

McDermott moved Striker 1.
The motion carried.

S1

April 20, 2021
Striking Amendment

[J. Tracy]

Sponsor: McDermott

Proposed No.: 2021-0057

1 **STRIKING AMENDMENT TO PROPOSED ORDINANCE 2021-0057, VERSION**

2 **2**

3 On page 2, beginning on line 25, strike everything through page 36, line 744, and insert:

4 "BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

5 **SECTION 1. Findings:**

6 A. This ordinance updates the King County Code to prohibit the retail sale of
7 fireworks, as well as the use and discharge of fireworks without a permit, as allowed by
8 RCW and WAC fireworks regulations. Retail sale and discharge of consumer fireworks
9 would be prohibited at all times of year, including during the summer and winter periods
10 allowed by RCW 70.77.395 absent a local prohibition.

11 B. This ordinance also relocates fireworks regulations from K.C.C. Title 6,
12 Licensing, to K.C.C. Title 17, Fire Code. This alignment coordinates with the state
13 adoption of the International Fire Code.

14 C. This ordinance provides for regulatory procedures to continue to allow for the
15 public display of fireworks.

16 **SECTION 2.** Ordinance 3139, Section 601, as amended, and K.C.C. 12.86.500
17 are hereby amended to read as follows:

18 The following sounds are exempt from this chapter:

19 A. Sounds originating from aircraft in flight and sounds that originate at airports
20 and are directly related to flight operations;

21 B. Sounds created by the normal operation of commercial, nonrecreational
22 watercraft;

23 C. Sounds created by normal docking and undocking operations of all watercraft;

24 D. Sounds created by watercraft picking up or dropping off waterskiers while
25 operating within the temporary speed limit exemption authorized in K.C.C. 12.44.230;

26 E. Sounds created by safety and protective devices, such as relief valves, if noise
27 suppression would defeat the safety intent of the device;

28 F. Sounds created by fire alarms;

29 G. Sounds created by warning devices of not more than fifteen minutes in
30 duration per incident. For the purposes of this subsection, "warning device" means a
31 device that is working as intended to provide public warning of potentially hazardous,
32 emergency or illegal activities, including, but not limited to, a burglar alarm or vehicle
33 backup signal, but not including any fire alarm;

34 H. Sounds created by emergency equipment and emergency work necessary in
35 the interests of law enforcement or for the health, safety or welfare of the community.
36 For the purposes of this subsection, "emergency work" means work required to restore
37 property to a safe condition following a disaster, as defined at K.C.C. 12.52.010, work
38 required to protect persons or property from an imminent danger, work by private or
39 public utilities for providing or restoring immediately necessary utility service, or work to
40 address other emergencies as determined by the director. The director shall, within
41 fourteen days of making such a determination under this section, document in a written

42 decision the nature of the emergency work, why it is necessary for the health, safety or
43 welfare of the community, any complaints about the noise and any objections to the
44 director's determination. The written decision shall be filed in the form of a paper
45 original and an electronic copy with the clerk of the council, who shall retain the original
46 and provide an electronic copy to all councilmembers, the council chief of staff, the
47 policy staff director and the lead staff for the law, justice, health and human services
48 committee, or its successor;

49 I. Sounds created by the discharge of firearms in the course of lawful hunting
50 activities;

51 J. Sounds caused by natural phenomena and unamplified human voices;

52 K. Sounds originating from silviculture or forest practices conducted under
53 chapter 76.09 RCW and Title 222 WAC if the receiving property is located in a rural,
54 commercial or industrial district of King County;

55 L. Sounds originating from commercial agriculture practices if the receiving
56 property is located in a rural, commercial or industrial district of King County;

57 M. Sounds created by auxiliary equipment on motor vehicles used for public
58 highway maintenance;

59 N. Sounds created by off highway vehicles while being used in officially
60 designated all-terrain vehicle parks, except when the sound is received off the park site in
61 a rural or residential district of King County and the sound measurably increases the
62 ambient level;

