October 15, 1991 LIVESTOC. sub VN:clt:ji

Bruce Laing Introduced by: Brian Derdowski

Proposed No.:

ORDINANCE NO.

10190

AN ORDINANCE relating to zoning livestock, amending K.C.C. 21.18.020 and Resolution 25789, Section 901, as amended; K.C.C. 21.20.030 and Ordinance 3677, Section 3, as amended; K.C.C. 21.21A.030 and Ordinance 7661, Section 3 as amended; K.C.C. 21.25.030 and Ordinance 4303, Section 3, as amended.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Resolution 25789, Section 901 as amended and K.C.C. 21.18.020 are hereby amended to read as follows:

Permitted uses. In an S-E zone the following uses only are permitted and as hereinafter specifically provided and allowed by this chapter, subject to the off-street parking requirements and the general provisions and exceptions set forth in this title beginning with Chapter 21.46:

- A. Any use permitted in the RS classification under the same conditions set forth in such classification, except that the lot area, yard and open space requirements set forth in this classification shall apply.
- B. Agricultural crops, provided no retail sales of products are permitted on the premises for parcels less than one acre.
- C. Marketing of agricultural products, dairy products, arts and crafts and small animals not raised or produced on site, provided:
- 1. Any structure, building, or farm stand used for the sale of such products shall not exceed 6500 square feet in size.
 - 2. The site shall have direct access to an arterial.
- 3. The site shall be located within 800 feet of a city with a population in excess of 28,000.
- 4. The sales area or structure shall not be located closer than 800 feet to any off-site residence.

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- 5. The use shall be subject to site plan approval pursuant to K.C.C. 21.46.150 through 21.46.200.
- 6. Operations shall be permitted daily, except during the period of October through April, when operations shall be limited to Saturdays, Sundays and holidays.
- 7. Hours of operation shall be 7:00 a.m. to 9:00 p.m.
- D. Accessory buildings and uses, including the following:
- 1. Private stables, provided such buildings or structures shall not be located closer than thirty-five feet to any boundary line or closer than forty-five feet to any building containing a dwelling unit or accessory living quarters on the same premises; and provided further, that there shall be no open-air storage of manure, hay, straw, shavings or similar organic material closer than thirty-five feet to any property boundary line or closer than forty-five feet to any dwelling unit or accessory living quarters on the same premises;
- 2. Greenhouses provided no retail sales are permitted on the premises for parcels of less than one acre;
- 3. Marketing of agricultural products produced on-site or on immediately adjacent properties, provided the site on which the stand is located is one acre or larger, and only one stand to be used for such purposes, and such stand shall not have more than three hundred square feet of floor area, and shall not be located in any required yard or open space;
 - E. Livestock, provided:
- 1. No more than one horse, cow, steer, or swine or five sheep, llamas, alpacas or goats, excluding sucklings, for each one-half acre of the total site area shall be permitted except there shall be no limit on horses kept in a public stable.

- 2. Fee boarding of other's livestock shall be accessory to a residence on the subject property and the total number of animals, including those owned by the occupants of the premises shall not exceed one horse, cow, steer, or swine or five sheep, llamas, alpacas or goats for each one-half acre of the site.
- 3. Any building, pen or structure used to house, confine or feed such animals shall not be located closer than thirty-five feet to any boundary property line nor closer than forty-five to any building containing a dwelling unit or accessory living quarters on the same premises.
- 4. Swine shall be permitted only on a site with a minimum area of three acres which shall not be further subdivided, and any building, pen or structure used to house, confine or feed swine shall not be located closer than one hundred feet to any property line nor closer than forty-five feet to any building containing a dwelling unit or accessory living quarters on the same premises.
 - F. Public stables, on a minimum of ten acres, provided:
- 1. Any stable, arena, or barn shall be located no closer than seventy-five feet to any boundary property line or closer than forty-five feet to any building containing a dwelling unit on the same premises (however, one barn or stable building may contain a caretaker's accessory living quarters).
- 2. Any corrals or exercise yards shall maintain a distance of not less than thirty-five feet from any building containing a dwelling unit or accessory living quarters on the same premises.
- 3. There shall be no open-air storage of manure, hay, straw, shavings or similar organic material closer than thirty-five feet to any property line or closer than forty-five feet to any dwelling unit or accessory living quarters.
- 4. When a parking area is located adjacent to any property line, a ten-foot strip adjacent to such property line shall be landscaped with evergreen shrubs, bushes or trees,

