



## Legislation Details (With Text)

**File #:** 2005-0099      **Version:** 3

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

**File created:** 3/7/2005      **In control:** Growth Management and Unincorporated Areas Committee

**On agenda:** 7/25/2005      **Final action:** 7/25/2005

**Enactment date:** 8/1/2005      **Enactment #:** 15245

**Title:** AN ORDINANCE relating to land uses; amending Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030, Ordinance 10870, Section 331, as amended, and K.C.C. 21A.08.040, Ordinance 10870, Section 332, as amended, and K.C.C. 21A.08.050, Ordinance 10870, Section 333, as amended, and K.C.C. 21A.08.060, Ordinance 10870, Section 340, as amended, and K.C.C. 21A.12.030, Ordinance 10870, Section 351, as amended, and K.C.C. 21A.12.140, Ordinance 15032, Section 18, and K.C.C. 21A.14.025; Ordinance 10870, Section 562, and K.C.C. 21A.34.030 and Ordinance 14190, Section 7, as amended, and K.C.C. 21A.37.050, adding a new section to K.C.C. chapter 21A.06 and repealing Ordinance 12823, Section 17, and K.C.C. 21A.38.220 and Ordinance 12823, Section 18, as amended, and K.C.C. 21A.38.230.

**Sponsors:** Dow Constantine, Dwight Pelz, Julia Patterson, Carolyn Edmonds, Larry Phillips

**Indexes:** Comprehensive Plan, Land Use

**Code sections:** 21A.08.050 -, 21A.12.140 -, 21A.14.025 -, 21A.34.030 -, 21A.37.050 -, 21A.38.220 -, 21A.38.230 -

**Attachments:** 1. 15245.pdf, 2. 2005-0099 Adoption Notice.doc, 3. 2005-0099 transmittal letter.doc, 4. Hearing Notice.doc, 5. Revised Staff Report, 6. Staff Report 4-5-05

Date	Ver.	Action By	Action	Result
7/25/2005	2	Metropolitan King County Council	Hearing Held	
7/25/2005	2	Metropolitan King County Council	Passed as Amended	Pass
7/11/2005	2	Metropolitan King County Council	Deferred	
7/11/2005	2	Metropolitan King County Council	Hearing Held	
5/17/2005	2	Growth Management and Unincorporated Areas Committee	Recommended Do Pass Substitute	Pass
4/19/2005	1	Growth Management and Unincorporated Areas Committee	Deferred	
4/5/2005	1	Growth Management and Unincorporated Areas Committee	Deferred	
3/7/2005	1	Metropolitan King County Council	Introduced and Referred	

AN ORDINANCE relating to land uses; amending Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030, Ordinance 10870, Section 331, as amended, and K.C.C. 21A.08.040, Ordinance 10870, Section 332, as amended, and K.C.C. 21A.08.050, Ordinance 10870, Section 333, as amended, and K.C.C. 21A.08.060, Ordinance 10870, Section 340, as amended, and K.C.C. 21A.12.030,

Ordinance 10870, Section 351, as amended, and K.C.C. 21A.12.140, Ordinance 15032, Section 18, and K.C.C. 21A.14.025; Ordinance 10870, Section 562, and K.C.C. 21A.34.030 and Ordinance 14190, Section 7, as amended, and K.C.C. 21A.37.050, adding a new section to K.C.C. chapter 21A.06 and repealing Ordinance 12823, Section 17, and K.C.C. 21A.38.220 and Ordinance 12823, Section 18, as amended, and K.C.C. 21A.38.230.

STATEMENT OF FACTS:

1. A. The following GMA provisions of RCW 36.70A.011 and 36.70A.020 demonstrate how recreation is considered an integral part of Rural Areas and is a key planning goal that is to be provided.

**"RCW 36.70A.011 - Findings -- Rural lands.**

. . . Finally, the legislature finds that in defining its rural element under RCW 36.70A.070 <<http://www.leg.wa.gov/RCW/index.cfm?section=36.70A.070&fuseaction=section>>(5), a county should foster land use patterns and develop a local vision of rural character that will: Help preserve rural-based economies and traditional rural lifestyles; encourage the economic prosperity of rural residents; foster opportunities for small-scale, rural-based employment and self-employment; permit the operation of rural-based agricultural, commercial, **recreational**, and tourist businesses that are consistent with existing and planned land use patterns; be compatible with the use of the land by wildlife and for fish and wildlife habitat; foster the private stewardship of the land and preservation of open space; and enhance the rural sense of community and quality of life"

**"RCW 36.70A.020 - Planning goals.**

The following goals are adopted to guide the development and adoption of comprehensive plans and development regulations of those counties and cities that are required or choose to plan under RCW 36.70A.040 <<http://www.leg.wa.gov/RCW/index.cfm?section=36.70A.040&fuseaction=section>>. The following goals are not listed in order of priority and shall be used exclusively for the purpose of guiding the development of comprehensive plans and development regulations:

. . . (9) Open space and recreation. Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities . . . ."

B. The King County Comprehensive Plan (KCCP) policies R-105, R-221 and R-526 (below) recognize that recreation is an appropriate use within the Rural Area and the Forest Production District.

**R-105** Uses related to and appropriate for the Rural Area include those relating to farming,

forestry, mineral extraction, and fisheries such as the raising of livestock, growing of crops, sale of agricultural products produced on-site; small-scale cottage industries; and recreational uses that rely on a rural location are also appropriate.

**R-221** Nonresidential uses in the Rural Area shall be limited to those that:

- a. Provide convenient local services for nearby residents; or
- b. Require location in a Rural Area; or
- c. Support natural resource-based industries; or
- d. Provide adaptive reuse of significant historic resources; or
- e. Provide recreational opportunities that are compatible with the surrounding Rural Area.

These uses shall be sited, sized and landscaped to complement rural character as defined in policy R-101, prevent impacts to the environment and function with rural services including on-site wastewater disposal.

**R-526** Public and private forest owners are encouraged to provide for recreational, educational and cultural uses when compatible with forest protection.

C. The King County Code currently contains standards for recreational activities in connection with public parks.

D. There are currently no standards in the code for other types of recreational activities, such as children's camps and hunting and fishing camps, which are not typically provided by public parks.

E. The lack of code standards has had the deleterious effect of turning popular, long-established recreational camps, such as Camp River Ranch and Camp Don Bosco near Carnation and Camp Sealth on Vashon Island, into legal non-conforming uses, which under certain circumstances, are in danger of having to be discontinued.

F. The lack of code standards also has the potential to cause confusion on which land use review process is applicable in establishing a new recreational camp or to entirely prevent such uses from even being considered for establishment.

