



## Legislation Details (With Text)

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<b>File created:</b>	11/10/2008	<b>In control:</b>	Growth Management and Natural Resources Committee
<b>On agenda:</b>	12/15/2008	<b>Final action:</b>	12/15/2008
<b>Enactment date:</b>	12/23/2008	<b>Enactment #:</b>	16333
<b>Title:</b>	AN ORDINANCE related to making technical corrections regarding zoning and development regulations for paintball ranges; and amending Ordinance 10870, Section 331, as amended, and K.C.C. 21A.08.040.		
<b>Sponsors:</b>	Larry Gossett		
<b>Indexes:</b>	Development Regulations, Zoning		
<b>Code sections:</b>	21A.08.040 -		
<b>Attachments:</b>	1. 16333.pdf, 2. 2008-0613 - Adoption Notice final 16333 (2).doc, 3. 2008-0613 Hearing Notice.doc, 4. 2008-0613 -paintball ranges final 16333 (2).doc, 5. 2008-0613 staff report (12-9-08).doc		

Date	Ver.	Action By	Action	Result
12/15/2008	1	Metropolitan King County Council	Hearing Held	
12/15/2008	1	Metropolitan King County Council	Passed	Pass
12/9/2008	1	Growth Management and Natural Resources Committee	Recommended Do Pass Consent	Pass
11/10/2008	1	Metropolitan King County Council		

Clerk 11/07/2008

AN ORDINANCE related to making technical corrections regarding zoning and development regulations for paintball ranges; and amending Ordinance 10870, Section 331, as amended, and K.C.C. 21A.08.040.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

### SECTION 1. Findings:

A. Ordinance 16267, which related to zoning and development regulations, included an amendment to K.C.C. 21A.08.040 that displayed the incorrect subsection A, which should have been a table about recreational/cultural land uses. Changes were made to K.C.C. 21A.08.040.B. in Ordinance 16267 regarding paintball ranges that required corresponding changes be made to K.C.C. 21A.08.040.A.

B. This ordinance corrects the references in K.C.C. 21A.08.040.A. to paintball ranges.

SECTION 2. Ordinance 10870, Section 331, as amended, and K.C.C. 21A.08.040 are each hereby amended to read as follows:

A. Recreational/cultural land uses.

KEY		Z  O N E	RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL								
P-Permitted Use			A	F	M	R	U	R	U	R	N	B	C	B	R	B	O	I
C-Conditional Use			G	O	I	U	R	E	R	E	E	U	O	U	E	U	F	N
S-Special Use			R	R	N	R	B	S	B	S	I	S	M	S	G	S	F	D
		I	E	E	A	A	E	A	I	G	I	M	I	I	I	I	U	
		C	S	R	L	N	R	N	D	H	N	U	N	O	N	C	S	
		U	T	A			V		E	B	E	N	E	N	E	E	T	
		L		L			E		N	O	S	I	S	A	S		R	
		T							T	R	S	T	S	L	S		I	
		U							I	H		Y					A	
		R							A	O							L	
		E							L	O								
									D									
SIC#	SPECIFIC LAND USE	A	F	M	R	A	U	R	R1-8	R12-48	NB	CB	RB		O	I		
	PARK/RECREATION:																	
*	Park	P1	P1	P1	P1	P1		P1	P1	P	P	P	P	P	P	P13		
	Large Active Recreation and Multiuse Park		P1	P1	P1	P1		P1	P1	P	P	P	P	P	P	P13		
*	Trails	P	P	P	P	P		P	P	P	P	P	P	P	P	P		
*	Campgrounds		P16 C16a	P16	P16 C16a	P16 C16a										P16 C16a		
*	Destination Resorts		S			S18	C						C					
*	Marina		C 3			C4	C4	C4	C4	P5	P	P	P	P	P	P		
*	Recreational Vehicle Park		P19	P19		C2 and 18 P19												
*	Sports Club (17)					C4,	C4	C4	C4	C	P	P	P	P				
*	Ski Area		S			S18												
*	Recreational Camp		C			P24												
	AMUSEMENT/ ENTERTAINMENT:																	
*	Adult Entertainment Business											P6	P6	P6	P6			
*	Theater											P	P	P	P	P25		
7833	Theater, Drive-in												C					
793	Bowling Center											P	P			P		

*	Golf Facility				C7 and 18	P7	P7	P7					
7999 (14)	Amusement and Recreation Services		P21	P21	P8 P21, C15 and 18	P8, P21 P22 C15	P8, P2 1 P2 2 C1 5	P21 P22	P	P		P2 1	P2 1
*	<u>Indoor Paintball Range</u>								P26	P26			P2 6
*	<u>Outdoor Paintball Range</u>				C27	C27							
*	Shooting Range		C9		C9 and 1					C10			P1 0
*	Amusement Arcades								P	P			
7996	Amusement Park									C			
*	Outdoor Performance Center		S		C12 S18		P2 0	P20		S			
	CULTURAL:												
823	Library				P11	P11 C	P1 1 C	P11	P	P	P	P	
841	Museum	C23	C23		P11	P11 C	P1 1 C	P11	P	P	P	P	P
842	Arboretum	P	P		P	P	P	P	P	P	P	P	
*	Conference Center				P11 C12	P11 C12	P1 1 C	P11	P		P	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.01 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.49													

## B. Development conditions.

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 A zone 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 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 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, that are subject to review and public meetings through the department of natural resources and parks.

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.

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.

23. Limited to natural resource and heritage museums and only allowed in a farm or forestry structure, including but not limited to barns or sawmills, existing as of December 31, 2003.