63 O. Sounds created by watercraft competing in a regatta or boat race held under a
64 permit issued by the sheriff and sounds created while on trial runs or while on official

65 trials for speed records during the time and in the designated area authorized by the
66 permit;

67 P. Sounds created by motor vehicle racing events and motor vehicle testing and
68 training, governed by and conducted in accordance with applicable King County permit
69 conditions; and

70 Q. Sounds created by the legal discharge of fireworks as defined in K.C.C.
71 ~~((6.26.060 and K.C.C. 6.26.080))~~ chapter 17.XX (the new chapter created in section 3 of
72 this ordinance).

73 SECTION 3. Sections 4 through 9 of this ordinance should constitute a new
74 chapter in K.C.C. Title 17.

75 NEW SECTION. SECTION 4. There is hereby added to the chapter established
76 in section 3 of this ordinance a new section to read as follows:

77 Unless otherwise specified in K.C.C. 17.04.020 or the context clearly requires
78 otherwise, the definitions for terms used in this chapter shall be as established in chapter
79 70.77 RCW, chapter 212-17 WAC and the International Fire Code, Chapter 56, as
80 adopted under K.C.C. 17.04.010.

81 NEW SECTION. SECTION 5. There is hereby added to the chapter established
82 in section 3 of this ordinance a new section to read as follows:

83 A. Except as otherwise noted in this chapter, all permitting, licensing and
84 regulatory requirements shall be in accordance with the fireworks regulations of chapter
85 70.77 RCW, chapter 212-17 WAC and the International Fire Code, Chapter 56, as
86 adopted under K.C.C. 17.04.010.

87 B. This chapter does not apply to the sale or discharge of fireworks on tribal trust

88 lands.

89 NEW SECTION. SECTION 6. There is hereby added to the chapter established
90 in section 3 of this ordinance a new section to read as follows:

91 A. The county council hereby delegates the power to grant all permits required
92 under this chapter to the King County fire marshal or designee. The King County fire
93 marshal may adopt reasonable procedures and policies to clarify the application of this
94 chapter. As a condition of any permit, the fire marshal may specify additional safeguards
95 as necessary to provide for public safety.

96 B. In addition to the sheriff's powers to enforce state and county criminal law, the
97 sheriff's office may assist the King County fire marshal in enforcing the permitting,
98 licensing and regulatory requirements of this chapter.

99 NEW SECTION. SECTION 7. There is hereby added to the chapter established
100 in section 3 of this ordinance a new section to read as follows:

101 A. The retail sale of fireworks in unincorporated King County is prohibited.

102 B. The use, discharge or display of fireworks in unincorporated King County is
103 prohibited absent a permit issued by the county pursuant to RCW 70.77.260(2) and this
104 section.

105 C. Any person desiring to give a public display of fireworks shall submit to the
106 fire marshal an application for a permit to operate the public display. This is in addition
107 to any permits required by Section 105 of the International Fire Code for pyrotechnic
108 special effects material and use of hazardous materials. Public displays of fireworks shall
109 not be permitted more than two days per calendar year on any site as defined in K.C.C.
110 21A.06.1170.

111 D. A complete permit application for a public display of fireworks shall be made
112 at least twenty days in advance of the date set for the public display. Applications
113 received after that date or incomplete applications shall be denied.

114 E. The fee for the permit shall be as established in K.C.C. Title 27. The permit
115 required by this section shall be in addition to any license required by the state fire
116 marshal under chapter 70.77 RCW. Permits for displays of fireworks for religious
117 purposes shall not be subject to a fee, in accordance with RCW 70.77.311.

118 F.1. For any scheduled public display, applicants shall submit such information
119 as deemed appropriate by the department and the sheriff's office to ensure that adequate
120 traffic control and crowd protection policing has either been arranged through private
121 security agencies or has been contracted for with the sheriff.