which shall be maintained at a height of not less than five feet. Said landscaping shall be planted according to accepted practice and maintained in good condition at all times. Existing vegetation on the site may be used to help meet this requirement, provided that it is a part of a site plan approved by the building and land development division and is maintained in good condition along with any required new plantings.

- 5. Any outside area lighting shall be installed in such a way as to prevent glare from affecting adjacent streets and residences.
- 6. One unlighted sign, up to sixteen square feet in size, shall be permitted.
- G. Raising of poultry, chicken, squab and rabbits, provided:
- No more than thirty in total of such fowl or animals per acre may be kept on the premises.
- 2. Any birds kept on the premises shall be confined within an aviary.
- 3. Any building, pen, aviary or structure used to house or contain such fowl and animals shall not be located closer than thirty-five feet to any boundary property line of the premises, or closer than forty-five feet to any building containing a dwelling unit or accessory living quarters on the same premises.
- H. Raising of hamsters, nutria and chinchilla for commercial purposes provided:
- $\hbox{1. No more than one hundred of such animals per acre} \\$ may be kept on the premises.
- 2. Any buildings, pens, cages or structures used to contain or house such animals shall not be located closer than thirty-five feet to any building containing a dwelling unit or accessory living quarters on the same premises.
 - I. Sign, as follows:

- 1. One unlighted identification sign not exceeding two square feet in area containing the name of the occupant of the premises;
- 2. One unlighted double-faced sign not exceeding six square feet of area per face, pertaining only to the sale, lease or hire of only the particular building, property or premises upon which displayed;
- J. Any other use permitted in an A zone and subject to the same restrictions, provided that the subject property must be at least ten acres in size, and may not be subdivided if the subdivision will result in the use being on a site under ten acres in size, and excluding the following uses:
- Food processing plants and facilities, and feed, seed and fertilizer sales;
 - 2. On-site processing of harvested forest products;
- 3. Housing facilities to accommodate agricultural employees.
- K. Rental stables, subject to a conditional use permit, provided:

The site must be large enough to contain the riding area or trail system.

- L. Planned unit development as provided in Chapter 21.56.
- M. Unclassified uses as provided in Chapter 21.44.

 <u>SECTION 2</u>. Ordinance 3677, Section 3 as amended and

K.C.C. 21.20.030 are hereby amended to read as follows:

Permitted uses - Suburban agricultural. In an S-R zone the following uses only are permitted on a minimum lot size of five acres or more and as hereinafter specifically provided and allowed by this chapter, subject to the off-street parking and loading requirements and the general provisions and exceptions in this title beginning with Chapter 21.46, and the provisions of the King County shoreline management master program where applicable:

A. Agricultural crops;

- B. Fishing ponds (commercial), but excluding restaurants;
 - C. Forest crops, growing and harvesting;
 - D. Horticultural nurseries;
- E. Small animal farms, including mink and fox farms; provided any building, pen, cage or structure used to contain, house, confine or feed such animals shall not be located closer than one hundred fifty feet to any building containing a dwelling unit or accessory living quarters on the same premises;
- F. Small animal hospital and clinic, provided the portion of the building or structure in which animals are kept or treated is sound-proofed; all run areas are completely surrounded by an eight-foot solid wall; the animal runs shall be surfaced with concrete or other impervious materials; there shall be no burning of refuse or dead animals on the premises; drainage shall be away from adjoining properties;
- G. Marketing of produce raised on the premises or immediately adjacent properties; provided only one stand to be used for such purposes is permitted on the premises, and such stand shall not contain more than three hundred square feet of floor area, and shall not be located in any required yard or open space on the premises;
 - H. Livestock, provided:
- 1. Not more than one horse, cow, steer, or swine or five sheep, <u>llamas</u>, <u>alpacas</u> or goats, excluding sucklings, for each one-half acre of the total site shall be permitted; except there shall be no limit on the number of horses kept in a public stable,
- 2. Any building, pen or structure used to house, confine or feed such animals shall not be located closer than seventy-five feet and in the case of swine no closer than one hundred feet to any boundary property line nor closer than forty-five feet to any building containing a dwelling unit or accessory living quarters on the same premises,

