

Ron Sims, Jane
Hague, Kent
Pullen, Cynthia
Sullivan, Larry
Gossett, Brian
Derdowski, Maggi
Fimia, Chris Vance

July 5, 1994
94-326.ORD (VN:clt)

Introduced By:

Proposed No.:

94 - 326

ORDINANCE NO.

11395

AN ORDINANCE relating to zoning;
authorizing elementary schools as a
permitted use in the rural area, amending
Ordinance 7661, Sections 4 & 5, as
amended, and K.C.C. 21.21A.040 and K.C.C.
21.21A.050.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 7661, Section 4, as amended and
K.C.C. 21.21A.040 are each hereby amended to read as follows:

Permitted uses - Nonresidential. The following
nonresidential uses only are permitted in an A-R zone:

A. Bed and breakfast guesthouse, provided:

1. The bed and breakfast guesthouse operation shall be
located only on the premises of the principal residence of
the operator;

2. The guesthouse operation shall not use more than
fifty percent of the floor area of the principal residence;

3. One off-street parking space shall be provided for
each guestroom plus the required off-street parking spaces
for the principal dwelling. This parking area shall not be
located within any required setback. Landscaping may be
required by the division to screen parking areas from the
view of adjacent properties and from public roads;

4. The wastewater disposal facility and the domestic
water supply serving the guesthouse shall be approved by the

1 Seattle-King County department of public health prior to the
2 use permit being issued;

3 5. The number of persons accommodated per night shall
4 not exceed five except that a structure which satisfies the
5 standards of the uniform building code as adopted by King
6 County for R-1 occupancies may accommodate up to ten persons
7 per night;

8 6. Service of meals shall be to registered guests only;

9 B. Public utility facilities such as telephone exchanges,
10 water pumping stations, electrical distribution substations,
11 water storage reservoirs or tanks necessary for the
12 distribution and transmission of services for the area or
13 which require location in the area;

14 C. Libraries and parks, publicly owned, subject to the
15 provisions of K.C.C. 21.08.040 F.;

16 D. Day nurseries subject to the provisions of K.C.C.
17 21.08.040;

18 E. Reuse of closed school facilities subject to the
19 provisions of K.C.C. 21.08.040;

20 F. Specialized instruction schools provided:

21 1. The site shall have a minimum lot size of 2 1/2
22 acres.

23 2. The specific standards set forth in K.C.C. 21.44.030
24 R. are met.

25 G. Unclassified uses subject to the provisions of K.C.C.
26 21.44, when consistent with the purpose of the zone.

27 H. Propane and compressed natural gas bulk storage
28 facilities from which gas is distributed only by piping
29 directly to individual users.

1 I. Elementary schools, provided that no such schools shall
2 be allowed if they require public sewers to be extended
3 outside a Local Service Area unless a finding is made that no
4 cost-effective alternative technologies are feasible, in
5 which case a tightline to a sewer sized only to meet the
6 needs of the school may be used.

7 SECTION 2. Ordinance 7661, Section 5 as amended and
8 K.C.C. 21.21A.050 are each hereby amended to read as follows:

9 Permitted uses - Conditional. The following conditional
10 uses only are permitted in an A-R zone:

11 A. Cottage industries, subject to an administrative
12 conditional use permit, provided:

13 1. The site shall have a minimum lot size of five acres,
14 or else a conditional use permit with public hearing shall be
15 required;

16 2. The cottage industry shall be accessory to the use of
17 the premises for residential purposes and shall not require
18 interior building space of more than seventy-five percent of
19 the finished living area of the primary residence;

20 3. The business must be owned and operated by the
21 full-time residents on the subject property;

22 4. Only those buildings or areas specifically approved
23 by the zoning adjustor shall be used to conduct the business;

24 5. The following uses shall not be allowed:

25 a. Any activity which might result in excessive noise,
26 smoke, dust, odors, heat or glare, or traffic beyond that
27 which is common to a rural area. The proposed use shall
28 conform to the maximum permissible rural sound levels under
29 K.C.C. 12.88. The county may require an applicant to provide
30 sound level tests demonstrating such conformance;

1 b. Use or manufacture of products or operations which
2 are dangerous in terms of risk of fire, explosion, or
3 hazardous emissions;

4 c. Any other use which would disrupt the character of
5 permitted rural uses subject to the review of the zoning
6 adjustor;

7 6. Landscaping shall be required to screen parking areas
8 and outside storage from the view of adjacent landowners and
9 county roads;

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

12 8. On-site sales shall be incidental to the main purpose
13 of the cottage industry;

14 9. The allowable size of equipment used by the cottage
15 industry shall be subject to the review of the zoning
16 adjustor;

17 B. Stores for retail sales of feed, seed, fertilizers,
18 fencing materials, agricultural raingear or such other
19 supplies that are directly related to the day-to-day support
20 of agricultural production and specifically excluding powered
21 equipment and related implements, trailers and related
22 implements, and items of apparel; provided the following
23 minimum conditions are conformed to:

24 1. The number of employees involved and the physical
25 scale is such that there is no substantial traffic involved
26 and the building intensity and character is consistent with
27 the surroundings;

28 2. Off-street parking is provided equivalent to one
29 parking space for each two-hundred square feet of floor area;

