

Legislation Text

File #: 2003-0453, **Version:** 2

Clerk 12/04/2003

AN ORDINANCE relating to parks and agricultural product sales; designation of large active recreation and multiuse parks; amending zoning provisions relating to new uses for parks; amending Ordinance 10870, Section 331, as amended, and K.C.C. 21A.08.040, Ordinance 10870, Section 332, as amended and K.C.C. 21A.08.050, Ordinance 10870, Section 334, as amended and K.C.C. 21A.08.070, Ordinance 10870, Section 340 as amended, and K.C.C. 21A.12.030 and adding new sections to K.C.C. chapter 7.02 and K.C.C. chapter 21A.06.

PREAMBLE:

King County is the steward of a significant system of regional parks, trails and natural areas.

The Phase II Business Transition Plan, completed by the department of natural resources and parks in August 2002, and 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. The plan identified ways to reduce the parks division budget while keeping key regional parks assets open and preserving local rural facilities where practical.

The plan identified a next step to achieve the department's new vision as a submittal by the executive of an ordinance proposing changes to the King County Code.

This ordinance revises the land use code to allow for new uses in the parks that will create an opportunity for the division to support the parks programs and provide additional amenities in the parks to serve park users.

Projects proposed for development will be evaluated for appropriateness for the park and the system. Department policies and procedures will be developed to provide criteria for project evaluation; the City of Redmond and Friends of Marymoor Park will be included in the development of criteria for project evaluation for projects proposed and evaluated for Marymoor Park.

The department of natural resources and parks will conduct a public outreach element and will consult with adjacent jurisdictions for each specific project covered under the code amendments and the current zoning regulations. Outreach could include a combination of public meetings, mailings, website posting, newspaper notices, listserv notification, targeted outreach to neighbors and user group meetings. A summary of the public outreach process and public comments will be included in the transmittal to the county council for projects that require council approval.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

NEW SECTION. SECTION 1. There is hereby added to K.C.C. chapter 7.02 a new section to read as follows:

Large active recreation and multiuse park. The department may designate a King County facility as a large active recreation and multiuse park. The department shall maintain a parks inventory list showing the parks designated as large active recreation and multiuse parks. The department shall set out a process through department policies and procedures for review and public meetings for designation of a large active recreation and multiuse park.

NEW SECTION. SECTION 2. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Agricultural product, value added . Agricultural product, value added: the incremental value that is realized by the producer from an agricultural commodity or product as a result in:

A. Change in its physical state;

B. Differentiated production or marketing as demonstrated in a business plan; or

C. Product segregation.

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

Large active recreation and multiuse park. Large active recreation and multiuse park: a park owned by King County that is designated in the recreation category or the multiuse category in a parks inventory list.

SECTION 4. Ordinance 10870, Section 331, and K.C.C. chapter 21A.08.040 are each hereby amended to read as follows:

Recreational/cultural land uses.

A. Recreational/cultural land uses.

KEY
P-Permitted Use
C-Conditional Use
S-Special

RES	RESID	COM
PM	RM	UR
CI	UE	RE
Z	FN	RS
O	EE	AE
N	SR	LR
E	TA	V
L	E	N
		T
		I
		A
		L
		L

SIC#	SPECIFIC LAND USE	A	M	R	U	R	I	C	O	I
	PARK/RECREATION:									
*	Park	P	P	P	P	P	P	P	P	P13
	<u>Large Active Recreation and Multiuse Park</u>	P	P	P	P	P	P	P	P	P13
*	Trails	P	P	P	P	P	P	P	P	P
*	Campgrounds	P	P	P	P	P	P	P	P	P16 C16a
*	Destination Resorts	S	S	C						
af0	Marina	C	C	C	C	P				P

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

- a. No stadiums on sites less than ten acres;
- b. Lighting for structures and fields shall be directed away from residential areas;
- c. Structures or service yards shall maintain a minimum distance of fifty feet from property lines

adjoining residential zones, except for structures in on-site recreation areas required in K.C.C. 21A.14.180 and 21A.14.190. Setback requirements for structures in these on-site required recreation areas shall be maintained in accordance with K.C.C. 21A.12.030;

- d. Facilities in the ((RA-10, RA-20, F,)) A ((or M)) zone((s, or in a designated rural forest focus area,))shall be limited to trails and trailheads, including related accessory uses such as parking and sanitary

facilities; and

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

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

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

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

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

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

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

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

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

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

5. Limited to day moorage.

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

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

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

8. Limited to a golf driving range only as:

a. ~~((an))~~ An accessory to golf courses; or

b. An accessory to a large active recreation and multiuse park.

