



King County

Dow Constantine

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August 14, 2012

Councilmember Larry Phillips
Chair, Transportation, Economy, and Environment Committee
King County Council
Room 1200
C O U R T H O U S E

Dear Councilmember Phillips:

I am pleased to send you three additional policies for review and consideration as part of the 2012 King County Comprehensive Plan (KCCP) update currently underway in the Transportation, Economy, and Environment (TrEE) Committee. These policies, along with supporting text, implement the recommendations of the School Siting Task Force, which was convened at the request of the Growth Management Planning Council (GMPC) in December, 2011.

Also attached to this letter are proposed King County Code amendments that implement Task Force recommendations by requiring future schools to be sited in cities or in Rural Towns. The code amendments would allow existing elementary, middle, junior high and high schools in the rural area to remodel or expand as needed. They would also allow changes in use between school types, but would not allow new high schools in the RA (rural area) zones outside of Rural Towns. Provisions governing existing or future schools in urban areas are not affected.

All of these policies and the code amendments were negotiated with the King County Schools Coalition, and have been shared with key members of the School Siting Task Force. I respectfully request that the TrEE Committee adopt these amendments and send them to the full Council as part of its recommendations on the KCCP.

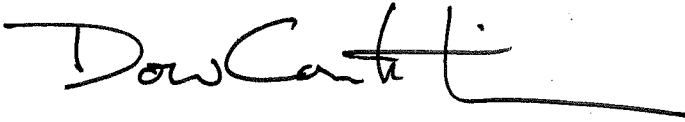
For the purpose of providing historical context, I further recommend that the School Siting Task Force report be added as an appendix to the Comprehensive Plan, as the GMPC did with the Countywide Planning Policies. The full report and recommendations of the School Siting Task Force can be found on the County's website at the following location:

<http://www.kingcounty.gov/exec/constantine/SchoolSitingTaskForce.aspx>

The Honorable Larry Phillips
August 14, 2012
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Thank you for your consideration of these proposed KCCP policies and code amendments. If you have any questions about this proposal, please have your staff contact Carrie S. Cihak, Chief Advisor Policy and Strategic Initiatives, at 206-263-9634.

Sincerely,

A handwritten signature in black ink that reads "Dow Constantine". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Dow Constantine
King County Executive

Enclosures

cc: King County Councilmembers
ATTN: Michael Woywod, Chief of Staff
Mark Melroy, Senior Principal Legislative Analyst, BFM Committee
Kendall Moore, Comprehensive Plan Manager, TrEE Committee
Anne Noris, Clerk of the Council
Carrie S. Cihak, Chief Advisor Policy and Strategic Initiatives, King County
Executive Office
Lauren Smith, Executive Land Use Policy Advisor
John Starbard, Director, Department of Development and Environmental Services
ATTN: Paul Reitenbach, Comprehensive Plan Manager

The following amendments are to the Executive-Recommended 2012 Comprehensive Plan Update:

On page 3-28, after “D. Nonresidential uses” and before “Although”, insert the following new text:

VISION 2040 calls for a full range of urban services in the Urban Growth Area to support the Regional Growth Strategy, and for limiting the availability of services in the rural area. In the long term, there is increased efficiency and cost effectiveness in siting and operating facilities and services that serve a primarily urban population within the urban growth area. At the same time, those facilities and services that primarily benefit rural populations provide a greater benefit when they are located within neighboring cities and rural towns.

On page 3-28, after policy R-324 and before policy R-325, amend the text as follows:

In 2011, a School Siting Task Force was convened at the request of the Growth Management Planning Council to examine the issue of siting schools in rural areas, including whether they may be served by sewers. The Task Force examined undeveloped rural properties owned by school districts and made recommendations as to their use or disposition. In its final report, the Task Force recommended that all future school siting be consistent with the policies in VISION 2040. ((The service area of most schools in the Rural Area is large and relatively sparsely populated)). Placing schools in ((rural)) cities in the rural area or in Rural Towns reduces transportation and environmental impacts, protects rural character, allows ((them)) schools to be served with urban-level utilities and fire protection and to be used efficiently for other community activities.

