

ORDINANCE NO. **11177**

AN ORDINANCE relating to rifle, pistol, and archery shooting ranges; establishing safety standards, specifications, and licensing requirements; amending Resolution 25789, Section 2202, as amended, K.C.C. 21.44.030, Ordinance 10870, Section 331, K.C.C. 21A.08.040 B, adding a new chapter to K.C.C. Title 6.

FINDINGS:

1. King County has large areas which are relatively urbanized and many more which are rapidly becoming urban in density.
2. Based upon the expertise of King County's department of public safety, the County recognizes that the distance at which a bullet is no longer capable of great bodily injury varies with the type and caliber of the firearm but can range over a mile.
3. King County recognizes that the discharge of firearms and bows at outdoor ranges within the urban area presents the potential for accidental injury or death to persons outside of the range, and for potential damage to property outside of the range, and that therefore, special precautions are necessary.
4. Although the King County zoning code (Title 21) establishes a conditional use permit process and minimum standards for proposed gun ranges, no such process or standards exists for existing gun and archery ranges.
5. The existing conditional use permit process and minimum standards for gun ranges notwithstanding, there is a need for additional minimum standards to protect the health, safety, and welfare of the general public.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Resolution 25789, Section 2202, as amended, and K.C.C. 21.44.030 are hereby amended to read as follows:

Uses requiring conditional use permit. The following uses may locate subject to the issuance of a conditional use permit processed as provided in Chapter 21.58.

A. Cemeteries, provided:

1. No building shall be located closer than one hundred feet from any boundary line,

2. A protective fence and a landscaped strip of evergreen trees and shrubs at least ten feet in width shall be installed on all common boundary lines with R or S zoned property;

B. Columbariums, crematories and mausoleums, provided these uses are specifically excluded from all R zones unless inside a cemetery;

1 C. Commercial establishments or enterprises involving
2 large assemblages of people or automobiles as follows, provided
3 these uses are specifically excluded from all R, S-E and F-R
4 zones:

- 5 1. Amusement parks,
- 6 2. Boxing and wrestling arenas,
- 7 3. Ball parks,
- 8 4. Fairgrounds and rodeos,
- 9 5. Golf driving ranges,
- 10 6. Labor camps (transient),
- 11 7. Drive-in theater; provided, that no adult theater
12 shall be operated within five hundred feet of an R or S zone or
13 at a drive-in theater as defined in King County Code 21.04.310
14 whose screen may be viewed from a public right-of-way or an R
15 or S zone,

16 8. Race tracks, drag strips, motorcycle hills and
17 Go-Kart tracks,

18 9. Stadiums;

19 10. Auction facilities;

20 D. Educational institutions not otherwise permitted;

21 E. Fire stations, including spaces for municipal offices
22 and utility district offices, when located in any R, S, G, or A
23 zone, provided the following conditions are conformed to:

24 1. All buildings and structures shall maintain a
25 distance of not less than twenty feet from any property line
26 that is a common property line with R-zoned property,

27 2. Any building from which fire-fighting equipment
28 emerges onto a street shall maintain a distance of thirty-five
29 feet from such street,

30 3. Open storage shall be prohibited,

31 4. Overnight parking and maintenance of municipal or
32 utility vehicles shall be within an enclosed structure which is
33 compatible in size and design with the surrounding area;

1 F. Hospitals, mental and alcoholic, provided they are
2 specifically excluded from all RS, RD, RM-2400, RM-1800 and S
3 zones;

4 G. Institutions for training of religious orders;

5 H. Kennels, provided that the minimum site area is five
6 acres and that the buildings housing such use and animal runs
7 shall not be closer than one hundred fifty feet to any boundary
8 property line of the premises and that they are specifically
9 excluded from all R zones. The zoning adjustor may require
10 such additional setback, fencing, screening or soundproofing
11 requirements as it deems necessary to ensure the compatibility
12 of the kennel with surrounding development;