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

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

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

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

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

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

(1) installing ventilation systems that provide sufficient clean air in the user's breathing zone, and

(2) adopting appropriate procedures and policies that monitor and control exposure time to airborne lead for individual users.

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

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

13. Subject to the following:

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

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

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

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

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

15. Limited to golf driving ranges and subject to ~~((K.C.C. 21A.08.040))~~ subsection B.7 of this section.

16. Subject to the following conditions:

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

b. Only for campgrounds that are part of a proposed or existing county park, which are subject to review and public~~((hearings))~~ meetings through the department of natural resources and parks ~~((and recreation's master plan process under K.C.C. 2.16.050))~~.

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

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

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

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

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

a. Rentals of sports and recreation equipment; and

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

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

a. Water slides, wave pools and associated water recreation facilities; and

b. Rentals of sports and recreation equipment.

SECTION 5. Ordinance 10870, Section 332, as amended, and K.C.C. chapter 21A.08.050 are each hereby amended to read as follows:

General services land uses.

A. General services land uses.

KEY	RESIDE	COM
P-Permitted Use	IMR UR UH HMI	
C-Conditional Use	CI URE REWUN	
S-Special Use	ZINR BS BS S CID	
	CIE A AE AI H IU	
	NSR L NR NL T O	
	ET A V H H T	
	L E N S S R	
		7 S S I
		I A
		A L
		I

SIC#	SPECIFIC LAND USE	A	F	M	R	U	H	N	R	B	O	I
	PERSONAL SERVICES:											
72	General Personal Service								C	C	P	P
7216	Drycleaning ((p))Plants											P
7218	Industrial Launderers											P
7261	Funeral Home/Crematory								C	C	P	P
*	Cemetery, Columbarium or Mausoleum								P	P	P	P
*	Day ((e))Care I	P							P	P	P	P
*	Day ((e))Care II								P	P	P	P
074	Veterinary Clinic	P							P	P	P	P
753	Automotive ((r))Repair (1)								P	P		P
754	Automotive ((s))Service								P	P		P
76	Miscellaneous ((r))Repair	P	P	P	P	P	P	P	P	P		P
866	Church((es)), ((s))Synagogue								P	P	P	P
83	Social Services (2)								P	P	P	P
*	Stable	P							P	P	P	
*	Kennel or Cattery	P							C	C	C	P
*	Theatrical Production Service								P	P	P	P
*	Artist Studios								P	P	P	P
*	Interim Recycling Facility	P	P	P	P	P	P	P	P	P	P	P
	HEALTH SERVICES:											
801-04	Office/Outpatient Clinic								P	P	P	P
805	Nursing and personal care facility								C	C	P	P
806	Hospital								C	C	P	P
807	Medical/Dental Lab								P	P	P	P
808-09	Miscellaneous Health								P	P	P	P

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 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.08.060A.

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; 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 sales of items related to the instructional courses is permitted, if total floor area for retail sales is limited to two thousand square feet;

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

(3) other incidental student-supporting uses are allowed, if such uses are found to be both

compatible with and incidental to the principal use; and

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

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

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

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

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

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

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

21. Limited to source-separated yard or organic waste processing facilities.

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

23. 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.

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

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

reduced.

26. 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.

27.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.

28. 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.

29. 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.

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

31. 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.

32. 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.

33. 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.

SECTION 6. Ordinance 10870, Section 334, as amended, and K.C.C. chapter 21A.08.070 are each hereby amended to read as follows:

Retail land uses.

A. Retail land uses.

KEY			RESOURCE		RESIDENTIAL					COMMERCIAL/INDUSTRIAL				
P - Permitted Use C - Conditional Use		ZONING	AGRICULTURE	FOREST	MISCELLANEOUS	RURAL	URBAN	RESE	URBAN	NEBULOUS	COBUSINESS	REBUSINESS	OFFICE	FINANCIAL
SIC #	SPECIFIC LAND USE		A	F	M	R	UR	R1-R12	NB	CB	RB	O	I	
*	Building, Hard ware and Garden Materials		P1 9			P2 1 C 1			P2	P	P			
*	Forest Products Sales		P3, 4	P4		P3, 4								

