
234 development regulations that will be used for project mitigation and of consistency with  
235 applicable county plans and regulations.

236           E. Notice shall be provided in the following manner:

237           1. Posted at the project site as provided in subsections F and I of this section;

238           2. Mailed by first class mail as provided in subsection G of this section; and

239           3. Published as provided in subsection H of this section.

240           F. Posted notice for a proposal shall consist of one or more notice boards posted by  
241 the applicant within fourteen days following the department's determination of  
242 completeness as follows:

243           1. A single notice board shall be posted for a project. This notice board may also  
244 be used for the posting of the notice of decision and notice of hearing and shall be placed  
245 by the applicant:

246           a. at the midpoint of the site street frontage or as otherwise directed by the  
247 department for maximum visibility;

b. five feet inside the street property line except when the board is structurally attached to an existing building, but a notice board shall not be placed more than five feet from the street property without approval of the department;

c. so that the top of the notice board is between seven to nine feet above grade; and

d. where it is completely visible to pedestrians;

2. Additional notice boards may be required when:

a. the site does not abut a public road;

b. a large site abuts more than one public road; or

c. the department determines that additional notice boards are necessary to provide adequate public notice;

3. Notice boards shall be:

a. maintained in good condition by the applicant during the notice period through the time of the final county decision on the proposal, including the expiration of any applicable appeal periods, and for decisions which are appealed, through the time of the final resolution of any appeal;

b. in place at least twenty-eight days before the date of any required hearing for a Type 3 or 4 decision, or at least fourteen days following the department's determination of completeness for any Type 2 decision; and

c. removed within fourteen days after the end of the notice period;

4. Removal of the notice board before the end of the notice period may be cause for discontinuance of county review until the notice board is replaced and remains in place for the specified time period;

271           5. An affidavit of posting shall be submitted to the department by the applicant  
272 within fourteen days following the department's determination of completeness to allow  
273 continued processing of the application by the department; and

274           6. Notice boards shall be constructed and installed in accordance with subsection  
275 F of this section and any additional specifications promulgated by the department under  
276 K.C.C. chapter 2.98, rules of county agencies.

277           G. Mailed notice for a proposal shall be sent by the department within fourteen  
278 days after the department's determination of completeness:

279           1. By first class mail to owners of record of property in an area within five  
280 hundred feet of the site, but the area shall be expanded as necessary to send mailed notices  
281 to at least twenty different property owners;

282           2. To any city with a utility which is intended to serve the site;

283           3. To the state Department of Transportation, if the site adjoins a state highway;

284           4. To the affected tribes;

285           5. To any agency or community group which the department may identify as  
286 having an interest in the proposal;

287           6. Be considered supplementary to posted notice and be deemed satisfactory  
288 despite the failure of one or more owners to receive mailed notice;

289           7. For preliminary plats only, to all cities within one mile of the proposed  
290 preliminary plat, and to all airports within two miles of the proposed preliminary plat; and

291           8. In those parts of the urban growth area designated by the King County  
292 Comprehensive Plan where King County and a city have adopted either a memorandum of  
293 understanding or a potential annexation boundary agreement, or both, the director shall

294 ensure that the city receives notice of all applications for development subject to this  
295 chapter and shall respond specifically in writing to any comments on proposed  
296 developments subject to this title.

297 H. ~~The ((N))~~notice of ~~((a proposed action))~~ application shall be published by the  
298 department within fourteen days after the department's determination of completeness in  
299 the official county newspaper and another newspaper of general circulation in the affected  
300 area.

301 I. Posted notice for approved formal subdivision engineering plans, clearing or  
302 grading permits subject to SEPA or building permits subject to SEPA shall be a condition  
303 of the plan or permit approval and shall consist of a single notice board posted by the  
304 applicant at the project site, before construction as follows:

305 1. Notice boards shall comport with the size and placement provisions identified  
306 for construction signs in K.C.C. 21A.20.120B;

307 2. Notice boards shall include the following information:

- 308 a. permit number and description of the project;
- 309 b. projected completion date of the project;
- 310 c. a contact name and phone number for both the department and the applicant;
- 311 d. a department contact number for complaints after business hours; and
- 312 e. hours of construction, if limited as a condition of the permit;

313 3. Notice boards shall be maintained in the same manner as identified above, in  
314 subsection F of this section; and

315           4. Notice boards shall remain in place until final construction approval is granted.  
316 Early removal of the notice board may preclude authorization of final construction  
317 approval.

318           J. Posted and mailed notice consistent with this section shall be provided, to  
319 property owners of record and to the council district representative in which it is located,  
320 for any proposed single-family residence in a higher density urban single family residential  
321 zone (R-4 through R-8) exceeding a size of ten thousand square feet of floor area as defined  
322 in the Washington State Uniform Building Code.

323           K. Posted and mailed notice consistent with this section shall be provided to any  
324 property owner of record and to the council district representative in which is locating any  
325 application for building permits or other necessary land use approvals for the establishment  
326 of the social service facilities classified by SIC 8322 and 8361 and listed below, unless the  
327 proposed use is protected under the Fair Housing Act:

- 328           1. Offender self-help agencies;  
329           2. Parole offices;  
330           3. Settlement houses;  
331           4. Halfway home for delinquents and offenders; and  
332           5. Homes for destitute men and women.

333           L. Not later than January 1, 2012, the department shall provide public notice of  
334 Type 1 decisions for which a notice of application is not otherwise required under this  
335 section. The public notice may be provided electronically. The notice provided under  
336 this subsection shall be considered supplementary to any other notice requirements and

shall be deemed satisfactory despite the failure of one or more individuals to receive notice.

NEW SECTION. SECTION 9. A new section is hereby added to K.C.C. Chapter 20.20. to read as follows:

Unless another procedure applies, when an applicant is required by K.C.C. chapter 21A.08 to conduct a community meeting prior to filing of an application, the meeting shall be noticed and conducted as follows:

A. At least two weeks in advance, notice of the meeting shall be provided as follows:

1. Published in the local paper and mailed and emailed to the department and to the unincorporated area council serving the area in which potential sites are contemplated, and

2. Mailed notice shall be provided to all property owners within five hundred feet (or at least twenty of the nearest property owners, whichever is greater) as provided by K.C.C. 21A.26.170 of any potential sites, identified by the applicant for possible development, to be discussed at the community meeting. The mailed notice shall at a minimum contain a brief description and purpose of the proposal, approximate location noted on an assessor map with address and parcel number, photo or sketch of any existing or proposed structures, a statement that alternative sites proposed by citizens can be presented at the meeting which will be considered by the applicant, a contact name and telephone number to obtain additional information and other information deemed necessary by King County. Because the purpose of the community meeting is to promote early



discussion, applicants are encouraged to note any changes to the conceptual information presented in the mailed notice when they submit an application.

B. At the community meeting at which at least one employee of the department of development and environmental services, assigned by the director of the department, shall be in attendance, the applicant shall provide information relative to the proposal and any modifications proposed to existing structures or any new structures and how the proposal is compatible with the character of the surrounding neighborhood. Any alternative sites within a reasonable distance with appropriate zoning, identified by community members and provided to the applicant in writing at least five days in advance of the meeting, shall be evaluated by the applicant to the extent possible given the timeframe, and discussed at the meeting. A listing of the sites, identified in writing and provided to the applicant at or before the community meetings, shall be submitted to the department with the proposed application. Applicants shall also provide a list of meeting attendees and those receiving mailed notice and a record of the published meeting notice at the time of application submittal.

SECTION 10. Ordinance 12196, section 17, as amended, and K.C.C. 20.20.100 are each hereby amended to read as follows:

A. The department shall issue its recommendation to the hearing examiner on a Type 3 or Type 4 land use decision within one hundred fifty days from the date the applicant is notified by the department pursuant to this chapter that the application is complete. The time periods for action by the hearing examiner on a Type 3 or Type 4 land use decision shall be governed by the hearing examiner's rules.

381 B.1. Except as otherwise provided in subsection B.2 of this section, the  
382 department shall issue its final decision on a Type 1 or Type 2 land use decision within  
383 one hundred twenty days from the date the applicant is notified by the department  
384 pursuant to this chapter that the application is complete.

385 2. The following shorter time periods apply to the type of land use permit  
386 indicated:

New residential building permits	90 days
Residential remodels	40 days
Residential appurtenances, such as decks and garages	15 days, or 40 days residential appurtenances that require substantial review.

Clearing and grading	90 days
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Health Department review	40 days
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(for projects pending a final department  
review or permit or review and permit).

Type 1 temporary use permit for a homeless encampment:	30 days
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Type 2 temporary use permit for a homeless encampment:	40 days
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387 C. The following periods shall be excluded from the times specified in  
388 subsections A and B of this section:

389 1. Any period of time during which the applicant has been requested by the  
390 department, hearing examiner or council to correct plans, perform required studies or

provide additional information, including road variances and variances required under K.C.C. chapter 9.04. The period shall be calculated from the date of notice to the applicant of the need for additional information until the earlier of the date the county advises the applicant that the additional information satisfies the county's request, or fourteen days after the date the information has been provided. If the county determines that the correction, study or other information submitted by the applicant is insufficient, it shall notify the applicant of the deficiencies and the procedures of this section shall apply as if a new request for information had been made((=));

a. The department shall set a reasonable deadline for the submittal of corrections, studies or other information when requested, and shall provide written notification to the applicant. An extension of such deadline may be granted upon submittal by an applicant of a written request providing satisfactory justification of an extension((=));

b. Failure by the applicant to meet such deadline shall be cause for the department to cancel((/)) or deny the application((=)); and

c. 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;

2. The period of time, as set forth in K.C.C. 20.44.050, during which an environmental impact statement is being prepared following a determination of significance pursuant to chapter 43.21C RCW;

413           3. A period of no more than ninety days for an open record appeal hearing by  
414 the hearing examiner on a Type 2 land use decision, and no more than sixty days for a  
415 closed record appeal by the county council on a Type 3 land use decision appealable to  
416 the county council, except when the parties to an appeal agree to extend these time  
417 periods;

418           4. Any period of time during which an applicant fails to post the property, if  
419 required by this chapter, following the date notice is required until an affidavit of posting  
420 is provided to the department by the applicant;

421           5. Any time extension mutually agreed upon by the applicant and the  
422 department; and

423           6. Any time during which there is an outstanding fee balance that is sixty days  
424 or more past due.

425           D. Failure by the applicant to submit corrections, studies, or other information  
426 acceptable to the department after two written requests under subsection C of this section  
427 shall be cause for the department to cancel or deny the application;

428           E. The time limits established in this section shall not apply if a proposed  
429 development:

430           1. Requires an amendment to the comprehensive plan or a development  
431 regulation, or modification or waiver of a development regulation as part of a  
432 demonstration project;

433           2. Requires approval of a new fully contained community as provided in RCW  
434 36.70A.350 master planned resort as provided in RCW 36.70A.360 or the siting of an  
435 essential public facility as provided for RCW 36.70A.200; or

436 3. Is substantially revised by the applicant, when such revisions will result in a  
437 substantial change in a project's review requirements, as determined by the department, in  
438 which case the time period shall start from the date at which the revised project  
439 application is determined to be complete.

440 ~~((F.))~~ F. The time limits established in this section may be exceeded on more  
441 complex projects. If the department is unable to issue its final decision on a Type 1 or  
442 Type 2 land use decision or its recommendation to the hearing examiner on a Type 3 or  
443 Type 4 land use decision within the time limits established by this section, it shall provide  
444 written notice of this fact to the project applicant. The notice shall include a statement of  
445 reasons why the time limits have not been met and an estimated date for issuance of the  
446 notice of final decision on a Type 1 or Type 2 land use decision or notice of  
447 recommendation on a Type 3 or Type 4 land use decision.

448 ~~((F.))~~ G. The department shall require that all plats, short plats, building permits,  
449 clearing and grading permits, conditional use permits, special use permits, site  
450 development permits, shoreline substantial development permits, binding site plans,  
451 urban planned development permits or fully contained community permits issued for  
452 development activities on or within five hundred feet of designated agricultural lands,  
453 forest lands or mineral resource lands shall contain a notice that the subject property is  
454 within or near designated agricultural lands, forest lands or mineral resource lands on  
455 which a variety of commercial activities may occur that are not compatible with  
456 residential development for certain periods of limited duration.

457 SECTION 11. Ordinance 4461, section 10, as amended, and K.C.C. 20.24.190 are  
458 each hereby amended to read as follows:

When the examiner issues a recommendation regarding an application for a reclassification of property or for a shoreline environment redesignation, the recommendation shall include additional findings that support the conclusion that at least one of the following circumstances applies:

A. The proposed rezone or shoreline environment redesignation is consistent with the King County Comprehensive Plan;

B. The property is potentially zoned for the reclassification being requested, ~~((and))~~ conditions have been met that indicate the reclassification is appropriate and the proposed rezone or shoreline environment redesignation is consistent with the King County Comprehensive Plan;

~~((B.))~~ C. An adopted subarea plan or area zoning specifies that the property shall be subsequently considered through an individual reclassification application and the proposed rezone or shoreline environment redesignation is consistent with the King County Comprehensive Plan; or

~~((C. Where a subarea plan has been adopted but subsequent area zoning has not been adopted, that the proposed reclassification or shoreline redesignation is consistent with the adopted subarea plan; or~~

~~D. The applicant has demonstrated with substantial evidence that:~~

~~1. Since the last previous area zoning or shoreline environment designation of the subject property, authorized public improvements, permitted private development or other conditions or circumstances affecting the subject property have undergone substantial and material change not anticipated or contemplated in the subarea plan or area zoning;~~

481           2. ~~The impacts from the changed conditions or circumstances affect the subject~~  
 482 ~~property in a manner and to a degree different than other properties in the vicinity such~~  
 483 ~~that area rezoning or redesignation is not appropriate. For the purposes of this subsection,~~  
 484 ~~"changed conditions or circumstances" does not include actions taken by the current or~~  
 485 ~~former property owners to facilitate a more intense development of the property including~~  
 486 ~~but not limited to changing tax limitations, adjusting property lines, extending services or~~  
 487 ~~changing property ownership;~~

488           3. ~~For proposals to increase rural residential density, that the proposal meets the~~  
 489 ~~criteria in Comprehensive Plan policies R-305 through R-309;~~

490           4. ~~For proposals to increase urban residential density, that the proposal meets the~~  
 491 ~~criteria in Comprehensive Plan policies U-122 through U-126; and~~

492           5.)) D. The requested reclassification or redesignation is in the public interest and  
 493 the proposed rezone or shoreline environment redesignation is consistent with the King  
 494 County Comprehensive Plan.

495           NEW SECTION. SECTION 12. A new section is hereby added to K.C.C. Chapter  
 496 21A.06 to read as follows:

497           Subdivision or subdivision, residential: Unless the context clearly indicates  
 498 otherwise, includes a subdivision as defined in K.C.C. 19A.04.320 and a short subdivision  
 499 as defined K.C.C. 19A.04.310.

500           SECTION 13. Ordinance 10870, section 330, as amended, and K.C.C.  
 501 21A.08.030 are each hereby amended to read as follows:

502           A. Residential land uses.

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





*	Home Industry	C			C	C	C						
	<b>TEMPORARY LODGING:</b>												
7011	Hotel/Motel (1)									P	P	P	
*	Bed and Breakfast Guesthouse	P9 ((€140))			((P140)) <u>P9</u>	((P140)) <u>P9</u>	((P140)) <u>P9</u>	((P140)) <u>P9</u>	((P140)) <u>P9</u>	((P141)) <u>P10</u>	((P141)) <u>P10</u>		
7041	Organization Hotel/Lodging Houses										P		
<b>GENERAL</b> Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; <b>CROSS</b> Development Standards, see K.C.C. chapters 21A.12 through 21A.30; <b>REFERENCES:</b> General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*)Definition of this specific land use, see K.C.C. chapter 21A.06.													

B. Development conditions.

1. Except bed and breakfast guesthouses.

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

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

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

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

disposal systems and driveways. Additional site disturbance for agriculture, including

raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be

approved only if a farm management (conservation) plan is prepared in accordance with

K.C.C. chapter 21A.30. Animal densities shall be based on the area devoted to animal

care and not the total area of the lot;

b. A forest management plan shall be required for any new residence in the

forest production district, that shall be reviewed and approved by the King County

department of natural resources and parks prior to building permit issuance; and

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

519 3. Only as part of a mixed use development subject to the conditions of K.C.C.  
520 chapter 21A.14, except that in the NB zone on properties with a land use designation of  
521 commercial outside of center (CO) in the urban areas, stand-alone townhouse  
522 developments are permitted subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060 and  
523 21A.14.180.

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

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

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

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

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

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

538 5. Apartment units are permitted outright as follows:

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

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

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

7.a. Accessory dwelling units:

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

(2) Only in the same building as the primary dwelling unit on:

(a) an urban lot that is less than five thousand square feet in area;

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

c. a lot containing more than one primary dwelling;

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

(4)(a) Except as otherwise provided in subsection B.7.a(5) of this section, one of the dwelling units shall not exceed a floor area of one thousand square feet except when one of the dwelling units is wholly contained within a basement or attic; and

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

(5) On a site zoned RA:

(a) If one transferable development right is purchased from the rural area under K.C.C. chapter 21A.37, the smaller of the dwelling units is permitted a maximum floor area up to one thousand five hundred square feet; and

(b) If one transferable development right is purchased from the rural area under K.C.C. chapter 21A.37, a detached accessory dwelling unit is allowed on an RA-5 zoned lot that is at least two and one-half acres and less than three and three-quarters acres;

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

(7) 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; and

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

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

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

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

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

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

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, and:~~

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

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

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

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 that satisfies the standards of the ~~((Uniform))~~ International Building Code as adopted by King County for R-1 occupancies may accommodate up to ten persons per night.

