

ORDINANCE NO. 4786

AN ORDINANCE relating to animal control; amending provisions in the zoning code relating to review of hobby kennel applications by the adjustor; amending Ordinance 3144, Section 3, and KCC 21.08.025; amending Resolution 25789, Section 2202, and KCC 21.44.030.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 3144, Section 3, and KCC 21.08.025 are hereby amended as follows:

Permitted uses--Accessory residential. The following accessory uses only are permitted in an RS zone when a residential use as permitted in Section 21.08.020 has been established on the subject property:

(1) Accessory living quarters;

(2) Private garages designed to accommodate not more than four cars;

(3) Except as provided in KCC 11.04.060, ((Small)) small animals (household pets) not to exceed three in any combination thereof, when kept on the same lot as the residence of the owners of such pets;

(4) Lodgers, limited to two;

(5) Private docks (one only per dwelling unit) and mooring facilities for the sole use of occupants of the premises to accommodate private noncommercial pleasure craft. Docks and moorings shall be accessory to the primary use on the property to which they are contiguous, provided:

(A) Structures shall conform to the applicable provisions of the shoreline management master program,

(B) No part of the structure shall extend more than sixteen feet above the mean high water level.

(C) No structure shall be located closer to a property side line, or property side line extended, than fifteen feet, except that docks may abut property lines for the common use of adjacent property owners, when mutually agreed to by the property

1 owners in a contract recorded with the King County ((Department))  
2 Division of Records and Elections, of which a copy must accompany  
3 an application for a building permit,

4 (D) The total area of moorage shall not exceed  
5 six hundred square feet,

6 (E) Covered moorages shall abut upon the natural  
7 shoreline,

8 (F) Such structure shall not have a width greater  
9 than fifty percent of the width of the lot at the natural  
10 shoreline upon which it is located,

11 (G) Any boat using such moorage shall not be used  
12 as a place of residence when so moored;

13 (6) Foster family day care home, twenty-four hours;

14 (7) Greenhouse, private and noncommercial, for  
15 propagation and culture only, with no sales from the premises  
16 permitted;

17 (8) Radio Tower, amateur;

18 (9) Swimming pools and other recreational facili-  
19 ties for the sole use of occupants of premises and their guests;

20 (10) Day nurseries, accessory to a dwelling where  
21 no more than twelve children are cared for at one time, including  
22 the children of the resident family, under six years of age;

23 (11) Home occupation; provided the home occupa-  
24 tion:

25 (A) Is carried on exclusively by a member or  
26 members of a family residing in the dwelling unit,

27 (B) Is clearly incidental and secondary to the use  
28 of the property for dwelling purposes with the floor area devoted  
29 to the home occupation not exceeding twenty percent of the living  
30 area of the dwelling unit.

31 (C) Has no display or sign not already permitted  
32 in the zone;

33 (D) Has no outside storage nor other exterior  
34 indication of the home occupation of variation from the

1 residential character of the property.

2 (E) Does not require truck delivery or pickup, nor the  
3 installation of heavy equipment, large power tools or power  
4 sources not common to a residential dwelling,

5 (F) Does not create a level of noise vibration, smoke,  
6 dust, odors, heat or glare beyond that which is common to a  
7 residential area, and

8 (G) Does not create a level of parking demand beyond  
9 that which is normal to a residential area,

10 (H) Does not include automobile, truck or heavy  
11 equipment repair, body work or painting; nor parking or storage  
12 of heavy equipment including trucks of over one-ton load  
13 capacity, nor storage of building materials such as lumber,  
14 plasterboard, pipe, paint and the like, for use on other  
15 premises;

16 (12) One nameplate not exceeding two square feet in  
17 area containing the name of the occupant of the premises;

18 (13) Aircraft hangar, provided:

19 (A) No aircraft sales, service, repair, charter or  
20 rental shall be permitted on the premises; nor shall storage of  
21 any aircraft on the premises for such purposes be permitted,

22 (B) Only one single- or twin-engined noncommercial  
23 aircraft (excluding helicopters) shall be accommodated on the  
24 premises,

25 (C) No aviation fuel except that contained in the tank  
26 or tanks of the aircraft itself shall be stored on the premises,

27 (D) No hangar shall be allowed except on lots which  
28 abut, or have a legal access which is not a county right-of-way  
29 to a landing field in conformance with Chapter 21.44.

30 (E) No hangar constructed pursuant to this section  
31 shall exceed twenty feet in height above average grade, nor have  
32 a gross area exceeding three thousand square feet;

33 (14) Beehives, limited to four, provided:

1 (A) Colonies shall be maintained in movable-frame  
2 hives at all times.

3 (B) Adequate space shall be maintained in each hive to  
4 prevent overcrowding and swarming.

5 (C) Colonies shall be requeened following any swarming  
6 or aggressive behavior.

7 (D) All colonies shall be registered with the county  
8 agricultural extension agent prior to April 1st of each year;  
9 state registration form is acceptable for use with the county.

10 (E) Hives shall not be located within twenty-five feet  
11 of any property line, except:

12 (i) When situated eight feet or more above adjacent  
13 ground level; or

14 (ii) When situated less than six feet above adjacent  
15 ground level and behind a solid fence or hedge six feet in  
16 height parallel to any property line within twenty-five feet of  
17 the hive and extending at least twenty feet beyond the hive in  
18 both directions.

19 (F) Bees living in trees, buildings, or any other  
20 space except in movable-frame hives; abandoned colonies; or  
21 diseased bees constitute a public nuisance, and shall be abated  
22 as set forth in Chapter 21.69.

23 (G) Lots containing more than fifteen thousand square  
24 feet, but less than thirty-five thousand square feet of area may  
25 have up to sixteen beehives.

26 (H) Lots containing thirty-five thousand square feet  
27 or more shall be limited to fifty beehives.

28 SECTION 2. Resolution 25789, Section 2202 and KCC 21.44.030  
29 are hereby amended as follows:

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

33 (1) Cemeteries, provided:

1 (a) No building shall be located closer than one  
2 hundred feet from any boundary line,

3 (b) A protective fence and a landscaped strip of  
4 evergreen trees and shrubs at least ten feet in width shall be  
5 installed on all common boundary lines with R or S zoned  
6 property;

7 (2) Columbariums, crematories and mausoleums, provided  
8 these uses are specifically excluded from all R zones unless  
9 inside a cemetery;

10 (3) Commerical establishments or enterprises involving  
11 large assemblages of people or automobiles as follows, provided  
12 these uses are specifically excluded from all R, S-E and F-R  
13 zones;

14 (a) Amusement parks,

15 (b) Boxing and wrestling arenas,

16 (c) Ball parks,

17 (d) Fairgrounds and rodeos,

18 (e) Golf driving ranges,

19 (f) Labor camps (transient),

20 (g) Drive-in theater; provided, that no adult theater  
21 shall be operated within five hundred feet of an R or S zone or  
22 at a drive-in theater as defined in King County Code 12.04.640  
23 whose screen may be viewed from a public right-of-way or an R or  
24 S zone,

25 (h) Race tracks, drag strips, motorcycle hills and  
26 Go-Kart tracks,

27 (i) Stadiums;

28 (4) Educational institutions not otherwise permitted;

29 (5) Fire stations, including spaces for municipal  
30 offices and utility district offices, when located in any R, S or  
31 A zone, provided the following conditions are conformed to:

32 (a) All buildings and structures shall maintain a  
33 distance of not less than twenty feet from any property line that

1 is a common property line with R-zoned property, and

2 (b) Any building from which fire-fighting equipment  
3 emerges onto a street shall maintain a distance of thirty-five  
4 feet from such street,

5 (c) Open storage shall be prohibited,

6 (d) Overnight parking and maintenance of municipal or  
7 utility vehicles shall be within an enclosed structure which is  
8 compatible in size and design with the surrounding area;

9 (6) Hospitals, mental and alcoholic, provided they are  
10 specifically excluded from all RS, RD, Rm-2400, RM-1800 and S  
11 zones;

12 (7) Institutions for training of religious orders;

13 (8) Kennels, provided that the minimum site area is  
14 five acres and that the buildings housing such use and animal  
15 runs shall not be closer than one hundred fifty feet to any  
16 boundary property line of the premises and that they are  
17 specifically excluded from all R zones. The zoning adjustor may  
18 require such additional setback, fencing, screening or  
19 soundproofing requirements as it deems necessary to ensure the  
20 compatibility of the kennel with surrounding development;

21 (9) Radio, microwave or television transmitters,  
22 towers and appurtenances;

23 (10) Recreational areas, commercial, including yacht  
24 clubs, beach clubs, tennis clubs, parks, ski areas, marinas and  
25 similar activities;

26 (11) Universities and colleges, including dormitories  
27 and fraternity and sorority houses when on campus;

28 ~~((12)--Hobby-kennels, provided the following  
29 conditions are conformed to:~~

30 ~~(a)--The number of animals permitted shall be  
31 established by the zoning adjuster based on such factors as  
32 animal size, type and characteristics or the breed and the  
33 amount of lot area; provided, that the maximum number shall not~~

1 exceed-ten-where-the-lot-area-contains-thirty-five-thousand  
 2 square-feet-or-more-and-the-maximum-number-shall-not-exceed-five  
 3 where-the-lot-area-is-less-than-thirty-five-thousand-square-feet,

4 (b)--All-open-air-run-areas-shall-be-completely  
 5 surrounded-by-a-six-foot-fence-set-back-at-least-twenty-feet-from  
 6 all-property-lines,

7 (c)--No-commercial-signs-or-other-appearances  
 8 advertising-kennel-are-permitted-on-the-property,

9 (d)--The-adjuster-shall-consider-the-review-and  
 10 recommendations-of-the-Division-of-Animal-Control-and-Building  
 11 and-Land-Development-Division,

12 (e)--The-adjuster-may-require-additional-setback,  
 13 fencing,-screening-or-soundproofing-requirements-as-he-deems  
 14 necessary-to-ensure-the-compatibility-of-the-hobby-kennel-with  
 15 surrounding-development;

16 Provided-further,-should-the-Division-of-Animal  
 17 Control,-in-the-course-of-enforcing-the-provisions-of-Chapter  
 18 11.04,-observe-violations-of-the-conditional-use-permit,-they  
 19 shall-notify-in-writing-the-Building-and-Land-Development  
 20 Division-of-such-violation;-and-the-Building-and-Land-Development  
 21 Division-shall-petition-the-zoning-adjuster-to-initiate  
 22 proceedings-to-revoke-a-conditional-use-permit-for-a-hobby  
 23 kennel-in-accordance-with-King-County-Code-21.66;))

24 \* ((~~13~~)) (12) Commercial establishments or enterprises  
 25 involving open recreational uses of land as follows, provided  
 26 these uses are specifically excluded from all R and S zones;

27 (a) Campgrounds,  
 28 (b) Camps such as boy scout, girl scout, church,  
 29 Y.W.C.A., Y.M.C.A., and similar types,

30 (c) Recreational camps and resorts,  
 31 (d) Outdoor stage theaters;

32 ((~~14~~)) (13) Hunting and fishing camps, gun clubs and  
 33 rifle and pistol ranges, provided these uses are specifically

1 excluded from all R and S zones, and provided further, the  
2 following conditions are conformed to:

3 (a) All installations shall be located at such a  
4 distance from adjoining property lines as will protect abutting  
5 property from hazard, noise or dust; provided, that a minimum  
6 distance of fifty feet shall be maintained,

7 (b) Firing ranges shall be designed so as to prevent  
8 stray or ricocheting bullets or pellets from leaving the  
9 property,

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

16 INTRODUCED AND READ for the first time this 4th day of  
17 February, 1980.

18 PASSED this 17th day of March, 1980.

19  
20 KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

21 Bill Reams  
22 Chairman  
23

24 ATTEST:

25 Dorothy M. Owens  
26 Deputy Clerk of the Council

27 APPROVED this 19th day of March, 1980.

28 [Signature]  
29 King County Executive  
30  
31  
32  
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