



King County

KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

March 24, 2008

Ordinance 16040

Proposed No. 2008-0041.1

Sponsors Patterson

1 AN ORDINANCE related to domestic violence shelters;
 2 and amending Ordinance 10870, Section 84, as amended,
 3 and K.C.C. 21A.06.220 and Ordinance 10870, Section 330,
 4 as amended, and K.C.C. 21A.08.030.

5

6 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

7 SECTION 1. Findings:

8 A. Domestic violence is an unfortunate reality for many members of our
 9 society.

10 B. Residential shelters provide an escape from domestic violence and
 11 assist residents in recovering from the impacts of that abuse.

12 C. Victims of domestic violence are not limited to single individuals, but
 13 may often include entire families.

14 D. Families that have been traumatized by their exposure to domestic
 15 violence may be further traumatized if the children of such families are separated
 16 from their parent.

17 E Permitting families to stay together allows for more effective recovery
18 from the trauma of domestic violence.

19 F Due to the unstable nature of those persons prone to committing
20 domestic violence, such shelters need a high degree of confidentiality as to
21 location.

22 G This confidentiality protects shelter residents, staff, neighbors and the
23 community at large.

24 H Requiring shelters to obtain a conditional use permit through a widely
25 publicized public review process undermines confidentiality and increases the risk
26 of contact with those who would commit domestic violence.

27 SECTION 2. Ordinance 10870, Section 84, as amended, and K.C.C. 21A.06.220
28 are each hereby amended to read as follows:

29 Community residential facility ("CRF"): living quarters meeting applicable
30 federal and state standards that function as a single housekeeping unit and provide
31 supportive services, including but not limited to counseling, rehabilitation and medical
32 supervision, excluding drug and alcohol detoxification which is classified in ((Section))
33 K.C.C. 21A.08.050 as health services, and excluding a secure community transition
34 facility as defined in R.C.W. 71.09.020 and in this chapter. For purposes of domestic
35 violence shelters, minors living with a parent shall not be counted as part of the
36 maximum number of residents. ((CRF's)) CRFs are further classified as follows:

37 A. CRF-I – Nine to ten residents and staff;

38 B. CRF-II – Eleven or more residents and staff.

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39 If staffed by nonresident staff, each ((24)) twenty-four staff hours per day equals one full-
 40 time residing staff member for purposes of subclassifying ((CRF;s)) CRFs.

41 SECTION 3. Ordinance 10870, Section 330, as amended, and K.C.C.

42 21A.08.030 are each hereby amended to read as follows:

43 A. Residential land uses.

| KEY | | RESOURCE | | | RESIDENTIAL | | | | COMMERCIAL/INDUSTRIAL | | | | | | | | |
|-------------------|-----------------------------------|----------|----|---|-------------|-------|------------|----------|-----------------------|----|----|----|---|---|---|---|---|
| P-Permitted Use | Z O N E | 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 | | | | | | | T | R | S | T | S | L | S | | I |
| | | U | | | | | | | I | H | Y | | | | | | A |
| | | R | | | | | | | A | O | | | | | | | L |
| | | E | | | | | | | L | O | | | | | | | |
| | | | | | | | | | | D | | | | | | | |
| SIC # | SPECIFIC LAND USE | A | F | M | RA | UR | R1-8 | R12-48 | NB | CB | RB | O | I | | | | |
| | DWELLING UNITS, TYPES: | | | | | | | | | | | | | | | | |
| * | Single Detached | P C13 | P2 | | P C13 | P C13 | P C13 | P C13 | P17 | | | | | | | | |
| * | Townhouse | | | | C4 | C4 | P C12 | P | P3 | P3 | P3 | P3 | | | | | |
| * | Apartment | | | | C4 | C4 | P5 C4 | P | P3 | P3 | P3 | P3 | | | | | |
| * | Mobile Home Park | | | | S14 | | C8 | P | | | | | | | | | |
| * | Cottage Housing | | | | | | C16 | | | | | | | | | | |
| | GROUP RESIDENCES: | | | | | | | | | | | | | | | | |
| * | Community Residential Facility-I | | | | C | C | P15.a C | P | P3 | P3 | P3 | P3 | | | | | |
| * | Community Residential Facility-II | | | | | | P15.b | P | P3 | P3 | P3 | P3 | | | | | |

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| | | | | | | | | | | | | |
|----------------------|---|--|----|--|-----|-----|-----|-----|-----|-----|-----|----|
| * | Dormitory | | | | C6 | C6 | C6 | P | | | | |
| * | Senior Citizen Assisted Housing | | | | | P4 | P4 | P | P3 | P3 | P3 | P3 |
| | ACCESSORY USES: | | | | | | | | | | | |
| * | Residential Accessory Uses | P7 | P7 | | P7 | P7 |
| * | Home Occupation | P | P | | P | P | P | P | P | P | P | P |
| * | Home Industry | C | | | C | C | C | | | | | |
| | TEMPORARY LODGING: | | | | | | | | | | | |
| 7011 | Hotel/Motel (1) | | | | | | | | P | P | P | |
| * | Bed and Breakfast Guesthouse | P9 C10 | | | P10 | P10 | P10 | P10 | P10 | P11 | P11 | |
| 7041 | Organization Hotel/Lodging Houses | | | | | | | | | | P | |
| GENERAL CROSS | | Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; | | | | | | | | | | |
| REFERENCES: | | 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. | | | | | | | | | | |

- 44 B. Development conditions.
- 45 1. Except bed and breakfast guesthouses.
- 46 2. In the forest production district, the following conditions apply:
- 47 a. Site disturbance associated with development of any new residence shall be
- 48 limited to three acres. Site disturbance shall mean all land alterations including, but not
- 49 limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage
- 50 disposal systems and driveways. Additional site disturbance for raising livestock, up to
- 51 the smaller of thirty-five percent of the lot or seven acres, may be approved only if a farm
- 52 management (conservation) plan is prepared in accordance with K.C.C. chapter 21A.30.