~~((11.))~~ 10. Only if part of a mixed use development, and subject to the conditions of K.C.C. 21A.08.030.B.10.

~~((12.))~~ 11. Townhouses are permitted, but shall be subject to a conditional use permit if exceeding base density.

607           ~~((13.))~~ 12. Required before approving more than one dwelling on individual  
608 lots, except on lots in subdivisions, short subdivisions or binding site plans approved for  
609 multiple unit lots, and except as provided for accessory dwelling units in K.C.C.

610 21A.08.030.B.7.

611           ~~((14.))~~ 13. No new mobile home parks are allowed in a rural zone.

612           ~~((15.))~~ 14.a. Limited to domestic violence shelter facilities.

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

615           ~~((16.))~~ 15. Only in the R4-R8 zones limited to:

616           a. developments no larger than one acre;

617           b. not adjacent to another cottage housing development such that the total  
618 combined land area of the cottage housing developments exceeds one acre; ~~((and))~~

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

623 21A.14.025.B; and

624           d. Prior to filing an application with the department, the applicant shall hold a  
625 community meeting in accordance with section 9 of this ordinance.

626           ~~((17.))~~ 16. The development for a detached single-family residence shall be  
627 consistent with the following:

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

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

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

~~((18-))~~ 17. Housing for agricultural employees who are employed by the owner or operator of the site year-round as follows:

a. Not more than:

(1) One agricultural employee dwelling unit on a site under twenty acres;

(2) Two agricultural employee dwelling units on a site between twenty acres and fifty acres;

(3) Three agricultural employee dwelling units on a site greater than fifty acres and less than one-hundred acres; and

(4) On sites one-hundred acres and larger one additional agricultural employee dwelling unit for each additional one hundred acres;

b. The primary use of the site shall be agricultural in SIC Industry Group No. 01-Growing and Harvesting Crops or SIC Industry Group No. 02-Raising Livestock and Small Animals. If the primary use of the site changes to a nonagricultural use, all agricultural employee dwelling units shall be removed;

c. The applicant shall file with the department of executive services, records and licensing services division, a notice approved by the department that identifies the agricultural employee dwelling units as accessory and that the dwelling units shall only be occupied by agricultural employees who are employed by the owner or operator year-round. The notice shall run with the land. The applicant shall submit to the department proof that the notice was filed with the department of executive services, records and

652 licensing services division, before the department approves any permit for the  
653 construction of agricultural employee dwelling units;  
654 d. An agricultural employee dwelling unit shall not exceed a floor area of one  
655 thousand square feet and may be occupied by no more than eight unrelated agricultural  
656 employees;  
657 e. One off-street parking space shall be provided for each agricultural  
658 employee dwelling unit; and  
659 f. The agricultural employee dwelling units shall be constructed in compliance  
660 with K.C.C. Title 16.  
661 SECTION 14. Ordinance 10870, section 331, as amended, and K.C.C.  
662 21A.08.040 are each hereby amended to read as follows:  
663 A. Recreational/cultural land uses.

KEY		Z O N E	RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL								
P-Permitted Use C-Conditional Use S-Special Use			A	F	M	R	U	R	U	R	N	B	C	B	R	B	O	I
			G	O	I	U	R	R	R	E	I	U	M	I	E	S	S	
			R	R	N	R	B	B	S	S	G	H	I	N	O	N	A	L
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	P13					
	Large Active Recreation and Multiuse Park		P1	P1	P1	P1	P1	P1	P	P	P	P	P13					
*	Trails	P	P	P	P	P	P	P	P	P	P	P	P					
*	Campgrounds		P16 C16 a	P16	P16 C16a	P16 C16a							P16 C16a					
*	Destination Resorts		S		S18	C					C							
*	Marina		C 3		C4	C4	C4	C4	P5	P	P	P	P					



*	Recreational Vehicle Park		P19	P19	C2 and 18 P19	C2 P19							
*	Sports Club (17)				C4((,)) and 18	C4	C4	C4	C	P	P		
*	Ski Area		S		S18								
*	Recreational Camp		C		P24 C								
	<b>AMUSEMENT/ENTERTAINMENT:</b>												
*	Adult Entertainment Business									P6	P6	P6	
*	Theater									P	P	P	P25
7833	Theater, Drive-in										C		
793	Bowling Center									P	P		P
*	Golf Facility				C7 and 18	P7	P7	P7					
7999 (14)	Amusement and Recreation Services		P21	P21	P8 P21((,)) C15 and 18	P8((,)) P21 P22 C15	P8((,)) P21 P22 C15	P8((,)) P21 P22 C15	P21 P22	P	P	P21	P21
*	Indoor Paintball Range									P26	P26		P26
*	Outdoor Paintball Range				C27	C27							
*	Shooting Range		C9		C9 and 18						C10		P10
*	Amusement Arcades									P	P		
7996	Amusement Park										C		
*	Outdoor Performance Center		S		C12 S18		P20	P20			S		
	<b>CULTURAL:</b>												
823	Library				P11	P11 C	P11 C	((P44 G)) P28	P	P	P	P	
841	Museum	C2 3	C23		P11	P11 C	P11 C	((P44 G)) P28	P	P	P	P	P
842	Arboretum	P	P		P	P	P	P	P	P	P	P	
*	Conference Center				P11 C12	P11 C12	P11 C	P11 C	P	P	P	P	

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

from property lines adjoining residential zones, except for structures in on-site recreation

areas required in K.C.C. 21A.14.180 and 21A.14.190. Setback requirements for

structures in these on-site required recreation areas shall be maintained in accordance

with K.C.C. 21A.12.030;

d. Facilities in the A zone shall be limited to trails and trailheads, including

related accessory uses such as parking and sanitary facilities; and

e. Overnight camping is allowed only in an approved campground.

2. Recreational vehicle parks are subject to the following conditions and

limitations:

a. The maximum length of stay of any vehicle shall not exceed one hundred

eighty days during a three-hundred-sixty-five-day period;

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.

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

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

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

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

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

696           5. Limited to day moorage.

697           6.a. Adult entertainment businesses shall be prohibited within three hundred  
698 thirty feet of any property zoned RA, UR or R or containing schools, licensed daycare  
699 centers, public parks or trails, community centers, public libraries or churches. In  
700 addition, adult entertainment businesses shall not be located closer than three thousand  
701 feet to any other adult entertainment business. These distances shall be measured from  
702 the property line of the parcel or parcels proposed to contain the adult entertainment  
703 business to the property line of the parcels zoned RA, UR or R or that contain the uses  
704 identified in this subsection B.6.a.

705           b. Adult entertainment businesses shall not be permitted within an area likely  
706 to be annexed to a city subject to an executed interlocal agreement between King County  
707 and a city declaring that the city will provide opportunities for the location of adult

businesses to serve the area. The areas include those identified in the maps attached to Ordinance 13546.

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

8. Limited to ~~((a))~~ golf driving ranges, only as:

a. ~~((a))~~ accessory to golf courses; or

b. ~~((a))~~ accessory to ~~((a))~~ large active recreation and multiuse parks.

9.a. New structures and outdoor ranges shall maintain a minimum distance of fifty feet from property lines adjoining residential zones, but existing facilities shall be exempt.

b. Ranges shall be designed to prevent stray or ricocheting projectiles, pellets or arrows from leaving the property.

c. Site plans shall include: safety features of the range; provisions for reducing sound produced on the firing line; elevations of the range showing target area, backdrops or butts; and approximate locations of buildings on adjoining properties.

d. Subject to the licensing provisions of K.C.C. Title 6.

10.a. Only in an enclosed building, and subject to the licensing provisions of K.C.C. Title 6;

b. Indoor ranges shall be designed and operated so as to provide a healthful environment for users and operators by:

(1) installing ventilation systems that provide sufficient clean air in the user's breathing zone, and

(2) adopting appropriate procedures and policies that monitor and control exposure time to airborne lead for individual users.

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 K.C.C. chapter 21A.32.

12. Only as accessory to a nonresidential use established through a discretionary permit process, if the scale is limited to ensure compatibility with surrounding

neighborhoods. This condition applies to the UR zone only if the property is located within a designated unincorporated rural town.

13. Subject to the following:

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

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

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

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

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

15. ~~((Limited to golf driving ranges and subject to subsection B.7. of this section.))~~ For amusement and recreation services not otherwise provided for in this chapter:

a. In the RA zones, not subject to regulation under K.C.C. Title 6 and only on sites at least five acres or larger;

b. Retail sales are limited to incidental sales to patrons of the amusement or recreation service; and

c. Does not involve the operation of motor vehicles or off-road vehicles, including but not limited to, motorcycles and gocarts.

16. Subject to the following conditions:

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

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

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

18. Subject to review and approval of conditions to comply with trail corridor provisions of K.C.C. chapter 21A.14 when located in an RA zone.

19. Only as ~~((an))~~ accessory to a large active recreation and multiuse park.

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

21. Limited to rentals of sports and recreation equipment with a total floor area of no more than seven hundred fifty square feet and ~~((Θ))~~ only as an accessory to a park, or in the RA zones, to a large active recreation and multiuse park ~~((in the RA zones, and limited to:~~

~~a. rentals of sports and recreation equipment; and~~

~~b. a total floor area of seven hundred and fifty square feet)).~~

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

a. water slides, wave pools and associated water recreation facilities; and

b. rentals of sports and recreation equipment.

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

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

802           a. The use is limited to camps for youths or for persons with special needs due  
803 to a disability, as defined by the American With Disabilities Act of 1990, or due to a  
804 medical condition and including training for leaders for those who use the camp;

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

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

812                   (a) one hundred and fifty for a camp between twenty and forty acres; or

813                   (b) for a camp greater than forty acres, but less than two hundred and fifty  
814 acres, the number of users allowed by the design capacity of a water system and on-site  
815 sewage disposal system approved by the department of health, Seattle/King County, up to  
816 a maximum of three hundred and fifty; and

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

818                   (a) For a camp established prior to August 11, 2005, with a conditional use  
819 permit and is forty acres or larger, but less than one hundred and sixty acres, the number



of overnight campers, not including camp personnel, may be up to one hundred and fifty campers over the limit established by subsection B.24.c.(1)(b) of this section.

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

The camp may terminate operations at its existing site and establish a new camp if the area of the camp is greater than two hundred and fifty acres and the number of overnight campers, not including camp personnel, shall not exceed seven hundred.

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

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

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

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

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

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

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

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

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

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

26.a. Only in an enclosed building; and

b. A copy of the current liability policy of not less than one million dollars for bodily injury or death shall be maintained in the department.

27. Minimum standards for outdoor paintball recreation fields:

a. The minimum site area is twenty-five acres;

b. Structure shall be no closer than one hundred feet from any lot line adjacent to a residential zoned property;

c. The area where paintballs are discharged shall be located more than three hundred feet of any lot line and more than five hundred ~~((feet+feet))~~ feet from the lot line of any adjoining residential property. The department may allow for a lesser setback if it determines through the conditional use permit review that the lesser setback in combination with other elements of the site design provides adequate protection to adjoining properties and rights-of-ways;

d. A twenty-foot high nylon mesh screen shall be installed around all play areas and shall be removed at the end of each day when the play area is not being used. The department may allow for the height of the screen to be lowered to no less than ten feet if it determines through the conditional use permit review that the lower screen in combination with other elements of the site design provides adequate protection from discharged paintballs;

e. All parking and spectator areas, structures and play areas shall be screened from adjoining residential zoned property and public rights of way with Type 1 landscaping at least ten feet wide;

f. Any retail sales conducted on the property shall be accessory and incidental to the permitted activity and conducted only for the participants of the site;

g. A plan of operations specifying days and hours of operation, number of participants and employees, types of equipment to be used by users of the site, safety procedures, type of compressed air fuel to be used on the site and storage and maintenance procedures for the compressed air fuel shall be provided for review in

conjunction with the conditional use permit application. All safety procedures shall be reviewed and approved by department of public safety prior to submittal of the conditional use permit application. All activities shall be in compliance with National Paintball League standards;

h. The hours of operation shall be limited to Saturdays and Sundays and statutory holidays from 8:30 A.M. to 8:30 P.M., and further restricted as applicable to daylight hours;

i. No more than one hundred paintball players shall be allowed on the site at any one time;

j. No outdoor lights or amplified sounds shall be permitted;

k. The facility shall have direct access to a road designated as a major collector (or higher) in the Comprehensive Plan unless the department determines through the conditional use permit review that the type and amount of traffic generated by the facility is such that it will not cause an undue impact on the neighbors or adversely affect safety of road usage;

l. The facility shall be secured at the close of business each day;

m. All equipment and objects used in the paintball activities shall be removed from the site within ninety days of the discontinuance of the paintball use; and

n. A copy of the current liability policy of not less than one million dollars for bodily injury or death shall be submitted with the conditional use permit application and shall be maintained in the department.

28. Prior to filing an application with the department, the applicant shall hold a community meeting in accordance with section 9 of this ordinance.

910                    SECTION 15 Ordinance 10870, section 332, as amended, and K.C.C. 21A.08.050

911        are each hereby amended to read as follows:

912                    A. General services land uses.

KEY		Z O N E	RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL								
P-Permitted Use C-Conditional Use S-Special Use			A G R I C U L T U R E	F O R E S T	M I N E R A L	R U R A L	U R B A N	R E S E R V E	U R B A N	R E S I D E N T I A L	N E I G H B O R H O O D	B U S I N E S S	C O M M U N I T Y	B U S I N E S S	R E G I O N A L	B U S I N E S S	O F F I C E	I N D U S T R I A L
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I					
	PERSONAL SERVICES:																	
72	General Personal Service						C25 C37	C25 C37	P	P	P	P3	P3					
7216	Drycleaning Plants												P					
7218	Industrial Launderers												P					
7261	Funeral Home/Crematory					C4	C4	C4		P	P							
*	Cemetery, Columbarium or Mausoleum				P24 C5 and 31	P24 C5 and 31	P24 C5 and 31	P24 C5 and 31	P24	P24	P24 C5	P24						
*	Day Care I	P6			P6	P6	P6	P	P	P	P	P7	P7					
*	Day Care II				P8 C	P8 C	P8 C	P8 C	P	P	P	P7	P7					
074	Veterinary Clinic	P9			P9 C10 and 31	P9 C10			P10	P10	P10		P					
753	Automotive Repair (1)								P11	P	P		P					
754	Automotive Service								P11	P	P		P					
76	Miscellaneous Repair	((G33)) <u>P33</u>			P32 ((G33)) <u>P33</u>	P32	P32	P32	P32	P	P		P					
866	Church, Synagogue, Temple				P12 C27 and 31	P12 C	P12 C	P12 C	P	P	P	P						

83	Social Services (2)				P12 (C43 and) P13 C31	P12 (C43) P13 C	P12 (C43) P13 C	P12 (C43) P13 C	((P13)) P	P	P	P	
0752	Animal specialty services				C P35 P36	C			P	P	P	P	P
*	Stable	P14 C			P14 C31	P14 C	P14 C						
*	Kennel or Cattery	P9			C	C				C	P		
*	Theatrical Production Services									P30	P28		
*	Artist Studios				P28	P28	P28	P28	P	P	P	P29	P
*	Interim Recycling Facility				P21	P21	P21	P21	P22	P22	P	P21	P
*	Dog training facility	C34			C34	C34			P	P	P		P
	<b>HEALTH SERVICES:</b>												
801-04	Office/Outpatient Clinic				P12 C13a	P12 C13a	P12 C13a C37	P12 C13a C37	P	P	P	P	P
805	Nursing and Personal Care Facilities							C		P	P		
806	Hospital						C13a	C13a		P	P	C	
807	Medical/Dental Lab									P	P	P	P
808-09	Miscellaneous Health									P	P	P	
	<b>EDUCATION SERVICES:</b>												
*	Elementary School				P15 and 31	P	P	P		P16c	P16c	P16c	
*	Middle/Junior High School				P16 C15 and 31	P	P	P		P16c	P16c	P16c	

*	Secondary or High School				P16 C15 and 26 and 31	P26	P26	P26		P16c C	P16c C	P16c	
*	Vocational School				P13a C31	P13a C	P13a C	P13a C			P	P17	P
*	Specialized Instruction School			P18	P19 C20 and 31	P19 C20	P19 C20	P19 C20	P	P	P	P17	P
*	School District Support Facility				P16 C15 and 23 and 31	P23 C	P23 C	P23 C	C	P	P	P	P
<b>GENERAL CROSS</b> Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; <b>REFERENCES:</b> Development Standards, see K.C.C. chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*)Definition of this specific Land Use, see K.C.C. chapter 21A.06.													

913 B. Development conditions.

914 1. Except SIC Industry No. 7534-Tire Retreading, see manufacturing permitted  
915 use table.

916 2. Except SIC Industry Group Nos.:

917 a. 835-Day Care Services, and

918 b. 836-Residential Care, which is otherwise provided for on the residential  
919 permitted land use table.

920 3. Limited to SIC Industry Group and Industry Nos.:

921 a. 723-Beauty Shops;

922 b. 724-Barber Shops;

923 c. 725-Shoe Repair Shops and Shoeshine Parlors;

924 d. 7212-Garment Pressing and Agents for Laundries and Drycleaners; and

925 e. 217-Carpet and Upholstery Cleaning.

926 4. Only as an accessory to a cemetery, and prohibited from the UR zone only if  
927 the property is located within a designated unincorporated Rural Town.

928 5. Structures shall maintain a minimum distance of one hundred feet from  
929 property lines adjoining residential zones.

930 6. Only as an accessory to residential use, and:

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

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

935 7. Permitted as an accessory use. See commercial/industrial accessory, K.C.C.  
936 21A.08.060.A.

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

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

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

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

946 d. Hours of operation may be restricted to assure compatibility with  
947 surrounding development.