On page 3-28, amend policy R-325 as follows, and insert a new policy R-325a:

R-325 ~~((In the Rural Area, elementary))~~ Except as provided in R-325a:
a. ~~((s))~~ Schools, institutions, and community facilities and services primarily serving rural residents ((may locate where required to serve neighborhoods)) shall be located in neighboring cities and rural towns; and
b. ~~((s))~~ Schools, institutions, and community facilities and services primarily serving urban residents shall be located within the UGA. ((New middle/junior high schools and high schools and school facilities are encouraged to locate in rural cities or unincorporated Rural Towns. In reviewing proposals for middle/junior high and high schools and school facilities outside rural cities or Rural Towns, King County should ensure that any approved project will not stimulate local demand for urban-level services. In order to support the availability of public facilities and services for educational purposes, public schools and public school facilities may exceed nonresidential development standards as provided for by county code, shall comply at a minimum with applicable surface water design manual standards and may be provided with public sewer services in accordance with F-249.))

R-325a Consistent with the recommendations of the School Siting Task Force, included as Appendix XX, in the Rural Area:
a. An existing elementary, middle, or junior high school may be modified or expanded but shall not be converted to a high school;
b. An existing high school may be modified or expanded or converted to an elementary, middle, or junior high school;

- c. The following sites may develop as new schools:**
 - 1. Snoqualmie Valley 1: parcel number 1823099046**
 - 2. Lake Washington 4: parcel number 0825069008**
- d. Tahoma 1: parcel number 2622069047 may develop as a new school only if no alternative site can be located within the UGA**
- e. Lake Washington 2: parcel numbers 3326069010 and 3326069009 may develop as a new school only if no alternative site can be located, and only after being incorporated into the UGA**
- f. Enumclaw A and D: the rural portions of parcel numbers 2321069065, 2321069064, 2321069063, and 2321069062 may develop as ballfields or recreational playfields only, for a school located on the urban portions of the parcels.**

On page 8-25, insert the following new policy F-249:

- F-249** **Except as otherwise provided for in this policy, public sewer service shall be prohibited in the Rural Area or on Natural Resource Lands.**
- a. Public sewer service may be expanded to the Rural Area or to Natural Resource Lands, only:**
 - 1. where needed to address specific health and safety problems threatening the use of existing structures; or**
 - 2. to serve a new school authorized to be located in the Rural Area by R-325a.**
 - b. Public sewers may be extended, pursuant to this policy, only if they are tightlined and only after a finding is made by King County that no reasonable alternative technologies are feasible.**
 - c. Public sewers that are allowed in the Rural Area or on Natural Resource Lands pursuant to this policy shall not be used to convert Rural Area land or Natural Resource Lands to urban uses and densities or to expand permitted nonresidential uses.**

1 SECTION 1. Ordinance 11616, Section 11, as amended, and K.C.C. 13.24.134 are each
2 hereby amended to read as follows:

3 A. Except as otherwise provided in this subsection B. of this section, sewer service is
4 prohibited in the rural and natural resource areas.

5 B. Sewer service (~~(shall)~~) may be expanded to serve uses in the rural and natural
6 resource areas only if:

7 1. (~~(†)~~)The facilities are:

8 (~~(†)~~) a. Needed to address:

9 (~~(a-)~~) i. Specific health and safety problems threatening the (~~(existing uses)~~) use of
10 existing structures; or

11 (~~(b. The needs of public school systems with design daily average flows of more than~~
12 ~~three thousand five hundred gallons per day; and)~~) ii. To serve a new school authorized to be
13 located in the RA zone by King County comprehensive plan policy R-325a; and

14 (~~(2-)~~) b. Tightlined; and

15 (~~(3-)~~) 2. A finding is made by the utilities technical review committee that no cost-
16 effective alternative technologies are feasible (~~(and that an on-site sewer disposal system for the~~
17 ~~public school or public school facility would not protect basic public health, safety, and the~~
18 ~~environment during the use of this site for a school or school facility)).~~

19 B. Decisions on sewer service expansions in rural or resource areas shall be made by
20 King County in the form of approval of a sewer comprehensive plan or approval of an
21 amendment to a sewer comprehensive plan.