53 Animal densities shall be based on the area devoted to animal care and not the total area
54 of the lot;

55 b. A forest management plan shall be required for any new residence in the
56 forest production district, that shall be reviewed and approved by the King County
57 department of natural resources and parks prior to building permit issuance; and

58 c. A fire protection plan for the subject property is required and shall be
59 reviewed and approved by the Washington state department of natural resources with the
60 concurrence of the fire marshal for each residential use. This plan shall be developed in
61 such a manner as to protect the adjoining forestry uses from a fire that might originate
62 from the residential use. This plan shall provide for setbacks from existing forestry uses
63 and maintenance of approved fire trails or other effective fire line buffers on perimeters
64 with forest land.

65 3. Only as part of a mixed use development subject to the conditions of K.C.C.
66 chapter 21A.14, except that in the NB zone on properties with a land use designation of
67 commercial outside of center (CO) in the urban areas, stand-alone townhouse
68 developments are permitted subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060 and
69 21A.14.180.

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

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

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

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

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

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

84 5. Apartment units are permitted outright as follows:

85 a. In the R-1 zone when at least fifty percent of the site is constrained by
86 unbuildable critical areas that for purposes of this section, includes wetlands, streams and
87 slopes forty percent or steeper and associated buffers, and provided that the density does
88 not exceed a density of eighteen units per acre of net buildable area as defined in K.C.C.
89 21A.06.797; or

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

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

93 7.a. Accessory dwelling units:

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

95 (2) Only in the same building as the primary dwelling unit on an urban lot
96 that is less than ten thousand square feet in area, on a rural lot that is less than the
97 minimum lot size, or on a lot containing more than one primary dwelling;

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

100 (4)(a) One of the dwelling units shall not exceed a floor area of one thousand
101 square feet except when one of the dwelling units is wholly contained within a basement
102 or attic, and

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

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

106 (6) The accessory dwelling unit shall be converted to another permitted use or
107 shall be removed if one of the dwelling units ceases to be owner occupied; and

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

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

120 (9) In the A zone, one accessory dwelling unit is allowed on any lot under
121 twenty acres in size, and two accessory dwelling units are allowed on lots that are twenty
122 acres or more, provided that the accessory dwelling units are occupied only by farm
123 workers and the units are constructed in conformance with the State Building Code.

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

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

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

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

133 8. Mobile home parks shall not be permitted in the R-1 zones.

134 9. Only as an accessory to the permanent residence of the operator, and:

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

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

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

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

139 b. The number of persons accommodated per night shall not exceed five,

140 except that a structure that satisfies the standards of the Uniform Building Code as

141 adopted by King County for R-1 occupancies may accommodate up to ten persons per

142 night.

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

145 12. Townhouses are permitted, but shall be subject to a conditional use permit if
146 exceeding base density.

147 13. Required before approving more than one dwelling on individual lots,
148 except on lots in subdivisions, short subdivisions or binding site plans approved for
149 multiple unit lots, and except as provided for accessory dwelling units in K.C.C.
150 21A.08.030B.7.

151 14. No new mobile home parks are allowed in a rural zone.

152 15.a. Limited to domestic violence shelter facilities.

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

155 16. Only in the R4-R8 zones limited to:

156 a. developments no larger than one acre;

157 b. not adjacent to another cottage housing development such that the total
158 combined land area of the cottage housing developments exceeds one acre; and

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

163 21A.14.025.B.

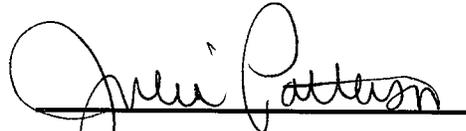
164 17. The development for a detached single-family residence shall be consistent
165 with the following:

- 166 a. The lot must have legally existed prior to March 1, 2005;
- 167 b. The lot has a comprehensive plan land use designation of Rural
- 168 Neighborhood or Rural Residential; and
- 169 c. The standards of this title for the RA-5 zone shall apply.
- 170

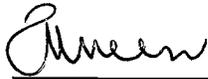
Ordinance 16040 was introduced on 1/22/2008 and passed by the Metropolitan King County Council on 3/24/2008, by the following vote:

Yes: 9 - Ms. Patterson, Mr. Dunn, Mr. Constantine, Ms. Lambert, Mr. von Reichbauer, Mr. Ferguson, Mr. Gossett, Mr. Phillips and Ms. Hague
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

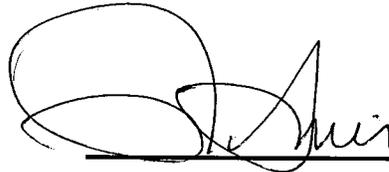

Julia Patterson, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 4 day of April, 2008.



Ron Sims, County Executive

Attachments None

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CLERK
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