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

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

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

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

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

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

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

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

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

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

969           b. The portion of the building or structure in which animals are kept or treated  
970 shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be

971 surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with  
972 concrete or other impervious material; and

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

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

977 12. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.  
978 Prior to filing an application with the department, the applicant shall hold a community  
979 meeting in accordance with section 9 of this ordinance.

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

982 b. Prior to filing an application with the department, the applicant shall hold a  
983 community meeting in accordance with section 9 of this ordinance.

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

987 15. Limited to projects that do not require or result in an expansion of sewer  
988 service outside the urban growth area, unless a finding is made that no cost-effective  
989 alternative technologies are feasible, in which case a tightline sewer sized only to meet  
990 the needs of the public school, as defined in RCW 28A.150.010, or the school facility and  
991 serving only the public school or the school facility may be used. New public high  
992 schools shall be permitted subject to the review process in K.C.C. 21A.42.140.

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

b. Renovation, expansion, modernization or reconstruction of a school, a school facility, or the addition of relocatable facilities, is permitted but shall not require or result in an expansion of sewer service outside the urban growth area, unless a finding is made that no cost-effective alternative technologies are feasible, in which case a tightline sewer sized only to meet the needs of the public school, as defined in RCW 28A.150.010, or the school facility may be used.

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

17. All instruction must be within an enclosed structure.

18. Limited to resource management education programs.

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

a. Students shall be 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 twenty-five feet from property lines adjoining residential zones.

20. Subject to the following:

1016           a. Structures used for the school and accessory uses shall maintain a minimum  
1017 distance of twenty-five feet from property lines adjoining residential zones;

1018           b. On lots over two and one-half acres:

1019               (1) Retail sale of items related to the instructional courses is permitted, if total  
1020 floor area for retail sales is limited to two thousand square feet;

1021               (2) Sale of food prepared in the instructional courses is permitted with  
1022 Seattle-King County department of public health approval, if total floor area for food  
1023 sales is limited to one thousand square feet and is located in the same structure as the  
1024 school; and

1025               (3) Other incidental student-supporting uses are allowed, if such uses are  
1026 found to be both compatible with and incidental to the principal use; and

1027           c. On sites over ten acres, located in a designated Rural Town and zoned any  
1028 one or more of UR, R-1 and R-4:

1029               (1) Retail sale of items related to the instructional courses is permitted,  
1030 provided total floor area for retail sales is limited to two thousand square feet;

1031               (2) Sale of food prepared in the instructional courses is permitted with  
1032 Seattle-King County department of public health approval, if total floor area for food  
1033 sales is limited to one thousand seven hundred fifty square feet and is located in the same  
1034 structure as the school;

1035               (3) Other incidental student-supporting uses are allowed, if the uses are found  
1036 to be functionally related, subordinate, compatible with and incidental to the principal  
1037 use;

1038               (4) The use shall be integrated with allowable agricultural uses on the site;

1039                   (5) Advertised special events shall comply with the temporary use  
1040 requirements of this chapter; and

1041                   (6) Existing structures that are damaged or destroyed by fire or natural event,  
1042 if damaged by more than fifty percent of their prior value, may reconstruct and expand an  
1043 additional sixty-five percent of the original floor area but need not be approved as a  
1044 conditional use if their use otherwise complies with development condition B.20.c. of this  
1045 section and this title.

1046                   21. Limited to drop box facilities accessory to a public or community use such  
1047 as a school, fire station or community center.

1048                   22. With the exception of drop box facilities for the collection and temporary  
1049 storage of recyclable materials, all processing and storage of material shall be within  
1050 enclosed buildings. Yard waste processing is not permitted.

1051                   23. Only if adjacent to an existing or proposed school.

1052                   24. Limited to columbariums accessory to a church, but required landscaping  
1053 and parking shall not be reduced.

1054                   25. Not permitted in R-1 and limited to a maximum of five thousand square feet  
1055 per establishment and subject to the additional requirements in K.C.C. 21A.12.230.

1056                   26.a. New high schools shall be permitted in the rural and the urban residential  
1057 and urban reserve zones subject to the review process in K.C.C. 21A.42.140.

1058                   b. Renovation, expansion, modernization, or reconstruction of a school, or the  
1059 addition of relocatable facilities, is permitted.

1060           27. Limited to projects that do not require or result in an expansion of sewer  
1061 service outside the urban growth area. In addition, such use shall not be permitted in the  
1062 RA-20 zone.

1063           28. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter  
1064 21A.32 or as a joint use of an existing public school facility.

1065           29. All studio use must be within an enclosed structure.

1066           30. Adult use facilities shall be prohibited within six hundred sixty feet of any  
1067 residential zones, any other adult use facility, school, licensed daycare centers, parks,  
1068 community centers, public libraries or churches that conduct religious or educational  
1069 classes for minors.

1070           31. Subject to review and approval of conditions to comply with trail corridor  
1071 provisions of K.C.C. chapter 21A.14 when located in an RA zone.

1072           32. Limited to repair of sports and recreation equipment:

1073           a. as an accessory to a large active recreation and multiuse park in the urban  
1074 growth area; or

1075           b. as an accessory to a park, or a large active recreation and multiuse park in  
1076 the RA zones, and limited to a total floor area of seven hundred fifty square feet.

1077           33. Accessory to agricultural or forestry uses provided:

1078           a. the repair of tools and machinery is limited to those necessary for the  
1079 operation of a farm or forest.

1080           b. the lot is at least five acres.

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

34. Subject to the following:

a. the lot is at least five acres((-));

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

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

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

35. Limited to animal rescue shelters and provided that:

a. the property shall be at least four acres;

b. buildings used to house rescued animals shall be no less than fifty feet from property lines;

c. outdoor animal enclosure areas shall be located no less than thirty feet from property lines and shall be fenced in a manner sufficient to contain the animals;

d. the facility shall be operated by a nonprofit organization registered under the Internal Revenue Code as a 501(c)(3) organization; and

e. the facility shall maintain normal hours of operation no earlier than 7 a.m. and no later than 7 p.m.

1104 36. Limited to kennel-free dog boarding and daycare facilities, and:

1105 a. the property shall be at least ~~((five))~~ four and one-half acres;

1106 b. buildings housing dogs shall be no less than seventy-five feet from property

1107 lines;

1108 c. outdoor exercise areas shall be located no less than thirty feet from property

1109 lines and shall be fenced in a manner sufficient to contain the dogs;

1110 d. the number of dogs allowed shall be limited to twenty-five, consistent with the

1111 provisions for hobby kennels, as ~~((outline))~~ provided in K.C.C. 11.04.060.B;

1112 e. training and grooming are ancillary services ~~((which))~~ that may be provided

1113 only to dogs staying at the facility; and

1114 f. the facility shall maintain normal hours of operation no earlier than 7 a.m. and

1115 no later than 7 p.m.~~((; and~~

1116 ~~g. no new facility shall be permitted to be established after one year from June~~

1117 ~~17, 2007))~~.

1118 37. Not permitted in R-1 and subject to the additional requirements in K.C.C.

1119 21A.12.250.

1120 SECTION 16. Ordinance 10870, section 333, as amended, and K.C.C.

1121 21A.08.060 are each hereby amended to read as follows:

1122 A. Government/business services land uses.

KEY		Z O N E	RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL					
P-Permitted Use			A	F	M	R	U	R	U	N	B	C	B	R	B
C-Conditional Use			G	O	I	U	R	R	R	E	U	U	U	E	U
S-Special Use			R	R	N	R	B	A	B	I	S	C	M	I	S
			I	E	E	A	A	E	A	G	I	M	I	G	I
			C	S	R	A	N	R	N	H	N	M	N	O	N
			U	T	A					B	E	U	N	E	S
			L		L					O	S	I	S	A	S
			T							R					
			U							H					
			R							O					
			E							R					
										H					
										O					
										D					
SIC#	SPECIFIC LAND USE		A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I	(30)



[illegible]

473	Freight and Cargo Service										P	P	P
472	Passenger Transportation Service								P		P	P	
48	Communication Offices										P	P	P
482	Telegraph and other Communications								P		P	P	P
*	General Business Service							P	P		P	P	P16
*	Professional Office							P	P		P	P	P16
7312	Outdoor Advertising Service										P	P17	P
735	Miscellaneous Equipment Rental								P17		P	P17	P
751	Automotive Rental and Leasing								P		P		P
752	Automotive Parking							P20	P20		P21	P20	P
*	Off-Street Required Parking Lot				P32	P32	P32	P32	P32	P32	P32	P32	P32
7941	Professional Sport Teams/Promoters										P	P	
873	Research, Development and Testing										P2	P2	P2
*	Heavy Equipment and Truck Repair												P
	<b>ACCESSORY USES:</b>												
*	Commercial/Industrial Accessory Uses			P	P22				P22	P22	P	P	P
*	Helistop					C23	C23	C23	C23	C23	C24	C23	C24
<b>GENERAL</b> Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; <b>CROSS</b> Development Standards, see chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; <b>REFERENCES:</b> Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*) Definition of this specific land use, see K.C.C. chapter 21A.06.													

1123

**B. Development conditions.**

1124

1. Except self-service storage.

1125

2. Except SIC Industry No. 8732-Commercial Economic, Sociological, and

1126

Educational Research, see general business service/office.

1127           3.a. Only as a re-use of a public school facility or a surplus nonresidential  
1128 facility subject to the provisions of K.C.C. chapter 21A.32; or  
1129           b. only when accessory to a fire facility and the office is no greater than one  
1130 thousand five hundred square feet of floor area.

1131           4. Only as a re-use of a surplus nonresidential facility subject to K.C.C. chapter  
1132 21A.32.

1133           5. New utility office locations only if there is no commercial/industrial zoning  
1134 in the utility district, and not in the RA-10 or RA-20 zones unless it is demonstrated that  
1135 no feasible alternative location is possible, and provided further that this condition  
1136 applies to the UR zone only if the property is located within a designated unincorporated  
1137 Rural Town.

1138           6.a. All buildings and structures shall maintain a minimum distance of twenty  
1139 feet from property lines adjoining residential zones;

1140           b. Any buildings from which fire-fighting equipment emerges onto a street  
1141 shall maintain a distance of thirty-five feet from such street;

1142           c. No outdoor storage; and

1143           d. Excluded from the RA-10 and RA-20 zones unless it is demonstrated that no  
1144 feasible alternative location is possible.

1145           7. Limited to storefront police offices. Such offices shall not have:

1146           a. holding cells,

1147           b. suspect interview rooms (except in the NB zone), or

1148           c. long-term storage of stolen properties.

1149           8. Private stormwater management facilities serving development proposals  
1150 located on commercial/industrial zoned lands shall also be located on  
1151 commercial/industrial lands, unless participating in an approved shared facility drainage  
1152 plan. Such facilities serving development within an area designated urban in the King  
1153 County Comprehensive Plan shall only be located in the urban area.

1154           9. No outdoor storage of materials.

1155           10. Limited to office uses.

1156           11. Limited to self-service household moving truck or trailer rental accessory to  
1157 a gasoline service station.

1158           12. Limited to self-service household moving truck or trailer rental accessory to  
1159 a gasoline service station and SIC Industry No. 4215-Courier Services, except by air.

1160           13. Limited to SIC Industry No. 4215-Courier Services, except by air.

1161           14. Accessory to an apartment development of at least twelve units provided:

1162           a. The gross floor area in self service storage shall not exceed the total gross  
1163 floor area of the apartment dwellings on the site;

1164           b. All outdoor lights shall be deflected, shaded and focused away from all  
1165 adjoining property;

1166           c. The use of the facility shall be limited to dead storage of household goods;

1167           d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or  
1168 similar equipment;

1169           e. No outdoor storage or storage of flammable liquids, highly combustible or  
1170 explosive materials or hazardous chemicals;

1171           f. No residential occupancy of the storage units;

1172 g. No business activity other than the rental of storage units; ~~((and))~~

1173 h. A resident director shall be required on the site and shall be responsible for

1174 maintaining the operation of the facility in conformance with the conditions of approval;

1175 and

1176 i. Prior to filing an application with the department, the applicant shall hold a

1177 community meeting in accordance with section 9 of this ordinance.

1178 15.a. The floor area devoted to warehousing, refrigeration or storage shall not

1179 exceed two thousand square feet;

1180 b. Structures and areas used for warehousing, refrigeration and storage shall

1181 maintain a minimum distance of seventy-five feet from property lines adjoining

1182 residential zones; and

1183 c. Warehousing, refrigeration and storage is limited to agricultural products

1184 and sixty percent or more of the products must be grown or processed in the Puget Sound

1185 counties. At the time of the initial application, the applicant shall submit a projection of

1186 the source of products to be included in the warehousing, refrigeration or storage.

1187 16. Only as an accessory use to another permitted use.

1188 17. No outdoor storage.

1189 18. Only as an accessory use to a public agency or utility yard, or to a transfer

1190 station.

1191 19. Limited to new commuter parking lots designed for thirty or fewer parking

1192 spaces or commuter parking lots located on existing parking lots for churches, schools, or

1193 other permitted nonresidential uses that have excess capacity available during

1194 commuting; provided that the new or existing lot is adjacent to a designated arterial that  
1195 has been improved to a standard acceptable to the department of transportation;

1196 20. No tow-in lots for damaged, abandoned or otherwise impounded vehicles.

1197 21. No dismantling or salvage of damaged, abandoned or otherwise impounded  
1198 vehicles.

1199 22. Storage limited to accessory storage of commodities sold at retail on the  
1200 premises or materials used in the fabrication of commodities sold on the premises.

1201 23. Limited to emergency medical evacuation sites in conjunction with police,  
1202 fire or health service facility. Helistops are prohibited from the UR zone only if the  
1203 property is located within a designated unincorporated Rural Town.

1204 24. Allowed as accessory to an allowed use.

1205 25. Limited to private road ambulance services with no outside storage of  
1206 vehicles.

1207 26. Limited to two acres or less.

1208 27a. Utility yards only on sites with utility district offices; or  
1209 b. Public agency yards are limited to material storage for road maintenance  
1210 facilities.

1211 28. Limited to bulk gas storage tanks that pipe to individual residences but  
1212 excluding liquefied natural gas storage tanks.

1213 29. Excluding bulk gas storage tanks.

1214 30. For I-zoned sites located outside the urban growth area designated by the  
1215 King County Comprehensive Plan, uses shall be subject to the provisions for rural  
1216 industrial uses in K.C.C. chapter 21A.12.

1217           31. Vactor waste treatment, storage and disposal shall be limited to liquid  
1218 materials. Materials shall be disposed of directly into a sewer system, or shall be stored  
1219 in tanks (or other covered structures), as well as enclosed buildings.

1220           32. Provided:

1221           a. Off-street required parking for a land use located in the urban area must be  
1222 located in the urban area;

1223           b. Off-street required parking for a land use located in the rural area must be  
1224 located in the rural area; and

1225           c. Off-street required parking must be located on a lot that would permit, either  
1226 outright or through a land use permit approval process, the land use the off-street parking  
1227 will serve.

1228           33. Subject to review and approval of conditions to comply with trail corridor  
1229 provisions of K.C.C. chapter 21A.14 when located in an RA zone.

1230           34. Limited to landscape and horticultural services (SIC 078) that are accessory  
1231 to a retail nursery, garden center and farm supply store. Construction equipment for the  
1232 accessory use shall not be stored on the premises.

1233           35. Allowed as a primary or accessory use to an allowed industrial-zoned land  
1234 use.

1235           36. Accessory to agricultural uses provided:

1236           a. In the RA zones and on lots less than thirty-five acres in the A zone, the  
1237 floor area devoted to warehousing, refrigeration or storage shall not exceed three  
1238 thousand five hundred square feet unless located in a building designated as historic  
1239 resource under K.C.C. chapter 20.62;

1240                   b. On lots at least thirty-five acres in the A zones, the floor area devoted to  
 1241   warehousing, refrigeration or storage shall not exceed seven thousand square feet unless  
 1242   located in a building designated as historic resource under K.C.C. chapter 20.62.

1243                   c. In the A zones, structures and areas used for warehousing, refrigeration and  
 1244   storage shall be located on portions of agricultural lands that are unsuitable for other  
 1245   agricultural purposes, such as areas within the already developed portion of such  
 1246   agricultural lands that are not available for direct agricultural production, or areas without  
 1247   prime agricultural soils;

1248                   d. Structures and areas used for warehousing, refrigeration or storage shall  
 1249   maintain a minimum distance of seventy-five feet from property lines adjoining  
 1250   residential zones; and

1251                   e. Warehousing, refrigeration and storage is limited to agricultural products  
 1252   and sixty percent or more of the products must be grown or processed in the Puget Sound  
 1253   counties. At the time of the initial application, the applicant shall submit a projection of  
 1254   the source of products to be included in the warehousing, refrigeration or storage.

1255                   37. Use shall be limited to the NB zone on parcels outside of the Urban Growth  
 1256   Area, Rural Towns and Rural Neighborhoods and the building floor area devoted to such  
 1257   use shall not exceed ten thousand square feet.