G. The creation of standards for recreational uses outside the purview of public parks is necessary for the implementation of GMA goal related to recreation and would not require policy changes within the KCCP."

2. Ordinance 15032, Section 12, amended K.C.C. 21A.08.050. The amendment included a deletion of condition 21 relating to interim recycling facilities that was in the code as it then existed. This deletion resulted in a renumbering the remaining conditions in K.C.C.

21A.08.050.B and a need to make corresponding corrections of the numbers in the table as they applied to different land uses. Ordinance 15032, Section 12, corrected some, but not all, of the numbers in the table. The effect of this clerical error was to apply conditions to land uses that were not intended to apply to those land uses. Section 4 of this ordinance corrects these errors. Section 13 of this ordinance applies this correction retroactively to the date Ordinance 15032, Section 12, became effective.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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

**Camps, recreational and retreat.** Camps, recreational and retreat: Establishments primarily engaged in operating recreational and retreat camps that offer a variety of active recreational activities such as trail riding, hiking, hunting, water-related activities such as swimming, kayaking, canoeing, rafting and fishing, and other similar outdoor activities, as well as, more passive activities based on the enjoyment of the natural setting. Recreational and retreat camps may provide overnight accommodation facilities, such as cabins and designated campsites, and other amenities for site users, such as meeting and assembly spaces, food services, recreational

facilities and equipment and medical/health stations.

SECTION 2. Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030 are each hereby amended to read as follows:

**A. Residential land uses.**

Residential land uses.

KEY		RESOURCE			RESIDENTIAL			COMMERCIAL/INDUSTRIAL			
P-Permitted Use		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	Z	R	R	N	R	B S	B S	I S	M S	G S	F D
	O	I	E	E	A	A E	A I	G I	M I	I I	I U
	N	C	S	R	L	N R	N D	H N	U N	O N	C S
	E	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						R S	T S	L S	I
		U						I	H		A
		R						A	O		L
		E						L	O		
								D			
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8 R12-	NB	CB	RB	O I
	DWELLING UNITS, TYPES:										
*	Single Detached	P C13	P2		P C13	P C13	P P C13 P17				
*	Townhouse				C4	C4	P P C12	P3	P3	P3	P3
*	Apartment				C4	C4	P5 P C4	P3	P3	P3	P3
*	Mobile Home Park				S14		C8 P				
*	Cottage Housing						C16				
	GROUP RESIDENCES:										
*	Community Residential Facility-I				C	C	P15 P C	P3	P3	P3	P3
*	Community Residential Facility-II						P	P3	P3	P3	P3
*	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		P7	P7	P7	P7	P7	P7
*	Home Occupation	P	P		P	P		P	P	P	P	P	P
*	Home Industry	C			C	C		C					
<b>TEMPORARY LODGING:</b>													
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	
<b>GENERAL CROSS REFERENCES:</b>		Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; 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.											

**B. Development conditions.**

1. Except bed and breakfast guesthouses.
2. In the forest production district, the following conditions apply:
  - a. Site disturbance associated with development of any new residence shall be limited to three acres.

Site disturbance shall mean all land alterations including, but not limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage disposal systems and driveways. Additional site disturbance for raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be approved only if a farm management (conservation) plan is prepared in accordance with K.C.C. chapter 21A.30. Animal densities shall be based on the area devoted to animal care and not the total area of the lot;

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

c. A fire protection plan for the subject property is required and shall be reviewed and approved by the Washington state department of natural resources with the concurrence of the fire marshal for each residential use. This plan shall be developed in such a manner as to protect the adjoining forestry uses from a

fire that might originate from the residential use. This plan shall provide for setbacks from existing forestry uses and maintenance of approved fire trails or other effective fire line buffers on perimeters with forest land.

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

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

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

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

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

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

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

5. Apartment units are permitted outright as follows:

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

b. In the R-4 through R-8 zones, provided that the density does not exceed eighteen units per acre of

net buildable area as defined in K.C.C. 21A.06.797.

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

7.a. Accessory dwelling units:

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

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

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

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

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

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

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

(7) An applicant seeking to build an accessory dwelling unit shall file a notice approved by the department of executive services, records, elections and licensing services division, which identifies the dwelling unit as accessory. The notice shall run with the land. The applicant shall submit proof that the notice was filed before the department shall approve any permit for the construction of the accessory dwelling unit. The required contents and form of the notice shall be set forth in administrative rules. If an accessory dwelling unit in a detached building in the rural zone is subsequently converted to a primary unit on a separate lot, neither the original lot or the new lot may have an additional detached accessory dwelling unit constructed unless the lot is at least twice the minimum lot area required in the zone.

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



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

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

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

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

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

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

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

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

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

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

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

b. The number of persons accommodated per night shall not exceed five, except that a structure that satisfies the standards of the Uniform Building Code as adopted by King County for R-1 occupancies may accommodate up to ten persons per night.

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

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

13. Required before approving more than one dwelling on individual lots, except on lots in subdivisions, short subdivisions or binding site plans approved for multiple unit lots, and except as provided for

accessory dwelling units in K.C.C. 21A.08.030B.7.

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

15. Limited to domestic violence shelter facilities.

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

a. developments no larger than one acre;

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

c. All units must be cottage housing units with no less than three units and no more than sixteen units, provided that if the site contains an existing home that is not being demolished, the existing house is not required to comply with the height limitation in subsection B.25. of this section or the floor area and footprint limits in K.C.C. 21A.14.025.B.

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

a. The lot must have legally existed prior to March 1, 2005;

b. The lot has a comprehensive plan land use designation of Rural Neighborhood or Rural Residential; and

c. The standards of this title for the RA-5 zone shall apply.