1 3. The use is not located within a one-hundred-year
2 floodplain. Expansion of any existing facilities in the
3 floodplain shall be limited to structural alterations and
4 increases in floor area required by law for health and safety
5 reasons;

6 C. Processing of agricultural products and livestock,
7 including wineries, canneries, and the slaughtering and
8 dressing of animals; provided any building, structure or
9 area used for such purposes shall be not closer than
10 seventy-five feet to any property line unless a greater
11 setback is required by K.C.C. 21.21A.100, and:

12 1. The number of employees involved and the physical
13 scale is such that the building intensity and character is
14 consistent with the surroundings;

15 2. The sewage disposal and water supply are approved by
16 the Seattle-King County department of public health;

17 3. The use is not located within a one-hundred-year
18 floodplain. Expansion of any existing facilities in the
19 floodplain shall be limited to structural alterations and
20 increases in flood area required by law for health and safety
21 reasons.

22 D. Animal hospitals and clinics, subject to an
23 administrative conditional use permit, provided the portion
24 of the building or structure in which animals are kept or
25 treated is sound-proofed; all run areas are completely
26 surrounded by an eight-foot solid wall; the animal runs shall
27 be surfaced with concrete or other impervious material; and
28 there shall be no burning of refuse or dead animals on the
29 premises;

1 E. Commercial use of buildings listed on the national
2 register as an historic site or designated as a King County
3 landmark, provided:

4 1. Gross floor area of the building additions or new
5 buildings required for the conversion shall not exceed twenty
6 percent of the gross floor area of the historic or landmark
7 buildings;

8 2. Any construction required for conversion which
9 affects significant features of the property protected
10 pursuant to Ordinance 4828 and K.C.C. 20.62 shall require
11 certification of appropriateness from the King County
12 landmarks commission;

13 F. Resource-based commercial recreation facilities such as
14 golf courses and destination resorts, in locations where
15 impacts on the environment, adjacent land use and resource
16 management can be adequately controlled, and where adequate
17 public facilities and services can be provided;

18 G. Hydroelectric facilities, as follows:

19 1. Hydroelectric projects with the following
20 characteristics shall be permitted subject to a conditional
21 use permit. All other projects shall require an unclassified
22 use permit. Regardless of the process involved, all hydro-
23 electric projects shall meet the standards specified in
24 subsection H.2. of this section.

25 a. If the project uses a new diversion structure, it
26 shall have a height no greater than eight feet (measured from
27 the streambed), or at normal maximum water surface area it
28 shall not impound more than three surface acres of water;

29 b. has no active storage;

1 c. does not increase the maximum water surface area at
2 any existing dam or diversion;

3 d. maintains an exceedance flow of no greater than 50
4 percent in mainstream reach;

5 e. requires for transmission one mile or less of new
6 right-of-way which contains a line of 115 kV capacity or
7 less;

8 f. does not require more than one mile of permanent
9 new access road; and

10 g. is located above an anadromous fish barrier.

11 2. Project Development Standards:

12 a. The project will have an acceptable level of
13 impacts on anadromous and resident fish species, as
14 demonstrated by project approval from the Washington State
15 Departments of Fisheries and Game, National Marine and
16 Fisheries Service, U.S. Fish and Wildlife Service, and tribes
17 on the Federal Energy Regulatory Commission's service list;

18 b. will not create an erosion hazard;

19 c. will mitigate any visual impacts through the use of
20 landscape and distance buffers;

21 d. the hydrologic, ecological, and aesthetic functions
22 of natural stream corridors will be preserved, protected, or
23 enhanced; and

24 e. will preserve or enhance multiple use of the site
25 including, but not limited to, public access, fishing, and
26 recreational uses.

27 ~~((H. Elementary schools, provided that no such schools
28 shall be allowed if they require public sewers to be extended
29 outside a Local Service Area unless a finding is made that no
30 cost effective alternative technologies are feasible, in~~

1 ~~which case a tightline to a sewer sized only to meet the~~
2 ~~needs of the school may be used.))~~

3 ((~~F~~-)) H. Middle schools, junior high schools or high
4 schools, provided that no such schools shall be allowed if
5 they require public sewers to be extended outside a Local
6 Service Area unless a finding is made that no cost-effective
7 alternative technologies are feasible, in which case a
8 tightline to a sewer sized only to meet the needs of the
9 school may be used.

10 ((~~J~~-)) I. Churches, provided that no such churches shall
11 be allowed if they require public sewers to be extended
12 outside a Local Service Area.

13 ((~~K~~-)) J. Other conditional uses as provided in Chapter
14 21.44, excluding:

- 15 1. Columbariums, crematoriums and mausoleums;
- 16 2. Commercial establishments and enterprises as defined
17 by K.C.C. 21.44.030C;
- 18 3. Hospitals of all types;
- 19 4. Utility district offices, unless sharing facilities
20 with a fire station;
- 21 5. Colleges and universities.

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((L-)) K. Interim recycling facilities when located on and operated in conjunction with a site containing a public facility such as a school or fire station.

INTRODUCED AND READ for the first time this 31st day of May, 1994.

PASSED this 5th day of July, 1994.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Passed by a vote of 12-0.

Kent Pullen
Chair

ATTEST:

Gerald A. Peterson
Clerk of the Council

APPROVED this 14th day of July, 1994.

Ray Lohr
King County Executive

Attachments: