



## Legislation Details (With Text)

**File #:** 2018-0559      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 12/3/2018      **In control:** Planning, Rural Service and Environment Committee

**On agenda:** 1/14/2019      **Final action:** 1/14/2019

**Enactment date:** 1/24/2019      **Enactment #:** 18861

**Title:** AN ORDINANCE relating to permitting and zoning and amending the county zoning code; amending Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100; and adding a new section to K.C.C. chapter 21A.06.

**Sponsors:** Kathy Lambert

**Indexes:** Permits, Zoning

**Code sections:**

**Attachments:** 1. Ordinance 18861.pdf, 2. 2018-0559 Commerce\_60\_Day\_Intent\_to\_Amend\_Transit\_Comfort\_Facilities\_092418, 3. 2018-0559 Commerce\_Acknowledgement\_Letter\_Transit\_Comfort\_Facilities\_092418, 4. 2018-0559 DNS\_Transit\_Comfort\_Facilities, 5. 2018-0559 Fiscal\_Note\_Transit\_Comfort\_Facilities\_103118, 6. 2018-0559 legislative review form, 7. 2018-0559 Plain\_Language\_Summary\_Transit\_Comfort\_Facilities\_103118, 8. 2018-0559 Public\_Advertising\_Transit\_Comfort\_Facilities\_103118, 9. 2018-0559 Public\_Notice\_Of\_Intent\_To\_Amend\_Transit\_Comfort\_Facilities\_092418, 10. 2018-0559 Regulatory\_Note\_Transit\_Comfort\_Facilities\_103118, 11. 2018-0559 SEPA\_Checklist\_Transit\_Comfort\_Facilities, 12. 2018-0559 transmittal letter, 13. 2018-0559\_ATT2\_AMD1, 14. 2018-0559\_SR\_Transit\_Comfort\_Facilities, 15. 2018-0559 Affidavit of Pub12-12-18 - Seattle Times - re transit comfort facilities.pdf, 16. 2018-0559\_SR\_Transit\_Comfort\_Facilities, 17. 2018-0559 Affidavit of Pub - Seattle Times 12-12-18.pdf, 18. 2018-0559 18861 Notice of Adoption - Seattle Times 2-6-19.pd

Date	Ver.	Action By	Action	Result
1/14/2019	2	Metropolitan King County Council	Hearing held/closed and passed	Pass
12/4/2018	1	Planning, Rural Service and Environment Committee	Recommended Do Pass Substitute Consent	Pass
12/3/2018	1	Metropolitan King County Council	Introduced and Referred	

AN ORDINANCE relating to permitting and zoning and amending the county zoning code; amending Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100; and adding a new section to K.C.C. chapter 21A.06.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

NEW SECTION. SECTION 1. A new section is hereby added to K.C.C. chapter 21A.06 to read as

follows:

Transit comfort facility: a restroom for public transit employees.

SECTION 2. Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100 are each hereby amended to read as follows:

A. Regional land uses.

P-Permitted Use C-Conditional Use S-Special Use	SIC#	RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
		SPECIFIC LA	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (15)
*	Jail						S	S	S	S	S	S	S
*	Jail Farm/Can	S	S		S	S							
*	Work Release				S19	S19	S	S	S	S	S	S	
*	Public Agency Control Facility		S		S	S					S		P
*	Public Agency Facility		S		S3					S3	S3	S3	C4
*	Hydroelectric Facility		C14 S		C14 S	C14 S	C14 S						
*	Non-hydroelectric Generation Facility	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	P12 S
*	Communications (17)	C6c S	P		C6c S	C6c S	C6c S	C6c S	C6c S	P	P	P	P
*	Earth Station	P6b C	P		C6a S	C6a S	C6a S	C6a S	P6b C	P	P	P	P
13	Oil and Gas	S	C	P	S	S	S	S	S	S	S	S	C
*	Energy Resource Recovery Facility		S	S	S	S	S	S	S	S	S	S	S
*	Soil Recycling		S	S	S								C
*	Landfill		S	S	S	S	S	S	S	S	S	S	S
*	Transfer Station			S	S	S	S	S	S	S	S		P
*	Wastewater Treatment Facility				S	S	S	S	S	S	S	S	C
*	Municipal Wastewater Production	S	P13 S	S	S	S	S	S	S	S	S	S	S
*	Airport/Helipad	S7	S7		S	S	S	S	S	S	S	S	S
*	Regional Transportation Authority Facility					P25							
*	Rural Public Infrastructure Maintenance				C23								
*	Transit Bus						S	S	S	S	S	S	P
*	Transit Comfort Facility				P26		P26	P26	P26	P26	P26	P26	P26
*	School Bus				C5 S20	C5 S	C5 S	C5 S	S	S	S	S	P
7948	Racetrack				S8	S8	S8	S8	S8	S8	S8	S8	S24
*	Regional Motel Facility												P
*	County Fairgrounds Facility				P21 S22								

*	Fairground									S	S		S
8422	Zoo/Wildlife		S9		S9	S	S	S		S	S		
7941	Stadium/Aren										S		S
8221-8222	College/Univ	P10	P10		P10 C11 S18	P10 C11 S18	P10 C11 S	P10 C11 S	P10 C11 S	P	P	P	P
*	Zoo Animal B Facility	P16	P16		P16								

B. Development conditions.

1. Except technical institutions. See vocational schools on general services land use table, K.C.C.

21A.08.050.

