

# Proposed 2010 King County Development Regulation and Process Changes

March 1 2010

King County Code (K.C.C.)	Description	Comments
<b>Condominiums and Binding Site Plans</b>		
19A.04 (New Section) 19A.20.010 19A.20.020 19A.24.010 19A.24.030	<ul style="list-style-type: none"> <li>Clarify purpose of review and simplify procedure for recording condominiums and binding site plans.</li> </ul>	
<b>Boundary Line Adjustments</b>		
19A.28.020	<ul style="list-style-type: none"> <li>Boundary line adjustment that eliminates lot lines is considered a minor adjustment. Department may specify format and requirements.</li> </ul>	<ul style="list-style-type: none"> <li>Will allow DDES to simplify process for approving boundary line adjustments when lot lines are being eliminated.</li> </ul>
<b>Pre-application Conferences</b>		
20.20.030	<ul style="list-style-type: none"> <li>Information presented at the pre-application conference is valid for one year. Current period of validity is 180 days.</li> </ul>	<ul style="list-style-type: none"> <li>Allows applicants additional time to apply for permit following pre-application conference.</li> </ul>
<b>Notice of Application</b>		
20.20.060	<ul style="list-style-type: none"> <li>DDES will provide electronic notice of Type 1 permits that do not otherwise require a notice of application.</li> </ul>	<ul style="list-style-type: none"> <li>Most Type 1 decisions currently require no public notice.</li> </ul>
<b>Preapplication Community Meetings</b>		
New Section	<ul style="list-style-type: none"> <li>Establishes procedures for preapplication community meetings required prior to filing a permit application for certain uses that are changed from a conditional use to a permitted use by this ordinance.</li> </ul>	<ul style="list-style-type: none"> <li>Provides notice and opportunity for community input on uses that are changed from conditional to permitted.</li> </ul>
<b>Permit Timelines</b>		
20.20.100	<ul style="list-style-type: none"> <li>The department may deny or cancel a permit if an applicant fails to provide acceptable studies, reports, or other information after two requests.</li> </ul>	<ul style="list-style-type: none"> <li>Repeated requests for information results in increased permit costs for applicants and time consuming process for applicant and the department.</li> </ul>
<b>Rezoning</b>		
20.24.190	<ul style="list-style-type: none"> <li>Clarifies standards used by the hearing examiner when deciding whether to approve a rezone or shoreline environment redesignation.</li> </ul>	<ul style="list-style-type: none"> <li>Current code is outdated and has led to confusion about when a rezone should be allowed.</li> </ul>

<b>King County Code (K.C.C.)</b>	<b>Description</b>	<b>Comments</b>
<b>Zoning Code (Title 21A)</b>		
<b>Definitions</b>		
New Section	<ul style="list-style-type: none"> <li>In the zoning code, "subdivision" and "short subdivision" have same meaning unless context indicates otherwise</li> </ul>	<ul style="list-style-type: none"> <li>In the subdivision code, the process for approval of subdivisions and short subdivisions is different. In the zoning code, both terms are used in some places and only "subdivision" in other places, creating uncertainty as to what zoning code provisions apply. In most instances, the process for approval does not matter, both should be treated the same.</li> </ul>
<b>Permitted Uses</b>		
21A.20.030 (Residential Uses)	<ul style="list-style-type: none"> <li>Allows cottage housing as a permitted use in the R1 – R8 zones. A preapplication community meeting is required.</li> <li>Allows bed and breakfasts in the A zone as a permitted use under the same conditions as in the RA zone.</li> </ul>	<ul style="list-style-type: none"> <li>Cottage house is currently a conditional use.</li> <li>In the A zone, B&amp;Bs are a permitted use only for up to five guests</li> </ul>
21A.08.040 (Recreational/Cultural Uses)	<ul style="list-style-type: none"> <li>Clarifies the application of SIC 7999 – Amusement and Recreation Services.</li> <li>Allow museums and libraries in the R12- R48 zones as a permitted use. A preapplication community meeting is required.</li> <li>Allow conference centers in the CB zone as a permitted use.</li> </ul>	<ul style="list-style-type: none"> <li>The application of SIC 7999 under the zoning code is confusing and difficult to interpret.</li> <li>Currently allowed as a conditional use or as a permitted use when accessory to a park, community meeting.</li> <li>Currently not allowed in the CB zone.</li> </ul>
21A.08.050 (General Services Uses)	<ul style="list-style-type: none"> <li>Allow miscellaneous repair facilities in the A and RA zones as a permitted use when accessory to a forestry or agricultural use.</li> <li>Allow social service uses as a permitted use in the residential zones and the NB zone when reusing a surplus non-residential facility. A preapplication community meeting is required. Otherwise, allow as a conditional use.</li> <li>Allow kennel-free dog day care facilities in the RA zone as a permitted use, subject to conditions.</li> </ul>	<ul style="list-style-type: none"> <li>These facilities currently require a conditional use permit in these zones.</li> <li>As a reuse of a surplus facility, social service uses currently require a conditional use permit.</li> <li>Kennel-free dog day care facilities are currently only allowed as a conditional use.</li> </ul>
21A.08.060 (Government/Business Services Uses)	<ul style="list-style-type: none"> <li>Allow self-service storage as a permitted use in the R12-48 zones when accessory to an apartment development of at least 12 units.</li> </ul>	<ul style="list-style-type: none"> <li>These self-service storage uses are currently a conditional use.</li> </ul>

