

## **Summary of Proposed Changes to the King County Code King County Comprehensive Plan 2008**

### **Title 20 – Planning**

- Adopt the 2008 King County Comprehensive Plan
- Modify deadline for submitting docket requests to June 30 of each year
- Extend the four-to-one program to December 31, 2010, allow director to consider need to protect critical areas in determining location of the urban area, and require at least 50% of the lots to result from purchase of TDR credits
- Change critical area decisions, except for alteration exceptions, from a Type II to a Type 1 land use decision
- Clarify that Type 2 land use decisions made in context of a Type 3 or Type 4 land use decision are combined into a single review and appeal process
- Exclude from permit time periods, any period for which there is an outstanding fee balance due past 60 days of invoice
- Urban rezone applications to increase density require the purchase of TDR credits for the additional units as required by Comprehensive Plan Policies U-124 and U-124a
- Add King County's Surface Water Regulations, Road Standards, and Clearing and Grading regulations to the regulations that King County has determined provide adequate mitigation under SEPA for development impacts in the urban growth area
- Clarify the critical areas to which a lower categorical exemption threshold for grading would apply

### **Title 9 – Surface Water Management**

- Modify definition of replaced impervious surface
- Modify threshold for when drainage review is required to include replace impervious surfaces
- Add water quality impacts as a consideration in Core Requirement 2
- Clarify the activities that with the use of best management practices are not considered to be prohibited discharges for water quality purposes
- Modify the activities that are not considered to be prohibited discharges for water quality purposes
- Clarify who may qualify for an exemption from the requirement to implement best management practices under the Surface Water Design Manual
- Clarify that penalties collected for enforcement of Title 9 are to be used for programs for the protection of water quality

### **Title 13 – Water and Sewer Systems**

- Include the concept of “timely and reasonable service,” as is required under both the 2003 Municipal Water Law and the Public Water System Coordination Act
- Include additional department staff with responsibility to make recommendations on approvals of sewer and water system plans
- Remove cross-reference to KCC 13.08.070, which has been repealed.
- Include flood hazard management and emergency response plans within the list of county adopted plans that water and sewer plans must be consistent with

- Clarify role of DNRP with respect to utility comprehensive plans and implementation of groundwater management plans and wellhead protection programs
- Modify composition and membership of the Utilities Technical Review Committee (UTRC) and clarify authority of the UTRC
- In limited circumstances, in urban growth area allow septic tanks if sewer service is not available for a proposed short subdivision.
- Allow more than one exempt well if each lot in a subdivision is at least twenty acres.
- Add restriction on use of exempt wells as interim water service facilities to situations where Group B water service can be provided consistent with service preference order
- Require any well that is abandoned in the process of connecting to a Group A water system to be decommissioned

## **Title 14 – Roads and Bridges**

- Correct references to "sensitive areas" in Title 14
- Eliminate the Transportation Adequacy Measure standard for concurrency
- Replace concurrency zones with larger travel sheds
- Eliminate the current two part concurrency test
- Concurrency for both commercial and residential development is determined by referring to a map adopted by the King County Council
- Monitored corridors for concurrency are principal and minor arterials as defined by King County Arterial Functional Classification
- Urban Mobility Areas are Urban Commercial Centers as shown on the King County Comprehensive Plan Land Use Map and will have a concurrency level of service standard F
- Rural Mobility Areas are the rural towns of Fall City, Snoqualmie Pass and Vashon and will have a concurrency level of service standard E
- Rural commercial centers of Cottage Lake, Maple Valley, Preston and Cumberland will have concurrency level of service standard D
- Allow rural subdivisions and short subdivisions to use TDR purchases from the same travel shed to achieve concurrency