22 SECTION 2. Ordinance 12196, Section 11, as amended, and K.C.C. 20.20.040 are each
23 hereby amended to read as follows:

24 A. The department shall not commence review of any application as provided in this
25 chapter until the applicant has submitted the materials and fees specified for complete
26 applications. Applications for land use permits requiring Type 1, 2, 3 or 4 decisions shall be
27 considered complete as of the date of submittal upon determination by the department that the
28 materials submitted meet the requirements of this section. Except as provided in K.C.C.
29 20.20.040.B, all land use permit applications described in K.C.C. 20.20.020 Exhibit A shall
30 include the following:

31 1. An application form provided by the department and completed by the applicant that
32 allows the applicant to file a single application form for all land use permits requested by the
33 applicant for the development proposal at the time the application is filed;

34 2. Designation of who the applicant is, except that this designation shall not be required
35 as part of a complete application for purposes of this section when a public agency or public or
36 private utility is applying for a permit for property on which the agency or utility does not own
37 an easement or right-of-way and the following three requirements are met:

38 a. the name of the agency or private or public utility is shown on the application as the
39 applicant;

40 b. the agency or private or public utility includes in the complete application an
41 affidavit declaring that notice of the pending application has been given to all owners of property
42 to which the application applies, on a form provided by the department; and

43 c. the form designating who the applicant is submitted to the department before permit
44 approval;

45 3.a. A certificate of sewer availability or site design approval for an on-site sewage
46 system by the Seattle-King County department of public health, as required by the King County
47 board of health code title 13: or

48 b. If allowed under K.C.C. 13.24.134B and King County comprehensive plan policy R-
49 325a for ((public)) a school((s and public schools facilities)) located ((in rural areas, a finding by
50 King County that no cost-effective alternative technologies are feasible)) on a RA zoned site, a
51 certificate of sewer availability, and a letter from the sewer utility indicating compliance with the
52 tightline sewer provisions in the zoning code, as required by K.C.C. chapter 13.24;

53 4. If the development proposal requires a source of potable water, a current certificate
54 of water availability consistent with K.C.C. chapter 13.24 or documentation of an approved well
55 by the Seattle-King County department of public health;

56 5. A fire district receipt pursuant to K.C.C. Title 17, if required by K.C.C. chapter
57 21A.40;

58 6. A site plan, prepared in a form prescribed by the director;

59 7. Proof that the lot or lots to be developed are recognized as a lot under K.C.C. Title
60 19A;

61 8. A critical areas affidavit, if required by K.C.C. chapter 21A.24;

62 9. A completed environmental checklist, if required by K.C.C. chapter 20.44;

63 10. Payment of any development permit review fees, excluding impact fees collectible
64 pursuant to K.C.C. Title 27;

65 11. A list of any permits or decisions applicable to the development proposal that have
66 been obtained before filing the application or that are pending before the county or any other
67 governmental entity;

68 12. Certificate of transportation concurrency from the department of transportation if
69 required by K.C.C. chapter 14.70. The certificate of transportation concurrency may be for less
70 than the total number of lots proposed by a preliminary plat application only if:

71 a. at least seventy-five percent of the lots proposed have a certificate of transportation
72 concurrency at the time of application for the preliminary plat;

73 b. a certificate of transportation concurrency is provided for any remaining lots
74 proposed for the preliminary plat application before the expiration of the preliminary plat and
75 final recording of the additional lots; and

76 c. the applicant signs a statement that the applicant assumes the risk that the remaining
77 lots proposed might not be granted.