SECTION 3. Ordinance 10870, Section 331, as amended, and K.C.C. 21A.08.040 are each hereby amended to read as follows:

**Recreational/cultural land uses.**

**A. Recreational/cultural land uses.**

KEY	RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL									
	A	F	M	R	U	R	U	R	N	B	C	B	R	B	O	I	
P-Permitted Use																	
C-Conditional Use	G	O	I	U	R	E	R	E	E	U	O	U	E	U	F	N	
S-Special Use	Z	R	R	N	R	B	S	B	S	I	S	M	S	G	S	F	D
	O	I	E	E	A	A	E	A	I	G	I	M	I	I	I	I	U
	N	C	S	R	L	N	R	N	D	H	N	U	N	O	N	C	S
	E	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 U R E					T I A L				R S Y		L S		I A L	
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-4	NB	CB	RB	O	I			
	<b>PARK/RECREATION:</b>															
*	Park	P1	P1	P1	P1	P1	P1	P1	P	P	P	P	P13			
	Large Active Recreation and Multiuse Park		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 C16a	P16	P16 C16a	P16 C16a							P16 C16a			
*	Destination Resorts		S		S18	C					C					
*	Marina		C3		C4	C4	C4	C4	P5	P	P	P	P			
*	Recreational Vehicle Park		P19	P19	C2, 1 P19	C2 P19										
*	Sports Club (C)					C4, 18	C4	C4	C4	C	P	P				
*	Ski Area		S		S18											
*	Recreational Camp		C		P24 C											
	<b>AMUSEMENT/ENTERTAINMENT:</b>															
*	Adult Entertainment Business									P6	P6	P6				
*	Theater									P	P	P	P25			
7833	Theater, Drive-in										C					
793	Bowling Center									P	P		P			
*	Golf Facility					C7, 1 P7	P7	P7								
7999 (14)	Amusement and Recreation Services		P21	P21	P8, 2 C15,	P8, 21, 22 C15	P8, 21, 22 C15	P8, 21, 22 C15	P21, 22	P	P	P21	P21			
*	Shooting Range		C9		C9, 1						C10		P10			
*	Amusement Arcades									P	P					
7996	Amusement Park										C					
*	Outdoor Performance Center		S		C12 S18		P20	P20			S					
	<b>CULTURAL:</b>															
823	Library				P11	P11 C	P11 C	P11 CP	P	P		P				
841	Museum	C23	C23		P11	P11 C	P11 C	P11 CP	P	P		P	P			
842	Arboretum	P	P		P	P	P	P	P	P		P				
*	Conference Center				P11 C12	P11 C12	P11 C	P11 CP			P	P				

**GENERAL CROSS REFERENCES:** Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards see K.C.C. chapt Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (\*)Definition of this specific Land Use, see K

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

a. No stadiums on sites less than ten acres;

b. Lighting for structures and fields shall be directed away from residential areas;

c. Structures or service yards shall maintain a minimum distance of fifty feet from property lines adjoining residential zones, except for structures in on-site recreation areas required in K.C.C. 21A.14.180 and 21A.14.190. Setback requirements for structures in these on-site required recreation areas shall be maintained in accordance with K.C.C. 21A.12.030;

d. Facilities in the A zone shall be limited to trails and trailheads, including related accessory uses such as parking and sanitary facilities; and

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

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

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

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

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

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

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

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

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

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

5. Limited to day moorage.

6.a. Adult entertainment businesses shall be prohibited within three hundred thirty feet of any property zoned RA, UR or R or containing schools, licensed daycare centers, public parks or trails, community centers, public libraries or churches. In addition, adult entertainment businesses shall not be located closer than three thousand feet to any other adult entertainment business. These distances shall be measured from the property line of the parcel or parcels proposed to contain the adult entertainment business to the property line of the parcels zoned RA, UR or R or that contain the uses identified in this subsection B.6.a.

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

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

8. Limited to a golf driving range only as:

- a. an accessory to golf courses; or
- b. an accessory to a large active recreation and multiuse park.

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

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

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

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

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

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

- (1) installing ventilation systems that provide sufficient clean air in the user's breathing zone, and
- (2) adopting appropriate procedures and policies that monitor and control exposure time to airborne

lead for individual users.

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

12. Only as accessory to a nonresidential use established through a discretionary permit process, if the scale is limited to ensure compatibility with surrounding neighborhoods. This condition applies to the UR zone only if the property is located within a designated unincorporated rural town.

13. Subject to the following:

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

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

c. Any lights provided to illuminate any building or recreational area shall be so arranged as to reflect the light away from any premises upon which a dwelling unit is located; and

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

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

15. Limited to golf driving ranges and subject to subsection B.7. of this section.

16. Subject to the following conditions:

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

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

17. Only for stand-alone sports clubs that are not part of a park.

18. Subject to review and approval of conditions to comply with trail corridor provisions of K.C.C. chapter 21A.14 when located in an RA zone and in an equestrian community designated by the Comprehensive Plan.

19. Only as an accessory to a large active recreation and multiuse park.

20. Only as an accessory to a large active recreation and multiuse park with the floor area of an individual outdoor performance center stage limited to three thousand square feet.

21. Only as an accessory to a park, or a large active recreation and multiuse park in the RA zones, and limited to:

a. rentals of sports and recreation equipment; and

b. a total floor area of seven hundred and fifty square feet.

22. Only as an accessory to a large active recreation and multiuse park and limited to:

- a. water slides, wave pools and associated water recreation facilities; and
- b. rentals of sports and recreation equipment.

23. Limited to natural resource and heritage museums and only allowed in a farm or forestry structure, including but not limited to barns or sawmills, existing as of December 31, 2003.

24. Use is permitted without a conditional use permit only when in compliance with all of the following conditions:

a. The use is limited to camps for youths or for persons with special needs due to a disability, as defined by the American With Disabilities Act of 1990, or due to a medical condition and including training for leaders for those who use the camp and shall not have as a primary purpose:

- (1) treatment for addictions,
- (2) correctional or disciplinary training, or
- (3) housing for homeless persons;

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

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

- (a) one hundred and fifty for a camp between twenty and forty acres; or
- (b) for a camp greater than forty acres, but less than two hundred and fifty acres, the number of users allowed by the design capacity of a water system and on-site sewage disposal system approved by the department of health, seattle/king county, up to a maximum of three hundred and fifty; and

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



(a) For a camp established prior to the effective date of this ordinance with a conditional use permit and is forty acres or larger, but less than one hundred and sixty acres, the number of overnight campers, not including camp personnel, may be up to one hundred and fifty campers over the limit established by subsection c. (1)(b).

(b) For a camp established prior to the effective date of this ordinance with a conditional use permit and is one hundred and sixty acres or larger, but less than two hundred acres, the number of overnight campers, not including camp personnel, may be up to three hundred and fifty campers over the limit established by subsection c. (1)(b). The camp may terminate operations at its existing site and establish a new camp if the area of the camp is greater than two hundred and fifty acres and the number of overnight campers, not including camp personnel, shall not exceed seven hundred.

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

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

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

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

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

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

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

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

l. A community meeting shall be convened by the applicant prior to submittal of an application for permits to establish a camp, or to expand the number of camp users on an existing camp site as provided in subsection c.(2)(b). Notice of the meeting shall be provided at least two weeks in advance to all property owners within five hundred feet (or at least twenty of the nearest property owners, whichever is greater). The notice shall at a minimum contain a brief description of the project and the location, as well as, contact persons and numbers.

25. Limited to theaters primarily for live productions located within a Rural Town designated by the King County comprehensive plan.

