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Title: AN ORDINANCE related to domestic violence shelters; and amending Ordinance 10870, Section 84, as amended, and K.C.C. 21A.06.220 and Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030.

Sponsors: Julia Patterson

Indexes:

Code sections: 21A.06.220 -, 21A.08.030 -

Attachments: 1. 16040.pdf, 2. 2008-0041 adoption notice.doc, 3. 2008-0041 Hearing Notice.doc, 4. Staff Report 2-12-08

Date	Ver.	Action By	Action	Result
3/24/2008	1	Metropolitan King County Council	Hearing Held	
3/24/2008	1	Metropolitan King County Council	Passed	Pass
2/12/2008	1	Growth Management and Natural Resources Committee	Recommended Do Pass	Pass
1/22/2008	1	Metropolitan King County Council	Introduced and Referred	

Clerk 01/16/2008

AN ORDINANCE related to domestic violence shelters; and amending
Ordinance 10870, Section 84, as amended, and K.C.C. 21A.06.220 and
Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

- A. Domestic violence is an unfortunate reality for many members of our society.
- B. Residential shelters provide an escape from domestic violence and assist residents in recovering from the impacts of that abuse.
- C. Victims of domestic violence are not limited to single individuals, but may often include entire families.

D. Families that have been traumatized by their exposure to domestic violence may be further traumatized if the children of such families are separated from their parent.

E Permitting families to stay together allows for more effective recovery from the trauma of domestic violence.

F Due to the unstable nature of those persons prone to committing domestic violence, such shelters need a high degree of confidentiality as to location.

G This confidentiality protects shelter residents, staff, neighbors and the community at large.

H Requiring shelters to obtain a conditional use permit through a widely publicized public review process undermines confidentiality and increases the risk of contact with those who would commit domestic violence.

SECTION 2. Ordinance 10870, Section 84, as amended, and K.C.C. 21A.06.220 are each hereby amended to read as follows:

Community residential facility ("CRF"): living quarters meeting applicable federal and state standards that function as a single housekeeping unit and provide supportive services, including but not limited to counseling, rehabilitation and medical supervision, excluding drug and alcohol detoxification which is classified in ~~((Section))~~ K.C.C. 21A.08.050 as health services, and excluding a secure community transition facility as defined in R.C.W. 71.09.020 and in this chapter. For purposes of domestic violence shelters, minors living with a parent shall not be counted as part of the maximum number of residents. ~~((CRF's))~~ CRFs are further classified as follows:

A. CRF-I - Nine to ten residents and staff;

B. CRF-II - Eleven or more residents and staff.

If staffed by nonresident staff, each ~~((24))~~ twenty-four staff hours per day equals one full-time residing staff member for purposes of subclassifying ~~((CRF;s))~~ CRFs.

SECTION 3. Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030 are each hereby

amended to read as follows:

A. Residential land uses.

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

B. Development conditions.

1. Except bed and breakfast guesthouses.
2. In the forest production district, the following conditions apply:
 - a. Site disturbance associated with development of any new residence shall be limited to three acres.

Site disturbance shall mean all land alterations including, but not limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage disposal systems and driveways. Additional site disturbance for raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be approved only if a farm management (conservation) plan is prepared in accordance with K.C.C. chapter 21A.30. Animal densities shall be based on the area devoted to animal care and not the total area of the lot;

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

c. A fire protection plan for the subject property is required and shall be reviewed and approved by the Washington state department of natural resources with the concurrence of the fire marshal for each residential use. This plan shall be developed in such a manner as to protect the adjoining forestry uses from a fire that might originate from the residential use. This plan shall provide for setbacks from existing forestry

uses and maintenance of approved fire trails or other effective fire line buffers on perimeters with forest land.

3. Only as part of a mixed use development subject to the conditions of K.C.C. chapter 21A.14, except that in the NB zone on properties with a land use designation of commercial outside of center (CO) in the urban areas, stand-alone townhouse developments are permitted subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060 and 21A.14.180.

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

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

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

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

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

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

5. Apartment units are permitted outright as follows:

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

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

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

7.a. Accessory dwelling units:

(1) Only one accessory dwelling per primary single detached dwelling unit;

(2) Only in the same building as the primary dwelling unit on an urban lot that is less than ten thousand square feet in area, on a rural lot that is less than the minimum lot size, or on a lot containing more than one primary dwelling;

(3) The primary dwelling unit or the accessory dwelling unit shall be owner occupied;

(4)(a) One of the dwelling units shall not exceed a floor area of one thousand square feet except when one of the dwelling units is wholly contained within a basement or attic, and

(b) When the primary and accessory dwelling units are located in the same building, only one entrance may be located on each street side of the building;

(5) One additional off-street parking space shall be provided;

(6) The accessory dwelling unit shall be converted to another permitted use or shall be removed if one of the dwelling units ceases to be owner occupied; and

(7) An applicant seeking to build an accessory dwelling unit shall file a notice approved by the department of executive services, records, elections and licensing services division, that identifies the dwelling unit as accessory. The notice shall run with the land. The applicant shall submit proof that the notice was filed before the department shall approve any permit for the construction of the accessory dwelling unit. The required contents and form of the notice shall be set forth in administrative rules. If an accessory dwelling unit in a detached building in the rural zone is subsequently converted to a primary unit on a separate lot, neither the original lot nor the new lot may have an additional detached accessory dwelling unit constructed unless the lot is at least twice the minimum lot area required in the zone.

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

(9) In the A zone, one accessory dwelling unit is allowed on any lot under twenty acres in size, and

two accessory dwelling units are allowed on lots that are twenty acres or more, provided that the accessory dwelling units are occupied only by farm workers and the units are constructed in conformance with the State Building Code.

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

- (1) no aircraft sales, service, repair, charter or rental; and
- (2) no storage of aviation fuel except that contained in the tank or tanks of the aircraft.

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

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

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

- a. Serving meals to paying guests shall be limited to breakfast; and
- b. There shall be no more than five guests per night.

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

- a. Serving meals to paying guests shall be limited to breakfast; and
- b. The number of persons accommodated per night shall not exceed five, except that a structure that

satisfies the standards of the Uniform Building Code as adopted by King County for R-1 occupancies may accommodate up to ten persons per night.

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

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

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

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

15.a. Limited to domestic violence shelter facilities.

b. Limited to domestic violence shelter facilities with no more than eighteen residents or staff.

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

a. developments no larger than one acre;

b. not adjacent to another cottage housing development such that the total combined land area of the cottage housing developments exceeds one acre; and

c. All units must be cottage housing units with no less than three units and no more than sixteen units, provided that if the site contains an existing home that is not being demolished, the existing house is not required to comply with the height limitation in subsection B.25. of this section or the floor area and footprint limits in K.C.C. 21A.14.025.B.

17. The development for a detached single-family residence shall be consistent with the following:

a. The lot must have legally existed prior to March 1, 2005;

b. The lot has a comprehensive plan land use designation of Rural Neighborhood or Rural Residential; and

c. The standards of this title for the RA-5 zone shall apply.

official paper, 30 days prior

post outside chambers

Newspaper: Seattle Times

Publish: Wed. Feb. 20

Public Hearing: 3/24/08