- 3. Fee boarding of other's livestock shall be accessory to a residence on the subject property, and the total number of animals, including those owned by the occupants of the premises, shall not exceed one horse, cow, steer or swine or five sheep, llamas, alpacas or goats for each one-half acre of the site;
- I. Slaughtering and dressing of animals or fowl raised on the premises, accessory to a residence; provided any building, structure or area used for such purposes shall not be closer than seventy-five feet to any boundary property line of the premises, or closer than forty-five feet to any building containing a dwelling unit or accessory living quarters on the same premises.
- <u>SECTION 3</u> Ordinance 7661 , Section 3 as amended and K.C.C. 21.21A.030 are hereby amended to read as follows:

 Permitted uses Agricultural and forestry. The following agricultural and forestry uses only are permitted:
- A. Growing and harvesting agricultural crops, and the structures necessary or these activities;
- B. Raising of livestock and small animals other than mink in pastures or structures, provided:
- 1. No more than one horse, cow, swine, ((llama)) or other large grazing animal, or five sheep, <u>llamas</u>, <u>alpacas</u> or goats, not counting sucklings, for each one-half acre of the total site area shall be permitted on parcels of ten acres or smaller;
- 2. Any barn, pen or other covered structure used to house, confine or feed livestock or small animals, except mink, shall not be located closer than one-hundred feet to any well supplying water for human consumption. Open-air storage of manure, hay or other organic material shall also observe this setback:
- 3. Mink farms shall be limited to parcels with a minimum of ten acres which shall not be further subdivided unless the use is discontinued, and further provided any barn,

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pen or other covered structure used to contain, house, confine or feed mink shall not be located closer than one hundred-and-fifty feet to any property line or well supplying water used for human consumption.

- 4. Beehives, subject to the provisions of K.C.C. 21.08.030, except there shall be no limit on the number of hives on parcels of five acres or larger;
- C. Processing of agricultural products and livestock raised on the premises including the slaughtering and dressing of animals, when accessory to a residence; provided any building, structure or area used for such purposes shall not be closer than seventy-five feet to any property line unless a greater setback is required by K.C.C. 21.21A.100, and:
- 1. The number of employees in addition to members of the family residing in the principal residence shall be limited to three, unless the site is ten acres or more in size;
- 2. The sewage disposal and water supply are approved by the Seattle-King County department of public health;
- 3. The use is not located within a one-hundred-year floodplain. Expansion of any existing facilities in the floodplain shall be limited to structural alterations and increases in floor area required by law for health and safety reasons.
 - D. Horticultural nursery;
- E. Marketing of agricultural and horticultural products raised on the premises in one or more farm stands, provided:
- 1. The total area for farm stands, not including storage areas, shall not exceed five hundred square feet of floor area;
- 2. No stand shall be located within any required setback;
- 3. If the property's vehicular access is directly from an arterial or highway, then four off-street parking places shall be provided;