## **Titles 16, 19A, and 21A – Zoning and Development Regulations**

### Title 16 – Clearing and Grading

- Include amount of replaced impervious surface in determining whether grading permit is required
- Modify circumstances when permit is required for maintenance or repair of flood protection facility
- Clarify that grading in excess of thresholds in the road right of way is not exempt from permit requirement
- Allow clearing standards to apply to be transferred from on parcel to another
- Clarify the critical areas that are to be taken into consideration in determining clearing standards
- Modify provisions governing clearing limits for subdivisions to be consistent with those that apply to individual parcels

- Modify standards relating to replacement topsoil to require the topsoil to have a moisture holding capacity of between five and ten percent

### Title 19A – Land Segregation

- Prohibit sale of lots not created through subdivision process
- Prior to final plat recording, require all private improvements outside of the right-of-way or road easement to be constructed

### Title 21A – Zoning

#### 1. Chapter 21A.06 - Definitions

- Add definitions for:
  - Light rail transit
  - Paintball
  - Environmental education project
- Modify definitions of:
  - Changing message center sign
  - Fish habitat
  - Flood protection facility
  - Public road right of way structure
  - Changing message center sign
  - Slope
  - Trails

#### 2. Chapter 21A.08 – Permitted Uses

- Add paintball as a conditional use in the RA zones
- Allow detached accessory dwelling units all urban residential zones on lots greater than 5,000 square feet, subject to compliance with supplemental parking, safety and setback requirements
- Allow accessory dwelling units of between 1000 and 1500 square feet on rural lots with the purchase of a TDR
- Allow personal services and health care offices in R zones as a conditional use and subject to restrictions
- Allow clearing for agriculture as an accessory to a residential use in the Forest Zone to include agricultural activities in addition to livestock
- Allow materials processing facilities in the RA zones as a permitted use on sites over ten acres and as a conditional use on sites ten acres or smaller
- Allow wood products sales for materials milled on site in the F zone as an accessory use to a sawmill
- Allow animal waste digester as an accessory use to an operating dairy or livestock operation in the A zone
- Allow specified accessory uses for a motor race track in the I zone

3. Chapter 21A.12 – Density and Dimensions

- Modify maximum densities in the NB, CB, and RB zones to recognize that residential bonus densities allow up to 200 % bonus for low income housing
- Modify maximum density in CB to the same as the RB in mixed use developments
- In the CB zone, increase base density from 18 to 48 units per acre, with a maximum density of 72 units per acre with incentives and TDR
- Allow greater wall heights where a wall crosses a setback
- Modify requirements for site triangles to apply only to road intersections
- Allow personal services and health care offices in R zones if located within one-quarter mile of a commercial center and the reuse of an existing single family residential structure
- Establish standard for minimum width of joint use driveway

4. Chapter 21A.14 – Design Standards

- Allow wall and fence height limitations to be exceeded in some instances where property abuts a critical area
- Building/floor area ratios increased for mixed-use CB zone developments
- Conform standards for resource tracts created through clustering with clearing standards in Title 16

5. Chapter 21A.16 – Landscaping and Water Use

- Required plantings in the road right-of-way may not include multi-stemmed trees
- Limit requirement for Street trees to urban area subdivisions

6. Chapter 21A.18 – Parking and Circulation

- Off-street parking spaces (not to include garages or carports)
- Modify joint use driveway minimum width requirements
- Establish parking standards for paintball use

7. Chapter 21A.20 – Signs

- Allow internal illumination subject to conditions on hours and brightness
- Allow changing message center signs for schools, subject to limits on hours of operation
- Allow signs for home occupations and home industries on the same basis as for other businesses
- Allow one residential identification sign per entrance
- Community event signs without a conditional use permit limited to one month before event and two weeks after
- Standards for Urban Planned Developments are the same as for Rural Towns