1258                   SECTION 17. Ordinance 10870, section 334, as amended, and K.C.C.

1259   21A.08.070 are each hereby amended to read as follows:

1260                   A. Retail land uses.

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



			T U R E					T I A L	R H O O D	S T Y	S L S		I A L
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12- 48	NB	CB	RB	O	I (30)
*	Building  Materials and Hardware Stores		P23						P2	P	P		
*	<u>Retail</u> Nursery, Garden Center and Farm Supply Stores	P1 C1			P1 C1				P	P	P		
*	Forest Products Sales	P3 and 4	P4		P3 and 4						P		
*	Department and Variety Stores						C14a	((C14)) <u>P14</u>	P5	P	P		
54	Food Stores						C15a	((C15)) <u>P15</u>	P	P	P	C	P6
*	Agricultural Product Sales	P7 C7	P4		P7 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				P21 C19		P20 C16	P20 ((C16)) <u>P16</u>	P10	P	P	P	P

*	Drug Stores						C15a	((C45)) P15	P	P	P	C	
592	Liquor Stores	P13			P13	P13			P13	P	P		
593	Used Goods: Antiques/ Secondhand Shops									P	P		
*	Sporting Goods and Related Stores			P22	P22	P22	P22	P22	P22	P	P	P22	P22
*	Book, Stationery, Video and Art Supply Stores						C15a	((C45)) P15	P	P	P		
*	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									C11	P		P
*	Florist Shops						C15a	((C45)) P15	P	P	P	P	
*	Personal Medical Supply Stores									P	P		
*	Pet Shops								P	P	P		
*	Bulk Retail									P	P		
*	Auction Houses										P12		P
*	Livestock Sales	P17	P17		P17	P17	P17 and 18						P

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

1261 B. Development conditions.

1262 1.a. As a permitted use, covered sales areas shall not exceed a total area of two  
1263 thousand square feet, unless located in a building designated as historic resource under  
1264 K.C.C. chapter 20.62. With a conditional uses permit, covered sales areas of up to three  
1265 thousand five hundred square feet may be allowed. Greenhouses used for the display of  
1266 merchandise other than plants shall be considered part of the covered sales area.  
1267 Uncovered outdoor areas used to grow or display trees, shrubs, or other plants are not  
1268 considered part of the covered sales area;

1269 b. The site area shall be at least four and one-half acres;

1270 c. Sales may include locally made arts and crafts; and

1271 d. Outside lighting is permitted if no off-site glare is allowed.

1272 2. Only hardware stores.

1273 3.a. Limited to products grown on site.

1274 b. Covered sales areas shall not exceed a total area of five hundred square feet.

1275 4. No permanent structures or signs.

1276 5. Limited to SIC Industry No. 5331-Variety Stores, and further limited to a  
1277 maximum of two thousand square feet of gross floor area.

1278 6. Limited to a maximum of ~~((two))~~ five thousand square feet of gross floor  
1279 area.

1280 7.a. As a permitted use, the covered sales area shall not exceed two thousand  
1281 square feet, unless located in [a] building designated as [a] historic resource under K.C.C.

chapter 20.62. As a conditional use, up to three thousand five hundred square feet of covered sales area may be allowed;

b. The site area shall be at least four and one-half acres;

c. Forty percent or more of the gross sales of agricultural product sold through the store must be sold by the producers of primary agricultural products;

d. Sixty percent or more of the gross sales of agricultural products sold through the store shall be derived from products grown or produced in the Puget Sound counties. At the time of the initial application, the applicant shall submit a reasonable projection of the source of product sales;

e. Sales shall be limited to agricultural products and locally made arts and crafts;

f. Storage areas for agricultural products may be included in a farm store structure or in any accessory building; and

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

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. No outside storage of fuel trucks and equipment.

12. Excluding vehicle and livestock auctions.

13. Only as accessory to a winery or SIC Industry No. 2082-Malt Beverages, and limited to sales of products produced on site and incidental items where the majority of sales are generated from products produced on site.

1304           14.a. Not in R-1 and limited to SIC Industry No. 5331-Variety Stores, limited to  
1305 a maximum of five thousand square feet of gross floor area, and subject to K.C.C.

1306 ~~((21A.12.330))~~ 21A.12.230; and

1307           b. Prior to filing an application with the department, the applicant shall hold a  
1308 community meeting in accordance with section 9 of this ordinance.

1309           15.a. Not permitted in R-1 and limited to a maximum of five thousand square  
1310 feet of gross floor area and subject to K.C.C. 21A.12.230; and

1311           b. Prior to filing an application with the department, the applicant shall hold a  
1312 community meeting in accordance with section 9 of this ordinance.

1313           16.a. Not permitted in R-1 and excluding SIC Industry No. 5813-Drinking  
1314 Places, and limited to a maximum of five thousand square feet of gross floor area and  
1315 subject to K.C.C. 21A.12.230, except as provided in subsection B.20. of this section; and

1316           b. Prior to filing an application with the department, the applicant shall hold a  
1317 community meeting in accordance with section 9 of this ordinance.

1318           17. Retail sale of livestock is permitted only as accessory to raising livestock.

1319           18. Limited to the R-1 zone.

1320           19. Only as:

1321           a. an accessory use to a permitted manufacturing or retail land use, limited to  
1322 espresso stands to include sales of beverages and incidental food items, and not to include  
1323 drive-through sales; or

1324           b. an accessory use to a large active recreation and multiuse park, limited to a  
1325 total floor area of three thousand five hundred square feet.

1326           20. Only as:



[illegible]

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												P10C
7534	Tire Retreading										C		P
781-82	Movie Production/Distribution										P		P
<b>GENERAL CROSS</b> Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; <b>REFERENCES:</b> Development Standards, see K.C.C. chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38 Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*)Definition of this specific land use, see K.C.C. chapter 21A.06													

1343 B. Development conditions.

1344 1.a. Excluding wineries and SIC Industry No. 2082-Malt Beverages;

1345 b. In the A zone, only allowed on sites where the primary use is SIC industry

1346 Group No. 01-Growing Harvesting Crops or No. 02-Raising Livestock and Small

1347 Animals.

1348 c. In the RA and UR zones, only allowed on lots of at least four and one-half

1349 acres and only when accessory to an agricultural use;

1350 d.(1) Except as provided in subsection B.1.d.(2) and B.1.d.(3) of this section,

1351 the floor area devoted to all processing shall not exceed three thousand five hundred

1352 square feet, unless located in a building designated as historic resource under K.C.C.

1353 chapter 20.62;



1354                   (2) With a conditional use permit, up to five thousand square feet of floor  
1355 area may be devoted to all processing; and

1356                   (3) In the A zone, on lots thirty-five acres or greater, the floor area devoted to  
1357 all processing shall not exceed seven thousand square feet, unless located in a building  
1358 designated as historic resource under K.C.C. chapter 20.62;

1359                   e. Structures and areas used for processing shall maintain a minimum distance  
1360 of seventy-five feet from property lines adjoining residential zones, unless located in a  
1361 building designated as historic resource under K.C.C. chapter 20.62;

1362                   f. Processing is limited to agricultural products and sixty percent or more of  
1363 the products processed must be grown in the Puget Sound counties. At the time of initial  
1364 application, the applicant shall submit a projection of the source of products to be  
1365 produced;

1366                   g. In the A zone, structures used for processing shall be located on portions of  
1367 agricultural lands that are unsuitable for other agricultural purposes, such as areas within  
1368 the already developed portion of such agricultural lands that are not available for direct  
1369 agricultural production, or areas without prime agricultural soils; and

1370                   h. Tasting of products produced on site may be provided. The area devoted to  
1371 tasting shall be included in the floor area limitation in subsection B.1.d. of this section.

1372                   2. Except slaughterhouses.

1373                   3.a. Limited to wineries and SIC Industry No. 2082-Malt Beverages;

1374                   b. In the A zone, only allowed on sites where the primary use is SIC Industry  
1375 Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small  
1376 Animals;

1377 c. In the RA and UR zones, only allowed on lots of at least four and one-half  
1378 acres;

1379 d. The floor area devoted to all processing shall not exceed three thousand five  
1380 hundred square feet, unless located in a building designated as historic resource under  
1381 K.C.C. chapter 20.62.

1382 e. Structures and areas used for processing shall maintain a minimum distance  
1383 of seventy-five feet from property lines adjoining residential zones, unless located in a  
1384 building designated as historic resource under K.C.C. chapter 20.62;

1385 f. Sixty percent or more of the products processed must be grown in the Puget  
1386 Sound counties. At the time of the initial application, the applicant shall submit a  
1387 projection of the source of products to be produced; and

1388 g. Tasting of products produced on site may be provided. The area devoted to  
1389 tasting shall be included in the floor area limitation in subsection B.3.c. of this section.

1390 4. Limited to rough milling and planing of products grown on-site with portable  
1391 equipment.

1392 5. Limited to SIC Industry Group No. 242-Sawmills. For RA zoned sites,  
1393 limited to RA-10 on lots at least ten acres in size and only as accessory to forestry uses.

1394 6. Limited to uses found in SIC Industry No. 2434-Wood Kitchen Cabinets and  
1395 No. 2431-Millwork, (excluding planing mills).

1396 7. Limited to photocopying and printing services offered to the general public.

1397 8. Only within enclosed buildings, and as an accessory use to retail sales.

1398 9. Only within enclosed buildings.

1399 10. Limited to boat building of craft not exceeding forty-eight feet in length.

1400           11. For I-zoned sites located outside the urban growth area designated by the  
1401 King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C.  
1402 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for  
1403 rural industrial uses as set forth in K.C.C. chapter 21A.12.

1404           12. Limited to wineries and SIC Industry No. 2082-Malt Beverages;

1405           b.(1) Except as provided in subsection B.12.b.(2) of this section, the floor area  
1406 of structures for wineries and breweries and any accessory uses shall not exceed a total of  
1407 eight thousand square feet. The floor area may be increased by up to an additional eight  
1408 thousand square feet of underground storage that is constructed completely below natural  
1409 grade, not including required exits and access points, if the underground storage is at least  
1410 one foot below the surface and is not visible above ground; and

1411           (2) On Vashon-Maury Island, the total floor area of structures for wineries  
1412 and breweries and any accessory uses may not exceed six thousand square feet, including  
1413 underground storage;

1414           c. Wineries and breweries shall comply with Washington state Department of  
1415 Ecology and King County board of health regulations for water usage and wastewater  
1416 disposal. Wineries and breweries using water from exempt wells shall install a water  
1417 meter;

1418           d. Off-street parking is limited to one hundred and fifty percent of the  
1419 minimum requirement for wineries or breweries specified in K.C.C. 21A.18.030;

1420           e. Structures and areas used for processing shall be set back a minimum  
1421 distance of seventy-five feet from property lines adjacent to residential zones, unless the

processing is located in a building designated as historic resource under K.C.C. chapter 20.62;

f. The minimum site area is four and one-half acres. If the total floor area of structures for wineries and breweries and any accessory uses exceed six thousand square feet, including underground storage:

(1) the minimum site area is ten acres; and

(2) a minimum of two and one-half acres of the site shall be used for the growing of agricultural products;

g. The facility shall be limited to processing agricultural products and sixty percent or more of the products processed must be grown in the Puget Sound counties.

At the time of the initial application, the applicant shall submit a projection of the source of products to be processed; and

h. Tasting of products produced on site may be provided. The area devoted to tasting shall be included in the floor area limitation in subsection B.12.b of this section.

13. Limited to source separated organic waste processing facilities at a scale appropriate to process the organic waste generated in the agricultural zone.

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

a. as accessory to a primary forestry use and at a scale appropriate to process the organic waste generated on the site; or

1443           b. as a continuation of a sawmill or lumber manufacturing use only for that  
1444 period to complete delivery of products or projects under contract at the end of the  
1445 sawmill or lumber manufacturing activity.

1446           15. Only on the same lot or same group of lots under common ownership or  
1447 documented legal control, which includes, but is not limited to, fee simple ownership, a  
1448 long-term lease or an easement:

1449           a. as accessory to a primary mineral use; or

1450           b. as a continuation of a mineral processing use only for that period to  
1451 complete delivery of products or projects under contract at the end of mineral extraction.

1452           16. Continuation of a materials processing facility after reclamation in  
1453 accordance with an approved reclamation plan.

1454           17. Only a site that is ten acres or greater and that does not use local access  
1455 streets that abut lots developed for residential use.

1456           18.a. Limited to wineries and SIC Industry No. 2082-Malt Beverages;

1457           b. The floor area devoted to all processing shall not exceed three thousand five  
1458 hundred square feet, unless located in a building designated as historic resource under  
1459 K.C.C. chapter 20.62;

1460           c. Structures and areas used for processing shall maintain a minimum distance  
1461 of seventy-five feet from property lines adjoining residential zones, unless located in a  
1462 building designated as historic resource under K.C.C. chapter 20.62; and

1463           d. Tasting of products produced on site may be provided. The area devoted to  
1464 tasting shall be included in the floor area limitation in subsection B.18.b. of this section.

1465            SECTION 19. Ordinance 10870, section 341, as amended, and K.C.C.

1466    21A.12.040 are each hereby amended to read as follows:

1467            A. Densities and dimensions - resource and commercial/industrial zones.

	Z O N E S	RESOURCE				COMMERCIAL/INDUSTRIAL				
		AGRICULTURE		F  O  R  E  S  T	M  I  N  E  R  A  L	NEIGHBO R-HOOD BUSINESS	COMMUNI TY BUSINESS	REGIONA L BUSINES S	O  F  F  I  C  E	I  N  D  U  S  T  R  I  A  L
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)	48 du/ac  (2)	36 du/ac  (2)  48 du/ac  (1)	48  du/ac  (2)	
Maximum  Density:  Dwelling  Unit/Acre						12 du/ac  (3)  16 du/ac  (15)	72 du/ac  (16)  96 du/ac  (17)	48 du/ac  (3)  72 du/ac  (16) 96 du/ac (17)	72  du/ac  (16)  96 du/ac  (17)	
Minimum Lot  Area		10  acres	35  acres	80  acres	10  acres					
Maximum Lot  Depth/  Width  Ratio		4 to 1	4 to 1							
Minimum  Street		30 ft  (4)	30 ft (4)	50 ft  (4)	(12)	10 ft (5)	10 ft (5)	10 ft (5)	10 ft	25 ft

Setback									
Minimum	10 ft	10 ft (4)	100 ft	(12)	<u>10 ft (18)</u>	20 ft (7)	20 ft (7)	20 ft	20 ft
Interior	(4)		(4)		20 ft (( <del>7</del> ))			(7)	(7)
Setback					(14)				50 ft
									(8)
Base Height	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft	45 ft	45 ft
(10)					45 ft (6)	60 ft (6)	65 ft (6)	65 ft	
						65 ft (17)		(6)	
Maximum					1/1 (9)	1.5/1 (9)	2.5/1 (9)	2.5/1	2.5/1
Floor/Lot								(9)	
Ratio:									
Square Feet									
Maximum	15%	10%	10%		85%	85%	90%	75%	90%
Impervious	35%	35%	35%						
Surface:	(11)	(11)	(11)						
Percentage									
(13)									

1468 B. Development conditions.

1469 1. In the RB zone on property located within the Potential Annexation Area of a  
1470 rural city, this density is not allowed.

1471 2. These densities are allowed only through the application of mixed-use  
1472 development standards and, in the NB zone on property in the urban area designated  
1473 commercial outside of center, for stand-alone townhouse development.

1474 3. These densities may only be achieved through the application of residential  
1475 density incentives or transfer of development rights in mixed-use developments and, in  
1476 the NB zone on property in the urban area designated commercial outside of center, for  
1477 stand-alone townhouse development. See K.C.C. chapters 21A.34 and 21A.37.

1478 4.a. in the F zone, scaling stations may be located thirty-five feet from property  
1479 lines. Residences shall have a setback of at least thirty feet from all property lines.

1480               b. for lots between one acre and two and one half acres in size, the setback  
1481 requirements of the R-1 zone shall apply. For lots under one acre, the setback  
1482 requirements of the R-4 zone shall apply.

1483               c. for developments consisting of three or more single-detached dwellings  
1484 located on a single parcel, the setback shall be ten feet along any property line abutting  
1485 R-1 through R-8, RA and UR zones.

1486               5. Gas station pump islands shall be placed no closer than twenty-five feet to  
1487 street front lines.

1488               6. This base height allowed only for mixed-use developments and for stand-  
1489 alone townhouse development in the NB zone on property designated commercial outside  
1490 of center in the urban area.

1491               7. Required on property lines adjoining residential zones.

1492               8. Required on property lines adjoining residential zones for industrial uses  
1493 established by conditional use permits.

1494               9. The floor-to-lot ratio for mixed use developments shall conform to K.C.C.  
1495 chapter 21A.14.

1496               10. Height limits may be increased if portions of the structure building that  
1497 exceed the base height limit provide one additional foot of street and interior setback for  
1498 each foot above the base height limit, provided the maximum height may exceed seventy-  
1499 five feet only in mixed use developments. Netting or fencing and support structures for  
1500 the netting or fencing used to contain golf balls in the operation of golf courses or golf  
1501 driving ranges are exempt from the additional interior setback requirement provided that  
1502 the maximum height shall not exceed seventy-five feet.



1503           11. Applicable only to lots containing less than one acre of lot area.

1504       Development on lots containing less than fifteen thousand square feet of lot area shall be

1505       governed by impervious surface standards of the nearest comparable R-4 through R-8

1506       zone.

1507           12. See K.C.C. 21A.22.060 for setback requirements in the mineral zone.

1508           13. The impervious surface area for any lot may be increased beyond the total

1509       amount permitted in this chapter subject to approval of a conditional use permit.

1510           14. Required on property lines adjoining residential zones unless a stand-alone

1511       townhouse development on property designated commercial outside of center in the

1512       urban area is proposed to be located adjacent to property upon which an existing

1513       townhouse development is located.

1514           15. Only as provided for walkable communities under K.C.C. 21A.34.040.F.8.

1515       well-served by transit or for mixed-use development through the application of

1516       residential density incentives under K.C.C. 21A.34.040.F.1.g.

1517           16. Only for mixed-use development through the application of residential

1518       density incentives under K.C.C. chapter 21A.34 or the transfer of development rights

1519       under K.C.C. chapter 21A.37. In the RB zone on property located within the Potential

1520       Annexation Area of a rural city, this density is not allowed.

1521           17. Only for mixed-use development through the application of residential

1522       density incentives through the application of residential density incentives under K.C.C.

1523       chapter 21A.34 or the transfer of development rights under K.C.C. chapter 21A.37.