13 I. Communication facility, subject to K.C.C. 21.80.020 -
14 21.80.190.

15 J. Recreational areas, commercial, including yacht
16 clubs, beach clubs, tennis clubs, parks, ski areas, marinas and
17 similar activities;

18 K. Universities and colleges, including dormitories and
19 fraternity and sorority houses when on campus;

20 L. Commercial establishments or enterprises involving
21 open recreational uses of land as follows, provided these uses
22 are specifically excluded from all R and S zones:

23 1. Campgrounds,

24 2. Camps, such as boy scout, girl scout, church,
25 YWCA, YMCA, and similar types,

26 3. Recreational camps and resorts,

27 4. Outdoor stage theaters,

28 5. Recreational vehicle parks as provided in Chapter
29 21.09;

30 M. Hunting and fishing camps, gun clubs and rifle,
31 ((and)) pistol, and archery ranges, provided these uses are
32 specifically excluded from all R and S zones, and provided
33 further, the following conditions are conformed to:

34 1. All ((installations)) new outdoor structures shall be
35 located at such a distance from adjoining property lines as

1 will protect abutting property from hazard, ((noise)) excessive
2 sound or dust; provided, that a minimum distance of fifty feet
3 shall be maintained,

4 2. Firing ranges shall be designed so as to prevent
5 stray or ricocheting bullets, ((or)) pellets, or arrows from
6 leaving the ((property)) range, or controlled safety zone,

7 3. Plans submitted with the application shall, at a
8 minimum, show location of all buildings, parking areas and
9 access points; safety features of the firing range; provisions
10 for reducing ((noise)) sound produced on the firing line;
11 elevations of the range showing target area, backdrops or
12 butts; and approximate location of buildings on adjoining
13 properties,

14 4. In the CG, ML, MP, and MH zone, pistol, rifle and
15 archery ranges shall be permitted only within enclosed
16 structures,

17 5. Indoor ranges shall be designed and operated so as
18 to provide a healthful environment for user's and operators by:

19 a. installing ventilation systems which provide
20 sufficient clean air in the user's breathing zone, and

21 b. adopting appropriate procedures and policies
22 which monitor and control exposure time to airborne lead for
23 individual users.

24 6. Prior to operation a shooting range license shall be
25 issued by King County licensing and regulatory services
26 division. All ranges shall be subject to the licensing
27 provisions of K.C.C. Title 6.

28 N. Utility district offices. These uses are subject to
29 the following exceptions and conditions:

30 1. Setbacks adequate to protect adjacent properties in
31 the form of landscaped screening areas shall be required,
32 provided that all buildings and structures shall maintain a
33 distance of not less than twenty feet from any property line
34 that is a common property line with an R or S zoned property,

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2. Open storage shall be prohibited unless it can be demonstrated to the satisfaction of the zoning adjustor that screening or other visual designs can be effected which will be compatible with the surrounding area,

3. Overnight parking and maintenance of municipal or utility vehicles shall be within an enclosed structure,

4. All buildings and structures shall be compatible in size and design with surrounding area.

O. Commercial and/or multifamily residential use of buildings listed on the National Register as an historic site or designated as a King County landmark located in an R, S, G or A zone, provided:

1. Gross floor area of the building additions or new buildings required for the conversion shall not exceed twenty percent of the gross floor area of the historic or landmark buildings,

2. Conversions to multifamily use in the RS, RD, S, G and A zones shall not exceed one dwelling unit for each three thousand six hundred square feet of lot area,

3. Any construction required for conversion which affects significant features of the property protected pursuant to Ordinance 4828 and K.C.C. 20.62 shall require certification of appropriateness from the King County Landmark Commission.

