

April 30, 1986
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INTRODUCED BY: SULLIVAN, NORTH

PROPOSED NO.: 86 - 28

ORDINANCE NO. 7636

AN ORDINANCE relating to zoning; adding a new chapter for the A-10 and A-35 Agricultural classification.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Purpose of classification. Productive farmland is an irreplaceable and limited natural resource in King County. Other lands within King County in terms of location, geological formation and chemical and organic composition are not well suited to agricultural uses. King County, therefore, finds it essential to preserve agricultural land and encourage its use for agriculture. The purpose of this classification and its application is to accomplish this objective by permitting primarily such uses as relate to agricultural production and establishing a high minimum lot area standard which will retain parcels large enough to manage for agriculture, while discouraging nonagricultural development. This zone is applied generally to lands within agricultural production districts designated by the comprehensive plan.

SECTION 2. Permitted uses. In an A-10 or A-35 zone, the following uses only are permitted:

A. Growing and harvesting agricultural crops, as well as the structures necessary for these activities, which includes structures for propagation, equipment, supplies and storage;

B. Keeping and raising of livestock and small animals, including all kinds of stables regardless of size but, not including commercial kennels;

1 C. Processing of agricultural products, provided the
2 products are raised on-site;

3 D. Marketing of agricultural products raised on the
4 premises, provided that the square footage for a farm stand not
5 including storage areas shall not exceed five hundred square
6 feet of floor area, and customer parking is provided on-site;

7 E. Housing for one family and accessory buildings and uses
8 as enumerated in K.C.C. 21.08.030;

9 F. Accessory housing in separate structures to accommodate
10 agricultural workers and their families employed on the
11 premises, provided:

12 1. Such facilities are only permitted on holdings
13 containing ten acres or more;

14 2. These housing facilities shall not be rented or leased
15 to the public at large;

16 3. The sewage disposal and water supply are approved by
17 the department of public health;

18 4. These housing facilities are accessory to the main
19 dwelling and cannot be subdivided and made into a primary
20 dwelling;

21 5. Only one accessory dwelling unit is permitted on
22 parcels between ten and twenty acres in size. Two accessory
23 dwelling units are permitted on parcels in excess of twenty
24 acres;

25 G. Home occupations, provided:

26 1. The home occupation is clearly incidental and
27 secondary to the use of property for agricultural purposes;

28 2. The home occupation has no display or sign not already
29 permitted in the zone;

1 3. The home occupation has no outside storage nor other
2 exterior indication of the home occupation or variation from
3 character of the area;

4 4. The home occupation does not require the installation
5 of heavy equipment, large power tools or power sources not
6 common to an agricultural area;

7 5. The home occupation does not create a level of noise
8 vibration, smoke, dust, odors, heat or glare beyond that which
9 is common to an agricultural area;

10 6. The home occupation does not create a level of parking
11 demand beyond that which is normal to an agricultural area;

12 7. On-site sales shall be incidental to the main purpose
13 of the home occupation;

14 8. The home occupation does not involve the use of any
15 type of hazardous materials for which the Uniform Fire Code
16 would require the issuance of a permit;

17 9. Any required sewer or water permits are obtained from
18 Seattle-King County Department of Public Health.

19 10. Occasional and temporary employees may be permitted by
20 an administrative conditional use permit issued for a cottage
21 industry.

22 H. Agricultural Research farms.

23 SECTION 3. Unclassified uses. Only the following
24 unclassified uses may locate in an agricultural classification
25 pursuant to the issuance of an unclassified use permit as
26 provided in Chapter 21.60:

27 A. Jail farms or honor farms, publicly owned and used for
28 rehabilitation of prisoners;

1 B. Booster stations or conversion plants with the necessary
2 buildings, apparatus or appurtenances incident thereto of public
3 utilities or utilities operated by mutual agencies, provided the
4 applicant demonstrates that the proposed use should be sited in
5 an agricultural area. Distribution mains are permitted without
6 an unclassified use permit;

7 C. A farm store in excess of 2500 square feet, subject to
8 all of the provisions for a conditional use permit for a farm
9 store.

10 SECTION 4. Conditional uses. The following conditional
11 uses only may locate in an agricultural classification pursuant
12 to the issuance of a conditional use permit as provided in
13 Chapter 21.58:

14 A. Marketing, through a farm store, of agricultural
15 products raised on and off premises, provided the following
16 minimum standards are met:

17 1. The retail sales floor area of the farm store shall
18 not exceed 2,500 square feet;

19 2. No more than 40 percent of the average annual gross
20 sales of agricultural products sold through the store over a
21 five year period shall be derived from products not grown or
22 produced in King County. At the time of the initial
23 application, the applicant shall submit a reasonable projection
24 of the source of product sales;

25 3. Sales through a farm store shall be limited to the
26 sale of agricultural products and plants only;

27 4. Storage areas in excess of the retail sales area may
28 be included in the farm store structure or in any accessory
29 building.
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1 5. Parking areas shall be provided at the ratio of one
2 stall per 200 square feet of retail space;

3 6. Hours of operation shall be limited to the hours from
4 7:00 a.m. to 9:00 p.m. during the months of May through
5 September and 7:00 a.m. to 7:00 p.m. during the months of
6 October through april. Outside lighting is permitted, provided
7 no off-site glare is allowed;

8 7. Noncontiguous lands within King County may be
9 assembled by an individual farmer or group of farmers for the
10 purposes of establishing a source of local products to be sold
11 in a farm store on one of the properties.

