



Legislation Details (With Text)

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**File created:** 10/6/2003      **In control:** Natural Resources, Parks and Open Space Committee

**On agenda:** 12/8/2003      **Final action:** 12/8/2003

**Enactment date:** 12/18/2003      **Enactment #:** 14808

**Title:** AN ORDINANCE relating to zoning; amending provisions relating to the King County fairground facility in Enumclaw to address the review process for alterations to the facility; amending Ordinance 10870, Section 129, and K.C.C. 21A.06.445, Ordinance 13129, Section 13, as amended, and K.C.C. 21A.08.100 and Ordinance 14429, Section 2, as amended, and K.C.C. 21A.12.030 and adding a new section to K.C.C. chapter 21A.06.

**Sponsors:** Carolyn Edmonds

**Indexes:** Fair, Parks and Recreation, Zoning

**Code sections:** 21A.06 -, 21A.06.445 -, 21A.08.100 -, 21A.12.030 -

**Attachments:** 1. Ordinance 14808.pdf, 2. 2003-0454 Adoption Notice.doc, 3. 2003-0454 Advertising Summary.doc, 4. 2003-0454 Hearing Notice.doc, 5. 2003-0454 Revised Staff Report Zoning Code Changes-Parks 12-4.doc, 6. 2003-0454 Staff Report Zoning Code Changes-Parks 12-4.doc, 7. 2003-0454 Transmittal Letter.pdf, 8. A. Enumclaw Fairground-King County, Washington-Master Site Plan Report-May 1999

Date	Ver.	Action By	Action	Result
12/8/2003	2	Metropolitan King County Council	Hearing Held	
12/8/2003	2	Metropolitan King County Council	Passed	Pass
12/4/2003	2	Natural Resources, Parks and Open Space Committee	Recommended Do Pass Substitute	Pass
10/9/2003	1	Natural Resources, Parks and Open Space Committee	Deferred	
10/6/2003	1	Metropolitan King County Council	Introduced and Referred	

Clerk 12/04/2003

AN ORDINANCE relating to zoning; amending provisions relating to the King County fairground facility in Enumclaw to address the review process for alterations to the facility; amending Ordinance 10870, Section 129, and K.C.C. 21A.06.445, Ordinance 13129, Section 13, as amended, and K.C.C. 21A.08.100 and Ordinance 14429, Section 2, as amended, and K.C.C. 21A.12.030 and adding a new section to K.C.C. chapter 21A.06.

PREAMBLE:

The King County fair has been in existence since 1863 and is the oldest annual operating fair in Washington state.

The fair provides a stage for participation in the experience and enjoyment of the county's agricultural heritage and is a vital link between urban and rural residents and activities.

The fair is valued as a showcase for the agricultural community, highlighting the efforts of youth in 4H, Future Farmers of America and other groups.

The King County fairgrounds has provided the venue for the fair at its current location near Enumclaw since 1946.

The King County fairgrounds operates on a year-round schedule and provides space for special events and private and public activities serving the surrounding rural and agricultural communities, as well as regional users from throughout the Northwest.

Year-round operation currently generates revenue to the county exceeding eight hundred thousand dollars per year. More important is the positive economic impact and fundraising platform the fair provides to numerous businesses, nonprofit organizations and community service groups.

The King County fairgrounds is a unique facility within the county. A series of land use and zoning changes over the years do not recognize the unique and diverse role of this facility.

The Phase II Business Transition Plan, completed by the department of natural resources and parks, in August 2002, and King County Ordinance 14509, adopted November 12, 2002, set forth the vision and implementation strategies for the King County parks and recreation system in 2003 and beyond.

This ordinance revises the land use code to allow for new uses at the King County fairgrounds to provide additional amenities to serve the users of the fairgrounds.

**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:

**County fairground facility.** County fairground facility: a site permanently designated and improved for holding a county fair, as provided in chapters 15.76 and 36.37 RCW. A county fairground facility may be used for hosting social, educational, recreational, arts and entertainment activities including, but not limited to:

- A. Regional and local festivals;
- B. Agricultural shows and events;
- C. Animal shows;
- D. Training, seminars, classes and conferences;
- E. Trade and specialty shows;
- F. Private and public parties, receptions or banquets;
- G. Sporting events;
- H. Carnivals;
- I. Circuses;
- J. Recreational vehicle parks;
- K. Campgrounds;
- L. Outdoor performance centers; and
- M. Retail, rental and services consistent with the fairgrounds.

