

ORDINANCE NO. 6098

AN ORDINANCE relating to zoning; defining and permitting accessory dwellings within one-family dwellings in the RS zone; and amending Ordinance 4689, Section 1, Resolution 25789, Section 245, Ordinance 5674, Section 1, Ordinance 3144, Section 3, KCC 21.04.112 and KCC 21.08.030, and adding a new section.

BE IT ORDAINED BY THE KING COUNTY COUNCIL:

SECTION 1. Ordinance 4689, Section 1, Resolution 25789, Section 245 and KCC 21.04.112 are each hereby amended to read as follows:

Dwellings, types of. A. Dwelling, Group. "Group dwelling: means more than two separate buildings, each containing one or more dwelling units.

B. Dwelling, One-family. "One-family dwelling: means a detached building designed exclusively for occupancy by one family and containing one dwelling unit.

C. Dwelling, Two-family (Duplex). "Two-family dwelling or duplex" means a building designed exclusively for occupancy by two families living independently of each other, and containing two dwelling units.

D. Dwelling, Multiple. "Multiple dwelling: means a building designed exclusively for occupancy by three or more families living independently of each other, and containing three or more dwelling units.

E. Dwelling, Townhouse. "Townhouse dwelling: means a building designed exclusively for occupancy by one family and containing one dwelling unit, occupying space from the ground to the roof and not lying vertically under or over adjacent units, and attached to one or more other dwelling units by common walls which may be located on lot side lines.

F. Dwelling, Accessory. "Accessory dwelling" means a separate, complete housekeeping unit contained within the structure of a one-family dwelling including additions thereto.

SECTION 2. Ordinance 5674, Section 1, Ordinance 3144, Section 3 and KCC 21.08.030 are each hereby amended to read as follows:

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

4 A. Accessory living quarters;

5 B. Accessory dwelling, provided:

6 1. The accessory unit is within the same building as the principal  
 7 residence,

8 2. The accessory unit floor area does not exceed fifty percent of the  
 9 combined total area of the principal residence and the accessory unit,

10 3. The house must be owner-occupied,

11 4. The principal residence and the accessory unit, and occupancy  
 12 thereof, must comply with K.C.C. Chapter 16.04.

13 5. Garage space may be converted only if the same number of covered  
 14 parking spaces are provided elsewhere on the property,

15 6. One off-street parking space in addition to that required for a  
 16 single family dwelling shall be provided.

17 7. The total number of people who may occupy principal residence and the  
 18 accessory unit, together, shall not exceed the number of people who may occupy  
 19 a one-family dwelling;

20 ((B+)) C. Private garages designed to accommodate not more than four cars;

21 ((E+)) D. Except as provided in KCC 11.04.060, small animals (household  
 22 pets) not to exceed three in any combination thereof, when kept on the same  
 23 lot as the residence of the owners of such pets;

24 ((D+)) E. Lodgers, limited to two;

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

29 1. Structures shall conform to the applicable provisions of the  
 30 Shoreline Management Master Program,

31 2. No part of the structure shall extend more than sixteen feet above  
 32 the mean high water level,  
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1           3. No structure shall be located closer to a property side line, or  
2 property side line extended, than fifteen feet, except that docks may abut  
3 property lines for the common use of adjacent property owners, when mutually  
4 agreed to by the property owners in a contract recorded with the King County  
5 Division of Records and Elections, of which a copy must accompany an  
6 application for a building permit,

7           4. The total area of moorage shall not exceed six hundred square feet,

8           5. Covered moorages shall abut upon the natural shoreline,

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

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

13           ((F+)) G. Foster family day care home, twenty-four hours;

14           ((G+)) H. Greenhouse, private and noncommercial, for propagation and  
15 culture only, with no sales from the premises permitted;

16           ((H+)) I. Radio tower, amateur;

17           ((I+)) J. Swimming pools and other recreational facilities for the sole use  
18 of occupants of premises and their guests;

19           ((J+)) K. Day nurseries, provided:

20           1. A maximum of twelve children are cared for in any twenty-four hour  
21 period, provided further that the facility shall conform to the occupancy  
22 requirements of Chapter 8 of the Uniform Building Code as adopted by King  
23 County whenever more than six children are cared for at one time.

