



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

September 28, 2004

Ordinance 15032

Proposed No. 2004-0118.3

Sponsors Constantine, Edmonds and Phillips

1 AN ORDINANCE relating to zoning; amending Ordinance
2 10870, Section 48, and K.C.C. 21A.06.040, Ordinance
3 10870, Section 168, and K.C.C. 21A.06.640, Ordinance
4 10870, Section 280, and K.C.C. 21A.06.1200, Ordinance
5 10870, Section 330, as amended, and K.C.C. 21A.08.030,
6 Ordinance 10870, Section 331, as amended, and K.C.C.
7 21A.08.040, Ordinance 10870, Section 332, as amended,
8 and K.C.C. 21A.08.050, Ordinance 10870, Section 333, as
9 amended, and K.C.C. 21A.08.060, Ordinance 10870,
10 Section 334, as amended, and K.C.C. 21A.08.070,
11 Ordinance 10870, Section 335, as amended, and K.C.C.
12 21A.08.080, Ordinance 10870, Section 336, as amended,
13 and K.C.C. 21A.08.090, Ordinance 10870, Section 340, as
14 amended, and K.C.C. 21A.12.030, Ordinance 10870,
15 Section 364, as amended, and K.C.C. 21A.14.040,
16 Ordinance 10870, Section 365, and K.C.C. 21A.14.050,
17 Ordinance 10870, Section 388, as amended, and K.C.C.

18 21A.16.030, Ordinance 10870, Section 406, as amended,
19 and K.C.C. 21A.18.020, Ordinance 10870, Section 439, as
20 amended, and K.C.C. 21A.22.010, Ordinance 10870,
21 Section 440, and K.C.C. 21A.22.020, Ordinance 10870,
22 Section 441, and K.C.C. 21A.22.030, Ordinance 10870,
23 Section 442, and K.C.C. 21A.22.040, Ordinance 10870,
24 Section 443, and K.C.C. 21A.22.050, Ordinance 10870,
25 Section 444, as amended, and K.C.C. 21A.22.060,
26 Ordinance 10870, Section 445, as amended, and K.C.C.
27 21A.22.070, Ordinance 1488, Section 12, as amended, and
28 K.C.C. 16.82.110, Ordinance 10870, Section 447, as
29 amended, and K.C.C. 21A.22.090, Ordinance 10870,
30 Section 514, and K.C.C. 21A.28.040, Ordinance 10870,
31 Section 536, as amended, and K.C.C. 21A.30.080,
32 Ordinance 10870, Section 563, as amended, and K.C.C.
33 21A.34.040, Ordinance 13724, Section 1, as amended, and
34 K.C.C. 21A.37.010, Ordinance 13724, Section 4, as
35 amended, and K.C.C. 21A.37.020, Ordinance 13724,
36 Section 5, as amended, and K.C.C. 21A.37.030, Ordinance
37 13724, Section 6, as amended, and K.C.C. 21A.37.040,
38 Ordinance 14190, Section 7, and K.C.C. 21A.37.050,
39 Ordinance 14190, Section 8, and K.C.C. 21A.37.060,
40 Ordinance 13274, Section 7, as amended, and K.C.C.

41 21A.37.070, Ordinance 13274, Section 8, as amended, and
42 K.C.C. 21A.37.080, Ordinance 13733, Section 10, as
43 amended, and K.C.C. 21A.37.110, Ordinance 13733,
44 Section 12, as amended, and K.C.C. 21A.37.130,
45 Ordinance 13733, Section 15, as amended, and K.C.C.
46 21A.37.160 and Ordinance 12823, Section 8, and K.C.C.
47 21A.38.130, and Ordinance 10870, Section 625, as
48 amended, and K.C.C. 21A.44.040, adding new sections to
49 K.C.C. chapter 21.06, adding a new section to K.C.C.
50 chapter 21A.14, adding new sections to K.C.C. chapter
51 21A.22, recodifying K.C.C.16.82.110 and repealing
52 Ordinance 14807, Section 2, and K.C.C. 21A.06.041 and
53 Ordinance 10870, Section 446, as amended, and K.C.C.
54 21A.22.080.