12 B. Commercial use of buildings listed on the National
13 Register as an historic site or designated as a King County
14 landmark, provided:

15 1. Gross floor area of the building additions or new
16 buildings involved in the conversion shall not exceed twenty
17 percent of the gross floor area of the historic or landmark
18 buildings;

19 2. Any construction required for conversion which affects
20 significant features of the property protected pursuant to
21 Ordinance 4828 and KCC 20.62 shall require certification of
22 appropriateness from the King County landmarks commission;

23 C. Radio, microwave or television transmitters, towers and
24 appurtenances, provided:

25 1. Sufficient setbacks or easements are provided to
26 protect improvements on adjacent property in the event of tower
27 collapse;

28 2. Public access to towers is precluded.

29 3. Vehicle access and utility corridors are shared
30 whenever possible;

1 D. Cottage industries, provided the following conditions
2 are conformed to:

3 1. The cottage industry shall be incidental to the use of
4 the property for agricultural purposes and shall be less than
5 fifty percent of the living area of the main dwelling. This
6 fifty percent square footage limitation includes outdoor
7 assembly and storage areas but not required parking areas:

8 2. The following uses shall not be allowed:

9 a. Any activity which might result in excessive noise,
10 smoke, dust, odors, heat or glare beyond that which is common to
11 an agricultural area. The proposed use shall conform to the
12 maximum permissible sound levels under K.C.C. Chapter 12.88.
13 The zoning adjustor may require an applicant to provide sound
14 level tests demonstrating such conformance;

15 b. Use of manufacture of products or operations which
16 are dangerous in terms of risk of fire, explosion, or hazardous
17 emmissions;

18 c. Any other use deemed incompatible with an
19 agricultural area, subject to the review of the zoning adjustor;

20 3. Landscaping shall be required to screen parking areas
21 and outside storage from the view of adjacent landowners and
22 county roads;

23 4. Increased setbacks or additional screening may be
24 established by the zoning adjustor to ensure that any proposed
25 structure is compatible with the surrounding residential or
26 agricultural area;

27 5. Any required sewer and water permits are obtained from
28 Seattle-King County Department of Public Health;

29 6. All sales directly from the premises shall be an
30 incidental use;
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2 7. The allowable size of equipment used by the cottage
3 industry shall be subject to the review of the zoning adjustor;

4 D. Bed and breakfast guesthouse provided:

5 1. The bed and breakfast guesthouse operations shall be
6 located only on the premises of the permanent residence of the
7 operator(s);

8 2. The guesthouse operation shall be compatible with the
9 agricultural character of the area;

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

15 4. Serving meals to paying guests shall be limited to
16 overnight lodgers;

17 5. 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 Department of Public Health;

20 6. Approval of any food service facilities must be
21 obtained from the Seattle-King County Department of Public
22 Health.

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

27 E. Public parks, provided the parks are designed to prevent
28 trespass to adjacent farms through appropriate screening,
29 barriers and other means;

30 F. Fire stations, provided that the use is shown to be
31 necessary in this zone;

1 SECTION 5. Signs. Signs are permitted, subject to the
2 following conditions;

3 A. One nameplate sign containing the name of the occupant
4 of the premises, not exceeding two square feet;

5 B. Signage for permitted use, not exceeding thirty-two
6 square feet in total area, provided such sign shall not be
7 located in any required yard or open space on the premises if
8 higher than six feet from ground level; such signage may be lit
9 but shall not have blinking or moving elements;

10 C. One unlighted double-faced sign, not exceeding six
11 square feet of area per face, pertaining only to the sale, lease
12 or hire of only the particular building, property or premises
13 upon which displayed;

14 SECTION 6. Lot area and lot area per dwelling unit.

15 A. There are established two minimum required lot areas
16 which as to their location shall be identified on the zoning map
17 by the designations A-35 and A-10, as follows:

18 1. The minimum required lot area in an A-35 zone shall be
19 thirty-five acres;

20 2. The minimum required lot area in an A-10 zone shall be
21 ten acres.

22 B. Any substandard lot may be used for any use permitted in
23 this classification, subject to the limitations of the use.