SECTION 2. Ordinance 10870, Section 129, and K.C.C. 21A.06.445 are each hereby amended to read as follows:

**Fairground.** Fairground: a site permanently ~~((designated and improved))~~ constructed for holding a ~~((county))~~ fair, ~~((as provided in RCW Chapters 15.76 and 36.37,))~~ except a county fair or for holding similar events, including, but not limited to:

- A. Carnivals;

B. Circuses;

C. Expositions;

D. Animal shows; and

E. Either ((~~E~~))exhibitions ((~~and~~/))or demonstrations, or both, of farm and home products with accompanying entertainment and amusements.

SECTION 3. Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100 are each hereby amended to read as follows:

**Regional land uses.**

A. Regional land uses.

KEY		RESOURCE		RESIDENTIAL				COMMERCIAL/INDUSTRIAL						
P - Permitted Use C - Conditional Special Use		ZONE	AGRICULTURE	FOREST	MIXED RESIDENTIAL	UNITS	RESIDENTIAL	RESIDENTIAL	RESIDENTIAL	NEBULOUS	COMMERCIAL	BUSINESS	OFFICE	INDUSTRIAL
SIC #	SPECIFIC LAND USE	A	F	M	R	UR	R1-8	R12	NB	CB	RB	O	I (1-5)	
*	Ja il						S	S	S	S	S	S	S	
*	Ja il Fa r m/ C a m p	S	S		S	S								
*	W o r k R e l e a s e F a c i l i t y				S19	S19	S	S	S	S	S	S		

*	Public Agency Animal Control Facility			S		S	S					S		P	
*	Public Agency Training Facility			S		S3						S3	S3	S3	C4
*	Hydroelectric Generation Facility			C14 S		C14 S	C14 S	C14 S							
*	Non-hydroelectric Generation Facility		C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	P12 S

*	Communication Facility (17)		C6c S	P		C6c S	C6c S	C6c S	C6c S	P	P	P	P
*	Earth Station		P6b C	P		C6a S	C6a S	C6a S	P6b C	P	P	P	P
13	Oil and Gas Extraction		S	C	P	S	S	S	S	S	S	S	C
*	Energy Resource Recovery Facility			S	S	S	S	S	S	S	S	S	S
*	Soil Recycling Facility			S	S	S							C
*	Landfill			S	S	S	S	S	S	S	S	S	S
*	Transfer Station				S	S	S	S	S	S	S		P

*	W a s t e w a t e r T r e a t m e n t F a c i l i t y					S	S	S	S	S	S	S	S	C
*	M u n i c i p a l W a t e r P r o d u c t i o n	S	P13 S	S	S	S	S	S	S	S	S	S	S	S
*	A i r p o r t/ H e l i c o p t e r	S7	S7			S	S	S	S	S	S	S	S	S
*	T r a n s i t B u s B a s e							S	S	S	S	S	S	P
*	S c h o l B u s B a s e					C 5 S 2 0	C5 S	C5 S	C5 S	S	S	S	S	P
7948	R a c t r a c k					S8	S8	S8	S8	S8	S8	S8	S8	S
*	C o u n t y F i r g r o u n d s F a c i l i t y					<u>P2</u> <u>1S</u> <u>22</u>								

*	F a i r i n g r o u n d										S	S		S
8422	Z o o / W i l d l i f e E x h i b i t ( 2 )		S9		S9	S	S	S			S	S		
7941	S t a d i u m / A r e n a											S		S
8221-8222	C o l l e g e / U n i v e r s i t y ( 1 )		P10	P10		P10 C11 S18		P10 C11 S	P10 C11 S	P	P	P	P	P
*	Z o o (( a )) A n i m a l (( b )) B r e d i n g (( f )) E a c i l i t y		P16	P16		P16								
<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.08.									

B. Development conditions.

1. Except technical institutions. See vocational schools on general services land use table, K.C.C.



21A.08.050.