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56

57 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

58 SECTION 1. Ordinance 10870, Section 48, and K.C.C. 21A.06.040 are each
59 hereby amended to read as follows:

60 **Agricultural product sales.** Agricultural product sales: the retail sale of items
61 resulting ~~((farm))~~ from the practice of agriculture, including ~~((crops))~~ primary
62 horticulture products such as fruits, vegetables, grains, seed, feed~~((;))~~ and plants, ~~((or))~~
63 primary animal products such as eggs, milk~~((;))~~ and meat, or secondary and value added

64 products resulting from processing, sorting or packaging of primary agricultural products
65 such as jams, cheeses, dried herbs or similar items.

66 SECTION 2. Ordinance 14807, Section 2, and K.C.C. 21A.06.041 are each
67 hereby repealed.

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

70 **Dog training facility.** Dog training facility: a place for the training of dogs for
71 discipline, agility, and other purposes.

72 NEW SECTION. SECTION 4. There is hereby added to K.C.C. 21.06 a new
73 section to read as follows:

74 **Dwelling unit, cottage housing.** Dwelling unit, cottage housing: a detached
75 single-family dwelling unit located on a commonly owned parcel with common open
76 space.

77 SECTION 5. Ordinance 10870, Section 168, and K.C.C. 21A.06.640 are each
78 hereby amended to read as follows:

79 **Interim recycling facility.** Interim recycling facility: a site or establishment
80 engaged in collection or treatment of recyclable materials, which is not the final disposal
81 site, and including:

82 A. Drop boxes; and

83 B. ~~((Source separated, organic waste processing facilities; and~~

84 C.)) Collection, separation and shipment of glass, metal, paper or other
85 recyclables.

86 NEW SECTION. SECTION 6. There is hereby added to K.C.C. 21A.06 a new
87 section to read as follows:

88 **Materials processing facility.** Materials processing facility: a site or
89 establishment, not accessory to a mineral extraction or sawmill use, that is primarily
90 engaged in crushing, grinding, pulverizing or otherwise preparing earth materials,
91 vegetation, organic waste, construction and demolition materials or source separated
92 organic materials and that is not the final disposal site.

93 NEW SECTION. SECTION 7. There is hereby added to K.C.C. 21A.06 a new
94 section to read as follows:

95 **Processing operation, waste materials.** Processing operation waste materials: a
96 site or establishment, accessory to mineral extraction or sawmill use, that is primarily
97 engaged in crushing, grinding, pulverizing or otherwise preparing earth materials,
98 vegetation, organic waste, construction and demolition materials or recycled and source
99 separated nonhazardous waste materials and that is not the final disposal site.

100 NEW SECTION. SECTION 8. There is hereby added to K.C.C. 21A.06 a new
101 section to read as follows:

102 **Puget Sound counties.** Puget Sound counties: the twelve counties that border
103 the waters of Puget Sound.

104 SECTION 9. Ordinance 10870, Section 280, and K.C.C. 21A.06.1200 are each
105 hereby amended to read as follows:

106 **Specialized instruction school.** Specialized instruction school: establishments
107 engaged in providing specialized instruction in a designated field of study, rather than a full
108 range of courses in unrelated areas; including, but not limited to:

- 109 A. Art;
- 110 B. Dance;
- 111 C. Music;
- 112 D. Cooking; and
- 113 E. Driving(~~;~~and
- 114 ~~F. Pet obedience training~~)).

115 SECTION 10. Ordinance 10870, Section 330, as amended, and K.C.C.

116 21A.08.030 are each hereby amended to read as follows:

117 **Residential land uses.**

- 118 A. 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		R	R	N	R	B S	B	S	I S	M S	G S	F	D	
		Z	I	E	E	A	A	I	H I	M I	I I	I	U	
		O	C	S	R	L	N R	N	D	G N	E N	O N	C S	
		N	U	T	A		V		E	B E	R E	N E	E	T
		E	L		L		E		N	O S	C S	A S		R
			T						T	R S	I S	L S		I
			U						I	H	A			A
			R						A	O	L			L
			E						L	O				
										D				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R1-48	NB	CB	RB	O	I	
	DWELLING UNITS, TYPES:													
*	Single Detached	P C13	P2		P C13	P C13	P C13	P C13						
*	Townhouse				C4	C4	P C12	P	P3	P3	P3	P3		
*	Apartment				C4	C4	P5 C4	P	P3	P3	P3	P3		
*	Mobile Home Park				S14		C8	P						
* -	<u>Cottage Housing</u>						C16							
	GROUP RESIDENCES													
*	Community Residential Facility-I				C	C	P15 C	P	P3	P3	P3	P3		