1524       Upper-level setbacks are required for any facade facing a pedestrian street for any portion

1525       of the structure greater than forty-five feet in height. The upper level setback shall be at

least one foot for every two feet of height above forty-five feet, up to a maximum required setback of fifteen feet. The first four feet of horizontal projection of decks, balconies with open railings, eaves, cornices, and gutters shall be permitted in required setbacks. In the RB zone on property located within the Potential Annexation Area of a rural city, this density is not allowed.

18. Required on property lines adjoining residential zones only for a social service agency office reusing a residential structure in existence on January 1, 2010.

SECTION 20. Ordinance 10870, section 350, and K.C.C. 21A.12.130 are each hereby amended to read as follows:

~~((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))~~ sixty percent of the required street setback, whichever results in the greater street setback.

SECTION 21. Ordinance 15051, section 137, as amended, and K.C.C.

21A.24.045 are each hereby amended to read as follows:

A. Within the following seven critical areas and their buffers all alterations are allowed if the alteration complies with the development standards, impact avoidance and mitigation requirements and other applicable requirements established in this chapter:

1. Critical aquifer recharge area,
2. Coal mine hazard area;

- 1549           3. Erosion hazard area;
- 1550           4. Flood hazard area except in the severe channel migration hazard area;
- 1551           5. Landslide hazard area under forty percent slope;
- 1552           6. Seismic hazard area; and
- 1553           7. Volcanic hazard areas.

1554           B. Within the following seven critical areas and their buffers, unless allowed as an

1555 alteration exception under K.C.C. 21A.24.070, only the alterations on the table in

1556 subsection C. of this section are allowed if the alteration complies with conditions in

1557 subsection D. of this section and the development standards, impact avoidance and

1558 mitigation requirements and other applicable requirements established in this chapter:

- 1559           1. Severe channel migration hazard area;
- 1560           2. Landslide hazard area over forty percent slope;
- 1561           3. Steep slope hazard area;
- 1562           4. Wetland;
- 1563           5. Aquatic area;
- 1564           6. Wildlife habitat conservation area; and
- 1565           7. Wildlife habitat network.

1566           C. In the following table where an activity is included in more than one activity

1567 category, the numbered conditions applicable to the most specific description of the activity

1568 governs. Where more than one numbered condition appears for a listed activity, each of

1569 the relevant conditions specified for that activity within the given critical area applies. For

1570 alterations involving more than one critical area, compliance with the conditions applicable

1571 to each critical area is required.

KEY					
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Letter "A" in a cell means alteration is allowed

A number in a cell means the corresponding numbered condition in subsection D. applies

"Wildlife area and network" column applies to both Wildlife Habitat Conservation Area and Wildlife Habitat Network

ACTIVITY	L A N D S L I D E  H A Z A R D	O V E R  40%  A N D  B U F F E R	S T E E P  S L O P E  H A Z A R D	A N D  B U F F E R	W E T L A N D  A N D	B U F F E R	A Q U A T I C  A R E A  A N D	B U F F E R  A N D  S E V E R E	C H A N N E L  M I G R A T I O N	W I L D L I F E  A R E A	A N D  N E T W O R K
<b>Structures</b>											
Construction of new single detached dwelling unit					A 1		A 2				
Construction of nonresidential structure					A 3		A 3			A 3, 4	
Maintenance or repair of existing structure	A 5		A		A		A			A 4	
Expansion or replacement of existing structure	A 5, 7		A 5, 7		A 7, 8		A 6, 7, 8			A 4, 7	
Interior remodeling	A		A		A		A			A	
Construction of new dock or pier					A 9		A 9, 10, 11				
Maintenance, repair or replacement of dock or pier					A 12		A 10, 11			A 4	
<b>Grading</b>											
Grading			A 13				A 14			A 4, 14	
Construction of new slope stabilization	A 15		A 15		A 15		A 15			A 4, 15	
Maintenance of existing slope stabilization	A 16		A 13		A 17		A 16, 17			A 4	
Mineral extraction	A		A								
<b>Clearing</b>											
Clearing	A 18		A 18, 19		A 18, 20		A 14, 18, 20			A 4, 14, 18, 20	
Cutting firewood			A 21		A 21		A 21			A 4, 21	
Removal of vegetation for fire safety	A22		A22		A 22		A 22			A 4, 22	
Removal of noxious weeds or invasive vegetation	A 23		A 23		A 23		A 23			A 4, 23	
<b>Forest Practices</b>											
Nonconversion Class IV-G forest practice	A 24		A 24		A 24		A 24			A 24, 25	
Class I, II, III, IV-S forest practice	A		A		A		A			A	

<b>Roads</b>					
Construction of new public road right-of-way structure on unimproved right-of-way			A 26	A 26	
Construction of new road in a plat			A 26	A 26	
Maintenance of public road right-of-way structure	A 16	A 16	A 16	A 16	A 16, 27
Expansion beyond public road right-of way structure	A	A	A 26	A 26	
Repair, replacement or modification within the roadway	A 16	A 16	A 16	A 16	A 16, 27
Construction of driveway or private access road	A 28	A 28	A 28	A 28	A 28
Construction of farm field access drive	A 29	A 29	A 29	A 29	A 29
Maintenance of driveway, private access road, farm field access drive or parking lot	A	A	A 17	A 17	A 17, 27
Construction of a bridge or culvert as part of a driveway or private access road	A 39	A 39	A 39	A 39	A 39
<b>Bridges or culverts</b>					
Maintenance or repair of bridge or culvert	A 16, 17	A 16, 17	A 16, 17	A 16, 17	A 16, 17, 27
Replacement of bridge or culvert	A 16	A 16	A 16	A 16, 30	A 16, 27
Expansion of bridge or culvert	A 16, 17	A 16, 17	A 16, 17, 31	A 17, 31	A 4
<b>Utilities and other infrastructure</b>					
Construction of new utility corridor or utility facility	A 32, 33	A 32, 33	A 32, 34	A 32, 34	A 27, 32, 35
Construction of a new residential utility service distribution line	A 32, 33	A 32, 33	A 32, 60	A 32, 60	A 27, 32, 60
Maintenance, repair or replacement of utility corridor or utility facility	A 32, 33	A 32, 33	A 32, 34, 36	A 32, 34, 36	A 4, 32, 37
<u>Construction of a new on-site sewage disposal system or well</u>			<u>A 63</u>	<u>A 63</u>	
Maintenance or repair of existing well	A 37	A 37	A 37	A 37	A 4, 37
Maintenance or repair of on-site sewage disposal system	A	A	A	A 37	A 4

Construction of new surface water conveyance system	A 32, 33	A 32, 33	A 32, 38	A 32, 38	A 4
Maintenance, repair or replacement of existing surface water conveyance system	A 33	A 33	A 16, 32, 38	A 16, 40, 41	A 4, 37
Construction of new surface water flow control or surface water quality treatment facility			A 32	A 32	A 4, 32
Maintenance or repair of existing surface water flow control or surface water quality treatment facility	A 16	A 16	A 16	A 16	A 4
Construction of new flood protection facility			A 42	A 42	A 27, 42
Maintenance, repair or replacement of flood protection facility	A 33, 43	A 33, 43	A 43	A 43	A 27, 43
Flood risk reduction gravel removal	A 61	A 61	A 61	A 61	A 61
Construction of new instream structure or instream work	A 16	A 16	A 16	A 16, 44, 45	A 4, 16, 44, 45
Maintenance or repair of existing instream structure	A 16	A	A	A	A 4
<b>Recreation</b>					
Construction of new trail	A 46	A 46	A 47	A 47	A 4, 47
Maintenance of outdoor public park facility, trail or publicly improved recreation area	A 48	A 48	A 48	A 48	A 4, 48
<b>Habitat, education and science projects</b>					
Habitat restoration or enhancement project	A 49	A 49	A 49	A 49	A 4, 49
Scientific sampling for salmonids			A 50	A 50	A 50
Drilling and testing for critical areas report	A 51	A 51	A 51, 52	A 51, 52	A 4
Environmental education project	A 62	A 62	A 62	A 62	A 62
<b>Agriculture</b>					
Horticulture activity including tilling, discing, planting, seeding, harvesting, preparing soil, rotating crops and related activity	A 53	A 53	A 53, 54	A 53, 54	A 53, 54
Grazing livestock	A 53	A 53	A 53, 54	A 53, 54	A 53, 54
Construction or maintenance of livestock manure storage facility			A 53, 54, 55	A 53, 54, 55, 56	A 53, 54

Construction or maintenance of livestock flood sanctuary			A	A 56	
Construction of agricultural drainage			A 57	A 57	A 4, 57
Maintenance of agricultural drainage	A 23, 58	A 23, 58	A 23, 53, 54, 58	A* 23, 53, 54, 58	A 4, 23, 53, 54, 58
Construction or maintenance of farm pond, fish pond or livestock watering pond	A 53	A 53	A 53, 54	A 53, 54	A 53, 54
<b>Other</b>					
Excavation of cemetery graves in established and approved cemetery	A	A	A	A	A
Maintenance of cemetery graves	A	A	A	A	A
Maintenance of lawn, landscaping or garden for personal consumption	A 59	A 59	A 59	A 59	A 59
Maintenance of golf course	A 17	A 17	A 17	A 17	A 4, 17

1572 D. The following alteration conditions apply:

1573 1. Limited to farm residences in grazed or tilled wet meadows and subject to the  
1574 limitations of subsection D.3. of this section.

1575 2. Allowed in a buffer of a lake that is twenty acres or larger on a lot that was  
1576 created before January 1, 2005, if:

1577 a. at least seventy-five percent of the lots abutting the shoreline of the lake or  
1578 seventy-five percent of the lake frontage, whichever constitutes the most developable lake  
1579 frontage, has existing density of four dwelling units per acre or more;

1580 b. the development proposal, including mitigation required by this chapter, will  
1581 have the least adverse impact on the critical area;

1582 c. existing native vegetation within the critical area buffer will remain  
1583 undisturbed except as necessary to accommodate the development proposal and required  
1584 building setbacks;

1585                   d. access is located to have the least adverse impact on the critical area and  
1586 critical area buffer;

1587                   e. the alteration is the minimum necessary to accommodate the development  
1588 proposal and in no case in excess of a development footprint of five thousand square feet;

1589                   f. the alteration does not exceed the residential development setbacks required  
1590 under K.C.C. chapter 25.04 and in no circumstances shall the alteration be allowed closer  
1591 than:

1592                   (1) twenty-five feet of the ordinary high water mark of a lake shoreline  
1593 designated urban under K.C.C. chapter 25.16;

1594                   (2) fifty feet of the ordinary high water mark of a lake shoreline designated  
1595 rural under K.C.C. chapter 25.20 or conservancy under K.C.C. chapter 25.24; or

1596                   (3) one hundred feet of the ordinary high water mark of a lake shoreline  
1597 designated natural under K.C.C. chapter 25.28; and

1598                   g. to the maximum extent practical, alterations are mitigated on the development  
1599 proposal site by enhancing or restoring remaining critical area buffers.

1600                   3. Limited to nonresidential farm-structures in grazed or tilled wet meadows or  
1601 buffers of wetlands or aquatic areas where:

1602                   a. the site is predominantly used for the practice of agriculture;

1603                   b. the structure is in compliance with an approved farm management plan in  
1604 accordance with K.C.C. 21A.24.051;

1605                   c. the structure is either:



1606 (1) on or adjacent to existing nonresidential impervious surface areas,  
1607 additional impervious surface area is not created waterward of any existing impervious  
1608 surface areas and the area was not used for crop production;

1609 (2) higher in elevation and no closer to the critical area than its existing  
1610 position; or

1611 (3) at a location away from existing impervious surface areas that is determined  
1612 to be the optimum site in the farm management plan;

1613 d. all best management practices associated with the structure specified in the  
1614 farm management plan are installed and maintained;

1615 e. installation of fencing in accordance with K.C.C. chapter 21A.30 does not  
1616 require the development of a farm management plan if required best management practices  
1617 are followed and the installation does not require clearing of critical areas or their buffers;  
1618 and

1619 f. in a severe channel migration hazard area portion of an aquatic buffer only if:

1620 (1) there is no feasible alternative location on-site;

1621 (2) the structure is located where it is least subject to risk from channel  
1622 migration;

1623 (3) the structure is not used to house animals or store hazardous substances; and

1624 (4) the total footprint of all accessory structures within the severe channel  
1625 migration hazard area will not exceed the greater of one thousand square feet or two  
1626 percent of the severe channel migration hazard area on the site.

1627 4. Allowed if no clearing, external construction or other disturbance in a wildlife  
1628 habitat conservation area occurs during breeding seasons established under K.C.C.  
1629 21A.24.382.

1630 5. Allowed for structures when:

1631 a. the landslide hazard poses little or no risk of injury;

1632 b. the risk of landsliding is low; and

1633 c. there is not an expansion of the structure.

1634 6. Within a severe channel migration hazard area allowed for:

1635 a. existing legally established primary structures if:

1636 (1) there is not an increase of the footprint of any existing structure; and

1637 (2) there is not a substantial improvement as defined in K.C.C. 21A.06.1270;

1638 and

1639 b. existing legally established accessory structures if:

1640 (1) additions to the footprint will not make the total footprint of all existing

1641 structures more than one-thousand square feet; and

1642 (2) there is not an expansion of the footprint towards any source of channel

1643 migration hazard, unless the applicant demonstrates that the location is less subject to risk

1644 and has less impact on the critical area.

1645 7. Allowed only in grazed wet meadows or the buffer or building setback outside

1646 a severe channel migration hazard area if:

1647 a. the expansion or replacement does not increase the footprint of a

1648 nonresidential structure;

1649               b.(1) for a legally established dwelling unit, the expansion or replacement,  
1650 including any expansion of a legally established accessory structure or impervious surfaces  
1651 allowed under this subsection B.7.b., does not increase the footprint of the dwelling unit  
1652 and all other structures by more than one thousand square feet, not including any expansion  
1653 of a drainfield made necessary by the expansion of structures. To the maximum extent  
1654 practical, the replacement or expansion of a drainfield in the buffer should be located  
1655 within areas of existing lawn or landscaping, unless another location will have a lesser  
1656 impact on the critical area and its buffer;

1657               (2) for a structure accessory to a dwelling unit, the expansion or replacement is  
1658 located on or adjacent to existing impervious surface areas and does not increase the  
1659 footprint of the accessory structure and the dwelling unit by more than one thousand square  
1660 feet; and

1661               (3) the location of the expansion has the least adverse impact on the critical  
1662 area;

1663               c. the structure was not established as the result of an alteration exception,  
1664 variance, buffer averaging or reasonable use exception; and

1665               d. to the maximum extent practical, the expansion or replacement is not located  
1666 closer to the critical area or within the relic of a channel that can be connected to an aquatic  
1667 area.

1668               8. Allowed upon another portion of an existing impervious surface outside a  
1669 severe channel migration hazard area if:

1670               a. the structure is not located closer to the critical area; and

1671                   b. the existing impervious surface within the critical area or buffer is not  
1672 expanded.

1673                   9. Limited to piers or seasonal floating docks in a category II, III or IV wetland or  
1674 its buffer or along a lake shoreline or its buffer where:

1675                   a. the existing and zoned density of all properties abutting the entire lake  
1676 shoreline averages three dwelling units per acre or more;

1677                   b. at least seventy-five percent of the lots abutting the shoreline or seventy-five  
1678 percent of the lake frontage, whichever constitutes the most lake frontage, has been  
1679 developed with dwelling units;

1680                   c. the vegetation where the alteration is proposed does not consist of dominant  
1681 native wetland herbaceous or woody vegetation six feet in width or greater and the lack of  
1682 this vegetation is not the result of any violation of law;

1683                   d. the wetland or lake shoreline is not a salmonid spawning area; and  
1684                   e. hazardous substances or toxic materials are not used.

1685                   10. Allowed on type N or O aquatic areas if hazardous substances or toxic  
1686 materials are not used.

1687                   11. Allowed on type S or F aquatic areas outside of the severe channel migration  
1688 hazard area if in compliance with K.C.C. Title 25.

1689                   12. When located on a lake, must be in compliance with K.C.C. Title 25.

1690                   13. Limited to regrading and stabilizing of a slope formed as a result of a legal  
1691 grading activity.

1692                   14. The following are allowed in the severe channel migration hazard area if  
1693 conducted more than one-hundred and sixty-five feet from the ordinary high water mark in

1694 the rural area and one-hundred and fifteen feet from the ordinary high water mark in the  
1695 urban area:

- 1696 a. grading of up to fifty cubic yards on lot less than five acres; and
- 1697 b. clearing of up to one-thousand square feet or up to a cumulative thirty-five  
1698 percent of the severe channel migration hazard area.

1699 15. Only where erosion or landsliding threatens a structure, utility facility,  
1700 roadway, driveway, public trails, aquatic area or wetland if, to the maximum extent  
1701 practical, stabilization work does not disturb the slope and its vegetative cover and any  
1702 associated critical areas.

1703 16. Allowed when performed by, at the direction of or authorized by a  
1704 government agency in accordance with regional road maintenance guidelines.

1705 17. Allowed when not performed under the direction of a government agency  
1706 only if:

- 1707 a. the maintenance or expansion does not involve the use of herbicides,  
1708 hazardous substances, sealants or other liquid oily substances in aquatic areas, wetlands or  
1709 their buffers; and

- 1710 b. when maintenance, expansion or replacement of bridges or culverts involves  
1711 water used by salmonids:

- 1712 (1) the work is in compliance with ditch standards in public rule; and

- 1713 (2) the maintenance of culverts is limited to removal of sediment and debris  
1714 from the culvert and its inlet, invert and outlet and the stabilization of the disturbed or  
1715 damaged bank or channel immediately adjacent to the culvert and shall not involve the  
1716 excavation of a new sediment trap adjacent to the inlet.

1717           18. Allowed for the removal of hazard trees and vegetation as necessary for  
1718 surveying or testing purposes.