P. Cottage Industries, only in the following zones: G-5, G, A, S-E, S-C, GR-5, and GR-2.5, provided the following conditions are conformed to:

1. The site shall have a minimum area of thirty-five thousand square feet and meet the lot size requirements of the applicable zone;

2. The cottage industry shall be incidental to the use of the property for dwelling purposes and shall be less than fifty percent of the living area of the dwelling. This fifty percent square footage limitation includes outdoor assembly and storage areas but not required parking areas;

3. The following uses shall not be allowed:

1 a. Any activity which might result in excessive
2 noise, smoke, dust, odors, heat or glare beyond that which is
3 common to a residential area. The proposed use shall conform
4 to the maximum permissible sound levels under K.C.C. Chapter
5 12.88. The zoning adjustor may require an applicant to provide
6 sound level tests demonstrating such conformance.

7 b. Use or manufacture of products or operations
8 which are dangerous in terms of risk of fire, explosion, or
9 hazardous emissions.

10 c. Any other use deemed incompatible with a
11 residential and/or agricultural area, subject to the review of
12 the zoning adjustor;

13 4. Landscaping shall be required to screen parking areas
14 and outside storage from the view of adjacent landowners and
15 county roads;

16 5. Increased setbacks or additional screening may be
17 established by the zoning adjustor to ensure that any proposed
18 structure is compatible with the surrounding residential or
19 agricultural area;

20 6. Required zoning setbacks may be increased subject to
21 the review of the zoning adjustor for any activity which could
22 potentially detract from a residential area but which is not
23 deemed incompatible with the neighborhood. Such activities
24 include but are not limited to: employee parking areas, loading
25 zones, outdoor storage, and outdoor work areas;

26 7. Any display or sign shall be subject to the review of
27 the zoning adjustor;

28 8. All sales shall be an incidental use;

29 9. The allowable size of equipment used by the cottage
30 industry shall be subject to the review of the zoning adjustor.

31 Q. Bed and breakfast guesthouse, provided:

32 1. The bed and breakfast guesthouse operation shall be
33 located only on the premises of the permanent residence of the
34 operator(s).

1 2. The guesthouse operation shall be compatible with the
2 residential character of the neighborhood.

3 3. Signs shall be limited to one single-faced or
4 double-faced identification sign not to exceed six square feet
5 in area in G, SE, GR, G-5, and A zones nor two square feet in
6 area in any other zone. Signs shall not be allowed within
7 required setbacks except when located in G, SE, GR, G-5, and A
8 zones.

9 4. One off-street parking space shall be provided for
10 each guestroom plus the required off-street parking spaces for
11 the dwelling. This parking area shall not be located within
12 any required yard. Landscaping may be required to screen
13 parking areas from the view of adjacent properties and from
14 public roads.

15 5. Serving meals to paying guests shall be limited to
16 breakfast.

17 6. The wastewater disposal facility and the domestic
18 water supply serving the guesthouse shall be subject to the
19 approval of the Seattle-King County health department.

20 7. The number of persons accommodated per night shall
21 not exceed five except that a structure which satisfies the
22 standards of the Uniform Building Code as adopted by King
23 County for R-1 occupancies may accommodate up to ten persons
24 per night.

25 8. A change of use permit must be obtained from the
26 building and land development division.

27 R. Specialized instruction schools, provided they are
28 excluded from the A, A10 and A35, F and FR zones where
29 appropriate non-resource uses are set forth. Since the
30 conditional use process is used to ensure the compatibility of
31 this use with the surrounding neighborhood, specialized
32 instruction schools are subject to the following provisions
33 which the zoning adjustor may waive or modify when
34 circumstances warrant:

1 1. Any building or structure on the site used for a
2 school or its accessory use shall maintain a distance not less
3 than twenty-five feet from any property line.

4 2. Non-residential parking excluding driveways shall be
5 limited to a maximum of 2.5 percent of the site.

6 3. Parking, beyond that required for residential uses on
7 the site, shall be provided as follows:

8 a. One space for each instructor and employee,

9 b. One space for every two students and/or
10 spectators in attendance during an instructional session.

11 4. Landscaping shall be consistent with the requirements
12 of K.C.C. 21.51.030E, except that when the parcel is greater
13 than 35,000 square feet the requirements shall apply to that
14 portion of the lot in which the school and any accessory uses
15 are located rather than the perimeter of the site.