Ordinance 15032

*	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					
	TEMPORARY LODGING:											
7011	Hotel/Motel (1)								P	P	P	
*	Bed and Breakfast Guesthouse	P9 C10			P10	P10	P10	P10	P10	P11	P11	
7041	Organization Hotel/Lodging Houses										P	
GENERAL CROSS		Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070;										
REFERENCES:		Development Standards, see K.C.C. <u>chapters</u> 21A.12 through 21A.30; General Provisions, see K.C.C. <u>chapters</u> 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. <u>chapters</u> 21A.40 through 21A.44; (*) Definition of this specific land use, see K.C.C. <u>chapter</u> 21A.06.										

120

B. Development conditions.

121

1. Except bed and breakfast guesthouses.

122

2. In the forest production district, the following conditions apply:

123 a. Site disturbance associated with development of any new residence shall be
124 limited to three acres. Site disturbance shall mean all land alterations including, but not
125 limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage
126 disposal systems(~~(s)~~) and driveways. Additional site disturbance for raising livestock, up
127 to the smaller of thirty-five percent of the lot or seven acres, may be approved (~~provided~~
128 ~~that~~) only if a farm management (conservation) plan is prepared (~~pursuant to the~~
129 ~~requirements of~~) in accordance with K.C.C. chapter 21A.30. Animal densities shall be
130 based on the area devoted to animal care and not the total area of the lot;

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

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

141 3. Only as part of a mixed use development subject to the conditions of K.C.C.
142 chapter 21A.14, except that in the NB zone on properties with a land use designation of
143 commercial outside of center (CO) in the urban areas, stand-alone townhouse
144 developments are permitted subject to K.C.C. 21A.12.040, 21A.030, 21A.14.060 and
145 21A.14.180.

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

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

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

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

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

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

160 5. Apartment units are permitted outright as follows:

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

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

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

- 169 7.a. Accessory dwelling units:
- 170 (1) only one accessory dwelling per primary single detached dwelling unit;
- 171 (2) only in the same building as the primary dwelling unit on an urban lot that
- 172 is less than ten thousand square feet in area, on a rural lot that is less than the minimum
- 173 lot size, or on a lot containing more than one primary dwelling;
- 174 (3) ~~((t))~~The primary dwelling unit or the accessory dwelling unit shall be
- 175 owner occupied;
- 176 (4)(a) ~~((e))~~One of the dwelling units shall not exceed a floor area of one
- 177 thousand square feet except when one of the dwelling units is wholly contained within a
- 178 basement or attic, and
- 179 (b) ~~((w))~~When the primary and accessory dwelling units are located in the
- 180 same building, only one entrance may be located on each street side of the building;
- 181 (5) ~~((e))~~One additional off-street parking space shall be provided;
- 182 (6) ~~((t))~~The accessory dwelling unit shall be converted to another permitted
- 183 use or shall be removed if one of the dwelling units ceases to be owner occupied; and
- 184 (7) ~~((a))~~An applicant seeking to build an accessory dwelling unit shall file a
- 185 notice approved by the department of executive services, records, elections and licensing
- 186 services division, which identifies the dwelling unit as accessory. The notice shall run
- 187 with the land. The applicant shall submit proof that the notice was filed before the
- 188 department shall approve any permit for the construction of the accessory dwelling unit.
- 189 The required contents and form of the notice shall be set forth in administrative rules. If
- 190 an accessory dwelling unit in a detached building in the ~~((R))~~rural zone is subsequently
- 191 converted to a primary unit on a separate lot, neither the original lot or the new lot may

192 have an additional detached accessory dwelling unit constructed unless the lot is at least
193 twice the minimum lot area required in the zone.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

223 13. Required before approving more than one dwelling on individual lots,
224 except on lots in subdivisions, short subdivisions or binding site plans approved for
225 multiple unit lots, and except as provided for accessory dwelling units in K.C.C.
226 21A.08.030B.7.