1719           19. The limited trimming and pruning of vegetation for the making and  
1720 maintenance of view corridors or habitat enhancement under a vegetation management  
1721 plan approved by the department, if the soils are not disturbed and the activity will not  
1722 adversely affect the long term slope stability or water quality or cause erosion. The  
1723 vegetation management plan shall use native species with adequate root strength to add  
1724 stability to a steep slope.

1725           20. Harvesting of plants and plant materials, such as plugs, stakes, seeds or fruits,  
1726 for restoration and enhancement projects is allowed.

1727           21. Cutting of firewood is subject to the following:

1728           a. within a wildlife habitat conservation area, cutting firewood is not allowed;

1729           b. within a wildlife network, cutting shall be in accordance with a management  
1730 plan approved under K.C.C. 21A.24.386; and

1731           c. within a critical area buffer, cutting shall be for personal use and in  
1732 accordance with an approved forest management plan or rural stewardship plan.

1733           22. Allowed only in buffers if in accordance with best management practices  
1734 approved by the King County fire marshal.

1735           23. Allowed as follows:

1736           a. if conducted in accordance with an approved forest management plan, farm  
1737 management plan, or rural stewardship plan; or

1738           b. without an approved forest management plan, farm management plan or rural  
1739 stewardship plan, only if:

1740 (1) removal is undertaken with hand labor, including hand-held mechanical  
1741 tools, unless the King County noxious weed control board otherwise prescribes the use of  
1742 riding mowers, light mechanical cultivating equipment or herbicides or biological control  
1743 methods;

1744 (2) the area is stabilized to avoid regrowth or regeneration of noxious weeds;

1745 (3) the cleared area is revegetated with native vegetation and stabilized against  
1746 erosion; and

1747 (4) herbicide use is in accordance with federal and state law;

1748 24. Only if in accordance with chapter 76.09 RCW and Title 222 WAC and:

1749 a. a forest management plan is approved for the site by the King County  
1750 department of natural resources and parks; and

1751 b. the property owner provides a notice of intent in accordance with RCW  
1752 76.09.060 that the site will not be converted to nonforestry uses within six years.

1753 25. Only if in compliance with published Washington state Department of Fish  
1754 and Wildlife and Washington state Department of Natural Resources Management  
1755 standards for the species. If there are no published Washington state standards, only if in  
1756 compliance with management standards determined by the county to be consistent with  
1757 best available science.

1758 26. Allowed only if:

1759 a. there is not another feasible location with less adverse impact on the critical  
1760 area and its buffer;

1761                   b. the corridor is not located over habitat used for salmonid rearing or spawning  
1762 or by a species listed as endangered or threatened by the state or federal government unless  
1763 the department determines that there is no other feasible crossing site.

1764                   c. the corridor width is minimized to the maximum extent practical;

1765                   d. the construction occurs during approved periods for instream work;

1766                   e. the corridor will not change or diminish the overall aquatic area flow peaks,  
1767 duration or volume or the flood storage capacity; and

1768                   f. no new public right-of-way is established within a severe channel migration  
1769 hazard area.

1770                   27. To the maximum extent practical, during breeding season established under  
1771 K.C.C. 21A.24.382, land clearing machinery such as bulldozers, graders or other heavy  
1772 equipment are not operated within a wildlife habitat conservation area.

1773                   28. Allowed only if:

1774                   a. an alternative access is not available;

1775                   b. impact to the critical area is minimized to the maximum extent practical  
1776 including the use of walls to limit the amount of cut and fill necessary;

1777                   c. the risk associated with landslide and erosion is minimized;

1778                   d. access is located where it is least subject to risk from channel migration; and

1779                   e. construction occurs during approved periods for instream work.

1780                   29. Only if in compliance with a farm management plan in accordance with  
1781 K.C.C. 21A.24.051.

1782                   30. Allowed only if:



1783                   a. the replacement is made fish passable in accordance with the most recent  
1784 Washington state Department of Fish and Wildlife manuals or with the National Marine  
1785 and Fisheries Services guidelines for federally listed salmonid species; and  
1786                   b. the site is restored with appropriate native vegetation.

1787                   31. Allowed if necessary to bring the bridge or culvert up to current standards and  
1788 if:

1789                   a. there is not another feasible alternative available with less impact on the  
1790 aquatic area and its buffer; and  
1791                   b. to the maximum extent practical, the bridge or culvert is located to minimize  
1792 impacts to the aquatic area and its buffer's.

1793                   32. Allowed in an existing roadway if conducted consistent with the regional road  
1794 maintenance guidelines.

1795                   33. Allowed outside the roadway if:

1796                   a. the alterations will not subject the critical area to an increased risk of landslide  
1797 or erosion;  
1798                   b. vegetation removal is the minimum necessary to locate the utility or construct  
1799 the corridor; and  
1800                   c. significant risk of personal injury is eliminated or minimized in the landslide  
1801 hazard area.

1802                   34. Limited to the pipelines, cables, wires and support structures of utility  
1803 facilities within utility corridors if:

1804                   a. there is no alternative location with less adverse impact on the critical area and  
1805 critical area buffer;

1806                   b. new utility corridors meet the all of the following to the maximum extent  
1807 practical:

1808                   (1) are not located over habitat used for salmonid rearing or spawning or by a  
1809 species listed as endangered or threatened by the state or federal government unless the  
1810 department determines that there is no other feasible crossing site;

1811                   (2) the mean annual flow rate is less than twenty cubic feet per second; and

1812                   (3) paralleling the channel or following a down-valley route near the channel is  
1813 avoided;

1814                   c. to the maximum extent practical utility corridors are located so that:

1815                   (1) the width is the minimized;

1816                   (2) the removal of trees greater than twelve inches diameter at breast height is  
1817 minimized;

1818                   (3) an additional, contiguous and undisturbed critical area buffer, equal in area  
1819 to the disturbed critical area buffer area including any allowed maintenance roads, is  
1820 provided to protect the critical area;

1821                   d. to the maximum extent practical, access for maintenance is at limited access  
1822 points into the critical area buffer rather than by a parallel maintenance road. If a parallel  
1823 maintenance road is necessary the following standards are met:

1824                   (1) to the maximum extent practical the width of the maintenance road is  
1825 minimized and in no event greater than fifteen feet; and

1826                   (2) the location of the maintenance road is contiguous to the utility corridor on  
1827 the side of the utility corridor farthest from the critical area;

1828 e. the utility corridor or facility will not adversely impact the overall critical area  
1829 hydrology or diminish flood storage capacity;

1830 f. the construction occurs during approved periods for instream work;

1831 g. the utility corridor serves multiple purposes and properties to the maximum  
1832 extent practical;

1833 h. bridges or other construction techniques that do not disturb the critical areas  
1834 are used to the maximum extent practical;

1835 i. bored, drilled or other trenchless crossing is laterally constructed at least four  
1836 feet below the maximum depth of scour for the base flood;

1837 j. bridge piers or abutments for bridge crossing are not placed within the FEMA  
1838 floodway or the ordinary high water mark;

1839 k. open trenching is only used during low flow periods or only within aquatic  
1840 areas when they are dry. The department may approve open trenching of type S or F  
1841 aquatic areas only if there is not a feasible alternative and equivalent or greater  
1842 environmental protection can be achieved; and

1843 l. minor communication facilities may collocate on existing utility facilities if:  
1844 (1) no new transmission support structure is required; and  
1845 (2) equipment cabinets are located on the transmission support structure.

1846 35. Allowed only for new utility facilities in existing utility corridors.

1847 36. Allowed for private individual utility service connections on site or to public  
1848 utilities if the disturbed area is not expanded and no hazardous substances, pesticides or  
1849 fertilizers are applied.

1850           37. Allowed if the disturbed area is not expanded, clearing is limited to the  
1851 maximum extent practical and no hazardous substances, pesticides or fertilizers are applied.

1852           38. Allowed if:

1853           a. conveying the surface water into the wetland or aquatic area buffer and  
1854 discharging into the wetland or aquatic area buffer or at the wetland or\* aquatic area edge  
1855 has less adverse impact upon the wetland or aquatic area or wetland or aquatic area buffer  
1856 than if the surface water were discharged at the buffer's edge and allowed to naturally drain  
1857 through the buffer;

1858           b. the volume of discharge is minimized through application of low impact  
1859 development and water quality measures identified in the King County Surface Water  
1860 Design Manual;

1861           c. the conveyance and outfall are installed with hand equipment where feasible;

1862           d. the outfall shall include bioengineering techniques where feasible; and

1863           e. the outfall is designed to minimize adverse impacts to critical areas.

1864           39. Allowed only if:

1865           a. there is no feasible alternative with less impact on the critical area and its  
1866 buffer;

1867           b. to the maximum extent practical, the bridge or culvert is located to minimize  
1868 impacts to the critical area and its buffer;

1869           c. the bridge or culvert is not located over habitat used for salmonid rearing or  
1870 spawning unless there is no other feasible crossing site;

1871           d. construction occurs during approved periods for in-stream work; and

1872 e. bridge piers or abutments for bridge crossings are not placed within the  
1873 FEMA floodway, severe channel migration hazard area or waterward of the ordinary high  
1874 water mark.

1875 40. Allowed for an open, vegetated stormwater management conveyance system  
1876 and outfall structure that simulates natural conditions if:

1877 a. fish habitat features necessary for feeding, cover and reproduction are  
1878 included when appropriate;

1879 b. vegetation is maintained and added adjacent to all open channels and ponds, if  
1880 necessary to prevent erosion, filter out sediments or shade the water; and

1881 c. bioengineering techniques are used to the maximum extent practical.

1882 41. Allowed for a closed, tightlined conveyance system and outfall structure if:

1883 a. necessary to avoid erosion of slopes; and

1884 b. bioengineering techniques are used to the maximum extent practical.

1885 42. Allowed in a severe channel migration hazard area or an aquatic area buffer to  
1886 prevent bank erosion only:

1887 a. if consistent with the Integrated Streambank Protection Guidelines

1888 (Washington State Aquatic Habitat Guidelines Program, 2002) and if bioengineering

1889 techniques are used to the maximum extent practical, unless the applicant demonstrates that  
1890 other methods provide equivalent structural stabilization and environmental function;

1891 b. based on a critical areas report, the department determines that the new flood  
1892 protection facility will not cause significant impacts to upstream or downstream properties;  
1893 and

1894 c. to prevent bank erosion for the protection of:

1895 (1) public roadways;

1896 (2) sole access routes in existence before February 16, 1995;

1897 (3) new primary dwelling units, accessory dwelling units or accessory living

1898 quarters and residential accessory structures located outside the severe channel migration

1899 hazard area if:

1900 (a) the site is adjacent to or abutted by properties on both sides containing

1901 buildings or sole access routes protected by legal bank stabilization in existence before

1902 February 16, 1995. The buildings, sole access routes or bank stabilization must be located

1903 no more than six hundred feet apart as measured parallel to the migrating channel; and

1904 (b) the new primary dwelling units, accessory dwelling units, accessory living

1905 quarters or residential accessory structures are located no closer to the aquatic area than

1906 existing primary dwelling units, accessory dwelling units, accessory living quarters or

1907 residential accessory structures on abutting or adjacent properties; or

1908 (4) existing primary dwelling units, accessory dwelling units, accessory living

1909 quarters or residential accessory structures if:

1910 (a) the structure was in existence before the adoption date of a King County

1911 Channel Migration Zone hazard map that applies to that channel, if such a map exists;

1912 (b) the structure is in imminent danger, as determined by a geologist,

1913 engineering geologist or geotechnical engineer;

1914 (c) the applicant has demonstrated that the existing structure is at risk, and the

1915 structure and supporting infrastructure cannot be relocated on the lot further from the

1916 source of channel migration; and

1917 (d) nonstructural measures are not feasible.

1918                    43. Applies to lawfully established existing structures if:

1919                    a. the height of the facility is not increased, unless the facility is being replaced

1920 in a new alignment that is landward of the previous alignment and enhances aquatic area

1921 habitat and process;

1922                    b. the linear length of the facility is not increased, unless the facility is being

1923 replaced in a new alignment that is landward of the previous alignment and enhances

1924 aquatic area habitat and process;

1925                    c. the footprint of the facility is not expanded waterward;

1926                    d. consistent with the Integrated Streambank Protection Guidelines (Washington

1927 State Aquatic Habitat Guidelines Program, 2002) and bioengineering techniques are used

1928 to the maximum extent practical;

1929                    e. the site is restored with appropriate native vegetation and erosion protection

1930 materials; and

1931                    f. based on a critical areas report, the department determines that the

1932 maintenance, repair, replacement or construction will not cause significant impacts to

1933 upstream or downstream properties.

1934                    44. Allowed in type N and O aquatic areas if done in least impacting way at least

1935 impacting time of year, in conformance with applicable best management practices, and all

1936 affected instream and buffer features are restored.

1937                    45. Allowed in a type S or F water when such work is:

1938                    a. included as part of a project to evaluate, restore or improve habitat, and

1939                    b. sponsored or cosponsored by a public agency that has natural resource

1940 management as a function or by a federally recognized tribe.

1941                46. Allowed as long as the trail is not constructed of impervious surfaces that will  
1942        contribute to surface water run-off, unless the construction is necessary for soil stabilization  
1943        or soil erosion prevention or unless the trail system is specifically designed and intended to  
1944        be accessible to handicapped persons.

1945                47. Not allowed in a wildlife habitat conservation area. Otherwise, allowed in the  
1946        buffer or for crossing a category II, III or IV wetland or a type F, N or O aquatic area, if:

1947                a. the trail surface is made of pervious materials, except that public multipurpose  
1948        trails may be made of impervious materials if they meet all the requirements in K.C.C.  
1949        chapter 9.12. A trail that crosses a wetland or aquatic area shall be constructed as a raised  
1950        boardwalk or bridge;

1951                b. to the maximum extent practical, buffers are expanded equal to the width of  
1952        the trail corridor including disturbed areas;

1953                c. there is not another feasible location with less adverse impact on the critical  
1954        area and its buffer;

1955                d. the trail is not located over habitat used for salmonid rearing or spawning or  
1956        by a species listed as endangered or threatened by the state or federal government unless  
1957        the department determines that there is no other feasible crossing site;

1958                e. the trail width is minimized to the maximum extent practical;

1959                f. the construction occurs during approved periods for instream work; and

1960                g. the trail corridor will not change or diminish the overall aquatic area flow  
1961        peaks, duration or volume or the flood storage capacity.

1962                h. the trail may be located across a critical area buffer for access to a viewing  
1963        platform or to a permitted dock or pier;



1964 i. A private viewing platform may be allowed if it is:

1965 (1) located upland from the wetland edge or the ordinary high water mark of an

1966 aquatic area;

1967 (2) located where it will not be detrimental to the functions of the wetland or

1968 aquatic area and will have the least adverse environmental impact on the critical area or its

1969 buffer;

1970 (3) limited to fifty square feet in size;

1971 (4) constructed of materials that are non-toxic; and

1972 (5) on footings located outside of the wetland or aquatic area.

1973 48. Only if the maintenance:

1974 a. does not involve the use of herbicides or other hazardous substances except

1975 for the removal of noxious weeds or invasive vegetation;

1976 b. when salmonids are present, the maintenance is in compliance with ditch

1977 standards in public rule; and

1978 c. does not involve any expansion of the roadway, lawn, landscaping, ditch,

1979 culvert, engineered slope or other improved area being maintained.

1980 49. Limited to alterations to restore habitat forming processes or directly restore

1981 habitat function and value, including access for construction, as follows:

1982 a. projects sponsored or cosponsored by a public agency that has natural

1983 resource management as a primary function or by a federally recognized tribe;

1984 b. restoration and enhancement plans prepared by a qualified biologist; or

1985 c. conducted in accordance with an approved forest management plan, farm

1986 management plan or rural stewardship plan.

1987                50. Allowed in accordance with a scientific sampling permit issued by  
1988 Washington state Department of Fish and Wildlife or an incidental take permit issued under  
1989 Section 10 of the Endangered Species Act.

1990                51. Allowed for the minimal clearing and grading, including site access,  
1991 necessary to prepare critical area reports.

1992                52. The following are allowed if associated spoils are contained:

1993                a. data collection and research if carried out to the maximum extent practical by  
1994 nonmechanical or hand-held equipment;

1995                b. survey monument placement;

1996                c. site exploration and gage installation if performed in accordance with state-  
1997 approved sampling protocols and accomplished to the maximum extent practical by hand-  
1998 held equipment and; or similar work associated with an incidental take permit issued under  
1999 Section 10 or consultation under Section 7 of the Endangered Species Act.

2000                53. Limited to activities in continuous existence since January 1, 2005, with no  
2001 expansion within the critical area or critical area buffer. "Continuous existence" includes  
2002 cyclical operations and managed periods of soil restoration, enhancement or other fallow  
2003 states associated with these horticultural and agricultural activities.

2004                54. Allowed for expansion of existing or new agricultural activities where:

2005                a. the site is predominantly involved in the practice of agriculture;

2006                b. there is no expansion into an area that:

2007                (1) has been cleared under a class I, II, III, IV-S or nonconversion IV-G forest  
2008 practice permit; or

2009 (2) is more than ten thousand square feet with tree cover at a uniform density  
2010 more than ninety trees per acre and with the predominant mainstream diameter of the trees  
2011 at least four inches diameter at breast height, not including areas that are actively managed  
2012 as agricultural crops for pulpwood, Christmas trees or ornamental nursery stock;

2013 c. the activities are in compliance with an approved farm management plan in  
2014 accordance with K.C.C. 21A.24.051; and

2015 d. all best management practices associated with the activities specified in the  
2016 farm management plan are installed and maintained.

2017 55. Only allowed in grazed or tilled wet meadows or their buffers if:

2018 a. the facilities are designed to the standards of an approved farm management  
2019 plan in accordance K.C.C. 21A.24.051 or an approved livestock management plan in  
2020 accordance with K.C.C. chapter 21A.30;

2021 b. there is not a feasible alternative location available on the site; and

2022 c. the facilities are located close to the outside edge of the buffer to the  
2023 maximum extent practical.