SECTION 4. Ordinance 10870, Section 332, as amended, and K.C.C. 21A.08.050 are each hereby amended to read as follows:

**General services land uses.**

A. General services land uses.

B. Development condition.

1. Except SIC Industry No. 7534-Tire Retreading, see manufacturing permitted use table.

2. Except SIC Industry Group Nos.:

a. 835-Day Care Services, and

b. 836-Residential Care, which is otherwise provided for on the residential permitted land use table.

3. Limited to SIC Industry Group and Industry Nos.:

a. 723-Beauty Shops;

b. 724-Barber Shops;

- c. 725-Shoe Repair Shops and Shoeshine Parlors;
  - d. 7212-Garment Pressing and Agents for Laundries and Drycleaners; and
  - e. 217-Carpet and Upholstery Cleaning.
4. Only as an accessory to a cemetery, and prohibited from the UR zone only if the property is located within a designated unincorporated Rural Town.
5. Structures shall maintain a minimum distance of one hundred feet from property lines adjoining residential zones.
6. Only as an accessory to residential use, and:
- a. Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates, and have a minimum height of six feet; and
  - b. Outdoor play equipment shall maintain a minimum distance of twenty feet from property lines adjoining residential zones.
7. Permitted as an accessory use. See commercial/industrial accessory, K.C.C. 21A.08.060.A.
8. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32, or an accessory use to a school, church, park, sport club or public housing administered by a public agency, and:
- a. Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates and have a minimum height of six feet;
  - b. Outdoor play equipment shall maintain a minimum distance of twenty feet from property lines adjoining residential zones;
  - c. Direct access to a developed arterial street shall be required in any residential zone; and
  - d. Hours of operation may be restricted to assure compatibility with surrounding development.
- 9.a. As a home occupation only, but the square footage limitations in K.C.C. chapter 21A.30 for home occupations apply only to the office space for the veterinary clinic, office space for the kennel or office space for the cattery, and:

(1) Boarding or overnight stay of animals is allowed only on sites of five acres or more;

(2) No burning of refuse or dead animals is allowed;

(3) The portion of the building or structure in which animals are kept or treated shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with concrete or other impervious material; and

(4) The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

b. The following additional provisions apply to kennels or catteries in the A zone:

(1) Impervious surface for the kennel or cattery shall not exceed twelve thousand square feet;

(2) Obedience training classes are not allowed except as provided in subsection B.34. of this section; and

(3) Any buildings or structures used for housing animals and any outdoor runs shall be set back one hundred and fifty feet from property lines((-)).

10.a. No burning of refuse or dead animals is allowed;

b. The portion of the building or structure in which animals are kept or treated shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with concrete or other impervious material; and

c. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

11. The repair work or service shall only be performed in an enclosed building, and no outdoor storage of materials. SIC Industry No. 7532-Top, Body, and Upholstery Repair Shops and Paint Shops is not allowed.

12. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.

13. Only as a reuse of a surplus non residential facility subject to K.C.C. chapter 21A.32.

14. Covered riding arenas are subject to K.C.C. 21A.30.030 and shall not exceed twenty thousand square feet, but stabling areas, whether attached or detached, shall not be counted in this calculation.

15. 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 public school, as defined in RCW 28A.150.010, or the school facility and serving only the public school or the school facility may be used. New public high schools shall be permitted subject to the review process set forth in K.C.C. 21A.42.140.

16.a. For middle or junior high schools and secondary or high schools or school facilities, only as a reuse of a public school facility or school facility subject to K.C.C. chapter 21A.32. An expansion of such a school or a school facility shall be subject to approval of a conditional use permit and the expansion shall not require or result in an extension 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 public school, as defined in RCW 28A.150.010, or the school facility may be used.

b. Renovation, expansion, modernization or reconstruction of a school, a school facility, or the addition of relocatable facilities, 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 public school, as defined in RCW 28A.150.010, or the school facility may be used.

c. In CB, RB and O, for K-12 schools with no more than one hundred students.

17. All instruction must be within an enclosed structure.

18. Limited to resource management education programs.

19. Only as an accessory to residential use, and:

a. Students shall be limited to twelve per one-hour session;

b. All instruction must be within an enclosed structure; and

c. Structures used for the school shall maintain a distance of twenty-five feet from property lines adjoining residential zones.

20. Subject to the following:

- a. Structures used for the school and accessory uses shall maintain a minimum distance of twenty-five feet from property lines adjoining residential zones;
- b. On lots over two and one-half acres:
- (1) Retail sale of items related to the instructional courses is permitted, if total floor area for retail sales is limited to two thousand square feet;
  - (2) Sale of food prepared in the instructional courses is permitted with Seattle-King County department of public health(~~(-Seattle and King County)~~) approval, if total floor area for food sales is limited to one thousand square feet and is located in the same structure as the school; and
  - (3) Other incidental student-supporting uses are allowed, if such uses are found to be both compatible with and incidental to the principal use; and
- c. On sites over ten acres, located in a designated Rural Town and zoned any one or more of UR, R-1 and R-4:
- (1) Retail sale of items related to the instructional courses is permitted, provided total floor area for retail sales is limited to two thousand square feet;
  - (2) Sale of food prepared in the instructional courses is permitted with Seattle-King County department of public health(~~(-Seattle and King County)~~) approval, if total floor area for food sales is limited to one thousand seven hundred fifty square feet and is located in the same structure as the school;
  - (3) Other incidental student-supporting uses are allowed, if the uses are found to be functionally related, subordinate, compatible with and incidental to the principal use;
  - (4) The use shall be integrated with allowable agricultural uses on the site;
  - (5) Advertised special events shall comply with the temporary use requirements of this chapter; and
  - (6) Existing structures that are damaged or destroyed by fire or natural event, if damaged by more than fifty percent of their prior value, may reconstruct and expand an additional sixty-five percent of the original floor area but need not be approved as a conditional use if their use otherwise complies with

development condition B.20.c. of this section and this title.

21. Limited to drop box facilities accessory to a public or community use such as a school, fire station or community center.

22. With the exception of drop box facilities for the collection and temporary storage of recyclable materials, all processing and storage of material shall be within enclosed buildings. Yard waste processing is not permitted.

23. Only if adjacent to an existing or proposed school.

24. Limited to columbariums accessory to a church, but required landscaping and parking shall not be reduced.

25. Not permitted in R-1 and limited to a maximum of five thousand square feet per establishment and subject to the additional requirements in K.C.C. 21A.12.230.

26.a. New high schools shall be permitted in the rural and the urban residential and urban reserve zones subject to the review process in K.C.C. 21A.42.140.

b. Renovation, expansion, modernization, or reconstruction of a school, or the addition of relocatable facilities, is permitted.