16 5. Signs shall be limited to one unlighted double-faced
17 sign not exceeding six square feet of area per face pertaining
18 only to the instructional and sales activities of the property
19 upon which displayed.

20 6. Retail sales shall be allowed as an accessory use to
21 a specialized instruction school provided:

22 a. The site has a minimum lot size of 2.5 acres.

23 b. Sales shall be limited to items related to the
24 instructional courses.

25 c. Total floor area for retail sales shall be
26 limited to two thousand square feet.

27 d. Additional parking for retail uses shall be
28 provided as required in 21.50.040A.

29 7. Sale of prepared food shall be allowed as an
30 accessory use to a specialized instruction school provided:

31 a. The site has minimum lot size of 2.5 acres.

32 b. This use is contained in the same structure as
33 the school.

34 c. Floor area for this use shall be limited to one
35 thousand square feet.

1 d. Additional parking shall be provided as required
2 in 21.50.040A for commercial uses.

3 S. Wineries provided they are excluded from all R and S
4 zones and the A, A-10, A-35, F, and QM zones, and further
5 provided that:

6 1. All developed uses are located on a parcel or parcels
7 of sufficient size to screen and buffer the on-site activities
8 to be compatible with adjoining properties, and

9 2. The site shall have access sufficient so the traffic
10 will not unduly impact surrounding residences.

11 3. Any public concert which is subject to the provisions
12 of K.C.C. 6.52, must obtain the necessary permits as provided
13 in that chapter.

14 SECTION 2. Ordinance 10870, Section 331, and K.C.C. 21A.
15 08.040B are hereby amended to read as shown in attachment A.

16 NEW SECTION. SECTION 3. There is added to K.C.C. Title 6
17 a new section to read as follows:

18 Purpose. The purpose of this ordinance is to provide for
19 and promote the safety of the general public by establishing a
20 licensing procedure for the periodic review of the design and
21 operation of shooting ranges. The standards adopted herein are
22 intended to protect and safeguard participants, spectators,
23 neighboring properties, and the public.

24 NEW SECTION. SECTION 4. There is added to K.C.C. Title 6
25 a new section to read as follows:

26 Definitions. A. Shooting Range. "Shooting Range" means a
27 facility designed for and providing a confined space for safe
28 target practice with firearms, archery equipment, or other
29 weapons.

30 B. Range master. "Range master" means a person or persons
31 appointed by the operators of a shooting range to oversee the
32 safe discharge of shotguns, rifles, pistols, or bows in
33 accordance with the design standards and safety specifications
34 of this chapter and any additional safety specifications which
35 may be adopted by the operators of the shooting range.

1 NEW SECTION. SECTION 5. There is added to K.C.C. Title 6
2 a new section to read as follows:

3 License required. The operators of all shooting ranges
4 shall apply for an operating license within three months of the
5 effective date of this chapter, on an application form
6 prescribed by the manager of the King County licensing and
7 regulatory services division. The King County licensing and
8 regulatory services division is authorized to issue such
9 license after a determination that the design standards and
10 safety specifications set forth in this chapter are satisfied.
11 The licensing and regulatory services division shall base their
12 licensing determination on the review and concurrence of the
13 King County departments of public safety and development and
14 environmental services or their designee. This section shall
15 not relieve the applicant of any obligation to obtain any other
16 required land use or building permits or approvals, except
17 shooting ranges in operation prior to the effective date of
18 this ordinance shall not be required to seek new land use or
19 building permits solely for issuance of a license.

20 NEW SECTION. SECTION 6. There is added to K.C.C. Title 6
21 a new section to read as follows:

22 Operating without a license prohibited. No shooting range
23 shall operate without a license issued pursuant to this
24 chapter, provided, that clubs and ranges in existence prior to
25 the effective date of this ordinance may continue to operate
26 without a license for no more than twenty-four months from the
27 effective date, or the date permits are issued, whichever is
28 later if needed permits are applied for within one year of the
29 effective date of this ordinance.