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

228 15. Limited to domestic violence shelter facilities.

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

230 a. developments no larger than one acre;

231 b. not adjacent to another cottage housing development such that the total

232 combined land area of the cottage housing developments exceeds one acre; and

233 c. All units must be cottage housing units with no less than three units and no

234 more than sixteen units, provided that if the site contains an existing home that is not

235 being demolished, the existing house is not required to comply with the height limitation

236 in subsection B.25. of this section or the floor area and footprint limits in section 18.B. of

237 this ordinance.

238 SECTION 11. Ordinance 10870, Section 331, as amended, and K.C.C.

239 21A.08.040 are each hereby amended to read as follows:

240 **Recreational/cultural land uses.**

241 A. Recreational/cultural land uses.

KEY		RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL								
P – Permitted Use	Z O N U T E L T U R 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	H	I	M	I	I	I	I	U
		C	S	R	L	N	R	N	D	G	N	E	N	O	N	C	S
		U	T	A		V			E	B	E	R	E	N	E	E	T
		L		L		E			N	O	S	C	S	A	S		R
									T	R	S	I	S	L	S		I
									I	H	A						A
									A	O	L						L
									L	O							
										D							
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R1-48	NB	CB	RB	O	I				
	PARK/ RECREATION:																
*	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 C16 a	P16	P16 C16 a	P16 C16 a							P16 C16				

Ordinance 15032

*	Destination Resorts		S		S18	C					C		
*	Marina		C3		C4	C4	C4	C4	P5	P	P	P	P
*	Recreational Vehicle Park		P19	P19	C2, 18 P19	C2 P19							
*	Sports Club (17)				C4, 18	C4	C4	C4	C	P	P		
*	Ski Area		S		S18								
	AMUSEMENT/ ENTERTAINMENT												
*	Adult Entertainment Business									P6	P6	P6	
*	Theater									P	P	P	
7833	Theater, Drive-in										C		
793	Bowling Center									P	P		P
*	Golf Facility				C7, 18	P7	P7	P7					
7999 (14)	Amusement and Recreation Services		P21	P21	P8, 21, C15, 18	P8, 21, 22 C15	P8, 21, 22 C15	P8, 21, 22 C15	P21, 22	P	P	P21	P21
*	Shooting Range		C9		C9, 18						C10		P10
*	Amusement Arcades									P	P		
7996	Amusement Park										C		
*	Outdoor Performance Center		S		C12 S18		P20	P20			S		
	CULTURAL:												
823	Library				P11	P11 C	P11 C	P11 C	P	P	P	P	

Ordinance 15032

841	Museum	C2 3	C23		P11	P11 C	P11 C	P11 C	P	P	P	P	P
842	Arboretum	P	P		P	P	P	P	P	P	P	P	
*	Conference Center				P11 C12	P11 C12	P11 C	P11 C	P		P	P	

GENERAL CROSS Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070;

REFERENCES: Development Standards, see K.C.C. chapters 21A.12 through 21A.30;
 General Provisions, see K.C.C. chapters 21A.32 through 21A.38;
 Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44;
 (*) Definition of this specific land use, see K.C.C. chapter 21A.06.

- 242 B. Development conditions.
- 243 1. The following conditions and limitations shall apply, where appropriate:
- 244 a. ~~((N))~~no stadiums on sites less than ten acres;
- 245 b. Lighting for structures and fields shall be directed away from residential
- 246 areas;
- 247 c. Structures or service yards shall maintain a minimum distance of fifty feet
- 248 from property lines adjoining residential zones, except for structures in on-site recreation
- 249 areas required in K.C.C. 21A.14.180 and 21A.14.190. Setback requirements for
- 250 structures in these on-site required recreation areas shall be maintained in accordance
- 251 with K.C.C. 21A.12.030;
- 252 d. Facilities in the A zone shall be limited to trails and trailheads, including
- 253 related accessory uses such as parking and sanitary facilities; and
- 254 e. Overnight camping is allowed only in an approved campground.
- 255 2. Recreational vehicle parks are subject to the following conditions and
- 256 limitations:

