



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**June 17, 2003**

**Ordinance 14678**

**Proposed No.** 2003-0169.3

**Sponsors** Constantine

1           AN ORDINANCE related to zoning, allowing small  
2           schools to be established in commercial zones; and  
3           amending Ordinance 10870, Section 332, as amended, and  
4           K.C.C. 21A.08.050.

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**STATEMENT OF FACTS:**

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1. Small K-12 schools are presently allowed in commercial areas by the  
9 cities of Seattle and Sea-Tac.

10

2. Maintaining a limit on the size of schools in commercial areas  
11 minimizes the land use impacts on surrounding commercial and residential  
12 areas.

13

3. Small schools would be an institutional use not unlike others already  
14 allowed in commercial areas, such as YMCAs, Boys/Girls clubs and  
15 daycare centers, all of which involve gatherings of school-age youth.

16

4. High schools are presently allowed in the CB zone in unincorporated

17

King County, albeit with a CUP, which is required based on the concept of

18 the traditional high school in terms of size, traffic and land use impacts  
19 and long-term presence.

20 5. Churches are presently permitted outright in the commercial zones in  
21 unincorporated King County and churches are presently permitted to have  
22 an associated school.

23 6. Elementary and middle schools are not currently allowed in  
24 commercial zones in unincorporated King County based solely on the  
25 traditional concept that these public schools serve a particular  
26 neighborhood and therefore are ideally suited to be located to be in the  
27 middle of a neighborhood on residential zoned land. Smaller,  
28 nontraditional schools may serve more than a particular neighborhood.

29 7. Allowing small schools could provide landowners in economically  
30 challenged commercial areas additional flexibility in finding users for  
31 their property, revitalizing and attracting new businesses to the  
32 commercial area.

33 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

34 SECTION 1. Ordinance 10870, Section 332, as amended, and K.C.C.

35 21A.08.050 are each hereby amended to read as follows:

36 General services land uses.

37 A. General services land uses.

KEY		RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL				
		A	F	M	R	U R	U R	N B	C B	R B	O	I	
P-Permitted Use	Z O N E	G	O	I	U	R E	R E	E U	O U	E U	F	N	
C-Conditional Use		R	R	N	R	B S	B S	I S	M S	G S	F	D	
S-Special Use		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	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	PERSONAL SERVICES:												
72	General Personal Service						C26	C26	P	P	P	P3	P3
7216	Drycleaning plants												P
7218	Industrial Launderers												P
7261	Funeral Home/Crematory					C4	C4	C4		P	P		
*	Cemetery, Columbarium or Mausoleum				P25 C5,32	P25 C5	P25 C5	P25 C5	P25	P25	P25	P25	
*	Day care I	P6			P6	P6	P6	P	P	P	P	P7	P7
*	Day care II				P8 C	P8 C	P8 C	P8 C	P	P	P	P7	P7
074	Veterinary Clinic	P9			P9 C10,32	P9 C10			P10	P10	P10		P
753	Automotive repair (1)								P11	P	P		P
754	Automotive service								P11	P	P		P
76	Miscellaneous repair									P	P		P
866	Churches, synagogue, temple				P12 C28,32	P12 C	P12 C	P12 C	P	P	P	P	
83	Social Services (2)				P12 C13,32	P12 C13	P12 C13	P12 C13	P13	P	P	P	
*	Stable	P14			P14	P14	P14						

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		C			C32	C	C						
*	Kennel or Cattery	P9			C	C				C	P		
*	Theatrical Production Services									P31	P31		
*	Artist Studios				P29	P29	P29	P29	P	P	P	P30	P
*	Interim Recycling Facility	P21	P21	P21	P22		P22	P22	P23	P23	P		P
	HEALTH SERVICES:												
801-04	Office/Outpatient Clinic				P12 C13	P12 C13	P12 C13	P12 C13	P	P	P	P	P
805	Nursing and personal care facilities							C		P	P		
806	Hospital						C13	C13		P	P	C	
807	Medical/Dental Lab									P	P	P	P
808-09	Miscellaneous Health									P	P	P	
	EDUCATION SERVICES:												
*	Elementary School				P16 15, 32		P	P	P		P16c	P16c	P16c
*	Middle/Junior High School				P16 C15, 32		P	P	P		P16c	P16c	P16c
*	Secondary or High School				P16 C15, 27, 32		P27	P27	P27		P16c C	P16c C	P16c
*	Vocational School				P13 C, 32		P13 C	P13 C	P13 C			P	P17
*	Specialized Instruction School				P19 C20, 32		P19 C20	C20	P19 C20	P	P	P	P17
*	School District Support Facility				P18 C 24, 32 P16,C15		P19 C20	C20	P19 C20	P	P	P	P17
							P 24 C	P 24 C	P 24 C	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. 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.

- 38                    B. Development conditions.
- 39                    1. Except SIC Industry No. 7534 - Tire Retreading, see manufacturing permitted
- 40                    use table.
- 41                    2. Except SIC Industry Group Nos.:
- 42                    a. 835-Day Care Services, and

43           b. 836-Residential Care, which is otherwise provided for on the residential  
44 permitted land use table.

45           3. Limited to SIC Industry Group and Industry Nos.:

46           a. 723-Beauty Shops;

47           b. 724-Barber Shops;

48           c. 725-Shoe Repair Shops and Shoeshine Parlors;

49           d. 7212-Garment Pressing and Agents for Laundries and Drycleaners; and

50           e. 217-Carpet and Upholstery Cleaning.

51           4. Only as an accessory to a cemetery, and prohibited from the UR zone only if  
52 the property is located within a designated unincorporated Rural Town.

53           5. Structures shall maintain a minimum distance of one hundred feet from  
54 property lines adjoining residential zones.

55           6. Only as an accessory to residential use, and:

56           a. Outdoor play areas shall be completely enclosed by a solid wall or fence,  
57 with no openings except for gates, and have a minimum height of six feet; and

58           b. Outdoor play equipment shall maintain a minimum distance of twenty feet  
59 from property lines adjoining residential zones.

60           7. Permitted as an accessory use. See commercial/industrial accessory, K.C.C.  
61 21A.08.060A.

62           8. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32,  
63 or an accessory use to a school, church, park, sport club or public housing administered  
64 by a public agency, and:

65 a. Outdoor play areas shall be completely enclosed by a solid wall or fence,  
66 with no openings except for gates and have a minimum height of six feet;

67 b. Outdoor play equipment shall maintain a minimum distance of twenty feet  
68 from property lines adjoining residential zones;

69 c. Direct access to a developed arterial street shall be required in any  
70 residential zone; and

71 d. Hours of operation may be restricted to assure compatibility with  
72 surrounding development.

73 9.a. As a home occupation only, but the square footage limitations in K.C.C.  
74 chapter 21A.30 for home occupations apply only to the office space for the veterinary  
75 clinic, office space for the kennel or office space for the cattery, and:

76 (1) boarding or overnight stay of animals is allowed only on sites of five  
77 acres or more;

78 (2) no burning of refuse or dead animals is allowed;

79 (3) the portion of the building or structure in which animals are kept or  
80 treated shall be soundproofed. All run areas, excluding confinement areas for livestock,  
81 shall be surrounded by an eight-foot-high solid wall and the floor area shall be surfaced  
82 with concrete or other impervious material; and

83 (4) the provisions of K.C.C. chapter 21A.30 relative to animal keeping are  
84 met.

85 b. The following additional provisions apply to kennels or catteries in the A  
86 zone:

- 87 (1) impervious surface for the kennel or cattery shall not exceed twelve  
88 thousand square feet;
- 89 (2) obedience training classes are not allowed; and
- 90 (3) any buildings or structures used for housing animals and any outdoor runs  
91 shall be set back one hundred and fifty feet from property lines,
- 92 10.a. No burning of refuse or dead animals is allowed;
- 93 b. The portion of the building or structure in which animals are kept or treated  
94 shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be  
95 surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with  
96 concrete or other impervious material; and
- 97 c. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.
- 98 11. The repair work or service shall only be performed in an enclosed building,  
99 and no outdoor storage of materials. SIC Industry No. 7532 - Top, Body, and Upholstery  
100 Repair Shops and Paint Shops is not allowed.
- 101 12. Only as a re((-))use of a public school facility subject to K.C.C. chapter  
102 21A.32.
- 103 13. Only as a re((-))use of a surplus nonresidential facility subject to K.C.C.  
104 chapter 21A.32.
- 105 14. Covered riding arenas are subject to K.C.C. 21A.30.030 and shall not  
106 exceed twenty thousand square feet, but stabling areas, whether attached or detached,  
107 shall not be counted in this calculation.
- 108 15. Limited to projects which do not require or result in an expansion of sewer  
109 service outside the urban growth area, unless a finding is made that no cost-effective

110 alternative technologies are feasible, in which case a tightline sewer sized only to meet  
111 the needs of the public school, as defined in RCW 28A.150.010, or the school facility and  
112 serving only the public school or the school facility may be used. New public high  
113 schools shall be permitted subject to the review process set forth in K.C.C. 21A.42.140.

114 16.a. For middle or junior high schools and secondary or high schools or school  
115 facilities, only as a re((-))use of a public school facility or school facility subject to  
116 K.C.C. chapter 21A.32. An expansion of such a school or a school facility shall be  
117 subject to approval of a conditional use permit and the expansion shall not require or  
118 result in an extension of sewer service outside the urban growth area, unless a finding is  
119 made that no cost-effective alternative technologies are feasible, in which case a tightline  
120 sewer sized only to meet the needs of the public school, as defined in RCW 28A.150.010,  
121 or the school facility may be used.

122 b. Renovation, expansion, modernization or reconstruction of a school, a  
123 school facility, or the addition of relocatable facilities, is permitted but shall not require  
124 or result in an expansion of sewer service outside the urban growth area, unless a finding  
125 is made that no cost-effective alternative technologies are feasible, in which case a  
126 tightline sewer sized only to meet the needs of the public school, as defined in RCW  
127 28A.150.010, or the school facility may be used.

128 c. In CB, RB and O, for K-12 schools with no more than one hundred students.

129 17. All instruction must be within an enclosed structure.

130 18. Limited to resource management education programs.

131 19. Only as an accessory to residential use, and:

132 a. Students shall be limited to twelve per one-hour session;



- 133           b. All instruction must be within an enclosed structure; and
- 134           c. Structures used for the school shall maintain a distance of twenty-five feet
- 135 from property lines adjoining residential zones.
- 136           20. Subject to the following:
- 137           a. Structures used for the school and accessory uses shall maintain a minimum
- 138 distance of twenty-five feet from property lines adjoining residential zones;
- 139           b. On lots over two and one half acres:
- 140               (1) retail sales of items related to the instructional courses is permitted, if
- 141 total floor area for retail sales is limited to two thousand square feet;
- 142               (2) sales of food prepared in the instructional courses is permitted with
- 143 department of public health-Seattle and King County approval, if total floor area for food
- 144 sales is limited to one thousand square feet and is located in the same structure as the
- 145 school; and
- 146               (3) other incidental student-supporting uses are allowed, if such uses are
- 147 found to be both compatible with and incidental to the principal use; and
- 148           c. On sites over ten acres, located in a designated Rural Town and zoned UR,
- 149 R-1,
- 150 and/or R-4:
- 151               (1) retail sales of items related to the instructional courses is permitted,
- 152 provided total floor area for retail sales is limited to two thousand square feet
- 153               (2) sales of food prepared in the instructional courses is permitted with
- 154 department of public health-Seattle and King County approval, if total floor area for food

155 sales is limited to one thousand seven hundred fifty square feet and is located in the same  
156 structure as the school;

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

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

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

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

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

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

171 23. With the exception of drop box facilities for the collection and temporary  
172 storage of recyclable materials, all processing and storage of material shall be within  
173 enclosed buildings. Yard waste processing is not permitted.

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

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

177           26. Not permitted in R-1 and limited to a maximum of five thousand square feet  
178 per establishment and subject to the additional requirements in K.C.C. 21A.12.230.

179           27.a. New high schools shall be permitted in the rural and the urban residential  
180 and urban reserve zones subject to the review process in K.C.C. 21A.42.140.

181           b. Renovation, expansion, modernization, or reconstruction of a school, or the  
182 addition of relocatable facilities, is permitted.

183           28. Limited to projects that do not require or result in an expansion of sewer  
184 service outside the urban growth area. In addition, such use shall not be permitted in the  
185 RA-20 zone.

186           29. Only as a reuse of a surplus non((-)residential facility subject to K.C.C.  
187 chapter 21A.32 or as a joint use of an existing public school facility.

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

189           31. Adult use facilities shall be prohibited within six hundred sixty feet of any  
190 residential zones, any other adult use facility, school, licensed daycare centers, parks,  
191 community centers, public libraries or churches that conduct religious or educational  
192 classes for minors.

193           32. Subject to review and approval of conditions to comply with trail corridor

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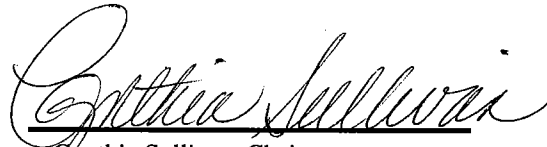
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194 provisions of K.C.C. chapter 21A.14 when located in an RA zone and in an equestrian  
195 community designated by the Comprehensive Plan.  
196

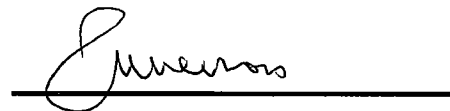
Ordinance 14678 was introduced on 4/14/2003 and passed as amended by the Metropolitan King County Council on 6/16/2003, by the following vote:

Yes: 12 - Ms. Sullivan, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr. Phillips, Mr. Pelz, Mr. McKenna, Mr. Constantine, Mr. Hammond, Ms. Hague, Mr. Irons and Ms. Patterson  
No: 0  
Excused: 1 - Mr. Gossett

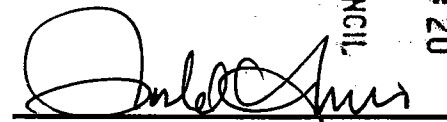
KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
Cynthia Sullivan, Chair  
6/16/03

ATTEST:

  
Anne Noris, Clerk of the Council

APPROVED this 23 day of June, 2003

  
Ron Sims, County Executive

RECEIVED  
2003 JUN 25 PM 1:20  
CLERK  
KING COUNTY COUNCIL

Attachments None