27. Limited to projects that do not require or result in an expansion of sewer service outside the urban growth area. In addition, such use shall not be permitted in the RA-20 zone.

28. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32 or as a joint use of an existing public school facility.

29. All studio use must be within an enclosed structure.

30. Adult use facilities shall be prohibited within six hundred sixty feet of any residential zones, any other adult use facility, school, licensed daycare centers, parks, community centers, public libraries or churches that conduct religious or educational classes for minors.

31. Subject to review and approval of conditions to comply with trail corridor provisions of K.C.C.

chapter 21A.14 when located in an RA zone and in an equestrian community designated by the Comprehensive Plan.

32. Limited to repair of sports and recreation equipment:

- a. as an accessory to a large active recreation and multiuse park in the urban growth area; or
- b. as an accessory to a park, or a large active recreation and multiuse park in the RA zones, and

limited to a total floor area of seven hundred fifty square feet.

33. Accessory to agricultural or forestry uses provided:

- a. the repair of tools and machinery is limited to those necessary for the operation of a farm or forest.
- b. the lot is at least five acres.
- c. the size of the total repair use is limited to one percent of the lot size up to a maximum of five

thousand square feet unless located in a farm structure, including but not limited to barns, existing as of December 31, 2003.

34. Subject to the following:

- a. the lot is at least five acres.
- b. in the A zones, area used for dog training shall be located on portions of agricultural lands that are unsuitable for other agricultural purposes, such as areas within the already developed portion of such agricultural lands that are not available for direct agricultural production or areas without prime agricultural soils.
- c. structures and areas used for dog training shall maintain a minimum distance of seventy-five feet

from property lines.

d. all training activities shall be conducted within fenced areas or in indoor facilities. Fences must be sufficient to contain the dogs.

SECTION 5. Ordinance 10870, Section 333, as amended, and K.C.C. 21A.08.060 are each hereby amended to read as follows:



**Government/business services land uses.**

A, Government/business services 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 (30)				
	<b>GOVERNMENT SERVICES:</b>																
*	Public agency or utility office				P3 C3	P3 C5	P3 C	P3 C	P	P	P	P	P16				
*	Public agency or utility yard				P27	P27	P27	P27			P		P				
*	Public agency archives										P	P	P				
921	Court									P4	P	P					
9221	Police Facility				P7	P7	P7	P7	P7	P	P	P	P				
9224	Fire Facility				C6, 3	C6	C6	C6	P	P	P	P	P				
*	Utility Facility	P29 C28	P29 C28	P29 C28	P29 C28,	P29 C28	P29 C28	P29 C28	P	P	P	P	P				
*	Commuter Parking Lot				C 33 P19	C P19	C P19	C 19 P19	P	P	P	P	P35				
*	Private Stormwater Management Facility	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8				
*	Vector Waste Receiving Facility	P	P	P	P18	P18	P18	P18	P31	P31	P31	P31	P				
	<b>BUSINESS SERVICES:</b>																
*	Construction and Trade				P34						P		P9 P				
*	Individual Transportation and Taxi									P25	P		P10 P				
421	Trucking and Courier Service									P11	P12		P13 P				
*	Warehousing, (1) and Wholesale Trade												P				
*	Self-service Storage							C14	P37	P	P	P	P				
4221 4222	Farm Product Warehousing, Refrigeration and Storage	P15 C36			P15, C36	P15, C36							P				

*	Log Storage	P15	P		P26, 3								P
47	Transportation Service												P
473	Freight and Cargo Service									P	P	P	
472	Passenger Transportation Service								P	P	P		
48	Communication Offices									P	P	P	
482	Telegraph and other Communications								P	P	P	P	
*	General Business Service							P	P	P	P	P	P16
*	Professional Office							P	P	P	P	P	P16
7312	Outdoor Advertising Service									P		P17	P
735	Miscellaneous Equipment Rental								P17	P		P17	P
751	Automotive Rental and Leasing								P	P			P
752	Automotive Parking							P20	P20	P21	P20	P	
*	Off-Street Required Parking Lot				P32	P32	P32	P32	P32	P32	P32	P32	P32
7941	Professional Sport Teams/Promoters									P		P	
873	Research, Development and Testing									P2	P2	P2	
*	Heavy Equipment and Truck Repair												P
	<b>ACCESSORY USES:</b>												
*	Commercial/Industrial Accessory Uses			P	P22			P22	P22	P	P	P	
*	Helistop				C23	C23	C23	C23	C23	C24	C23	C24	
<b>GENERAL CROSS REFERENCES:</b> Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see 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.													

B. Development conditions.

1. Except self-service storage.

2. Except SIC Industry No. 8732-Commercial Economic, Sociological, and Educational Research, see general business service/office.

3.a. Only as a re-use of a public school facility or a surplus nonresidential facility subject to the provisions of K.C.C. chapter 21A.32; or

b. only when accessory to a fire facility and the office is no greater than one thousand five hundred square feet of floor area.

4. Only as a re-use of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.

5. New utility office locations only if there is no commercial/industrial zoning in the utility district, and not in the RA-10 or RA-20 zones unless it is demonstrated that no feasible alternative location is possible, and provided further that this condition applies to the UR zone only if the property is located within a designated unincorporated Rural Town.

6.a. All buildings and structures shall maintain a minimum distance of twenty feet from property lines adjoining residential zones;

b. Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of thirty-five feet from such street;

c. No outdoor storage; and

d. Excluded from the RA-10 and RA-20 zones unless it is demonstrated that no feasible alternative location is possible.

7. Limited to storefront police offices. Such offices shall not have:

a. holding cells,

b. suspect interview rooms (except in the NB zone), or

c. long-term storage of stolen properties.

8. Private stormwater management facilities serving development proposals located on commercial/industrial zoned lands shall also be located on commercial/industrial lands, unless participating in an approved shared facility drainage plan. Such facilities serving development within an area designated urban in the King County Comprehensive Plan shall only be located in the urban area.

9. No outdoor storage of materials.

10. Limited to office uses.

11. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station.
12. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station and SIC Industry No. 4215-Courier Services, except by air.
13. Limited to SIC Industry No. 4215-Courier Services, except by air.
14. Accessory to an apartment development of at least twelve units provided:
  - a. The gross floor area in self service storage shall not exceed the total gross floor area of the apartment dwellings on the site;
  - b. All outdoor lights shall be deflected, shaded and focused away from all adjoining property;
  - c. The use of the facility shall be limited to dead storage of household goods;
  - d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;
  - e. No outdoor storage or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;
  - f. No residential occupancy of the storage units;
  - g. No business activity other than the rental of storage units; and
  - h. A resident director shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.
- 15.a. The floor area devoted to warehousing, refrigeration or storage shall not exceed two thousand square feet;
  - b. Structures and areas used for warehousing, refrigeration and storage shall maintain a minimum distance of seventy-five feet from property lines adjoining residential zones; and
  - c. Warehousing, refrigeration and storage is limited to agricultural products and sixty percent or more of the products must be grown or processed in the Puget Sound counties. At the time of the initial application, the applicant shall submit a projection of the source of products to be included in the warehousing, refrigeration

or storage.