2. Except arboretum. See K.C.C. 21A.08.040, recreation/cultural land use table.
3. Except weapons armories and outdoor shooting ranges.
4. Except outdoor shooting range.
5. Only in conjunction with an existing or proposed school.
- 6.a. Limited to no more than three satellite dish antennae.
  - b. Limited to one satellite dish antenna.
  - c. Limited to tower consolidations.
7. Limited to landing field for aircraft involved in forestry or agricultural practices or for emergency landing sites.
8. Except racing of motorized vehicles.
9. Limited to wildlife exhibit.
10. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.
11. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.
12. Limited to cogeneration facilities for on-site use only.
13. Excluding impoundment of water using a dam.
14. Limited to facilities that comply with the following:
  - a. Any new diversion structure shall not:
    - (1) exceed a height of eight feet as measured from the streambed, or
    - (2) impound more than three surface acres of water at the normal maximum surface level;
  - b. There shall be no active storage;
  - c. The maximum water surface area at any existing dam or diversion shall not be increased;
  - d. An exceedance flow of no greater than fifty percent in mainstream reach shall be maintained;
  - e. Any transmission line shall be limited to a:

(1) right-of-way of five miles or less; and

(2) capacity of two hundred thirty KV or less;

f. Any new, permanent access road shall be limited to five miles or less; and

g. The facility shall only be located above any portion of the stream used by anadromous fish.

15. For I-zoned sites located outside the urban growth area designated by the King County Comprehensive Plan, uses shown as a conditional or special use in K.C.C. 21A.08.100A, except for waste water treatment facilities, shall be prohibited. All other uses, including waste water treatment facilities, shall be subject to the provisions for rural industrial uses as set forth in K.C.C. chapter 21A.12.

16. The operator of such facility shall provide verification to the department of natural resources and parks or its successor organization that the facility meets or exceeds the standards of the Animal and Plant Health Inspection Service of the United States Department of Agriculture and the accreditation guidelines of the American Zoo and Aquarium Association.

17. The following provisions of the table apply only to major communication facilities. Minor communication facilities shall be reviewed in accordance with the processes and standard outlined in K.C.C. chapter 21A.26.

18. Only for facilities related to resource-based research.

19. Limited to work release facilities associated with natural resource-based activities.

20. 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 school bus base and serving only the school bus base may be used. Renovation, expansion, modernization or reconstruction of a school bus base 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 a school bus base.

21. Only in conformance with the King County Site Development Plan Report, though modifications to the plan of up to ten percent are allowed for the following:

- a. building square footage;
- b. landscaping;
- c. parking;
- d. building height; or
- e. impervious surface.

22. A special use permit shall be required for any modification or expansion of the King County fairgrounds facility that is not in conformance with the King County Site Development Plan Report or that exceeds the allowed modifications to the plan identified in subsection B.21 of this section.

SECTION 4. Ordinance 14190, Section 4, 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.**

RESIDENTIAL														
STANDARDS	ZON ES	RURAL				URBAN RE-SERVE UR	URBAN RESIDENTIAL							
		RA-2.5	RA-5	RA-10	RA-20		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	2 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 (20)					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)	10 ft (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	35 ft	35 ft 45 ft (14)	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)	20% (11) (19) (24)	15% (11) (19) (24)	12.5% (11) (19)	30% (11)	30% (11)	55%	70%	75%	85%	85%	85%	90%

**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.36 or 37, or any combination of density incentive or density transfer. Maximum density may only be exceeded in accordance with to K.C.C. 21A.34.040F.1.g.

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 provided but the maximum height shall not exceed seventy-five feet.

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 shall 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 zone 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.

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. ~~((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~~((7))~~;

(2) a critical aquifer recharge area~~((7))~~;

(3) a Regionally or Locally Significant Resource Area~~((7))~~;

(4) existing or planned public parks or trails, or connections to such facilities~~((7))~~;

(5) a Class I or II stream or wetland~~((7-0F))~~;

(6) a steep slope~~((7))~~; or

(7) a "greenbelt/urban separator" or "wildlife corridor" area designated by the Comprehensive Plan or a community plan.

b. The development shall be clustered away from sensitive 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 of K.C.C. 21A.14.040. On-site sensitive area and buffers, wildlife habitat networks, required habitat and buffers for protected species 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 transfer of density credit pilot program outlined in K.C.C. chapter 21A.55.

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 this ordinance, 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 this ordinance, by more than ten percent.

SECTION 5. Severability. 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.

SECTION 6. In accordance with K.C.C. 20.44.080, the metropolitan King County council finds that the requirements for environmental analysis, protections and mitigations in those chapters 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

official paper 30 days prior

Newspaper: Seattle Times

Public Hearing: December 8, 2003

Publish: Wednesday, November 5, 2003