24           2. Outdoor play areas shall be provided with a minimum of seventy-five  
25 square feet in area for each child using the area at one time, and shall be  
26 completely enclosed by a solid barrier such as a berm, wall or fence, with no  
27 openings except for gates, and having a minimum height of six feet, to  
28 minimize visual and noise impacts and prevent trespassing on adjacent  
29 residentially classified properties.

30           3. Play equipment shall not be located closer than twenty feet to any  
31 property lines.

32           4. The hours of operation may be restricted to assure compatibility  
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1 with surrounding development;

2 ((K+)) L. Home occupation; provided the home occupation:

3 1. Is carried on exclusively by a member or members of a family  
4 residing in the dwelling unit,

5 2. Is clearly incidental and secondary to the use of the property for  
6 dwelling purposes with the floor area devoted to the home occupation not  
7 exceeding twenty percent of the living area of the dwelling unit,

8 3. Has ((net)) no display or sign not already permitted in the zone,

9 4. Has no outside storage nor other exterior indication of the home  
10 occupation or variation from the residential character of the property,

11 5. Does not require truck delivery or pickup, nor the installation of  
12 heavy equipment, large power tools or power sources not common to a  
13 residential dwelling,

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

16 7. Does not create a level of parking demand beyond that which is  
17 normal to a residential area,

18 8. Does not include automobile, truck or heavy equipment repair, body  
19 work or painting; nor parking or storage of heavy equipment including trucks  
20 of over one-ton load capacity; nor storage of building materials such as  
21 lumber, plasterboard, pipe, paint and the like, for use on other premises;

22 ((B)) M. One name plate not exceeding two square feet in area containing  
23 the name of the occupant of the premises;

24 ((+M+)) N. Aircraft hanger, provided:

25 1. No aircraft sales, service, repair, charter or rental shall be  
26 permitted on the premises; nor shall storage of any aircraft on the premises  
27 for such purposes be permitted,

28 2. Only one single or twin-engined noncommercial aircraft (excluding  
29 helicopters) shall be accommodated on the premises,

30 3. No aviation fuel except that contained in the tank or tanks of the  
31 aircraft itself shall be stored on the premises,

32 4. No hangar shall be allowed except on lots which abut, or have a  
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1 legal access which is not a county right-of-way to a landing field in  
2 conformance with K.C.C. Chapter 21.44,

3 5. No hangar constructed pursuant to this section shall exceed twenty  
4 feet in height above average grade, nor have a gross area exceeding three  
5 thousand square feet;

6 ((N)) O. Beehives, limited to four, provided:

7 1. Colonies shall be maintained in movable-frame hives at all times.

8 2. Adequate space shall be maintained in each hive to prevent  
9 overcrowding and swarming.

10 3. Colonies shall be requeened following any swarming or aggressive  
11 behavior.

12 4. All colonies shall be registered with the county agricultural  
13 extension agent prior to April 1st of each year; state registration form is  
14 acceptable for use with the county,

15 5. Hives shall not be located within twenty-five feet of any property  
16 line, except:

17 a. When situated eight feet or more above adjacent ground level, or

18 b. When situated less than six feet above adjacent ground level and  
19 behind a solid fence or hedge six feet in height parallel to any property  
20 line within twenty-five feet of the hive and extending at least twenty feet  
21 beyond the hive in both directions,

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

1           7. Lots containing more than fifteen thousand square feet,  
2 but less than thirty-five thousand square feet of area may have  
3 up to sixteen beehives,

4           8. Lots containing thirty-five thousand square feet or more  
5 shall be limited to fifty beehives.

6           NEW SECTION, SECTION 2. It is not the intent of this  
7 ordinance to supercede any provision made in any covenant or  
8 Homeowners' Association contract which was promulgated prior to  
9 the effective date of this ordinance.

10           INTRODUCED AND READ for the first time this 21<sup>st</sup> day of

11 June, 1982.

12           PASSED this 16<sup>th</sup> day of August, 1982.

13           KING COUNTY COUNCIL  
14           KING COUNTY, WASHINGTON

15           Lois North  
16           Chairman

17           ATTEST:

18           Dorothy M. Quinn  
19           DEPUTY Clerk of the Council

20           APPROVED this 27<sup>th</sup> day of August, 1982.

21           Randy Rowell  
22           King County Executive  
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