16. Only as an accessory use to another permitted use.
17. No outdoor storage.
18. Only as an accessory use to a public agency or utility yard, or to a transfer station.
19. Limited to new commuter parking lots designed for thirty or fewer parking spaces or commuter parking lots located on existing parking lots for churches, schools, or other permitted nonresidential uses which have excess capacity available during commuting; provided that the new or existing lot is adjacent to a designated arterial that has been improved to a standard acceptable to the department of transportation;
20. No tow-in lots for damaged, abandoned or otherwise impounded vehicles.
21. No dismantling or salvage of damaged, abandoned or otherwise impounded vehicles.
22. Storage limited to accessory storage of commodities sold at retail on the premises or materials used in the fabrication of commodities sold on the premises.
23. Limited to emergency medical evacuation sites in conjunction with police, fire or health service facility. Helistops are prohibited from the UR zone only if the property is located within a designated unincorporated Rural Town.
24. Allowed as accessory to an allowed use.
25. Limited to private road ambulance services with no outside storage of vehicles.
26. Limited to two acres or less.
- 27a. Utility yards only on sites with utility district offices; or
  - b. Public agency yards are limited to material storage for road maintenance facilities.
28. Limited to bulk gas storage tanks which pipe to individual residences but excluding liquefied natural gas storage tanks.
29. Excluding bulk gas storage tanks.
30. For I-zoned sites located outside the urban growth area designated by the King County

Comprehensive Plan, uses shall be subject to the provisions for rural industrial uses as set forth in K.C.C. chapter 21A.12.

31. Vactor waste treatment, storage and disposal shall be limited to liquid materials. Materials shall be disposed of directly into a sewer system, or shall be stored in tanks (or other covered structures), as well as enclosed buildings.

32. Provided:

- a. Off-street required parking for a land use located in the urban area must be located in the urban area;
- b. Off-street required parking for a land use located in the rural area must be located in the rural area; and
- c. Off-street required parking must be located on a lot which would permit, either outright or through a land use permit approval process, the land use the off-street parking will serve.

33. Subject to review and approval of conditions to comply with trail corridor provisions of K.C.C. chapter 21A.14 when located in an RA zone and in an equestrian community designated by the Comprehensive Plan.

34. Limited to landscape and horticultural services (SIC 078) that are accessory to a use classified as retail nurseries, lawn and garden supply store (SIC 5261) and provided that construction equipment for the accessory use shall not be stored on the premises.

35. Allowed as a primary or accessory use to an allowed industrial-zoned land use.

36. Accessory to agricultural uses provided:

a. In the RA zones and on lots less than thirty-five acres in the A zone, the floor area devoted to warehousing, refrigeration or storage shall not exceed three thousand five hundred square feet unless located in a farm structure, including but not limited to barns, existing as of December 31, 2003;

b. On lots at least thirty-five acres in the A zones, the floor area devoted to warehousing,

refrigeration or storage shall not exceed seven thousand square feet unless located in a farm structure, including but not limited to barns, existing as of December 31, 2003;

c. In the A zones, structures and areas used for warehousing, refrigeration and storage shall be located on portions of agricultural lands that are unsuitable for other agricultural purposes, such as areas within the already developed portion of such agricultural lands that are not available for direct agricultural production, or areas without prime agricultural soils;

d. Structures and areas used for warehousing, refrigeration or storage shall maintain a minimum distance of seventy-five feet from property lines adjoining residential zones; and

e. Warehousing, refrigeration and storage is limited to agricultural products and sixty percent or more of the products must be grown or processed in the Puget Sound counties. At the time of the initial application, the applicant shall submit a projection of the source of products to be included in the warehousing, refrigeration or storage.

37. Use shall be limited to the NB zone on parcels outside of the Urban Growth Area, Rural Towns and Rural Neighborhoods and the building floor area devoted to such use shall not exceed ten thousand square feet.

SECTION 6. Ordinance 10870, Section 340 as amended, and K.C.C. 21A.12.030 are each hereby amended to read as follows:

**Densities and dimensions - residential zones.**

**A. Densities and dimensions - residential zones.**

STANDARDS	RESIDENTIAL													
	RURAL				URBAN R	URBAN RESIDENTIAL								
	RA-2.5	RA-5	RA-10	RA-20	UR	R-1 (17)	R-4	R-6	R-8	R-12	R-18	R-24	R-48	
Base Density: Dwelling Unit/Acre (15)	0.2 du/ac	0.2 du/ac	0.1 du/ac	0.05 du/ac	0.2 du/ac (21 du/ac)	4 du/ac (6)	6 du/ac	8 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac		
Maximum Density: Dwelling Unit/Acre (1)	0.4 du/ac (20)	(0.4 du/ac (24))				6 du/ac (22)	9 du/ac	12 du/ac	18 du/ac	27 du/ac	36 du/ac	72 du/ac		
Minimum Density: (2)						85% (12) (23)	85% (12) (18)	85% (12) (18)	80% (18)	75% (18)	70% (18)	65% (18)		
Minimum Lot Area (13)	1.875 ac	3.75 ac	7.5 ac	15 ac										
Minimum Lot Width (3)	135 ft	135 ft	135 ft	135 ft	35 ft (7)	35 ft (7)	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	
Minimum Street Setback (3)	30 ft (9)	30 ft (9)	30 ft (9)	30 ft (9)	30 ft (7)	20 ft (7)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	

Minimum Interior Setback (3) (16)	5 ft (9)	10ft (9)	10 ft (9)	10 ft (9)	5 ft (7)	5 ft (7)	5 ft	5 ft	5 ft	5 ft (10)	5 ft (10)	5 ft (10)	5 ft (10)
Base Height (4)	40 ft	40 ft	40 ft	40 ft	35 ft	35 ft	35 ft (25)	35 ft 45 ft (14) (25)	35 ft 45 ft (14) (25)	60 ft	60 ft 80 ft (14)	60 ft 80 ft (14)	60 ft 80 ft (14)
Maximum Impervious Surface: Percentage (5)	25% (11) (19) (25)	20% (11) (19) (25)	15% (11) (24) (25)	12.5% (11) (19) (25)	30% (11)	30% (11)	35% (25)	70% (25)	75% (25)	85% (25)	85% (25)	85% (25)	90% (25)

B. Development conditions.

1. This maximum density may be achieved only through the application of residential density incentives in accordance with K.C.C. chapter 21A.34 or transfers of development rights in accordance with K.C.C. chapter 21A.37, or any combination of density incentive or density transfer. Maximum density may only be exceeded in accordance with K.C.C. 21A.34.040.F.1.g. and F.6.