78 13. Certificate of future connection from the appropriate purveyor for lots located
79 within the urban growth area that are proposed to be served by on-site or community sewage
80 system and group B water systems or private well, if required by K.C.C. 13.24.136 through
81 13.24.140;

82 14. A determination if drainage review applies to the project pursuant to K.C.C. chapter
83 9.04 and, if applicable, all drainage plans and documentation required by the Surface Water
84 Design Manual adopted pursuant to K.C.C. chapter 9.04;

85 15. Current assessor's maps and a list of tax parcels to which public notice must be
86 given as provided in this chapter, for land use permits requiring a Type 2, 3 or 4 decision;

87 16. Legal description of the site;

88 17. Variances obtained or required under K.C.C. Title 21A to the extent known at the
89 date of application; and

90 18. For site development permits only, a phasing plan and a time schedule, if the site is
91 intended to be developed in phases or if all building permits will not be submitted within three
92 years. B. A permit application is complete for purposes of this section when it meets the
93 procedural submission requirements of the department and is sufficient for continued processing
94 even though additional information may be required or project modifications may be undertaken
95 subsequently. The determination of completeness shall not preclude the department from
96 requesting additional information or studies either at the time of notice of completeness or
97 subsequently if new or additional information is required or substantial changes in the proposed
98 action occur, as determined by the department.

99 C. Additional complete application requirements for the following land use permits are
100 in the following sections of the King County Code:

- 101 1. Clearing and grading permits, K.C.C. 16.82.060.
- 102 2. Construction permits, K.C.C. 16.04.052.
- 103 3. Mobile home permits, K.C.C. 16.04.093.
- 104 4. Subdivision applications, short subdivision applications and binding site plan
105 applications, K.C.C. 19A.08.150.

106 D. The director may specify the requirements of the site plan required to be submitted
107 for various permits and may waive any of the specific submittal requirements listed herein that
108 are determined to be unnecessary for review of an application.

109 E. The applicant shall attest by written oath to the accuracy of all information submitted
110 for an application.

111 F. Applications shall be accompanied by the payment of the applicable filing fees, if any,
112 as established by K.C.C. Title 27.

113 SECTION 3. Ordinance 10870, Section 332, as amended, and K.C.C. 21A.08.050 are

114 each hereby amended to read as follows:

115 A. General services land uses.

KEY		RESOURCE			R U R A L	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	A	E		N		O	S	I	S	A	S		R
	T				R			T		R	S	T	S	L	S		I
	U				E			I		H		Y					A
	R				A			A		O							L
	E							L		D							
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48		NB	CB	RB	O	I			
	PERSONAL SERVICES:																
72	General Personal Service						C25 C37	C25 ((C37)) C37		P	P	P	P3	P3			
7216	Drycleaning Plants																P
7218	Industrial Launderers																P
7261	Funeral Home/Crematory					C4	C4	C4			P	P					

*	Cemetery, Columbarium or Mausoleum				P24 C5 and 31	P24 C5	P24 C5	P24 C5	P24	P24	P24 C5	P24	
*	Day Care I	P6			P6	P6	P6	P	P	P	P	P7	P7
*	Day Care II				P8 C	P8 C	P8 C	P8 C	P	P	P	P7	P7
074	Veterinary Clinic	P9			P9 C10 and 31	P9 C10			P10	P10	P10		P
753	Automotive Repair (1)								P11	P	P		P
754	Automotive Service								P11	P	P		P
76	Miscellaneous Repair	P33			P32 P33	P32	P32	P32	P32	P	P		P
866	Church, Synagogue, Temple				P12 C27 and 31	P12 C	P12 C	P12 C	P	P	P	P	
83	Social Services (2)				P12 P13 C31	P12 P13 C	P12 P13 C	P12 P13 C	P	P	P	P	
0752	Animal specialty services				C P35 P36	C			P	P	P	P	P
*	Stable	P14 C			P14 C31	P14 C	P 14 C						
*	Kennel or Cattery	P9			C	C				C	P		
*	Theatrical Production									P30	P28		