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- F. Accessory housing in separate structures at a maximum density of one accessory dwelling unit per ten acres, to accommodate agricultural or forestry workers and their families employed on the premises, provided:
- 1. These facilities are only permitted on holdings containing ten acres or more;
- 2. These facilities shall not be rented or leased to individuals other than agricultural or forestry workers and their immediate families:
- 3. The sewage disposal and water supply are approved by the Seattle-King County department of public health;
- G. Public and rental stables, on a minimum of ten acres, provided any stable, barn, covered or uncovered arena, corral, or exercise yard shall maintain a distance of not less than one-hundred feet from any well supplying water for human consumption;
 - H. Forest practices except:
 - 1. Secondary processing of forest products;
 - 2. Storage of fuels, explosives and chemicals;
- 3. Fuelwood and log storage yards larger than two acres;
- I. Burning of slash and logging residues when authorized by a burning permit issued by the Washington State Department of Natural Resources;
- J. Primary processing of forest products grown on-site using only portable equipment;
 - K. Disposal of residues of primary processing;
- L. Storage and maintenance of resident-owned equipment required for permitted uses;
- M. Removal, harvesting or retailing of vegetation such as fuelwood, cones, Christmas trees, salal, berries, ferns, greenery, mistletoe, herbs and mushrooms, subject to the limitations of the chapter on farm stands.
- N. Forestry, agricultural and natural resource research;

O. Wildlife and fish propagation and management including any associated buildings, facilities or improvements;

- P. Dispersed recreation and outdoor recreation facilities such as primitive campsites, trails, trail heads and warming huts (but excluding recreational vehicle parks and developed campsites with utility hookups);
- Q. Other uses necessary for the commercial production of forest products compatible with rural residential development, as determined by the manager of the building and land development division.

SECTION 4. Ordinance 4303, Section 3, as amended and K.C.C. 21.25.030 are hereby amended as follows:

Permitted uses. In a G-5 zone, the following uses only are permitted, subject to the off-street parking requirements and other general provisions and exceptions set forth in this title beginning with Chapter 21.46:

- A. A one-family dwelling and accessory buildings and uses; provided, that if the dwelling is a factory built unit or a mobile home, it must be certified by the State of Washington, and if the dwelling is a mobile home, it must also meet on-site permit requirements contained in K.C.C. 21.09 as now or hereafter amended;
- B. On parcels having an area of 35,000 square feet or greater but less than five acres the following uses are permitted:
 - 1. Agricultural crops,
- 2. Accessory buildings and uses, including the
 following:
- a. Private stables, provided such buildings or structures shall not be located closer than thirty-five feet to any boundary line or closer than forty-five feet to any building containing a dwelling unit or accessory living quarters on the same premises; and provided further, that there shall be no open-air storage of manure, hay, straw, shavings or similar organic material closer than thirty-five feet to any

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property boundary line or closer than forty-five feet to any dwelling unit or accessory living quarters on the same premises;

- b. Green houses provided no retail sales are permitted on the premises for parcels of less than one acre;
- c. Marketing of agricultural products produced on-site or on immediately adjacent properties, provided only one stand is to be used for such purposes, and such stand shall not have more than three hundred square feet of floor area, and shall not be located in any required yard or open space;
 - 3. Livestock, provided:
- a. No more than one horse, cow, steer, or swine or five sheep, llamas, alpacas or goats, not counting sucklings, for each one-half acre of the total site area shall be permitted.
- b. Fee boarding of other's livestock shall be accessory to a residence on the subject property and the total number of animals, including those owned by the occupants of the premises shall not exceed one horse, cow, steer, or swine or five sheep, llamas, alpacas or goats for each one-half acre of the site.
- c. Any building, pen or structure used to house, confine or feed such animals shall not be located closer than thirty-five feet to any boundary property line nor closer than forty-five feet to any building containing a dwelling unit or accessory living quarters on the same premises.
- d. Swine shall be permitted only on a site with a minimum area of three acres which shall not be further subdivided, and any building, pen or structure used to house, confine or feed swine shall not be located closer than one hundred feet to any property line nor closer than forty-five feet to any building containing a dwelling unit or accessory living quarters on the same premises.
- 4. Raising of poultry, chicken, squab and rabbits, provided:

- a. No more than thirty in total of such fowl or animals per acre may be kept on the premises.
- b. Any birds kept on the premises shall be confined within an aviary.
- c. Any building, pen, aviary or structure used to house or contain such fowl and animals shall not be located closer than thirty-five feet to any boundary property line of the premises, or closer than forty-five feet to any building containing a dwelling unit or accessory living quarters on the same premises.
- Raising of hamsters, nutria and chinchilla for commercial purposes provided.
- a. No more than one hundred of such animals per acre may be kept on the premises.
- b. Any buildings, pens, cages or structures used to contain or house such animals shall not be located closer than thirty-five feet to any building containing a dwelling unit or accessory living quarters on the same premises.
 - 6. Sign, as follows:
- a. One unlighted identification sign not exceeding two square feet in area containing the name of the occupant of the premises;
- b. One unlighted double-faced sign not exceeding six square feet of area per face, pertaining only to the sale, lease or hire of only the particular building, property or premises upon which displayed;
- 7. Rental stables, subject to a conditional use permit, provided the site must be large enough to contain the riding area or trail system.
- C. On parcels having 5 acres or more but less than 10 acres all of the uses permitted in K.C.C. 21.25.020B plus the following uses:
- Fishing ponds (commercial), but excluding restaurants;
 - 2. Forest crops, growing and harvesting;

3. Horticultural nurseries;

- 4. Small animal farms, including mink and fox farms; provided any building, pen, cage or structure used to contain, house, confine or feed such animals shall not be located closer than one hundred fifty feet to any building containing a dwelling unit or accessory living quarters on the same premises;
- 5. Small animal hospital and clinic, provided the portion of the building or structure in which animals are kept or treated is sound-proofed; all run areas are completely surrounded by an eight-foot solid wall; the animal runs shall be surfaced with concrete or other impervious materials; there shall be no burning of refuse or dead animals on the premises; drainage shall be away from adjoining properties;
- 6. Slaughtering and dressing of animals or fowl raised on the premises, accessory to a residence; provided any building, structure or area used for such purposes shall not be closer than seventy-five feet to any boundary property line of the premises, or closer than forty-five feet to any building containing a dwelling unit or accessory living quarters on the same premises.
- D. On parcels having 10 acres or more, all of the uses permitted in K.C.C. 21.25.020B and C plus the following structures and uses are permitted:
- 1. Barns, silos and other structures necessary for farming and ranching practices, provided said structures shall not be located closer than seventy-five feet to any boundary property line of the premises or any building containing a dwelling unit or accessory living quarters on the same premises;
 - 2. Beehives, without limit on number, provided:
- a. Colonies shall be maintained in movable-frame hives at all times,
- b. Adequate space shall be maintained in each hive to prevent overcrowding and swarming,

- c. Colonies shall be requeened following any swarming or aggressive behavior,
- d. All colonies shall be registered with the county agricultural extension agent prior to April 1st of each year,
- e. Hives shall not be located within twenty-five feet of any property line except:
- $\qquad \qquad \textbf{(1)} \quad \text{When situated eight feet or more above} \\$ adjacent ground level or
- (2) When situated less than six feet above adjacent ground level and behind a solid fence or hedge six feet in height to any property line within twenty-five feet of the hive and extending at least twenty feet beyond the hive in both directions;
- 3. Dairies, livestock, poultry and small animals,
 provided:
- a. Any building, pen, milking shed, cage, aviary, animal run, or area used to contain, house or feed such animals or fowl, other than railroad loading pens, shall not be located closer than seventy-five feet to any boundary property line of the premises or any building containing a dwelling unit or accessory living quarters on the same premises,
- b. Any open-air storage of manure, hay, straw, shavings or similar organic materials shall maintain a distance of not less than thirty-five feet from any boundary property line and a distance of not less than forty-five feet from any building containing a dwelling unit or accessory living quarters on the same premises;
- 4. Forest products, growing and harvesting, including processing of locally harvested crops using portable equipment;
 - 5. Public and private stables; provided:
- a. Any stable or barn shall not be located closer than seventy-five feet to any boundary property line, nor closer than forty-five feet to any building containing a