30 NEW SECTION. SECTION 7. There is added to K.C.C. Title 6
31 a new section to read as follows:

32 Denial, suspension or revocation of license. The manager
33 of the licensing and regulatory services division may deny,
34 suspend or revoke any license issued under this chapter,
35 consistent with K.C.C. chapter 6.01, if the applicant, any of

1 its officers, directors, partners, or members have violated any
2 of the provisions of this chapter.

3 NEW SECTION. SECTION 8. There is added to K.C.C. Title 6
4 a new section to read as follows:

5 License fee. A license fee of fifty dollars shall be
6 charged for review and processing of the license application.
7 The department of public safety and department of development
8 and environmental services may charge additional fees, not to
9 exceed five times the license fee, to cover the cost of review
10 as necessary.

11 NEW SECTION. SECTION 9. There is added to K.C.C. Title 6
12 a new section to read as follows:

13 License renewal. The operating license shall be reviewed
14 and renewed every five years. Expansions of the level or type
15 of shooting activity authorized by the license shall require
16 review and issuance of a new license whenever such expansion
17 occurs. New shooting activities shall not be permitted until
18 authorized by a new license. Applications for license renewal
19 shall be made in writing on forms prescribed by the manager of
20 the licensing and regulatory services division at least thirty
21 days prior to the expiration of the existing license.

22 NEW SECTION. SECTION 10. There is added to K.C.C. Title 6
23 a new section to read as follows:

24 Safety standards and specifications for shooting ranges.
25 All shooting ranges licensed pursuant to this chapter shall
26 comply with the following safety standards and specifications:

27 A. All structures, installations, operations, and
28 activities shall be located at such a distance from property
29 lines as will protect adjoining properties from hazard, when
30 the ranges are used in accordance with range safety rules and
31 standards,

32 B. Overhead baffles (or other constructs/devices), shall
33 be installed at all stationary shooting positions to prevent
34 errant rounds from escaping pistol and rifle ranges when such
35 ranges are used in accordance with range safety rules and standards,

1 C. Range site design features and safety procedures shall
2 be installed and maintained to discourage errant rounds from
3 escaping all shooting positions, when such positions are used
4 in accordance with range safety rules and standards,

5 D. A plan shall be submitted with the license
6 application which shows the location of all buildings, parking
7 areas and access points; safety features of the firing range;
8 elevations of the range showing target area, backdrops or
9 butts; and approximate location of buildings on adjoining
10 properties,

11 E. A safety plan shall be submitted which cites rules for
12 each range, sign-in procedures, and restrictions on activities
13 in the use of ranges, and every safety plan shall prohibit
14 loaded weapons except at shooting positions and except for
15 holstered handguns,

16 F. All shooting ranges shall have a designated range
17 master,

18 G. Where urban residentially zoned property or
19 residential streets are located adjacent to property containing
20 an outdoor shooting range, warning signs shall be installed and
21 maintained along the shooting range property line,

22 H. Shooting ranges shall be used for the shooting
23 activities they were designed to accommodate unless redesigned
24 to safely accommodate new shooting activities.

25 I. The range master shall report in writing to the
26 manager of the licensing and regulatory services division all
27 accidents resulting from the discharge of firearms in use on
28 the range.

29 J. All shooting ranges shall provide a telephone
30 available to range participants and spectators for the purpose
31 of contacting emergency medical services.

32 K. A first-aid kit approved by the manager of the
33 licensing and regulatory services division shall be readily
34 available on the range premises for emergency treatment or care
35 of minor injuries.

1 NEW SECTION. SECTION 11. There is added to K.C.C. Title 6
2 a new section to read as follows:

3 Appeals. The provisions of this chapter may be appealed
4 pursuant to K.C.C. 6.01.150.

5 NEW SECTION. SECTION 12. There is added to K.C.C. Title 6
6 a new section to read as follows:

7 Severability. Should any section, subsection, paragraph,
8 sentence, clause or phrase of this chapter be declared
9 unconstitutional or invalid for any reason, such decision shall
10 not affect the validity of the remaining portion of this
11 chapter.