	Services												
*	Artist Studios				P28	P28	P28	P28	P	P	P	P29	P
*	Interim Recycling Facility				P21	P21	P21	P21	P22	P22	P	P21	P
*	Dog training facility	C34			C34	C34			P	P	P		P
	HEALTH SERVICES:												
801-04	Office/Outpatient Clinic				P12 C 13a	P12 C13a	P12 C13 a C37	P12 C13a C37	P	P	P	P	P
805	Nursing and Personal Care Facilities						C			P	P		
806	Hospital						C13 a	C13a		P	P	C	
807	Medical/Dental Lab									P	P	P	P
808-09	Miscellaneous Health									P	P	P	
	EDUCATION SERVICES:												
*	Elementary School				((P15 and 34)) <u>P39</u> <u>P40</u>						P16((e)) <u>P40</u>	P16(e)) <u>P40</u>	P16(e)) <u>P40</u>
*	Middle/Junior High School				((P16 C15)) <u>P40</u> <u>C39</u> and 31						P16((e)) <u>C40</u>	P16(e)) <u>C40</u>	P16(e)) <u>C40</u>

*	Secondary or High School				((P16 C15 and 26)) C39 and 31	P26	P26	P26			P16((e)) C15	P16((e)) C15	P16((e))	
*	Vocational School				((P13 a C34))	P13a C	P13a C	P13a C				P15	P17	P
*	Specialized Instruction School				P19 C20 and 31	P19 C20	P19 C20	P19 C20	P	P	P	P17		P 38
*	School District Support Facility				((P16 C15 and 23 and 34))	P23 C	P23 C	P23 C			C15	P15	P15	P15
<p>GENERAL CROSS Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070;</p> <p>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.</p>														

116

B. Development conditions.

117

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

118

table.

119

2. Except SIC Industry Group Nos.:

120

a. 835-Day Care Services, and

121

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

122

land use table.

- 123 3. Limited to SIC Industry Group and Industry Nos.:
- 124 a. 723-Beauty Shops;
- 125 b. 724-Barber Shops;
- 126 c. 725-Shoe Repair Shops and Shoeshine Parlors;
- 127 d. 7212-Garment Pressing and Agents for Laundries and Drycleaners; and
- 128 e. 217-Carpet and Upholstery Cleaning.
- 129 4. Only as accessory to a cemetery, and prohibited from the UR zone only if the
- 130 property is located within a designated unincorporated Rural Town.
- 131 5. Structures shall maintain a minimum distance of one hundred feet from property
- 132 lines adjoining rural area and residential zones.
- 133 6. Only as accessory to residential use, and:
- 134 a. Outdoor play areas shall be completely enclosed by a solid wall or fence, with no
- 135 openings except for gates, and have a minimum height of six feet; and
- 136 b. Outdoor play equipment shall maintain a minimum distance of twenty feet from
- 137 property lines adjoining rural area and residential zones.
- 138 7. Permitted as an accessory use. See commercial/industrial accessory, K.C.C.
- 139 21A.08.060.A.
- 140 8. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32, or an
- 141 accessory use to a school, church, park, sport club or public housing administered by a public
- 142 agency, and:
- 143 a. Outdoor play areas shall be completely enclosed by a solid wall or fence, with no
- 144 openings except for gates and have a minimum height of six feet;

145 b. Outdoor play equipment shall maintain a minimum distance of twenty feet from
146 property lines adjoining rural area and residential zones;

147 c. Direct access to a developed arterial street shall be required in any rural area and
148 residential zone; and

149 d. Hours of operation may be restricted to assure compatibility with surrounding
150 development.

151 9.a. As a home occupation only, but the square footage limitations in K.C.C. chapter
152 21A.30 for home occupations apply only to the office space for the veterinary clinic, office space
153 for the kennel or office space for the cattery, and:

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

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

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

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

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

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

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

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

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

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

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

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

178 12. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32. Before
179 filing an application with the department, the applicant shall hold a community meeting in
180 accordance with K.C.C. 20.20.035.

181 13.a. Except as otherwise provided in 13.b of this subsection, only as a reuse of a
182 surplus nonresidential facility subject to K.C.C. chapter 21A.32.

183 b. Allowed for a social service agency on a site in the NB zone that serves
184 transitional or low-income housing located within three hundred feet of the site on which the
185 social service agency is located.

186 c. Before filing an application with the department, the applicant shall hold a
187 community meeting in accordance with K.C.C. 20.20.035.