2. Except arboretum. See K.C.C. 21A.08.040, recreation/cultural land use table.
3. Except weapons armories and outdoor shooting ranges.
4. Except outdoor shooting range.
5. Only in conjunction with an existing or proposed school.
- 6.a. Limited to no more than three satellite dish antennae.
  - b. Limited to one satellite dish antenna.
  - c. Limited to tower consolidations.
7. Limited to landing field for aircraft involved in forestry or agricultural practices or for emergency landing sites.
8. Except racing of motorized vehicles.
9. Limited to wildlife exhibit.
10. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.
11. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.
12. Limited to cogeneration facilities for on-site use only.
13. Excluding impoundment of water using a dam.
14. Limited to facilities that comply with the following:
  - a. Any new diversion structure shall not:

- (1) exceed a height of eight feet as measured from the streambed; or
  - (2) impound more than three surface acres of water at the normal maximum surface level;
- b. There shall be no active storage;
  - c. The maximum water surface area at any existing dam or diversion shall not be increased;
  - d. An exceedance flow of no greater than fifty percent in mainstream reach shall be maintained;
  - e. Any transmission line shall be limited to a:
    - (1) right-of-way of five miles or less; and
    - (2) capacity of two hundred thirty KV or less;
  - f. Any new, permanent access road shall be limited to five miles or less; and
  - g. The facility shall only be located above any portion of the stream used by anadromous fish.

15. For I-zoned sites located outside the urban growth area designated by the King County Comprehensive Plan, uses shown as a conditional or special use in K.C.C. 21A.08.100.A, except for waste water treatment facilities and racetracks, shall be prohibited. All other uses, including waste water treatment facilities, shall be subject to the provisions for rural industrial uses in K.C.C. chapter 21A.12.

16. The operator of such a facility shall provide verification to the department of natural resources and parks or its successor organization that the facility meets or exceeds the standards of the Animal and Plant Health Inspection Service of the United States Department of Agriculture and the accreditation guidelines of the American Zoo and Aquarium Association.

17. The following provisions of the table apply only to major communication facilities. Minor communication facilities shall be reviewed in accordance with the processes and standard outlined in K.C.C. chapter 21A.27.

18. Only for facilities related to resource-based research.

19. Limited to work release facilities associated with natural resource-based activities.

20. Limited to projects which do 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 school bus base and serving only the school bus base may be used. Renovation, expansion, modernization or reconstruction of a school bus base 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 school bus base.

21. Only in conformance with the King County Site Development Plan Report, through modifications to the plan of up to ten percent are allowed for the following:

- a. building square footage;
- b. landscaping;
- c. parking;
- d. building height; or
- e. impervious surface.

22. A special use permit shall be required for any modification or expansion of the King County fairgrounds facility that is not in conformance with the King County Site Development Plan Report or that exceeds the allowed modifications to the plan identified in subsection B.21. of this section.

23. The facility shall be primarily devoted to rural public infrastructure maintenance and is subject to the following conditions:

- a. The minimum site area shall be ten acres, unless:
  - (1) the facility is a reuse of a public agency yard; or
  - (2) the site is separated from a county park by a street or utility right-of-way;
- b. Type 1 landscaping as provided in K.C.C. chapter 21A.16 shall be provided between any stockpiling or grinding operations and adjacent residential zoned property;
- c. Type 2 landscaping as provided in K.C.C. chapter 21A.16 shall be provided between any office

and parking lots and adjacent residential zoned property;

d. Access to the site does not use local access streets that abut residential zoned property, unless the facility is a reuse of a public agency yard;

e. Structural setbacks from property lines shall be as follows:

(1) Buildings, structures and stockpiles used in the processing of materials shall be no closer than:

(a) one hundred feet from any residential zoned properties, except that the setback may be reduced to fifty feet when the grade where the building or structures are proposed is fifty feet or greater below the grade of the residential zoned property;

(b) fifty feet from any other zoned property, except when adjacent to a mineral extraction or materials processing site;

(c) the greater of fifty feet from the edge of any public street or the setback from residential zoned property on the far side of the street; and

(2) Offices, scale facilities, equipment storage buildings and stockpiles shall not be closer than fifty feet from any property line except when adjacent to M or F zoned property or when a reuse of an existing building. Facilities necessary to control access to the site, when demonstrated to have no practical alternative, may be located closer to the property line;

f. On-site clearing, grading or excavation, excluding that necessary for required access, roadway or storm drainage facility construction, shall not be permitted within fifty feet of any property line except along any portion of the perimeter adjacent to M or F zoned property. If native vegetation is restored, temporary disturbance resulting from construction of noise attenuation features located closer than fifty feet shall be permitted; and

g. Sand and gravel extraction shall be limited to forty thousand yards per year.

24. The following accessory uses to a motor race track operation are allowed if approved as part of the special use permit:

- a. motocross;
- b. autocross;
- c. skidpad;
- d. garage;
- e. driving school; and
- f. fire station.

25. Regional transit authority facilities shall be exempt from setback and height requirements.

26. Transit comfort facility shall:

- a. only be located outside of the urban growth area boundary;
- b. be exempt from street setback requirements; and
- c. be no more than 200 square feet in size.