122 2. A written notice that the applicant has complied with this requirement shall
123 be issued by the sheriff to the fire marshal before a public display permit is issued.

124 3. If the applicant contracts for traffic control and crowd protection policing
125 with King County, the sum agreed upon in payment for the policing shall not be less than
126 the actual expense incurred by the county in providing that service. The compensation
127 for a contract for traffic control and crowd protection policing with King County shall be
128 calculated for personnel resources in the hourly rate for overtime under the current
129 collective bargaining agreement, plus the percentage being paid for fringe benefits, and
130 all sums paid under the contract shall be paid in accordance with procedures specified by
131 the county treasurer.

132 G. Every public display of fireworks shall be conducted with a pyrotechnic
133 operator licensed by the state of Washington under RCW 70.77.255 supervising the

134 handling and discharge of the fireworks.

135 H. A bond or certificate of insurance must be furnished to the department before
136 a permit is issued. The bond shall be in the amount of one million dollars and shall be
137 conditioned upon the applicant's payment of all damages to persons and property
138 resulting from or caused by the public display of fireworks, or by any negligence on the
139 part of the applicant or its agents, servants, employees or subcontractors in the
140 presentation of the display. The certificate of insurance shall evidence a comprehensive
141 general liability insurance policy providing limits of one million dollars combined single
142 limit, per occurrence and annual aggregate, and naming King County as an additional
143 insured. Any such a bond or insurance policy must be approved by the fire marshal.

144 I. A cash deposit in the amount of one hundred fifty dollars must be posted with
145 the department at least twenty days in advance of the public display date to provide for
146 costs of site cleanup. The deposit shall be forfeited to King County if the operator fails to
147 perform such cleanup within six days after the public display. If the operator properly
148 performs the cleanup, the deposit shall be returned to the operator.

149 NEW SECTION. SECTION 8. There is hereby added to the chapter established
150 in section 3 of this ordinance a new section to read as follows:

151 In the event of drought or other fire hazard conditions that pose a threat to public
152 health, safety and welfare, the fire marshal, in consultation with the representatives of the
153 fire districts of the county, may declare an emergency and prohibit the use or discharge of
154 any fireworks, including public displays, until the hazard has been abated.

155 NEW SECTION. SECTION 9. There is hereby added to the chapter established
156 in section 3 of this ordinance a new section to read as follows:

157 A. A violation of this chapter is a misdemeanor and is punishable as prescribed
158 by law.

159 B. Notwithstanding any criminal penalty provided in this chapter, a person who
160 violates this chapter or chapter 70.77 RCW is subject to the maximum civil penalty in an
161 amount not to exceed two hundred fifty dollars per violation. In addition, a person in
162 violation of this chapter is responsible for any costs incurred to enforce this chapter,
163 including bringing a civil action, court costs and reasonable attorneys' fees. All civil
164 penalties assessed shall be enforced under K.C.C. Title 23.

165 C. A person commits a separate offense for each day during that the person
166 commits, continues or permits a violation of this chapter.

167 D. The civil and criminal penalties described in subsections A. through C. of this
168 section shall not be enforced for violations of section 7.B. of this ordinance as it pertains
169 to the use or discharge of consumer fireworks, as defined in RCW 70.77.136, until one
170 year after this ordinance takes effect under RCW 70.77.250. During the period in which
171 these penalties are not being enforced, the King County sheriff's office and the fire
172 marshal shall only issue warnings to violators of section 7.B. of this ordinance and shall
173 provide information to violators on the county's laws governing fireworks.