*	D ep art m en t a n d V a r i e t y S t o r e s							C14	C14	P5	P	P		
54	F o d S t o r e s					C 13		C15	C15	P	P	P	C	P6
*	A g r i c u l t u r a l P r o d u c t S a l e s		P20 C7	P4		P2 0, C 7	P3	P3						
*	M o t o r V e h i c l e a n d B o a t D e a l e r s											P8		P
553	A u t o S u p p l y S t o r e s										P9	P9		P
554	G a s o l i n e S e r v i c e S t a t i o n s									P	P	P		P

56	A pp ar el an d A cc es so ry St or es										P	P		
*	Fu rn itu re an d H o m e Fu rn is hi ng s St or es										P	P		
58	Ea tin g an d Dr in ki ng Pl ac es				C 22 P2 4			C16 P23	C16	P10	P	P	P	P
*	Dr ug St or es							C15	C15	P	P	P	C	
592	Li qu or St or es										P	P		

593	Uses Goods: Antiques/ Secondhand and Shops										P	P		
*	Sporting Goods and ((F)) Related Stores			P 25	P 25	P25	P25	P25	P25	P25	P	P	P 25	P25
*	Book Stationery, Video and Art Supply Stores							C15	C15	P	P	P		
*	Jewelry Stores										P	P		

*	Monuments, Tombstones, and Gravesites										P		
*	Hobby, Toy, Game Shops								P	P	P		
*	Photographic and Electronic								P	P	P		
*	Fabric Shops									P	P		
598	Fuel Dealers									C11	P		P
*	Florist Shops							C15	C15	P	P	P	

*	Personal Medical Supply Stores										P	P		
*	Pet Shops									P	P	P		
*	Bulk Retail										P	P		
*	Auction Houses											P12		P
*	Livestock Sales		P17	P17		P17	P17	P17, 18						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. chapters 21A.08.										

B. Development conditions.

1. Only feed stores and garden supply stores.
2. Only hardware and garden materials stores shall be permitted.
- 3.a. Limited to products grown on-site.
 - b. Covered sales areas shall not exceed a total area of five hundred square feet.
4. No permanent structures or signs.
5. Limited to SIC Industry No. 5331, Variety Stores, and further limited to a maximum of two

thousand square feet of gross floor area.

6. Limited to a maximum of two thousand square feet of gross floor area.

7.a. The floor area devoted to retail sales shall not exceed three-thousand five hundred square feet unless it is located in an agricultural structure, such as a barn, existing as of December 31, 2003.

b. Sixty percent or more of the average annual gross sales of agricultural products sold through the store over a five-year period shall be derived from products grown or produced in King County. At the time of the initial application, the applicant shall submit a reasonable projection of the source of product sales.

c. Sales shall be limited to agricultural produce, value added agricultural products, such as jams or cheeses, and plants.

d. Storage areas for produce may be included in a farm store structure or in any accessory building.

e. Hours of operation shall be limited to 7:00 a.m. to 9:00 p.m. ~~((during May through September and 7:00 a.m. to 7:00 p.m. during October through April))~~. Outside lighting is permitted if no off-site glare is allowed.

8. Excluding retail sale of trucks exceeding one-ton capacity.

9. Only the sale of new or reconditioned automobile supplies is permitted.

10. Excluding SIC Industry No. 5813-Drinking Places.

11. No outside storage of fuel trucks and equipment.

12. Excluding vehicle and livestock auctions.

13. Only as accessory to a winery or brewery, and limited to sales of products produced on site and incidental items where the majority of sales are generated from products produced on site.

14. Not in R-1 and limited to SIC Industry No. 5331 - Variety Stores, limited to a maximum of five thousand square feet of gross floor area, and subject to K.C.C. 21A.12.330.

15. Not permitted in R-1 and limited to a maximum of five thousand square feet of gross floor area and subject to K.C.C. 21A.12.230.

16. Not permitted in R-1 and excluding SIC Industry No. 5813-Drinking Places, and limited to a maximum of five thousand square feet of gross floor area and subject to K.C.C. 21A.12.230 except as provided in subsection B.23 of this section.

17. Retail sale of livestock is permitted only as accessory to raising livestock.

18. Limited to the R-1 zone.

19. Limited to the sale of livestock feed, hay and livestock veterinary supplies with a covered sales area of not more than five hundred square feet. The five hundred square foot limitation does not include areas for storing livestock feed, hay or veterinary supplies or covered parking areas for trucks engaged in direct sale of these products from the truck.