24 C. The area of individual lots also may be reduced without
25 lot clustering provided the average size of all lots meets the
26 requirements of the zone. No more than one hundred thirty-five
27 percent of the minimum required lot area may be credited to any
28 oversized lot when calculating average lot area, and no
29 oversized lot used for lot averaging shall be further
30 subdivided. Lot averaging shall not be permitted if public
31 facilities and services are needed beyond those normally
32 required by full-sized lots in the zone;
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1 D. In multiple lot subdivisions and short subdivision the
2 area of individual lots may be reduced, subject to the lot
3 clustering requirements contained in Section 7, provided the
4 average of the area in lots plus the area within the subdivision
5 or short subdivision designated as an open tract divided by the
6 total number of lots is not less than the minimum lot area
7 requirement of the zone in which the property is located.

8 E. All building lots must be capable of meeting health
9 department requirements for long-term, on-site sewage disposal,
10 or be served by an approved public or community disposal
11 system. A public water supply shall be provided and be approved
12 by the health department, when any lot in the subdivision or
13 short subdivision contains less than five acres.

14 SECTION 7. Lot clustering provisions.

15 A. For the purposes of this chapter, "open tract" means
16 that portion of a proposed subdivision or short subdivision in
17 an A zone which is designated for permanent open space,
18 consistent with the definition specified in K.C.C. 21.04.216, as
19 a result of lot clustering. After a site is initially divided
20 pursuant to this chapter, the open tract may be retained by the
21 subdivider, conveyed to residents of the other lots, or conveyed
22 to a third party. Regardless of who owns the open tract, it
23 shall not be subdivided, and all other provisions set forth in
24 this chapter shall apply to it.

25 B. On open tracts, one primary dwelling, which must be
26 included in overall density calculations for the subdivision or
27 short subdivision, shall be permitted, plus all accessory
28 residential, agricultural and forestry uses permitted in the
29 zone, and excluding unclassified uses.

30 C. Subdivisions or short subdivisions in which lot
31 clustering is used shall meet the following criteria:
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1 1. No more than eight lots of less than ten acres shall
2 be allowed in a cluster. Clusters containing lots smaller than
3 ten acres, whether in the same or adjacent subdivisions or short
4 subdivisions, shall be separated by an intervening open space
5 buffer or public right-of-way.

6 2. In no case shall any new lot be less than 35,000
7 square feet;

8 3. No open tract or oversize lot used to compute density
9 shall be further subdivided;

10 4. The Building and Land Development Division may
11 condition the location and design of structures to accomplish
12 the purposes of this chapter;

13 5. Clustering shall not be permitted if public facilities
14 and services are needed beyond those normally required by
15 non-clustered development at the density otherwise allowed in
16 the zone.

17 SECTION 8. Lot dimensions. In both the A-10 and A-35
18 zones, no building lot shall be created which has a
19 depth-to-width ratio greater than four-to-one;

20 SECTION 9. Height of structures. In any A zone, no
21 residential building shall exceed a height of thirty-five feet,
22 except that agricultural and permitted specialized structures
23 may exceed this height limit. For structures in excess of 35
24 feet, there shall be one-foot setback from property lines for
25 each foot of height in excess of 35 feet;

26 SECTION 10. Permissible lot coverage. All buildings,
27 including accessory buildings and structures and any area used
28 to provide parking space, shall not cover more than thirty-five
29 percent of the lot where the lot is less than one acre in size;
30 not more than twenty-five percent of the lot where the lot is
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1 greater than one acre but less than five acres in size; not more
2 than fifteen percent of the lot where the lot is greater than
3 five acres but less than ten acres in size; and not more than
4 ten percent of the lot where the lot is larger than ten acres in
5 size;

6 SECTION 11. Placement of building structures and uses.

7 A. Any building or structure shall observe a distance of
8 not less than ten feet from any side or rear property line.
9 Where a greater distance is required as a condition by the
10 establishment of a permitted conditional or unclassified
11 building or use, such greater distance shall prevail;

12 B. Any pen, milking shed, cage, aviary, animal run or
13 structure to contain, house or feed livestock, other than
14 railroad loading pens, shall not be located closer than
15 thirty-five feet to any property line;

16 C. Open air storage of manure, hay, straw, shavings or
17 similar organic materials shall maintain a distance of not less
18 than thirty-five feet from any property line.

19 D. Residential and nonanimal permitted structures within
20 any A zone shall observe a thirty-foot front yard setback.

21 INTRODUCED AND READ for the first time this 13th day
22 of January, 1986.

23 PASSED this 19th day of May, 1986.

24 KING COUNTY COUNCIL
25 KING COUNTY, WASHINGTON

26 Audrey Linger
27 Chair

28 ATTEST:

29 Dorothy M. Owens
30 Clerk of the Council

31 APPROVED this 28th day of May, 1986.

32 Jim Daley
33 King County Executive