174 SECTION 10. Ordinance 4461, Section 2, as amended, and K.C.C. 20.22.040 are
175 hereby amended to read as follows:

176 The examiner shall issue final decisions in the following cases:

177 A. Appeals of orders of the ombuds under the lobbyist disclosure code, K.C.C.
178 chapter 1.07;

179 B. Appeals of sanctions of the finance and business operations division in the

180 department of executive services imposed under K.C.C. chapter 2.97;

181 C. Appeals of career service review committee conversion decisions for part-time
182 and temporary employees under K.C.C. chapter 3.12A;

183 D. Appeals of electric vehicle recharging station penalties of the Metro transit
184 department under K.C.C. 4A.700.700;

185 E. Appeals of notice and orders of the manager of records and licensing services
186 or the department of local services permitting division manager under K.C.C. chapter
187 6.01;

188 F. Appeals of adult entertainment license denials, suspensions and revocations
189 under K.C.C. chapter 6.09;

190 G. Appeals of the fire marshal's decisions on fireworks permits under K.C.C.
191 chapter ~~((6-26))~~ 17.XX (the new chapter created under section 3 of this ordinance);

192 H. Appeals of cable franchise nonrenewals under K.C.C. 6.27A.060 and notices
193 and orders under K.C.C. 6.27A.240;

194 I. Appeals of notices and orders of the department of natural resources and parks
195 under K.C.C. chapter 7.09;

196 J. Appeals of decisions of the director of the department of natural resources and
197 parks on surface water drainage enforcement under K.C.C. chapter 9.04;

198 K. Appeals of decisions of the director of the department of natural resources and
199 parks on requests for rate adjustments to surface and storm water management rates and
200 charges under K.C.C. chapter 9.08;

201 L. Appeals of decisions on water quality enforcement under K.C.C. chapter 9.12;

202 M. Appeals of notices and orders of the manager of animal control under K.C.C.

203 chapter 11.04;

204 N. Certifications by the finance and business operations division of the
205 department of executive services involving K.C.C. chapter 12.16;

206 O. Appeals of orders of the office of civil rights under K.C.C. chapter 12.17,
207 K.C.C. chapter 12.18, K.C.C chapter 12.20 and K.C.C. chapter 12.22;

208 P. Appeals of noise-related orders and citations of the department of local
209 services, permitting division, under K.C.C. chapter 12.86;

210 Q. Appeals of utilities technical review committee determinations on water
211 service availability under K.C.C. 13.24.090;

212 R. Appeals of decisions regarding mitigation payment system, commute trip
213 reduction and intersection standards under K.C.C. Title 14;

214 S. Appeals of suspensions, revocations or limitations of permits or of decisions of
215 the board of plumbing appeals under K.C.C. chapter 16.32;

216 T. Appeals of all Type 2 decisions under K.C.C. chapter 20.20, with the
217 exception of appeals of shoreline permits, including shoreline substantial development
218 permits, shoreline variances and shoreline conditional uses, which are appealable to the
219 state Shoreline Hearings Board;

220 U. Appeals of SEPA decisions, as provided in K.C.C. 20.44.120 and public rules
221 adopted under K.C.C. 20.44.075;

222 V. Appeals of completed farm management plans under K.C.C. 21A.30.045;

223 W. Appeals of decisions of the interagency review committee created under
224 K.C.C. 21A.37.070 regarding sending site applications for certification under K.C.C.
225 chapter 21A.37;

226 X. Appeals of citations, notices and orders, notices of noncompliance, stop work
 227 orders issued pursuant to K.C.C. Title 23 or Title 1.08 of the rules and regulations of the
 228 King County board of health;

229 Y. Appeals of notices and certifications of junk vehicles to be removed as a
 230 public nuisance as provided in K.C.C. Title 21A and K.C.C. chapter 23.10;

231 Z. Appeals of decisions not to issue a citation or a notice and order under K.C.C.
 232 23.36.010.A.2;

233 AA. Appeals of fee waiver decisions by the department of local services,
 234 permitting division, as provided in K.C.C. 27.02.040;

235 BB. Appeals from decisions of the department of natural resources and parks
 236 related to permits, discharge authorizations, violations and penalties under K.C.C.
 237 28.84.050 and 28.84.060;