INTRODUCED AND READ for the first time this 18th day
of October, 19 93.

PASSED this 20th day of December, 1993.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Audrey Dwyer
Chair

ATTEST:

Donald A. Fisher
Clerk of the Council

APPROVED this 30th day of DECEMBER, 1993

Don Hill
King County Executive

Attachments:

A. King County Code 21A.08.040

SECTION 332.

K.C.C. 21A.08.040
**A.RECREATION/CULTURAL
 LAND USES**

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

ZONE	RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
	AGRICULTURE	FOREST	MINERAL	RURAL	URBAN	RESIDENTIAL	RESIDENTIAL	NB	CB	RB	O	I
	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	PARK/RECREATION:											
	P1	P1	P1	P1	P1	P1	P1	P	P	P	P	P
	P	P	P	P	P	P	P	P	P	P	P	P
		P		P	P							P
		S		S	C					C		
		C3		C4	C4	C4	C4	P5	P	P	P	P
				C2	C							
		S		S								
	AMUSEMENT/ENTERTAINMENT:											
7832									P6	P6	P6	
7833										C6		
792									P6	P6		P
793									P	P		P
				C4	C4	C4	C4	C	P	P		
				C7	P7	P7	P7					
7999				C8	P8	P8	P8		P7	P7		
		C9		C9						C10		P10
									P	P		
996										C		
		C12 S		C12 S						S		
	CULTURAL:											
823				P11 C	P11 C	P11 C	P11 C	P	P	P	P	
841				P11 C	P11 C	P11 C	P11 C	P	P	P	P	P
842	P	P		P	P	P	P	P	P	P	P	
				P11 C	P11 C	P11 C	P11 C	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. 21A.12 through 21A.30
 General Provisions, see K.C.C. 21A.32 through 21A.38
 Application and Review Procedures, see K.C.C. 21A.40 through 21A.44
 (*)Definition of this specific Land Use, see K.C.C. 21A.06

21A.08.040 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 50 feet from property lines adjoining residential zones; and
 - d. Facilities in the F, A, or M zones shall be limited to trails and trailheads, including related accessory uses such as parking and sanitary facilities.
2. Recreational vehicle parks are subject to the following conditions and limitations:
 - a. The maximum length of stay of any unit shall not exceed 180 days;
 - 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 prior to date of application.
4. Limited to recreation facilities for residents of a specified residential development.
5. Limited to day moorage.
6. Adult use facilities shall be prohibited within 660 feet of any residential zones, any other adult use facility, or school licensed daycare centers, public parks, community centers, public libraries or churches which conduct religious or educational classes for minors.
7. Structures, driving ranges and lighted areas shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.
8. Only as an accessory to golf courses.
9.
 - a. New ((S)) structures and outdoor ranges shall maintain a minimum distance of 50 feet from property lines adjoining residential zones; provided that existing facilities shall be exempt;
 - b. Ranges shall be designed to prevent stray or ricocheting projectiles, ~~((or)) pellets, or arrows~~ from leaving the property; ~~((and))~~
 - c. Site plans shall include safety features of the range; provisions for reducing ~~((noise)) sound~~ produced on the firing line; ~~((and))~~ elevations of the range showing target area, backdrops or butts; and approximate locations of buildings on adjoining properties; and
 - 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. 6;

b. Indoor ranges shall be designed and operated so as to provide a healthful environment

for user's and operators by:

1. installing ventilation systems which provide sufficient clean air in the user's breathing zone, and

2. adopting appropriate procedures and policies which 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 the provisions of K.C.C. 21A.32.

12. Only as accessory to a nonresidential use established through a discretionary permit process, and provided further that the scale is limited to ensure compatibility with surrounding neighborhoods.