20.a. ~~((Covered sales areas))~~ The floor area devoted to retail sales shall not exceed ~~((a total area of))~~ two thousand square feet.

b. The floor area devoted to retail sales may be covered but it cannot be enclosed unless it is located in an agricultural structure, such as a barn, existing as of December 31, 2003.

c. Sixty percent or more of the average annual gross sales of agricultural products sold through the store over a five-year period shall be derived from products grown or produced in King County. At the time of the initial application, the applicant shall submit a projection of the source of product sales.

~~((e-))~~ d. Sales shall be limited to agricultural produce, value added agricultural products such as jams or cheeses, and plants.

~~((d-))~~ e. Storage areas for produce may be included in a farm store structure or in any accessory building.

~~((e-))~~ f. Hours of operation shall be limited to 7:00 a.m. to 9:00 p.m. ~~((during May through September and 7:00 a.m. to 7:00 p.m. during October through April))~~. Outside lighting is permitted if no off-site glare is allowed.

21. Limited to hay sales.

22. Only as:

- a. an accessory use to a winery or brewery, limited to the tasting of products produced on site; ((or))
- b. an accessory use to a permitted manufacturing or retail land use, limited to espresso

stands to include sales of beverages and incidental food items, and not to include drive-through sales
; or

c. an accessory use to a large active recreation and multiuse park, limited to a total floor area of three thousand five hundred square feet.

23. Only as:

- a. An accessory to a large active recreation and multiuse park; or
- b. An accessory to a park and limited to a total floor area of one thousand five hundred square feet.

24. Accessory to a park, limited to a total floor area of seven hundred fifty square feet.

25. Only as an accessory to:

- a. A large active recreation and multiuse park in the urban growth area; or
- b. A park, or a large active recreation and multiuse park in the RA zones, and limited to a total floor

area of seven hundred and fifty square feet.

SECTION 7. Ordinance 10870, Section 340, and K.C.C. chapter 21A.12.030 are each hereby amended to read as follows:

Densities and dimensions - residential zones.

A. Densities and dimensions - residential zones.

		RESIDENTIAL													
		ZON ES	RURAL				URBAN RE- SERVE	URBAN RESIDENTIAL							
STANDARDS			RA-2.5	RA-5	RA-10	RA-20	UR	R-1 (17)	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Base Density: Dwelling Unit/Acre (15)			0.2 du/a c	0.2 du/ac	0.1 du/ac	0.05 du/ac	0.2 du/ac (21)	1 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/a c (20)	0.4 du/ac (20)					6 du/ac (2)	9 du/ac	12 du/ac	18 du/ac	27 du/ac	36 du/ac	72 du/ac
Minimum Density: (2)									85% (12) (18) (23)	85% (12) (18)	85% (12) (18)	80% (18)	75% (18)	70% (18)	65% (18)
Minimum Lot Area (13)			1.87 5 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	30ft	30 ft	30 ft

Minimum Street Setback (3)	30 ft (9)	30 ft (9)	30ft (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)	10ft (8)	10 ft (8)
Minimum Interior Setback (3) (16)	5 ft (9)	10ft (9)	10 ft (9)	10 ft (9)	5 ft (7)	5 ft (7)	5 ft	5 ft	5 ft	5 ft (10)	5 ft (10)	5 ft (10)	
Base Height (4)	40 ft	40 ft	40 ft	40 ft	35 ft	35 ft	35 ft	35 ft 45 ft (14)	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)	15% (11) (19)	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.37, or any combination of density incentive or density transfer. Maximum density may only be exceeded in accordance with 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 but the maximum height shall not exceed seventy-five feet, except for large active recreation and multiuse parks, where the maximum height shall not exceed one hundred and twenty-five feet, unless a golf ball trajectory study requires a higher fence.
5. Applies to each individual lot. Impervious surface area standards for:
 - a. regional uses shall be established at the time of permit review;
 - b. nonresidential uses in residential zones shall comply with K.C.C. 21A.12.120 and 21A.12.220;
 - c. individual lots in the R-4 through R-6 zones that are less than nine thousand seventy-six square feet in area shall be subject to the applicable provisions of the nearest comparable R-6 or R-8 zone; and
 - d. a lot may be increased beyond the total amount permitted in this chapter subject to approval of a

conditional use permit.

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

7. The standards of the R-4 zone 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.

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

(1) a floodplain,

- (2) a critical aquifer recharge area,
- (3) a Regionally or Locally Significant Resource Area,
- (4) existing or planned public parks or trails, or connections to such facilities,
- (5) a Class I or II stream or wetland, or
- (6) a steep slope, 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 in 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.

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