2. Also see K.C.C. 21A.12.060.

3. These standards may be modified under the provisions for zero-lot-line and townhouse developments.

4. Height limits may be increased if portions of the structure that exceed the base height limit provide one additional foot of street and interior setback for each foot above the base height limit, but the maximum height may not exceed seventy-five feet. Netting or fencing and support structures for the netting or fencing used to contain golf balls in the operation of golf courses or golf driving ranges are exempt from the additional interior setback requirements but the maximum height shall not exceed seventy-five feet, except for large active recreation and multiuse parks, where the maximum height shall not exceed one hundred twenty-five feet, unless a golf ball trajectory study requires a higher fence.

5. Applies to each individual lot. Impervious surface area standards for:

a. Regional uses shall be established at the time of permit review;

b. Nonresidential uses in residential zones shall comply with K.C.C. 21A.12.120 and 21A.12.220;

c. Individual lots in the R-4 through R-6 zones that are less than nine thousand seventy-six square feet in area shall be subject to the applicable provisions of the nearest comparable R-6 or R-8 zone; and

d. A lot may be increased beyond the total amount permitted in this chapter subject to approval of a conditional use permit.



6. Mobile home parks shall be allowed a base density of six dwelling units per acre.

7. The standards of the R-4 zone apply if a lot is less than fifteen thousand square feet in area.

8. At least twenty linear feet of driveway shall be provided between any garage, carport or other fenced parking area and the street property line. The linear distance shall be measured along the center line of the driveway from the access point to such garage, carport or fenced area to the street property line.

9.a. Residences shall have a setback of at least one hundred feet from any property line adjoining A, M or F zones or existing extractive operations. However, residences on lots less than one hundred fifty feet in width adjoining A, M or F zones or existing extractive operations shall have a setback from the rear property line equal to fifty percent of the lot width and a setback from the side property equal to twenty-five percent of the lot width.

b. Except for residences along a property line adjoining A, M or F zones or existing extractive operations, lots between one acre and two and one-half acres in size shall conform to the requirements of the R-1 zone and lots under one acre shall conform to the requirements of the R-4 zone.

10.a. For developments consisting of three or more single-detached dwellings located on a single parcel, the setback shall be ten feet along any property line abutting R-1 through R-8, RA and UR zones, except for structures in on-site play areas required in K.C.C. 21A.14.190, which shall have a setback of five feet.

b. For townhouse and apartment development, the setback shall be twenty feet along any property line abutting R-1 through R-8, RA and UR zones, except for structures in on-site play areas required in K.C.C. 21A.14.190, which shall have a setback of five feet, unless the townhouse or apartment development is adjacent to property upon which an existing townhouse or apartment development is located.

11. Lots smaller than one-half acre in area shall comply with standards of the nearest comparable R-4 through R-8 zone. For lots that are one-half acre in area or larger, the maximum impervious surface area allowed shall be at least ten thousand square feet. On any lot over one acre in area, an additional five percent of the lot area may be used for buildings related to agricultural or forestry practices. For lots smaller than two

acres but larger than one-half acre, an additional ten percent of the lot area may be used for structures that are determined to be medically necessary, if the applicant submits with the permit application a notarized affidavit, conforming with K.C.C. 21A.32.170A.2.

12. For purposes of calculating minimum density, the applicant may request that the minimum density factor be modified based upon the weighted average slope of the net buildable area of the site in accordance with K.C.C. 21A.12.087.

13. The minimum lot area does not apply to lot clustering proposals as provided in K.C.C. chapter 21A.14.

14. The base height to be used only for projects as follows:

- a in R-6 and R-8 zones, a building with a footprint built on slopes exceeding a fifteen percent finished grade; and
- b. in R-18, R-24 and R-48 zones using residential density incentives and transfer of density credits in accordance with this title.

15. Density applies only to dwelling units and not to sleeping units.

16. Vehicle access points from garages, carports or fenced parking areas shall be set back from the property line on which a joint use driveway is located to provide a straight line length of at least twenty-six feet as measured from the center line of the garage, carport or fenced parking area, from the access point to the opposite side of the joint use driveway.

17.a. All subdivisions and short subdivisions in the R-1 zone shall be required to be clustered if the property is located within or contains:

- (1) a floodplain;
- (2) a critical aquifer recharge area;
- (3) a regionally or locally significant resource area;
- (4) existing or planned public parks or trails, or connections to such facilities;

(5) a category type S or F aquatic area or category I or II wetland;

(6) a steep slope; or

(7) an urban separator or wildlife habitat network designated by the Comprehensive Plan or a community plan.

b. The development shall be clustered away from critical areas or the axis of designated corridors such as urban separators or the wildlife habitat network to the extent possible and the open space shall be placed in a separate tract that includes at least fifty percent of the site. Open space tracts shall be permanent and shall be dedicated to a homeowner's association or other suitable organization, as determined by the director, and meet the requirements in K.C.C. 21A.14.040. On-site critical area and buffers and designated urban separators shall be placed within the open space tract to the extent possible. Passive recreation, with no development of recreational facilities, and natural-surface pedestrian and equestrian trails are acceptable uses within the open space tract.

18. See K.C.C. 21A.12.085.

19. All subdivisions and short subdivisions in R-1 and RA zones within the North Fork and Upper Issaquah Creek subbasins of the Issaquah Creek Basin (the North Fork and Upper Issaquah Creek subbasins are identified in the Issaquah Creek Basin and Nonpoint Action Plan) and the portion of the Grand Ridge subarea of the East Sammamish Community Planning Area that drains to Patterson Creek shall have a maximum impervious surface area of eight percent of the gross acreage of the plat. Distribution of the allowable impervious area among the platted lots shall be recorded on the face of the plat. Impervious surface of roads need not be counted towards the allowable impervious area. Where both lot- and plat-specific impervious limits apply, the more restrictive shall be required.

20. This density may only be achieved on RA 2.5 (~~and RA-5~~) zoned parcels receiving density from rural forest focus areas through ~~((the))~~ a transfer of density credit ~~((pilot program outlined in))~~ pursuant to K.C.C. chapter ~~((21A.55))21A.37.~~

21. Base density may be exceeded, if the property is located in a designated rural city urban growth area and each proposed lot contains an occupied legal residence that predates 1959.