238 CC. Appeals of transit rider suspensions under K.C.C. 28.96.430;

239 DD. Appeals of department of public safety seizures and intended forfeitures,
 240 when properly designated by the chief law enforcement officer of the department of
 241 public safety as provided in RCW 69.50.505; and

242 EE. Other applications or appeals that are prescribed by ordinance.

243 SECTION 11. Ordinance 10870, Section 331, as amended, and K.C.C.
 244 21A.08.040 are hereby amended to read as follows:

245 A. Recreational/cultural land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			RU RA L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
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
*	Trails	P	P	P	P	P	P	P	P	P	P	P	P
*	Campgrounds		P16 C16 a	P16	P16 C16 a	P16 C16 a							P16 C16 a
*	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								
	AMUSEMENT/ENTERTAINMENT:												
*	Adult Entertainment Business									P6	P6	P6	
*	Theater									P	P	P	P25
783 3	Theater, Drive-in										C		
793	Bowling Center									P	P		P
*	Golf Facility				C7 and 18	P7	P7	P7					
799 9 (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		
799 6	Amusement Park										C		
*	Outdoor Performance Center		S		C12 S18		P20	P20			S		
	CULTURAL:												
823	Library				P11	P11 C	P11 C	P28	P	P	P	P	
841	Museum	C2 3	C23		P11	P11 C	P11 C	P28	P	P	P	P	P
842	Arboretum	P	P		P	P	P	P	P	P	P	P	
*	Conference Center				P29 C12	P29 C12	P29 C	P29 C	P	P	P	P	

246

B. Development conditions.

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1. The following conditions and limitations shall apply, where appropriate:

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a. No stadiums on sites less than ten acres;

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b. Lighting for structures and fields shall be directed away from rural area and

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residential zones;

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c. Structures or service yards shall maintain a minimum distance of fifty feet

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from property lines adjoining rural area and residential zones, except for fences and mesh

253

backstops;

254

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

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related accessory uses such as parking and sanitary facilities; and

256

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

257

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

258 limitations:

259 a. The maximum length of stay of any vehicle shall not exceed one hundred
260 eighty days during a three-hundred-sixty-five-day period;

261 b. The minimum distance between recreational vehicle pads shall be no less
262 than ten feet; and

263 c. Sewage shall be disposed in a system approved by the Seattle-King County
264 health department.

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

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

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

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

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

276 5. Limited to day moorage.

277 6.a. Adult entertainment businesses shall be prohibited within three hundred
278 thirty feet of any property zoned RA, UR or R or containing schools, licensed daycare
279 centers, public parks or trails, community centers, public libraries or churches. In
280 addition, adult entertainment businesses shall not be located closer than three thousand

281 feet to any other adult entertainment business. These distances shall be measured from
282 the property line of the parcel or parcels proposed to contain the adult entertainment
283 business to the property line of the parcels zoned RA, UR or R or that contain the uses
284 identified in this subsection B.6.a.

285 b. Adult entertainment businesses shall not be permitted within an area likely
286 to be annexed to a city subject to an executed interlocal agreement between King County
287 and a city declaring that the city will provide opportunities for the location of adult
288 businesses to serve the area. The areas include those identified in the maps attached to
289 Ordinance 13546.

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

304 residential density clustering or transfer limitation shall be reflected in a deed restriction
305 that is recorded at the time applicable permits for the development of the golf course are
306 issued; and

307 b. In addition to ancillary facilities, an organizational hotel/lodging house shall
308 be allowed as an accessory use, subject to the following:

309 (1) only allowed in the R-1 zone;

310 (2) only allowed with a privately owned golf facility that legally existed as of
311 January 1, 2019;

312 (3) only allowed as an incidental or subordinate use to a principal golf facility
313 use;

314 (4) a maximum of twenty-four sleeping units is allowed; and

315 (5) shall be connected to and served by public sewer.

316 8. Limited to golf driving ranges, only as:

317 a. accessory to golf courses; or

318 b. accessory to a recreation or multiuse park.

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

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

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

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

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

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

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

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

336 11. Only as accessory to a park or in a building listed on the National Register
337 as an historic site or designated as a King County landmark subject to K.C.C. chapter
338 21A.32.

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

342 b. In the UR zone, only if the property is located within a designated
343 unincorporated rural town.

344 13. Subject to the following:

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

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

349 c. Any lights provided to illuminate any building or recreational area shall be

350 so arranged as to reflect the light away from any premises upon which a dwelling unit is
351 located; and

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

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

356 b. Fireworks display services, also known as public displays of fireworks, are
357 allowed in all zones, subject to the requirements of K.C.C. chapter 17.xx (the new
358 chapter created in section 3 of this ordinance).

359 15. For amusement and recreation services not otherwise provided for in this
360 chapter:

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

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

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

367 16. Subject to the following conditions:

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

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

- 373 17. Only for stand-alone sports clubs that are not part of a park.
- 374 18. Subject to review and approval of conditions to comply with trail corridor
375 provisions of K.C.C. chapter 21A.14 when located in an RA zone.
- 376 19. Only as an accessory to a recreation or multiuse park.
- 377 20. Only as an accessory to a recreation or multiuse park of at least twenty acres
378 located within the urban growth area or on a site immediately adjacent to the urban
379 growth area with the floor area of an individual outdoor performance center stage limited
380 to three thousand square feet.
- 381 21. Limited to rentals of sports and recreation equipment with a total floor area
382 of no more than seven hundred fifty square feet and only as accessory to a park, or in the
383 RA zones, to a recreation or multiuse park.
- 384 22. Only as accessory to a large active recreation and multiuse park and limited
385 to:
- 386 a. water slides, wave pools and associated water recreation facilities; and
387 b. rentals of sports and recreation equipment.
- 388 23. Limited to natural resource and heritage museums and only allowed in a farm or
389 forestry structure, including but not limited to barns or sawmills, existing as of December
390 31, 2003.
- 391 24. Use is permitted without a conditional use permit only when in compliance
392 with all of the following conditions:
- 393 a. The use is limited to camps for youths or for persons with special needs due
394 to a disability, as defined by the American With Disabilities Act of 1990, or due to a
395 medical condition and including training for leaders for those who use the camp;

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

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

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

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

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

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

413 (b) For a camp established before August 11, 2005, with a conditional use
414 permit and that is one hundred and sixty acres or larger, but less than two hundred acres,
415 the number of overnight campers, not including camp personnel, may be up to three
416 hundred and fifty campers over the limit established by subsection B.24.c.(1)(b) of this
417 section. The camp may terminate operations at its existing site and establish a new camp
418 if the area of the camp is greater than two hundred and fifty acres and the number of

419 overnight campers, not including camp personnel, shall not exceed seven hundred.

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

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

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

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

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

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

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

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

441 l. A community meeting shall be convened by the applicant before submittal

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

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

450 26.a. Only in an enclosed building; and

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

453 27. Minimum standards for outdoor paintball recreation fields:

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

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

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

463 d. A twenty-foot high nylon mesh screen shall be installed around all play
464 areas and shall be removed at the end of each day when the play area is not being used.

465 The department may allow for the height of the screen to be lowered to no less than ten
466 feet if it determines through the conditional use permit review that the lower screen in
467 combination with other elements of the site design provides adequate protection from
468 discharged paintballs;

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

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

474 g. A plan of operations specifying days and hours of operation, number of
475 participants and employees, types of equipment to be used by users of the site, safety
476 procedures, type of compressed air fuel to be used on the site and storage and
477 maintenance procedures for the compressed air fuel shall be provided for review in
478 conjunction with the conditional use permit application. All safety procedures shall be
479 reviewed and approved by department of public safety before submittal of the conditional
480 use permit application. All activities shall be in compliance with National Paintball
481 League standards;

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

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

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

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

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

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

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

499 28. Before filing an application with the department, the applicant shall hold a
500 community meeting in accordance with K.C.C. 20.20.035.

501 29. Only as accessory to a recreation or multiuse park of least twenty acres
502 located within the urban growth area or on a site immediately adjacent to the urban
503 growth area or in a building listed on the National Register as an historic site or
504 designated as a King County landmark subject to K.C.C. chapter 21A.32.

505 SECTION 12. Ordinance 10870, Section 548, as amended, and K.C.C.
506 21A.32.110 are hereby amended to read as follows:

507 A. The following uses shall be exempt from requirements for a temporary use
508 permit when located in the RB, CB, NB, O or I zones for the time period specified below:

509 1. Uses not to exceed a total of thirty days each calendar year:

510 a. Christmas tree lots; and

- 511 b. (~~Fireworks stands; and~~
512 e.)) Produce stands.
- 513 2. Uses not to exceed a total of fourteen days each calendar year:
- 514 a. Amusement rides, carnivals or circuses;
- 515 b. Community festivals; and
- 516 c. Parking lot sales.
- 517 B. Any use not exceeding a cumulative total of two days each calendar year shall
518 be exempt from requirements for a temporary use permit.
- 519 C. Any community event held in a park and not exceeding a period of seven days
520 shall be exempt from requirements for a temporary use permit.
- 521 D. Christmas tree sales not exceeding a total of (~~30~~) thirty days each calendar
522 year when located on Rural Area (RA) zoned property with legally established non-
523 residential uses shall be exempt from requirements for a temporary use permit.
- 524 E.1. Events at a winery, brewery, distillery facility II or III shall not require a
525 temporary use permit if:
- 526 a. The business is operating under an active Washington state Liquor and
527 Cannabis Board production license issued for their current location before December 31,
528 2019, and where King County did not object to the location during the Washington state
529 Liquor and Cannabis Board license application process;
- 530 b. The parcel is at least eight acres in size;
- 531 c. The structures used for the event maintain a setback of at least one hundred
532 fifty feet from interior property lines;
- 533 d. The parcel is located in the RA zone;

534 e. The parcel has access directly from and to a principal arterial or state
535 highway;

536 f. The event does not use amplified sound outdoors before 12:00 p.m. or after
537 8:00 p.m.

538 2. Events that meet the provisions in this subsection E. shall not be subject to
539 the provisions of K.C.C. 21A.32.120, as long as the events occur no more frequently than
540 an annual average of eight days per month.

541 SECTION 13. Ordinance 13332, Section 43, as amended, and K.C.C. 27.10.360
542 are hereby amended to read as follows:

543 Fees shall be charged for reviewing applications and inspecting permits for
544 fireworks display, special event, building occupancy and fire code operational permits as
545 follows:

A.	((Fireworks stand	Maximum allowed
		under chapter 70.77
		RCW
B.))	Special event or fireworks display	
1.	Application fee	\$250.00
2.	Inspection fee, per site visit	\$412.00
((C.))	Building occupancy inspection, per building per site	\$216.00
<u>B.</u>	visit	
((D.))	Inspection for an operational permit under the	
<u>C.</u>	International fire code	
1.	Initial permit, per code item	\$150.00

2. Permit renewal, per code item \$100.00

546 SECTION 14. Ordinance 17682, Section 48, as amended, and K.C.C. 27.10.580

547 are hereby amended to read as follows:

548 Fees shall be charged for permit processing, clerical services, contractor
549 certification, title elimination, permit extension, review of resubmitted plans and permit
550 revisions, expedited review and after-hours inspection as follows:

551 A. A fee of seventy-five dollars shall be charged for reissuing a public notice.

552 B. The department may charge fees for clerical services unrelated to permits
553 including, but not limited to, making copies, scanning documents, notarizing documents,
554 gathering, preparing and publishing special request reports and providing publications.