dwelling unit or accessory living quarters on the same premises,

- b. Any corrals, exercise yards or arenas shall maintain a distance of not less than thirty-five feet from any boundary property line and a distance of not less than forty-five feet from any building containing a dwelling unit or accessory living quarters on the same premises,
- c. One unlighted sign, up to sixteen square feet in size, shall be permitted;
 - 6. Pasturing and grazing;
- 7. Housing facilities to accommodate agricultural employees and their families employed by the owner of the premises; provided such facilities are permitted only on holdings containing ten acres or more; and provided further, that such housing facilities shall be considered accessory to the main dwelling but shall conform to the provision of this classification pertaining to required yards and open spaces for dwellings;
- 8. Marketing of agricultural and dairy products raised on the premises; provided only one stand shall be permitted on the premises and such stand shall not contain more than five hundred square feet of floor area and shall not be located in any required yard or open space on the premises;
- 9. Retail sales of feed, seed or fertilizers, and plants for processing agricultural and dairy products, both subject to the issuance of a conditional use permit; provided the following minimum conditions are conformed to:
- a. The number of employees involved and the physical scale is such that there is no substantial traffic involved and the building intensity and character is consistent with the surroundings,
- b. There are adequate facilities provided to handle sewer and water needs and the processes do not violate air or water pollution standards,

- c. The use is not located within a one hundred-year floodplain. Expansion of any existing facilities in the floodplain shall be limited to structural alterations and increases in floor area required by law for health and safety reasons:
- 10. Home occupations; provided the home occupation:
- a. Is carried on exclusively by a member or members of a family residing in the main dwelling unit on the premises,
- b. Is clearly incidental and secondary to the use of the property for agricultural purposes,
- $% \left(1\right) =\left(1\right) \left(1\right)$ c. Has no display or sign not already permitted in the zone,
- d. Has no outside storage nor other exterior indication of the home occupation or variation from character of the area.
- e. Does not require truck delivery or pickup, nor the installation of heavy equipment, large power tools or power sources not common to an agricultural area,
- f. Does not create a level of noise vibration, smoke, dust, odors, heat or glare beyond that which is common to an agricultural area,
- g. Does not create a level of parking demand beyond that which is normal to an agricultural area, and
 - h. All sales shall be an incidental use.
- E. Public utility facilities such as telephone exchanges, water pumping stations, electrical distribution substations, water storage reservoirs or tanks necessary for the distribution and transmission of services for the area including accessory microwave transmission facilities and towers;
 - F. Schools and churches;
- G. Libraries and parks, publicly owned and operated, subject to the provisions of K.C.C. 21.08.040F;

H. Any accessory use set forth in K.C.C. 21.08.030 and	
K.C.C. 21.08.050, subject to the provisions contained therein;	
I. Recreational facilities, community noncommercial,	
including clubhouse facilities, subject to the issuance of a	
conditional use permit, provided:	
1. Any building, structure, or parking area on the	
site shall maintain a distance not less than twenty-five feet	
from any abutting R, S or G classified property.	
2. 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.	
3. The site shall be located upon, or have adequate	
access to a public thoroughfare.	
J. Specialized instruction schools provided:	
1. The lot shall have a minimum lot size of 2 1/2	
acres.	
2. The specific standards set forth in K.C.C.	
21.44.030 R. are met.	
K. Unclassified uses as provided in Chapter 21.44, only	
when consistent with the purpose of this chapter and excluding	
commercial establishments and enterprises as defined by K.C.C.	
21.44.030C	
INTRODUCED AND READ for the first time this day	
of <u>Jaine</u> , 1991.	
of June, 1991. PASSED this 9th day of December, 1991.	
KING COUNTY COUNCIL KING COUNTY, WASHINGTON	
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King County Executive	