24. Use is permitted without a conditional use permit only when in compliance with all of the following conditions:

a. The use is limited to camps for youths or for persons with special needs due to a disability, as defined by the American With Disabilities Act of 1990, or due to a medical condition and including training for

leaders for those who use the camp;

b. Active recreational activities shall not involve the use of motorized vehicles such as cross-country motorcycles or all-terrain vehicles or the use of firearms. The prohibition on motorized vehicles does not apply to such vehicles that may be necessary for operation and maintenance of the facility or to a client-specific vehicle used as a personal mobility device;

c.(1) Except as provided in subsection B.24.c.(2)(b) of this section, the number of overnight campers, not including camp personnel, in a new camp shall not exceed:

(a) one hundred and fifty for a camp between twenty and forty acres; or

(b) for a camp greater than forty acres, but less than two hundred and fifty acres, the number of users allowed by the design capacity of a water system and on-site sewage disposal system approved by the department of health, Seattle/King County, up to a maximum of three hundred and fifty; and

(2) Existing camps shall be subject to the following:

(a) For a camp established prior to August 11, 2005, with a conditional use permit and is forty acres or larger, but less than one hundred and sixty acres, the number of overnight campers, not including camp personnel, may be up to one hundred and fifty campers over the limit established by subsection B.24.c.(1)(b) of this section.

(b) For a camp established prior to August 11, 2005, with a conditional use permit and is one hundred and sixty acres or larger, but less than two hundred acres, the number of overnight campers, not including camp personnel, may be up to three hundred and fifty campers over the limit established by subsection B.24.c.(1)(b) of this section. The camp may terminate operations at its existing site and establish a new camp if the area of the camp is greater than two hundred and fifty acres and the number of overnight campers, not including camp personnel, shall not exceed seven hundred.

d. The length of stay for any individual overnight camper, not including camp personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;



e. The camp facilities, such as a medical station, food service hall, and activity rooms, shall be of a scale to serve overnight camp users;

f. The minimum size of parcel for such use shall be twenty acres;

g. Except for any permanent caretaker residence, all new structures where camp users will be housed, fed or assembled shall be no less than fifty feet from properties not related to the camp;

h. In order to reduce the visual impacts of parking areas, sports and activity fields or new structures where campers will be housed, fed or assembled, the applicant shall provide a Type 3 landscape buffer no less than twenty feet wide between the nearest property line and such parking area, field, or structures, by retaining existing vegetation or augmenting as necessary to achieve the required level of screening;

i. If the site is adjacent to an arterial roadway, access to the site shall be directly onto said arterial unless direct access is unsafe due inadequate sight distance or extreme grade separation between the roadway and the site;

j. If direct access to the site is via local access streets, transportation demand management measures, such as use of carpools, buses or vans to bring in campers, shall be used to minimize traffic impacts;

k. Any lights provided to illuminate any building or recreational area shall be so arranged as to reflect the light away from any adjacent property; and

l. A community meeting shall be convened by the applicant prior to submittal of an application for permits to establish a camp, or to expand the number of camp users on an existing camp site as provided in subsection B.24.c.(2)(b) of this section. Notice of the meeting shall be provided at least two weeks in advance to all property owners within five hundred feet (or at least twenty of the nearest property owners, whichever is greater). The notice shall at a minimum contain a brief description of the project and the location, as well as, contact persons and numbers.

25. Limited to theaters primarily for live productions located within a Rural Town designated by the King County Comprehensive Plan.

26.a. Only in an enclosed building; and

b. A copy of the current liability policy of not less than one million dollars for

bodily injury or death shall be maintained in the department.

27. Minimum standards for outdoor paintball recreation fields:

a. The minimum site area is twenty-five acres;

b. Structures shall be no closer than one hundred feet from any lot line adjacent to a residential zoned property;

c. The area where paintballs are discharged shall be located more than three hundred feet of any lot line and more than five hundred feet from the lot line of any adjoining residential property. The department may allow for a lesser setback if it determines through the conditional use permit review that the lesser setback in combination with other elements of the site design provides adequate protection to adjoining properties and rights-of-ways;

d. A twenty-foot high nylon mesh screen shall be installed around all play areas and shall be removed at the end of each day when the play area is not being used. The department may allow for the height of the screen to be lowered to no less than ten feet if it determines through the conditional use permit review that the lower screen in combination with other elements of the site design provides adequate protection from discharged paintballs;

e. All parking and spectator areas, structures and play areas shall be screened from adjoining residential zoned property and public rights of way with Type 1 landscaping at least ten feet wide;

f. Any retail sales conducted on the property shall be accessory and incidental to the permitted activity and conducted only for the participants of the site;

g. A plan of operations specifying days and hours of operation, number of participants and employees, types of equipment to be used by users of the site, safety procedures, type of compressed air fuel to be used on the site and storage and maintenance procedures for the compressed air fuel shall be provided for

review in conjunction with the conditional use permit application. All safety procedures shall be reviewed and approved by department of public safety prior to submittal of the conditional use permit application. All activities shall be in compliance with National Paintball League standards;

h. The hours of operation shall be limited to Saturdays and Sundays and statutory holidays from 8:30 a.m. to 8:30 p.m., and further restricted as applicable to daylight hours;

i. No more than one hundred paintball players shall be allowed on the site at any one time;

j. No outdoor lights or amplified sounds shall be permitted;

k. The facility shall have direct access to a road designated as a major collector (or higher) in the Comprehensive Plan unless the department determines through the conditional use permit review that the type and amount of traffic generated by the facility is such that it will not cause an undue impact on the neighbors or adversely affect safety of road usage;

l. The facility shall be secured at the close of business each day;

m. All equipment and objects used in the paintball activities shall be removed from the site within ninety days of the discontinuance of the paintball use; and

6. A copy of the current liability policy of not less than one million dollars for

bodily injury or death shall be submitted with the conditional use permit application and shall be maintained in the department.

official paper 30 days prior