555 The fees shall be the actual cost to the department and shall be collected at the time
556 services are requested. The department shall publish a schedule of these fees on the
557 internet and in the public areas of its offices.

558 C. The fee for annual certification of a tank removal contractor is two hundred
559 fifty dollars.

560 D. The fee for a title elimination is sixty dollars.

561 E. The fee for extension of a nonresidential building, fire, mechanical, sign,
562 demolition, grading, site development or conditional use permit is one hundred sixty
563 dollars.

564 F. The fee for the third or subsequent intake screening of an application submittal
565 prior to acceptance is fifty dollars for each screening. Unless otherwise specified in this
566 title, the review of resubmitted plans or revisions to an issued building, fire((5)) or
567 grading permit shall be charged a fee of twenty-five percent of the original application

568 fee.

569 G. The fee for expedited review shall be one hundred fifty percent of the regular
570 review fee, and shall be charged in lieu of the regular review fee in this title.

571 H. When building or land use inspections outside regular business hours are
572 required by the construction schedule or otherwise requested by a permit holder,
573 excluding inspections for ((~~fireworks stands,~~) fireworks displays and other special
574 events, the overtime labor cost of county personnel shall be charged in addition to the
575 regular inspection fees.

576 SECTION 15.

577 A. The executive shall prepare a fireworks enforcement study report.

578 B. The study shall include, but not be limited to:

579 1. An evaluation of options to provide an immediate, unarmed, nonpolice
580 response to reported fireworks violations from June 28 through July 6 of each year;

581 2. The estimated cost of each option analyzed as required in subsection A.1. of
582 this section, and potential funding sources for each option; and

583 3. A recommended approach for ensuring the provision of immediate, unarmed,
584 nonpolice response to fireworks violations during the time described in subsection B.1. of
585 this section.

586 C. The report shall be transmitted to the council by June 30, 2022. If legislative
587 action is necessary to implement the recommendations of the report, a proposed
588 ordinance shall be transmitted with the report. The report shall be filed in the form of a
589 paper original and an electronic copy with the clerk of the council, who shall retain the
590 original and provide an electronic copy to all councilmembers, the council chief of staff

591 and the lead staff to the committee of the whole, or its successor, and the lead staff to the
592 law and justice committee, or its successor.

593 SECTION 16. The following are hereby repealed:

594 A. Ordinance 6836, Section 1, and K.C.C. 6.26.010;

595 B. Ordinance 6836, Section 2, as amended, and K.C.C. 6.26.020;

596 C. Ordinance 6836, Section 3, as amended, and K.C.C. 6.26.030;

597 D. Ordinance 6836, Section 4, as amended, and K.C.C. 6.26.040;

598 E. Ordinance 6836, Section 5, and K.C.C. 6.26.050;

599 F. Ordinance 6836, Section 6, as amended, and K.C.C. 6.26.060;

600 G. Ordinance 6836, Section 7, as amended, and K.C.C. 6.26.070;

601 H. Ordinance 6836, Section 8, as amended, and K.C.C. 6.26.080;

602 I. Ordinance 6836, Section 9, and K.C.C. 6.26.090;

603 J. Ordinance 6836, Section 10, and K.C.C. 6.26.100;

604 K. Ordinance 6836, Section 11, and K.C.C. 6.26.110; and

605 L. Ordinance 10850, Section 6, as amended, and K.C.C. 6.26.115.

606 SECTION 17. This ordinance takes effect on the date that the minimum time
607 period after adoption required by RCW 70.77.250(4) has passed.

608 SECTION 18. Severability. If any provision of this ordinance or its application

609 to any person or circumstance is held invalid, the remainder of the ordinance or the
610 application of the provision to other persons or circumstances is not affected."

611

612 **EFFECT prepared by Jake Tracy: The amendment would add language relating to**
613 **compliance with the one-year waiting period in state law, add a finding relating to**
614 **the sales and use periods currently allowed under state law, and would make**
615 **technical and clarifying changes.**