## 8. Chapter 21A.24 – Critical Areas

- Allowed Alterations
  - Treat stormwater and sanitary sewer pipes the same for purposes for purposes of allowed alterations
  - Add construction of bridge or culvert as part of a private driveway or private access road as an allowed alteration
  - Add construction of a new road in a plat as an allowed alteration
  - Add construction of a new residential utility service distribution line as an allowed alteration
  - Add maintenance of or construction of new stream bank stabilization as an allowed alteration
  - Add educational projects sponsored by a public agency as an allowed alteration
  - Surface water conveyance pipes through aquatic area buffers are subject to the same standards that apply to wetland buffers
  - A trail may cross a stream as an allowed alteration under the same conditions as a road
  - Clarify that noxious or invasive weed removal in agricultural drainage does not require a farm plan
  - Stormwater outfalls and conveyance through critical area buffers do are not always required to be vegetated conveyances
  - Clearing or pruning of vegetation for maintenance of view corridors or habitat enhancement requires an approved vegetation management plan
  - Clarify standards for maintenance or repair of flood protection facilities
  - Do not include drain fields associated with expansions in critical area buffers in calculating the amount allowable expansion within the critical area buffer
- Rural stewardship plans
  - Limit to single family residential development
  - Prior alteration exception or variance is a factor in development of rural stewardship plan
- Increase to 5,000 square feet the maximum area that may be disturbed under an alteration exception
- Eliminate requirement that hearing examiner provide the council clerk notice of final decisions on appeal of an alteration exception
- Notice on title for critical areas not required for critical aquifer recharge areas
- Modify standards for determining base flood depth and base flood velocity
- Update references to stream bank stabilization guidelines
- Prohibit placement of a new residential structure on fill placed within a mapped FEMA floodway
- Clarify procedures for updating Critical Aquifer Recharge Area Maps and modifying defining of Category I Critical Aquifer Recharge Area
- Bring standards for septic tanks in critical aquifer recharge areas into conformance with Washington Department of Health Standards
- Modify wetland buffer standards to comply with current Ecology guidance on wetland buffers
- Modify method of establishing wetland buffers under a Rural Stewardship Plan

- Modify standards for altering Category IV wetlands to be consistent with comprehensive plan policies
  - Delete provision allowing two or more contiguous sites to be considered as one for purpose of determining wetland mitigation ratios
  - Clarify that Type O aquatic areas may be connected to other waters by a pipe or culvert
  - Require proposals to add Large Wood Debris to Type S waters to consider impact on recreational uses
  - Establish standards for locating aquatic habitat restoration projects within the agricultural production district
  - Modify wetland monitoring study requirement to encompass critical area monitoring generally
  - Allow critical area designations to be conducted for all critical areas
9. Chapter 21A.28 – Public Services and Utilities
- Modify membership of the School Technical Review Committee
10. Chapter 21A.34 – Residential Density Incentives
- Allow a density bonus for locating within one-half mile of a designated transit route or rail station
  - Allow a density bonus in urban residential zones for the construction of detached single family homes 1500 square feet or smaller and for new manufactured housing units
  - Allow a density bonus in urban growth area commercial centers that include walkable design and transit oriented elements
11. Chapter 21A.37 – Transfer of Development Rights (TDR)
- Allow some state DNR owned land to be sending sites
  - Allow RA-2.5 zoned sites as sending sites
  - Property located within the shorelines of the state may not be TDR receiving sites
  - Allow one TDR credit for every 5 acres of an RA zoned sending site
  - Provide a bonus TDR credit for non-conforming lot sending sites
  - Each Rural TDR is equivalent to two additional units above base density for urban receiving sites
  - Funds in the TDR bank may be used for staff support for the TDR program
12. Chapter 21A.38 – Special District Overlays
- Economic Special District Overlay
    - New developments receive a 50% reduction in parking requirement if they provide a minimum of 2 stories of residential above ground-floor commercial
    - Remove provisions that waive the landscaping, setback, pedestrian circulation, and impervious surface and lot coverage requirements of the zoning code

- Buildings must be orientated to face the pedestrian designed streets, and if on a corner adjacent to two pedestrian streets, buildings must orientate themselves to face both pedestrian street
- Height and density bonuses for building structured parking