2024 56. Allowed in a severe channel migration hazard area portion of an aquatic area  
2025 buffer if:

2026 a. the facilities are designed to the standards in an approved farm management  
2027 plan in accordance with K.C.C. 21A.24.051;

2028 b. there is not a feasible alternative location available on the site; and

2029 c. the structure is located where it is least subject to risk from channel migration.

2030 57. Allowed for new agricultural drainage in compliance with an approved farm  
2031 management plan in accordance with K.C.C. 21A.24.051 and all best management

2032 practices associated with the activities specified in the farm management plan are installed  
2033 and maintained.

2034 58. If the agricultural drainage is used by salmonids, maintenance shall be in  
2035 compliance with an approved farm management plan in accordance with K.C.C.  
2036 21A.24.051.

2037 59. Allowed within existing landscaped areas or other previously disturbed areas.

2038 60. Allowed for residential utility service distribution lines to residential  
2039 dwellings, including, but not limited to, well water conveyance, septic system conveyance,  
2040 water service, sewer service, natural gas, electrical, cable and telephone, if:

2041 a. there is no alternative location with less adverse impact on the critical area or  
2042 the critical area buffer;

2043 b. the residential utility service distribution lines meet the all of the following, to  
2044 the maximum extent practical:

2045 (1) are not located over habitat used for salmonid rearing or spawning or by a  
2046 species listed as endangered or threatened by the state or federal government unless the  
2047 department determines that there is no other feasible crossing site;

2048 (2) not located over a type S aquatic area;

2049 (3) paralleling the channel or following a down-valley route near the channel is  
2050 avoided;

2051 (4) the width of clearing is minimized;

2052 (5) the removal of trees greater than twelve inches diameter at breast height is  
2053 minimized;

2054 (6) an additional, contiguous and undisturbed critical area buffer, equal in area  
2055 to the disturbed critical area buffer area is provided to protect the critical area;

2056 (7) access for maintenance is at limited access points into the critical area  
2057 buffer.

2058 (8) the construction occurs during approved periods for instream work;

2059 (9) bored, drilled or other trenchless crossing is encouraged, and shall be  
2060 laterally constructed at least four feet below the maximum depth of scour for the base  
2061 flood; and

2062 (10) open trenching across Type O or Type N aquatic areas is only used during  
2063 low flow periods or only within aquatic areas when they are dry.

2064 61. Allowed if sponsored or cosponsored by the countywide flood control zone  
2065 district and the department determines that the project and its location:

2066 a. is the best flood risk reduction alternative practicable;

2067 b. is part of a comprehensive, long-term flood management strategy;

2068 c. is consistent with the King County Flood Hazard Management Plan policies;

2069 d. will have the least adverse impact on the ecological functions of the critical  
2070 area or its buffer, including habitat for fish and wildlife that are identified for protection in  
2071 the King County Comprehensive Plan; and

2072 e. has been subject to public notice in accordance with K.C.C. 20.44.060.

2073 62.a. Not allowed in wildlife habitat conservation areas;

2074 b. Only allowed if:

2075 (1) the project is sponsored or cosponsored by a public agency whose primary  
2076 function deals with natural resources management;

2077                   (2) the project is located on public land or on land that is owned by a non-profit  
2078 agency whose primary function deals with natural resources management;

2079                   (3) there is not a feasible alternative location available on the site with less  
2080 impact to the critical area or its associated buffer;

2081                   (4) the aquatic area or wetland is not for salmonid rearing or spawning;

2082                   (5) the project minimizes the footprint of structures and the number of access  
2083 points to any critical areas; and

2084                   (6) the project meets the following design criteria:

2085                   (a) to the maximum extent practical size of platform shall not exceed one  
2086 hundred square feet;

2087                   (b) all construction materials for any structures, including the platform,  
2088 pilings, exterior and interior walls and roof, are constructed of nontoxic material, such as  
2089 nontreated wood, vinyl-coated wood, nongalvanized steel, plastic, plastic wood, fiberglass  
2090 or cured concrete that the department determines will not have an adverse impact on water  
2091 quality;

2092                   (c) the exterior of any structures are sufficiently camouflaged using netting or  
2093 equivalent to avoid any visual deterrent for wildlife species to the maximum extent  
2094 practical. The camouflage shall be maintained to retain concealment effectiveness;

2095                   (d) structures shall be located outside of the wetland or aquatic area landward  
2096 of the Ordinary High Water Mark or open water component (if applicable) to the maximum  
2097 extent practical on the site;

2098                   (e) construction occurs during approved periods for work inside the Ordinary  
2099 High Water Mark;

2100 (f) construction associated with bird blinds shall not occur from March 1  
2101 through August 31, in order to avoid disturbance to birds during the breeding, nesting, and  
2102 rearing seasons;

2103 (g) to the maximum extent practical, provide accessibility for persons with  
2104 physical disabilities in accordance with the International Building Code;

2105 (h) trail access is designed in accordance with public rules adopted by the  
2106 department;

2107 (i) existing native vegetation within the critical area will remain undisturbed  
2108 except as necessary to accommodate the proposal. Only minimal hand clearing of  
2109 vegetation is allowed; and

2110 (j) disturbed bare ground areas around the structure must be replanted with  
2111 native vegetation approved by the department.

2112 63. Not allowed in the severe channel migration zone, there is no alternative  
2113 location with less adverse impact on the critical area and buffer and clearing is minimized  
2114 to the maximum extent practical.

2115 SECTION 22. Ordinance 15051, section 185, as amended, and K.C.C.  
2116 21A.24.325 are each hereby amended to read as follows:

2117 Except as otherwise provided in this section, buffers shall be provided from the  
2118 wetland edge as follows:

2119 A. In the Urban Growth Area, buffers for wetlands shall be established in  
2120 accordance with the following standards:

2121 1. The standard buffer widths of the following table shall apply unless modified in  
2122 accordance with subsection A.2, A.3, C. or D. of this section:

<b>WETLAND CATEGORY AND CHARACTERISTICS</b>	<b>BUFFER</b>
<b>Category I</b>	
Natural Heritage Wetlands	215 feet
Bog	215 feet
Estuarine	175 feet
Coastal Lagoon	175 feet
Habitat score from 31 to 36 points	225 feet
Habitat score from 20 to 30 points	150 feet plus 7.5 feet for each habitat score point above 20 points
Category I wetlands not meeting any of the criteria above	125 feet
<b>Category II</b>	
Estuarine	135 feet
Habitat score from 31 to 36 points	200 feet
Habitat score from 20 to 30 points	125 feet plus 7.5 feet for each habitat score point above 20 points
Category II wetlands not meeting any of the criteria above	100 feet
<b>Category III</b>	
Habitat score from 20 to 28 points	125 feet
Category III wetlands not meeting any of the criteria above	75 feet
<b>Category IV</b>	50 feet

2123                   2. If a Category I or II wetland with habitat score greater than twenty points is  
2124 located within three hundred feet of a priority habitat area as defined by the Washington  
2125 state Department of Fish and Wildlife, the buffer established by subsection A.1. of this  
2126 section shall be increased by fifty feet unless:



2127 a.(i) the applicant provides relatively undisturbed vegetated corridor at least one  
2128 hundred feet wide between the wetland and all priority habitat areas located within three  
2129 hundred feet of the wetland. The corridor shall be protected for the entire distance between  
2130 the wetland and the priority habitat through a conservation easement, native growth  
2131 protection easement or the equivalent; and

2132 (ii) the applicable mitigation measures in subsection A.3.b. of this section are  
2133 provided; or

2134 b. the wetland is a freshwater or deep freshwater wetland; and

2135 3. Buffers calculated in accordance with subsection A.1. and A.2. of this section  
2136 shall be reduced as follows:

2137 a. Buffers for all categories of wetlands shall be reduced by twenty-five feet if  
2138 the applicant implements all applicable mitigation measures identified in subsection A.3.b.  
2139 of this section, or if the applicant proposes alternate mitigation to reduce the impacts of the  
2140 development and the department determines the alternative provides equivalent mitigation.

2141 b. The following mitigation measures may be used by an applicant to obtain a  
2142 reduced buffer width under subsection A.1. of this section:

Disturbance	Measures to minimize impacts	Activities that may cause the disturbance
Lights	Direct lights away from wetland	Parking lots, warehouses, manufacturing, high density residential
Noise	Place activity that generates noise away from the wetland.	manufacturing, high density residential

Toxic runoff	Route all new untreated runoff away from wetland, or  Covenants limiting use of pesticides within 150 ft of wetland, or  Implement integrated pest management program	Parking lots, roads, manufacturing, residential areas, application of agricultural pesticides, landscaping
Change in water regime	Infiltrate or treat, detain and disperse into buffer new runoff from impervious surfaces using low impact development measures identified in the King County Surface Water Design Manual	Any impermeable surface, lawns, tilling
Pets and Human disturbance	Privacy fencing or landscaping to delineate buffer edge and to discourage disturbance of wildlife by humans and pets	Residential areas
Dust	BMP's for dust	Tilled fields
Degraded buffer condition	Nonnative plants to be removed and replaced with native vegetation per an approved landscaping plan to be bonded and monitored for a three year period after completion to assure at least 80% survival of plantings	All activities potentially requiring buffers

2143 B. For a wetland located outside the Urban Growth Area:

2144 1. The buffers shown on the following table apply unless modified in accordance

2145 with subsections C. and D. of this section:

WETLAND CATEGORY AND	INTENSITY OF IMPACT OF ADJACENT LAND USE
----------------------	--

CHARACTERISTICS	HIGH IMPACT	MODERATE IMPACT	LOW IMPACT
<b>Category I</b>			
Category I wetlands not meeting any of the criteria below	100 feet	75 feet	50 feet
Natural Heritage Wetlands	250 feet	190 feet	125 feet
Bog	250 feet	190 feet	125 feet
Estuarine	200 feet	150 feet	100 feet
Coastal Lagoon	200 feet	150 feet	100 feet
Habitat score from 31 to 36 points	300 feet	225 feet	150 feet
Habitat score from 20 to 30 points	150 feet plus 15 feet for each habitat point above 20	110 feet plus 11.5 feet for each habitat point above 20	75 feet plus 7.5 feet for each habitat point above 20
<b>Category II</b>			
Category II wetlands not meeting any of the criteria below	100 feet	75 feet	50 feet
Estuarine	150 feet	110 feet	75 feet
Interdunal	150 feet	110 feet	75 feet
Habitat score from 31 to 36 points	300 feet	225 feet	150 feet
Habitat score from 20 to 30 points	150 feet plus 15 feet for each habitat point above 20	110 feet plus 11.5 feet for each habitat point above 20	75 feet plus 7.5 feet for each habitat point above 20

<b>Category III</b>			
Category III wetlands not meeting any of the criteria below	80 feet	60 feet	40 feet
Habitat score from 20 to 28 points	150 feet	110 feet	75 feet
<b>Category IV</b>	50 feet	40 feet	25 feet

2146 2. For purposes of this subsection B., unless the director determines a lesser level  
2147 of impact is appropriate based on information provided by the applicant, the intensity of  
2148 impact of the adjacent land use is determined as follows:

2149 a. high impact includes:

- 2150 (1) sites zoned commercial or industrial;
- 2151 (2) commercial or industrial use on a site regardless of the zoning designation;
- 2152 (3) nonresidential use on a site zoned for residential use;
- 2153 (4) active recreation use on a site regardless of zoning;

2154 b. moderate impact includes:

- 2155 (1) residential uses on sites zoned rural residential;
- 2156 (2) residential use on a site zoned agriculture or forestry; or
- 2157 (3) agricultural uses without an approved farm management plan; and

2158 c. low impact includes:

- 2159 (1) forestry use on a site regardless of zoning designation;
- 2160 (2) passive recreation uses, such as trails, nature viewing areas, fishing and  
2161 camping areas, and other similar uses that do not require permanent structures, on a site  
2162 regardless of zoning; or
- 2163 (3) agricultural uses carried out in accordance with an approved farm  
2164 management plan.

2165 C. The department may approve a modification of the minimum buffer width  
2166 required by this section by averaging the buffer width if:

2167 1. The department determines that:

2168 a. the ecological structure and function of the buffer after averaging is equivalent  
2169 to or greater than the structure and function before averaging; or

2170 b. averaging includes the corridors of a wetland complex; and

2171 2. The resulting buffer meets the following standards:

2172 a. the total area of the buffer after averaging is equivalent to or greater than the  
2173 area of the buffer before averaging;

2174 b. the additional buffer is contiguous with the standard buffer; and

2175 c. if the buffer width averaging allows a structure or landscaped area to intrude  
2176 into the area that was buffer area before averaging, the resulting landscaped area shall  
2177 extend no more than fifteen feet from the edge of the structure's footprint toward the  
2178 reduced buffer.

2179 D. Wetland buffer widths shall also be subject to modifications under the following  
2180 special circumstances:

2181 1. For wetlands containing documented habitat for endangered, threatened or  
2182 species of local importance, the following shall apply:

2183 a. the department shall establish the appropriate buffer, based on a habitat  
2184 assessment, to ensure that the buffer provides adequate protection for the sensitive species;  
2185 and

b. the department may apply the buffer increase rules in subsection A.2. of this section, the buffer reduction rules in subsection A.3. of this section, and the buffer averaging rules in subsection C. of this section;

2. For a wetland buffer that includes a steep slope hazard area or landslide hazard area, the buffer width is the greater of the buffer width required by the wetland's category in this section or ~~((twenty-five feet beyond))~~ the top of the hazard area; and

3. For a wetland complex located outside the Urban Growth Area established by the King County Comprehensive Plan or located within the Urban Growth Area in a basin designated as "high" on the Basin and Shoreline Conditions Map, which is included as Attachment A to Ordinance 15051, the buffer width is determined as follows:

a. the buffer width for each individual wetland in the complex is the same width as the buffer width required for the category of wetland;

b. if the buffer of a wetland within the complex does not touch or overlap with at least one other wetland buffer in the complex, a corridor is required from the buffer of that wetland to one other wetland buffer in the complex considering the following factors:

(1) the corridor is designed to support maintaining viable wildlife species that are commonly recognized to exclusively or partially use wetlands and wetland buffers during a critical life cycle stage, such as breeding, rearing, or feeding;

(2) the corridor minimizes fragmentation of the wetlands;

(3) higher category wetlands are connected through corridors before lower category wetlands; and

(4) the corridor width is a least twenty-five percent of the length of the corridor, but no less than twenty-five feet in width; and

2209 (5) shorter corridors are preferred over longer corridors;

2210 c. wetlands in a complex that are connected by an aquatic area that flows

2211 between the wetlands are not required to be connected through a corridor;

2212 d. the department may exclude a wetland from the wetland complex if the

2213 applicant demonstrates that the wetland is unlikely to provide habitat for wildlife species

2214 that are commonly recognized to exclusively or partially use wetlands and wetland buffers

2215 during a critical life cycle stage, such as breeding, rearing or feeding; and

2216 e. the alterations allowed in a wetland buffer in K.C.C. 21A.24.045 are allowed

2217 in corridors subject to the same conditions and requirements as wetland buffers as long as

2218 the alteration is designed so as not to disrupt wildlife movement through the corridor;

2219 ~~((and))~~

2220 4. Where a legally established roadway transects a wetland buffer, the department

2221 may approve a modification of the minimum required buffer width to the edge of the

2222 roadway if the part of the buffer on the other side of the roadway sought to be reduced:

2223 a. does not provide additional protection of the proposed development or the

2224 wetland; and

2225 b. provides insignificant biological, geological or hydrological buffer functions

2226 relating to the other portion of the buffer adjacent to the wetland~~((=))~~; and

2227 5. If the site has an approved rural stewardship plan under K.C.C. 21A.24.055, the

2228 buffer widths shall be established under the rural stewardship plan and shall not exceed the

2229 standard for a low impact land use, unless the department ~~((of natural resources and parks))~~

2230 determines that a larger buffer is necessary to achieve no net loss of wetland ecological

2231 function.

E. The department may approve a modification to the buffers established in subsections A. and B. of this section if the wetland was created or its characterization was upgraded as part of a voluntary enhancement or restoration project.

SECTION 23. Ordinance 15051, section 193, as amended, and K.C.C. 21A.24.358 are each hereby amended to read as follows:

A. Aquatic area buffers shall be measured as follows:

1. From the ordinary high water mark or from the top of bank if the ordinary high water mark cannot be identified;

2. If the aquatic area is located within a mapped severe channel migration area, the aquatic area buffer width shall be the greater of the aquatic area buffer width as measured consistent with subsection A.1. of this section or the outer edge of the severe channel migration area; ~~((or))~~ and

3. If the aquatic area buffer includes a steep slope hazard area or landslide hazard area, the aquatic area buffer width is the greater of either the aquatic area buffer in this section or ~~((twenty-five feet beyond))~~ the top of the hazard area.

B. Within the Urban Growth Area, aquatic area buffers shall be as follows:

1. A type S or F aquatic area buffer is one-hundred-fifteen-feet;

2. A type S or F aquatic area buffer in a basin or shoreline designated as "high" on the Basin and Shoreline Conditions Map is one-hundred-sixty-five-feet;

3. A type N aquatic area buffer is sixty-five-feet; and

4. A type O aquatic area buffer is twenty-five-feet.

C. Outside the Urban Growth Area, aquatic area buffers shall be as follows:

1. A type S or F aquatic area buffer is one-hundred-sixty-five-feet;



2255           2. A type N aquatic area buffer is sixty-five-feet; and

2256           3. A type O aquatic area buffer is twenty-five-feet.

2257           D. Within the Bear Creek drainage basin a type N aquatic area buffer in a

2258 designated regionally significant resource area is one-hundred-feet.