<b>King County Code (K.C.C.)</b>	<b>Description</b>	<b>Comments</b>
21A.08.070 (Retail Uses)	<ul style="list-style-type: none"> <li>Allow small department stores, food stores, restaurants, florists, book stores, and drug stores in the R12-48 zones as a permitted use, subject to conditions. A preapplication community meeting is required.</li> </ul>	<ul style="list-style-type: none"> <li>Small scale retail uses are currently allowed as a conditional use subject to these same conditions.</li> </ul>
21A.08.080 (Manufacturing Uses)	<ul style="list-style-type: none"> <li>Allow food processing and wineries and breweries in the NB, CB, and RB zones as permitted uses, subject to conditions.</li> </ul>	<ul style="list-style-type: none"> <li>Food processing and wineries and breweries are generally not allowed in these zones under the existing code.</li> </ul>
<b>Setbacks</b>		
21A.12.040	<ul style="list-style-type: none"> <li>In the NB zone, the interior setback for reuse of an existing residential building as a social service agency office is 10 feet.</li> </ul>	<ul style="list-style-type: none"> <li>Current interior setback for a structure in the NB zone adjacent to a residential zone is 20 feet.</li> </ul>
21A.12.130	<ul style="list-style-type: none"> <li>Delete provision that appears to allow buildings in the setback if the building is on a lot line.</li> </ul>	<ul style="list-style-type: none"> <li>Structures are not generally allowed in the setback. The building code imposes restrictions that make this provision impractical. The alternative is to remove the lot line. Other provisions in this proposed ordinance are simplify that process.</li> </ul>
<b>Critical Areas</b>		
21A.24.045	<ul style="list-style-type: none"> <li>Allow new on-site septic system or well as an allowed alteration in wetland and aquatic area buffer, but not in a severe channel migration hazard area.</li> </ul>	<ul style="list-style-type: none"> <li>Septic systems and wells in buffers currently require an alteration exception.</li> </ul>
21A.24.325 21A.24.358	<ul style="list-style-type: none"> <li>If a wetland or aquatic area buffer includes a steep slope, the buffer is the greater of the buffer specified for the critical area or the top of the slope.</li> </ul>	<ul style="list-style-type: none"> <li>The code currently sets the buffer as the greater of the specified buffer or 25 feet beyond the top of the slope</li> </ul>
<b>Temporary Uses</b>		
21A.32.120	<ul style="list-style-type: none"> <li>Temporary use permits are valid for one year.</li> <li>Temporary use permit may be renewed annually for up to five years</li> </ul>	<ul style="list-style-type: none"> <li>Currently, temporary use permits are only valid for 180 days in a year and may not be renewed.</li> </ul>
<b>Transfer of Development Rights</b>		
21A.37.020 21A.27.040	<ul style="list-style-type: none"> <li>A TDR sending site must be a buildable lot for the zone in which it is located.</li> <li>Specify minimum lot size for TDR sending sites created prior to September 17, 2001.</li> </ul>	<ul style="list-style-type: none"> <li>Clarifies ambiguity in current code.</li> </ul>

<b>King County Code (K.C.C.)</b>	<b>Description</b>	<b>Comments</b>
21A.37.110	<ul style="list-style-type: none"> <li>Allow funds from TDR bank sales to a city to be used to pay for amenities in the city. No more than 1/3 of the proceeds of the sale may be used for that purpose.</li> </ul>	<ul style="list-style-type: none"> <li>The TDR program is authorized to provide amenity funds to cities, but there is no specified source for these funds.</li> </ul>
<b>Code Enforcement</b>		
23.02.070 23.36.010	<ul style="list-style-type: none"> <li>Complainant appeals are limited to water quality, clearing and grading, and critical area violations</li> <li>Clarify that complainant may not appeal a department's decision to enter into a voluntary compliance agreement</li> </ul>	<ul style="list-style-type: none"> <li>Current code has apparently conflicting provisions on what enforcement actions a complainant may appeal</li> </ul>
23.50.040	<ul style="list-style-type: none"> <li>Allows up to ten years to enforce a lien imposed as part of a code enforcement action.</li> </ul>	<ul style="list-style-type: none"> <li>Current period is 3 years. The 10 year period is consistent with state law. The additional time will provide more opportunities to work with a property owner before reverting to a lien enforcement.</li> </ul>
<b>Repealers</b>		
20.20.110 20.20.130	<ul style="list-style-type: none"> <li>A quarterly report requirement on department efforts to ensure that environmental protections are maintained during implementation of 1996 regulatory reform ordinance.</li> <li>A citizen's oversight to review implementation of 1996 regulatory reform ordinance.</li> </ul>	<ul style="list-style-type: none"> <li>The reporting requirement and the committee expired October, 1998.</li> </ul>