



Legislation Text

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Clerk 5/30/2007

AN ORDINANCE relating to implementing a recommendation from the 2005 rural economic strategies report; amending Ordinance 10870, Section 332, as amended, and K.C.C. 21A.08.050 and adding a new section to K.C.C. chapter 21A.06.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 10870, Section 332, as amended, and K.C.C. 21A.08.050 are each hereby amended to read as follows:

A. General services 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							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	R12-4	NB	CB	RB	O	I				
	PERS ONAL SERVICE:																
72	General Personal Service						C25	C25	P	P	P	P3	P3				
7216	Drycleaning Plants																P

7218	Industrial Laund erers													P
7261	Funera l Home/ Cremat ory					C4	C4	C4		P	P			
*	Cemet ery, Colum barium or Mauso leum					P24 31	P24 C5	P2 4 C5	P24 C	P24	P24	P24 C5	P24	
*	Day Care I	P6				P6	P6	P6	P	P	P	P	P7	P7
ltrow*	Day Care II					P8 C	P8 C	P8 C	P8 C	P	P	P	P7	P7
074	Veterin ary Clinic	P9				P9 C 31	P9 C10			P10	P10	P10		P
753	Autom otive Repair (1)									P11	P	P		P
754	Autom otive Servic e									P11	P	P		P
76	Miscel laneou s Repair	C33				P32 C	P32	P3 2	P32	P32	P	P		P
866	Church , Synag ogue, Temple					P12 31	P12 C	P1 2 C	P12 CP	P	P	P		
83	Social Servic es (2)					P12 31	P12 C13	P1 2 C1 3	P12 C13	P13	P	P	P	
*	Stable	P14 C				P14	P14 C	P 14 C						
0752	Anima l special ty service s					C P35	C			P	P	P	P	P
*	Kennel or Cattery	P9				C	C				C	P		
*	Theatri cal Produc tion Servic es										P30	P28		
*	Artist Studio s					P28	P28	P2 8	P28	P	P	P	P29	P
*	Interim Recycl ing Facilit y					P21	P21	P2 1	P21	P22	P22	P	P21	P
*	Dog trainin g facility	C34				C34	C34			P	P	P		P

	HEALTH SERVICES:												
801-04	Office/Outpatient Clinic				P12	CP12 C13	P12	CP13	P	P	P	P	P
805	Nursing and Personal Care Facilities							C	P	P			
806	Hospital							C13	P	P	C		
807	Medical/Dental Lab								P	P	P	P	
808-09	Miscellaneous Health								P	P	P		
	EDUCATION SERVICES:												
*	Elementary School				P15	aP	P	P		P16c	P16c	P16c	
*	Middle/Junior High School				P16	CP31	P	P		P16c	P16c	P16c	
*	Secondary or High School				P16	CP26 and	P26	P26		P16c C	P16c C	P16c	
*	Vocational School				P13	CP13 C	P13	CP13 C		P	P17	P	
*	Specialized Instruction School		P18		P19	CP19 C20 and 31	P19	CP20	P	P	P17	P	
*	School District Support Facility				P16	CP23 C((€)231	P23	CC	P	P	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. 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 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 nonresidential 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 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 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.

35. Limited to animal rescue shelters and provided that:

a. the property shall be at least four acres;

b. buildings used to house rescued animals shall be no less than fifty feet from property lines;

c. outdoor animal enclosure areas shall be located no less than thirty feet from property lines and shall be fenced in a manner sufficient to contain the animals;

d. the facility shall be operated by a nonprofit organization registered under the Internal Revenue Code as a 501(c)(3) organization; and

e. the facility shall maintain normal hours of operation no earlier than 7 a.m. and no later than 7 p.m.

36. Limited to kennel-free dog boarding and daycare facilities, and:

a. the property shall be at least five acres;

b. buildings housing dogs shall be no less than seventy-five feet from property lines;

c. outdoor exercise areas shall be located no less than thirty feet from property lines and shall be fenced in a manner sufficient to contain the dogs;

d. the number of dogs allowed shall be limited to twenty-five, consistent with the provisions for hobby kennels as outline in K.C.C. 11.04.060.B;

e. training and grooming are ancillary services which may be provided only to dogs staying at the facility;

f. the facility shall maintain normal hours of operation no earlier than 7 a.m. and no later than 7 p.m.;

and

g. no new facility shall be permitted to be established after one year from the effective date of this ordinance.

SECTION 2. Pursuant to K.C.C. 20.44.080, the metropolitan King County council finds that the

requirements for environmental analysis, protections and mitigation measures in the chapter of K.C.C. Title 21A amended by this ordinance provide adequate analysis of and mitigation for the specific adverse environmental impacts to which the requirements apply.

NEW SECTION. SECTION 3. There is added to K.C.C. chapter 21A.06 a new section to read as follows:

Kennel-free dog boarding and daycare: Dog boarding or daycare facility that utilizes rooms or outdoor exercise area, rather than cages or cement floored runs, to allow for and encourage the socialization, interaction and exercise of dogs.

SECTION 4. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.