22. The maximum density is four dwelling units per acre for properties zoned R-4 when located in the Rural Town of Fall City.

23. The minimum density requirement does not apply to properties located within the Rural Town of Fall City.

24. The impervious surface standards for the county fairground facility are established in the King County Fairgrounds Site Development Plan, Attachment A to Ordinance 14808 on file at the department of natural resources and parks and the department of development and environmental services. Modifications to that standard may be allowed provided the square footage does not exceed the approved impervious surface square footage established in the King County Fairgrounds Site Development Plan Environmental Checklist, dated September 21, 1999, Attachment B to Ordinance 14808, by more than ten percent.

25. For cottage housing developments only:

a. The base height is eighteen feet.

b. Buildings have pitched roofs with a minimum slope of six and twelve may extend up to twenty-five feet at the ridge of the roof.

26. Impervious surface does not include access easements serving neighboring property and driveways to the extent that they extend beyond the street setback due to location within an access panhandle or due to the application of King County Code requirements to locate features over which the applicant does not have control.

SECTION 7. Ordinance 10870, Section 351, as amended, and K.C.C. 21A.12.140 are each hereby amended to read as follows:

**Setbacks - from regional utility corridors.**

A. Except as otherwise provided in subsection B of this section, ~~((F))~~in subdivisions and short

subdivisions, areas used as regional utility corridors shall be contained in separate tracts.

B. For a subdivision or short subdivision:

1. Upon mutual agreement of the utility and applicant for the subdivision or short subdivision submitted at the time of application for the preliminary plat, the area of the regional utility corridor placed in a separate tract may be less than the entire utility right-of-way or easement. The agreement may be evidenced by correspondence between the utility and the applicant;

2. If the utility and applicant enter into an agreement under subsection B.1 of this section:

a. The location of the easement or right-of-way shall be shown on the face of the plat;

b. The applicant shall record on the title of all lots that extend into the right-of-way or easement a notice approved by the department that there is an easement or right-of-way for a regional utility corridor that may subject use of that area of the property to conditions established by the utility; and

c. The department shall include as conditions of plat approval the conditions on use of the area within the regional utility corridor included in the agreement between the utility and the applicant.

C. In ((other types of)) land development permits other than subdivisions or short subdivisions, easements shall be used to delineate regional utility corridors.

~~((C.))~~ D. All structures shall maintain a minimum distance of five feet from property or easement lines delineating the boundary of regional utility corridors, except for utility structures necessary to the operation of the regional utility corridor.

~~((D.))~~ E. Any structure designed for human occupancy, except for utility structures not normally occupied that are necessary for the operation of the pipeline or a minor communication facility, shall maintain a minimum distance of one hundred feet from a hazard liquid or gas transmission pipeline located within a regional utility corridor. The setback distance may be modified if the applicant demonstrates the following:

1. A one-hundred-foot setback would deny all reasonable use of the property; or
2. That the structure would be protected from radiant heat of an explosion by berming or other

physical barriers; or

3. That a one-hundred-foot setback would be impractical or unnecessary due to existing geographic features, streets, lot lines, or easements; or

4. That no other practical alternative exists to meet the demand for service; and

5. That the applicant will construct a hazardous liquid or gas transmission containment system or other mitigating actions if the county finds that leakage could accumulate within one hundred feet of the pipeline. Any containment system or other mitigating actions required by this section shall meet all applicable federal, state and local regulations.

SECTION 8. Ordinance 15032, Section 18 and K.C.C. 21A.14.025 are each hereby amended to read as follows:

**Cottage housing development.** For cottage housing developments in the R4-R8 zones:

A. The total area of the common open space must be at least two hundred and fifty square feet per unit and at least fifty percent of the units must be clustered around the common space.

B. The total floor area of each unit, including any enclosed parking, is limited to one thousand two hundred square feet. The footprint of each unit, including any enclosed parking, is limited to nine hundred square feet. A front or wraparound porch of up to one hundred square feet is permitted and is not to be included in the floor area or footprint calculation.

C. Fences within the cottage housing unit development are limited to three feet in height. Fences along the perimeter of the cottage housing development are limited to six feet.

D. Individual cottage housing units must be at least ten feet apart.

SECTION 9. Ordinance 10870, Section 562 and K.C.C. 21A.34.030 are each hereby amended to read as follows:

**Maximum densities permitted through residential density incentive review.**

A. Except as otherwise provided in subsection B. of this section, ((F))the maximum density permitted

through residential density incentive ("RDI") review shall be ~~((150))~~ one-hundred fifty percent of the base density of the underlying zone of the development site ~~((or 200 percent of the base density))~~.

B. The maximum density permitted through RDI review shall be two hundred percent of the base density of the underlying zone of the development site for the following RDI proposals ((with 100)):

1. For proposals where one-hundred percent of the units are affordable units; or
2. For cottage housing proposals.

SECTION 10. Ordinance 14190, Section 7, as amended, and K.C.C. 21A.37.050 are each hereby amended to read as follows:

**Transfer of development rights (TDR) program - development limitations.**

A. Following the transfer of residential development rights a sending site may subsequently accommodate remaining residential dwelling units, if any, on the buildable portion of the parcel or parcels or be subdivided, consistent with the zoned base density provisions of the density and dimensions tables in K.C.C. 21A.12.030 and 21A.12.040, the allowable dwelling unit calculations in K.C.C. 21A.12.070 and other King County development regulations. For sending sites zoned RA, the subdivision potential remaining after a density transfer may only be actualized through a clustered subdivision, short subdivision or binding site plan that creates a permanent preservation tract as large or larger than the portion of the subdivision set aside as lots. Within rural forest focus areas, resource use tracts shall be at least fifteen acres of contiguous forest land.

~~B. ((Residential and nonresidential uses on lots zoned R-1, RA, A and F shall be limited to a maximum of ten percent impacting impervious surface.~~

~~E.))~~ Only those nonresidential uses directly related to, and supportive of the criteria under which the site qualified are allowed on a sending site.

~~((D.))~~ C. The applicable limitations in this section shall be included in the sending site conservation easement.

SECTION 11. Ordinance 12823, Section 17, and K.C.C. 21A.38.220 are each hereby repealed.

SECTION 12. Ordinance 12823, Section 18, as amended, and K.C.C. 21A.38.230 are each hereby repealed.

SECTION 13. Retroactive application. Section 4 of this ordinance is remedial in nature and applies retroactively to an application for a development proposal deemed complete on or after October 11, 2004.