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

191 15. If located outside of the urban growth area, ((L))limited to projects ~~((that do not~~
192 ~~require or result in an expansion of sewer service outside the urban growth area, unless a finding~~
193 ~~is made that no cost effective alternative technologies are feasible, in which case a tightline~~
194 ~~sewer sized only to meet the needs of the public school, as defined in RCW 28A.150.010, or the~~
195 ~~school district support facility and serving only the public school or the school district support~~
196 ~~facility may be used. New public high schools shall be permitted subject to the review process in~~
197 ~~K.C.C. 21A.42.140))~~ that are of a size and scale designed to primarily serve the rural area and
198 shall be located within a rural town.

199 16.~~((a. For middle or junior high schools and secondary or high schools or school~~
200 ~~district support facilities, only as a reuse of a public school or school district support facility~~
201 ~~subject to K.C.C. chapter 21A.32. An expansion of such a school or a school district support~~
202 ~~facility shall be subject to approval of a conditional use permit and the expansion shall not~~
203 ~~require or result in an extension of sewer service outside the urban growth area, unless a finding~~
204 ~~is made that no cost effective alternative technologies are feasible, in which case a tightline~~
205 ~~sewer sized only to meet the needs of the public school, as defined in RCW 28A.150.010, or the~~
206 ~~school district support facility may be used.~~

207 b. ~~Renovation, expansion, modernization or reconstruction of a school, a school~~
208 ~~district support facility, or the addition of relocatable facilities, is permitted but shall not require~~
209 ~~or result in an expansion of sewer service outside the urban growth area, unless a finding is made~~
210 ~~that no cost effective alternative technologies are feasible, in which case a tightline sewer sized~~

211 ~~only to meet the needs of the public school, as defined in RCW 28A.150.010, or the school~~
212 ~~district support facility may be used.~~

213 e.) If located outside of the urban growth area, shall be designed to primarily serve
214 the rural area and shall be located within a rural town. In CB, RB and O, for K-12 schools with
215 no more than one hundred students.

216 17. All instruction must be within an enclosed structure.

217 18. Limited to resource management education programs.

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

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

220 b. Except as provided in subsection c. of this subsection, all instruction must be within
221 an enclosed structure;

222 c. Outdoor instruction may be allowed on properties at least two and one-half acres in
223 size. Any outdoor activity must comply with the requirements for setbacks in K.C.C. chapter
224 21A.12; and

225 d. Structures used for the school shall maintain a distance of twenty-five feet from
226 property lines adjoining rural area and residential zones.

227 20. Subject to the following:

228 a. Structures used for the school and accessory uses shall maintain a minimum
229 distance of twenty-five feet from property lines adjoining rural area and residential zones;

230 b. On lots over two and one-half acres:

231 (1) Retail sale of items related to the instructional courses is permitted, if total floor
232 area for retail sales is limited to two thousand square feet;

233 (2) Sale of food prepared in the instructional courses is permitted with Seattle-King
234 County department of public health approval, if total floor area for food sales is limited to one
235 thousand square feet and is located in the same structure as the school; and

236 (3) Other incidental student-supporting uses are allowed, if such uses are found to be
237 both compatible with and incidental to the principal use; and

238 c. On sites over ten acres, located in a designated Rural Town and zoned any one or
239 more of UR, R-1 and R-4:

240 (1) Retail sale of items related to the instructional courses is permitted, provided total
241 floor area for retail sales is limited to two thousand square feet;

242 (2) Sale of food prepared in the instructional courses is permitted with Seattle-King
243 County department of public health approval, if total floor area for food sales is limited to one
244 thousand seven hundred fifty square feet and is located in the same structure as the school;

245 (3) Other incidental student-supporting uses are allowed, if the uses are found to be
246 functionally related, subordinate, compatible with and incidental to the principal use;

247 (4) The use shall be integrated with allowable agricultural uses on the site;

248 (5) Advertised special events shall comply with the temporary use requirements of
249 this chapter; and

250 (6) Existing structures that are damaged or destroyed by fire or natural event, if
251 damaged by more than fifty percent of their prior value, may reconstruct and expand an
252 additional sixty-five percent of the original floor area but need not be approved as a conditional
253 use if their use otherwise complies with development condition B.20.c. of this section and this
254 title.

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

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

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

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

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

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

267 ~~((b. Renovation, expansion, modernization, or reconstruction of a school, or the
268 addition of relocatable facilities, is permitted.))~~

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

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

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

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

278 31. Subject to review and approval of conditions to comply with trail corridor
279 provisions of K.C.C. chapter 21A.14 when located in an RA zone.

280 32. Limited to repair of sports and recreation equipment:

281 a. as accessory to a large active recreation and multiuse park in the urban growth area;

282 or

283 b. as accessory to a park, or a large active recreation and multiuse park in the RA
284 zones, and limited to a total floor area of seven hundred fifty square feet.

285 33. Accessory to agricultural or forestry uses provided:

286 a. the repair of tools and machinery is limited to those necessary for the operation of a
287 farm or forest.

288 b. the lot is at least five acres.

289 c. the size of the total repair use is limited to one percent of the lot size up to a
290 maximum of five thousand square feet unless located in a farm structure, including but not
291 limited to barns, existing as of December 31, 2003.

292 34. Subject to the following:

293 a. the lot is at least five acres;

294 b. in the A zones, area used for dog training shall be located on portions of agricultural
295 lands that are unsuitable for other agricultural purposes, such as areas within the already
296 developed portion of such agricultural lands that are not available for direct agricultural
297 production or areas without prime agricultural soils;

298 c. structures and areas used for dog training shall maintain a minimum distance of
299 seventy-five feet from property lines; (~~and~~) and

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

302 35. Limited to animal rescue shelters and provided that:

303 a. the property shall be at least four acres;

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

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

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

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

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

313 a. the property shall be at least four and one-half acres;

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

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

317 d. the number of dogs allowed on the property at any one time shall be limited to the
318 number allowed for hobby kennels, as provided in K.C.C. 11.04.060.B; and

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

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

323 37. Not permitted in R-1 and subject to the additional requirements in K.C.C.

324 21A.12.250.

325 38. Driver training is limited to driver training schools licensed under chapter 46.82

326 RCW.

327 39. A school may be located outside of the urban growth area only if allowed under
328 King County comprehensive plan policy R-325a.

329 40. Only as a reuse of an existing public school.

330 NEW SECTION. SECTION 4. A new section is hereby added to K.C.C. Chapter 21A.42

331 to read as follows:

332 In the RA zone, the following apply to the expansion or modification of a school
333 authorized by an existing land use permit:

334 A. Pursuant to the code compliance process of this chapter, the department may review
335 and approve an expansion or modification of an elementary school authorized by an existing land
336 use permit even if the use is not permitted outright in the RA zone. Such expansions or
337 modifications shall conform to all other provisions of this title;

338 B. Pursuant to the code compliance process of this chapter, the department may review and
339 approve an expansion of a middle school, junior high school or high school authorized by an
340 existing land use permit even if the use is not permitted outright in the RA zone. Such expansions
341 shall conform to all other provisions of this title. Any expansions under this subsection shall be
342 subject to the following:

343 1. the project-wide amount of each of the following may be increased by up to ten
344 percent:

345 a. building square footage;

346 b. impervious surface;

347 c. parking; and

348 d. building height; and

349 2. No subsequent expansions shall be approved under this subsection if the cumulative
350 amount of such expansions exceeds the percentage prescribed in subsection B.1. of this section;

351 C. An expansion of a school that does not conform to the provisions of subsection B. of
352 this section may only be approved if the expansion is reviewed and approved as a conditional use;

353 and

354 D. The department may review and approve, in accordance with the code compliance
355 process of this chapter, a modification of a middle school, junior high school or high school
356 authorized by an existing land use permit that does not make a substantial change to the existing
357 land use permit, as determined by the department. For the purpose of this subsection, a
358 "substantial change" includes, but is not limited to, a change to the conditions of approval that
359 leads to significant built or natural environmental impacts that were not addressed in the original
360 approval.