2259           E. The department may approve a modification of buffer widths if:

2260           1. The department determines that through buffer averaging the ecological

2261 structure and function of the resulting buffer is equivalent to or greater than the structure

2262 and function before averaging and meets the following standards:

2263           a. The total area of the buffer is not reduced;

2264           b. The buffer area is contiguous; and

2265           c. Averaging does not result in the reduction of the minimum buffer for the

2266 buffer area waterward of the top of the associated steep slopes or for a severe channel

2267 migration hazard area;

2268           2. The applicant demonstrates that the buffer cannot provide certain functions

2269 because of soils, geology or topography, provided that the department shall establish

2270 buffers which protect the remaining ecological functions that the buffer can provide;

2271           3. The site is zoned RA and is subject to an approved rural stewardship plan. In

2272 modifying the buffers, the department shall consider factors such as, the basin and

2273 shoreline condition, the location of the site within the basin and shoreline, the buffer

2274 condition and the amount of clearing;

2275           4. A legally established roadway transects an aquatic area buffer, the roadway

2276 edge closest to aquatic area shall be the extent of the buffer, if the part of the buffer on the

other side of the roadway provides insignificant biological or hydrological function in relation to the portion of the buffer adjacent to the aquatic area; and

5. The aquatic area is created or its type is changed as a result of enhancement or restoration projects that are not mitigation for a development proposal or alteration.

SECTION 24. Ordinance 10870, section 549, as amended, and K.C.C. 21A.32.120 are each hereby amended to read as follows:

Except as otherwise provided in this chapter or in K.C.C. chapter 21A.45, temporary use permits shall be limited in duration and frequency as follows:

A. The temporary use permit shall be effective for (~~(no more than one hundred eighty days from the date of the first event))~~ one year from the date of issuance and may be renewed annually as provided in subsection E of this section;

B. The temporary use shall not exceed a total of sixty days in any calendar year. This requirement applies only to the days that the event or events actually take place. For a winery in the A or RA zones, the temporary use shall not exceed a total of two events per month and all parking for the events must be accommodated on site;

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, though a temporary use permit may be granted for multiple events during the approval period))~~) may be renewed annually for up to a total of five consecutive calendar years as follows:

2298           1. the applicant shall makes a written request and pays applicable permit  
2299           extension fees for renewal of the temporary use permit at least sixty days before the end  
2300           of the permit period;

2301           2. the department determines that the temporary use is being conducted in  
2302           compliance with the conditions of the temporary use permit;

2303           3. the department determines that site conditions have not changed since the  
2304           original temporary permit was issued; and

2305           4. at least forty-five days prior to the end of the permit period, the department  
2306           shall notify property owners within five hundred feet of the property boundaries that a  
2307           temporary use permit extension has been requested and contact information to request  
2308           additional information or to provide comments on the proposed extension.

2309           SECTION 25. Ordinance 13274, section 4, as amended, and K.C.C. 21A.37.020  
2310           are each hereby amended to read as follows:

2311           A. For the purpose of this chapter, sending site means the entire tax lot or lots  
2312           qualified under subsection B of this section. Sending sites may only be located within  
2313           rural or resource lands or urban separator areas with R-1 zoning, as designated by the  
2314           King County Comprehensive Plan, and shall meet the minimum lot area for construction  
2315           requirements in K.C.C. 21A.12.100 for the zone in which the sending site is located.

2316           Except for lands zoned RA that are managed by the Washington state Department of  
2317           Natural Resources as state grant or state forest lands, land in public ownership may not be  
2318           sending sites. If the sending site consists of more than one tax lot, the lots must be  
2319           contiguous and must as a whole meet the minimum lot area for construction requirements  
2320           in K.C.C. 21A.12.100 for the zone in which the sending site is located. For purposes of

2321 this section, lots divided by a street are considered contiguous if the lots would share a  
2322 common lot line if the street was removed; this provision may be waived by the  
2323 interagency committee if the total acreage of a rural or resource sending site application  
2324 exceeds one hundred acres. A sending site shall be maintained in a condition that is  
2325 consistent with the criteria in this section under which the sending was qualified.

2326 B. Qualification of a sending site shall demonstrate that the site contains a public  
2327 benefit such that preservation of that benefit by transferring residential development  
2328 rights to another site is in the public interest. A sending site must meet at least one of the  
2329 following criteria:

2330 1. Designation in the King County Comprehensive Plan or a functional plan as  
2331 an agricultural production district or zoned A;

2332 2. Designation in the King County Comprehensive Plan or a functional plan as  
2333 forest production district or zoned F;

2334 3. Designation in the King Count Comprehensive Plan as rural residential, zoned  
2335 RA-2.5, RA-5 or RA-10, and meeting the definition in RCW 84.34.020 of open space,  
2336 farm and agricultural land, or timber land;

2337 4. Designation in the King County Comprehensive Plan, or a functional plan as a  
2338 proposed rural or resource area regional trail or rural or resource area open space site,  
2339 through either:

2340 a. designation of a specific site; or

2341 b. identification of proposed rural or resource area regional trails or rural or  
2342 resource area open space sites which meet adopted standards and criteria, and for rural or

2343 resource area open space sites, meet the definition of open space land, as defined in RCW  
2344 84.34.020;

2345 5. Identification as habitat for federal listed endangered or threatened species in  
2346 a written determination by the King County department of natural resources and parks,  
2347 Washington state Department of Fish and Wildlife, United States Fish and Wildlife  
2348 Services or a federally recognized tribe that the sending site is appropriate for  
2349 preservation or acquisition; or

2350 6. Designation in the King County Comprehensive Plan as urban separator and  
2351 zoned R-1.

2352 SECTION 26. Ordinance 13274, section 6, as amended, and K.C.C. 21A.37.040  
2353 are each hereby amended to read as follows:

2354 A. The number of residential development rights that an unincorporated area  
2355 sending site is eligible to send to a receiving site shall be determined by applying the  
2356 TDR sending site base density established in subsection D. of this section to the area of  
2357 the sending site, after deducting the area associated with any existing development, any  
2358 retained development rights and any portion of the sending site already in a conservation  
2359 easement or other similar encumbrance. For each existing dwelling unit or retained  
2360 development right, the sending site area shall be reduced by ~~((the minimum lot size))~~ an  
2361 area equivalent to the base density for that zone under K.C.C. 21A.12.030.

2362 B. Any fractions of development rights that result from the calculations in  
2363 subsection A. of this section shall not be included in the final determination of total  
2364 development rights available for transfer.

2365 C. For purposes of calculating the amount of development rights a sending site  
2366 can transfer, the amount of land contained within a sending site shall be determined as  
2367 follows:

2368 1. If the sending site is an entire tax lot, the square footage or acreage shall be  
2369 determined:

2370 a. by the King County department of assessments records; or

2371 b. by a survey funded by the applicant that has been prepared and stamped by a  
2372 surveyor licensed in the state of Washington; and

2373 2. If the sending site consists of a lot that is divided by a zoning boundary, the  
2374 square footage or acreage shall be calculated separately for each zoning classification.

2375 The square footage or acreage within each zoning classification shall be determined by  
2376 the King County record of the action that established the zoning and property lines, such  
2377 as an approved lot line adjustment. When such records are not available or are not  
2378 adequate to determine the square footage or acreage within each zoning classification, the  
2379 department of development and environmental services shall calculate the square footage  
2380 or acreage through the geographic information system (GIS) mapping system.

2381 D. For the purposes of the transfer of development rights (TDR) program only,  
2382 the following TDR sending site base densities apply:

2383 1. Sending sites designated in the King County Comprehensive Plan as urban  
2384 separator and zoned R-1 shall have a base density of four dwelling units per acre;

2385 2. Sending sites zoned RA-2.5 shall have a base density of one unit for each two  
2386 and one-half acres. Sending sites zoned RA-2.5 that are vacant and are smaller than 1.25

2387 acres shall be allocated one additional TDR for each vacant lot that is smaller than 1.25  
2388 acres;

2389 3. Sending sites zoned RA-5 or RA-10 shall have a base density of one dwelling  
2390 unit per five acres. Vacant sending sites that are zoned RA-5 and are smaller than two  
2391 and one-half acres or that are zoned RA-10 and are smaller than five acres shall be  
2392 allocated one additional TDR for each vacant lot that is smaller than two and one-half  
2393 acres or five acres, respectively;

2394 4. Sending sites zoned RA and that have a designation under the King County  
2395 Shoreline Master Program of conservancy or natural shall be allocated one additional  
2396 TDR;

2397 5. Sending sites zoned A-10 and A-35 (~~((within the agricultural production~~  
2398 ~~district))~~) shall have a base density of one dwelling unit per five acres for transfer  
2399 purposes only;

2400 6. Sending sites zoned F within the forest production district shall have a base  
2401 density of one dwelling unit per eighty acres or one dwelling unit per each lot that is  
2402 between fifteen and eighty acres in size.

2403 E. A sending site zoned RA, A, or F may send one development right for every  
2404 legal lot larger than five thousand square feet that was created on or before September 17,  
2405 2001, if that number is greater than the number of development rights determined under  
2406 subsection A. of this section. A sending site zoned R-1 may send one development right  
2407 for every legal lot larger than two thousand five hundred square feet that was created on  
2408 or before September 17, 2001, if that number is greater than the number of development  
2409 rights determined under subsection A. of this section.

2410 F. The number of development rights that a King County unincorporated rural or  
2411 natural resources land sending site is eligible to send to a King County incorporated  
2412 urban area receiving site shall be determined through the application of a conversion ratio  
2413 established by King County and the incorporated municipal jurisdiction. The conversion  
2414 ratio will be applied to the number of available sending site development rights  
2415 determined under subsection A. or E. of this section.

2416 G. Development rights from one sending site may be allocated to more than one  
2417 receiving site and one receiving site may accept development rights from more than one  
2418 sending site.

2419 SECTION 27. Ordinance 13733, section 10, as amended, and K.C.C.  
2420 21A.37.110 are each hereby amended to read as follows:

2421 A. The TDR bank may purchase development rights from qualified sending sites  
2422 at prices not to exceed fair market value and to sell development rights at prices not less  
2423 than fair market value. The TDR bank may accept donations of development rights from  
2424 qualified TDR sending sites.

2425 B. The TDR bank may purchase a conservation easement only if the property  
2426 subject to the conservation easement is qualified as a sending site as evidenced by a TDR  
2427 certificate letter of intent, the conservation easement restricts development of the sending  
2428 site in the manner required by K.C.C. 21A.37.060 and the development rights generated  
2429 by encumbering the sending site with the conservation easement are issued to the TDR  
2430 bank at no additional cost.

2431 C. If a conservation easement is acquired through a county park, open space,  
2432 trail, agricultural, forestry or other natural resource acquisition program for a property



that is qualified as a TDR sending site as evidenced by a TDR certificate letter of intent, any development rights generated by encumbering the sending site with the conservation easement may be issued to the TDR bank so long as there is no additional cost for the development rights.

D. The TDR bank may use funds to facilitate development rights transfers. These expenditures may include, but are not limited to, establishing and maintaining internet web pages, marketing TDR receiving sites, procuring title reports and appraisals and reimbursing the costs incurred by the department of natural resources and parks, water and land resources division, or its successor, for administering the TDR bank fund and executing development rights purchases and sales.

E. The TDR bank fund may be used to cover the cost of providing staff support for identifying and qualifying sending and receiving sites, and the costs of providing staff support for the TDR interagency review committee.

F. ~~((AH))~~ Upon approval of the TDR executive board, proceeds from the sale of TDR bank development rights shall be available for acquisition of additional development rights ~~((upon approval of the TDR executive board))~~ and as amenity funds to facilitate interlocal TDR agreements with cities in King County. Amenity funds provided to a city from the sale of TDR bank development rights to that city are limited to one-third of the proceeds from the sale.

SECTION 28. Ordinance 13263, section 8, as amended, and K.C.C. 23.02.070 are each hereby amended to read as follows:

A. The department shall determine, based on information derived from sources such as field observations, the statements of witnesses, relevant documents and data

2456 systems for tracking violations and applicable county codes, whether or not a violation  
2457 has occurred. As soon as a department has reasonable cause to determine that a violation  
2458 has occurred, it shall document the violation and promptly notify the owner, occupant or  
2459 other person responsible for code compliance.

2460           B. Except as provided in subsection D. of this section, a warning shall be issued  
2461 verbally or in writing promptly when a field inspection reveals a violation, or as soon as  
2462 the department otherwise determines that a violation has occurred. The warning shall  
2463 inform the person determined to be responsible for code compliance of the violation and  
2464 shall include a reference to the applicable permit or zoning condition, ordinance or code  
2465 related to the violation. The warning shall also allow the person an opportunity to correct  
2466 the violation or enter into a voluntary compliance agreement as provided for by this title.  
2467 Verbal warnings shall be logged and followed up with a written warning within two  
2468 weeks, and the site shall be reinspected within thirty days.

2469           C. The guidelines in this section for warnings, notifications and reinspections are  
2470 not jurisdictional, and failure to meet them in any particular case shall not affect the  
2471 county's authority to enforce county code provisions with regard to that case.

2472           D. Nor warning need be issued in cases involving, emergencies that pose an  
2473 imminent threat to environmental health or to the public safety.

2474           E. A department may issue a citation if it determines that the violation is likely to  
2475 be a one-time occurrence or is likely to be fully corrected in a reasonable period of time.

2476           F. A department may issue notice and orders in cases where it determines that the  
2477 violation is unlikely be fully corrected in a reasonable period of time.

G. The department shall use all reasonable means to determine and cite the person or persons actually responsible for the violation occurring when the owner has not directly or indirectly caused the violation.

H. If the violation is not corrected or a voluntary compliance agreement is not achieved within a reasonable time period, a citation, notice and order or stop work order should be issued. As a guideline, citations should be issued within sixty days from receipt of a complaint, and notice and orders should be issued within one hundred twenty days from receipt of a complaint. Stop work orders should be issued promptly upon discovery of a violation in progress.

I. Any complainant who provides a mailing address and requests to be kept advised of enforcement efforts should be mailed a copy of all written warnings, voluntary compliance agreements, citations, notice and orders, stop work orders and notices of settlement conferences issued by a department with regard to the alleged violation. Any complainant who is an aggrieved person and who alleges a violation of K.C.C. Chapters 9.12, 16.82 or 21A.24 may appeal a citation, notice and order, stop work order ~~((a determination to enter into a voluntary compliance agreement))~~ or a determination not to issue a citation or order pursuant to the provisions of K.C.C. chapter 20.24 ~~((, provided that))~~. The appeal under this subsection shall be considered a civil proceeding, and any decision to pursue criminal sanctions shall remain the obligation of the prosecuting attorney, as set out in K.C.C. 23.02.030.

SECTION 29. Ordinance 13263, section 43, as amended, and K.C.C. 23.36.010 are each hereby amended to read as follows:

2500           A.1. Any person named in a notice and order or stop work order and any owner  
2501 of the land where the violation occurred for which a notice and order or stop work order  
2502 is issued (~~((and any complainant who is an aggrieved person pursuant to K.C.C. Title 20~~  
2503 ~~and requests to be kept advised pursuant to K.C.C. 23.02.070.H.))~~) may file with the  
2504 issuing department a notice of appeal of the notice and order or stop work order. The  
2505 notice of appeal shall be filed within fourteen days of the service of the notice and order  
2506 or stop work order.

2507           2. Any complainant who has alleged a violation of K.C.C. Chapters 9.12, 16.82  
2508 or 21A.24, who is an aggrieved person pursuant to K.C.C. Title 20 and who requests to  
2509 be kept advised pursuant to K.C.C. 23.02.070.H. may file with the issuing department a  
2510 notice of appeal of a citation, notice and order, stop work order or a determination not to  
2511 issue a citation or order. The notice of appeal shall be filed within fourteen days of the  
2512 service of the citation, notice and order, stop work order or notice of decision not to issue  
2513 a citation or order.

2514           B. If a notice of appeal has been filed within the time period provided in this  
2515 section, the appellant shall file a statement of appeal with the issuing department within  
2516 twenty-one days of the service of the citation, notice and order, ~~((or))~~ stop work order  
2517 ~~((with the issuing department))~~ or notice of decision not to issue a citation or order.

2518           C. Any person issued a citation shall respond to the citation as provided in  
2519 K.C.C. chapter 23.20.

2520           D. A notice of appeal shall comply with the form, content and service  
2521 requirements of K.C.C. chapters 20.20 and 20.24 and adopted public rules.

2522           SECTION 30. Ordinance 13263, section 51, as amended, and K.C.C. 23.40.040  
2523 are each hereby amended to read as follows:

2524           A. No lien created by this title binds the property subject to the lien for a period  
2525 longer than ~~((three))~~ ten years after the lien claim has been recorded, unless an action to  
2526 enforce that lien is commenced in the proper court within ~~((three))~~ ten years after the  
2527 recording.

2528           B. When all penalties or abatement costs, or both, assessed against the property  
2529 owner have been paid, the director shall expeditiously record a satisfaction of lien with  
2530 the records and licensing services division, or its successor agency. The satisfaction shall  
2531 include a legal description of the property where the violation occurred.

2532           SECTION 31. A. Ordinance 12196, section 18 and K.C.C. 20.20.110 are each  
2533 hereby repealed.

2534           B. Ordinance 12196, section 20 and K.C.C. 20.20.130 are each hereby repealed.

2535           SECTION 32. Pursuant to K.C.C. 20.44.080, the metropolitan King County  
2536 council finds that the requirements for environmental analysis, protections and mitigation  
2537 measures in the chapters of K.C.C. Title 21A amended by this ordinance, provide  
2538 adequate analysis of and mitigation for the specific adverse environmental impacts to  
2539 which the requirements apply.

2540           SECTION 33. If any provision of this ordinance or its application to any person  
2541 or circumstance is held invalid, the remainder of the ordinance or the application of the  
2542 provision to other persons or circumstances is not affected.