

November 23, 1994

Introduced By:

Christopher Vance

Title 17(ac)

Proposed No.:

94-784

ORDINANCE NO. **11625**

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AN ORDINANCE relating to fire hydrants and water mains, adopting the King County Fire Code to be consistent with and implement the comprehensive plan pursuant to the Washington State Growth Management Act; adding a new section to K.C.C. 17.04; amending Ordinance 5828, Section 4, Ordinance 6541, and K.C.C. 17.08.030.

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PREAMBLE:

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For the purpose of effective land use planning and regulation, the King County Council makes the following legislative findings:

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1. King County has adopted the 1994 King County Comprehensive Plan, to meet the requirements of the Washington State Growth Management Act (GMA).

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2. The GMA requires the King County adopt development regulations, which include standards for fire hydrants and water mains, to be consistent with and implement the Comprehensive Plan by December 31, 1994.

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3. Both the 1994 King County Comprehensive Plan and the GMA require levels of public service and standards for public facilities to meet the different needs of urban and rural areas.

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4. The changes to the King County Fire Code (Title 17 of the King County Code) contained in this Ordinance are needed to bring Title 17 into conformance with the 1994 King County Comprehensive Plan, as required by the GMA. As such they bear a substantial relationship to, and are necessary for, the public health, safety and general welfare of King County and its residents.

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BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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NEW SECTION. SECTION 1. There is added to K.C.C. 17.04 a new section to read as follows:

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This title is hereby enacted to be consistent with and implement the comprehensive plan in accordance with RCW 36.70A.

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SECTION 2. Ordinance 5828, Section 4, Ordinance 6541, and K.C.C. 17.08.030 are each amended to read as follows:

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Exemptions. A. The following permits and approvals are exempt from the water flow and fire hydrant requirements of this chapter. These exemptions do not exempt any development from compliance with WAC Chapters 248-54 and 248-57.

1 1. Subdivisions and short subdivisions which contain no lot less than 35,000 square
2 feet in size.

3 2. Subdivisions and short subdivisions located outside an urban growth area
4 designated by the King County Comprehensive Plan and are developed at a density no
5 greater than one residential building lot per 5 acres.

6 3. Clustered development outside an urban growth area approved with lots under
7 35,000 square feet in size and offsetting permanent open space providing their density is no
8 greater than one residential building lot per five acres.

9 24. Building permits for single family detached dwellings and mobile home permits
10 for mobile homes not in mobile home parks, provided the lot is at least 35,000 square feet in
11 size.

12 35. Building permits for structures classified as Group M, Division 3 occupancies
13 pursuant to the Uniform Building Code which conform to the standards for agricultural
14 buildings in the Appendix to the Uniform Building Code, provided that stables and riding
15 arenas other than stables and arenas restricted to the private use of the owner and owner's
16 family are not exempt unless located outside an urban growth area designated by the 1994
17 King County Comprehensive Plan.

18 46. Building permits for structures which do not exceed two thousand five hundred
19 square feet in floor area excluding garage and which are served by a Class 4 water system.
20 Building permits for such structures which exceed two thousand five hundred square feet
21 shall be exempt from the requirements of this chapter if the fire marshal determines that the
22 project will not create a substantial fire hazard.

23 57. Building permits and mobile home permits for detached single family
24 dwellings and accessory structures in subdivisions which received preliminary approval prior
25 to July 5, 1977, or short subdivisions which received preliminary approval prior to January
26 24, 1982 and which do not exceed two thousand five hundred square feet in floor area
27 excluding garage. Building permits for such structures which exceed two thousand five
28 hundred square feet shall be exempt from the requirements of this chapter if the fire marshal
29 determines that the project will not create a substantial fire hazard.

30 B. The fire marshal shall have the authority to impose conditions, including but
31 not limited to increased setbacks, use of fire retardant materials, or drafting ponds on permits
32 exempt pursuant to subsection A. where necessary to mitigate identified fire hazards.

33 C. Building permits and mobile home permits exempt pursuant to subsection A.
34 2.4, A. 4.5. and A. 5-6. and subdivisions and short subdivisions exempt pursuant to
35 subsection A. 1. A.2 and A.3 shall as a condition of approval, record a covenant running
36 with the land which acknowledges the absence of fire hydrants and by which owners of the

1 property and their successors are deemed to have agreed to
2 participate in and not oppose or protest annexation to a public
3 water district or the formation of a utility local improvement
4 district for installation of water mains and fire hydrants
5 consistent with applicable county standards; provided, this
6 condition shall not apply to any subdivision or short subdivision
7 exempt pursuant to subsection A.1., A.2. or A.3., or to any
8 building permits and mobile home permits exempt pursuant to
9 subsection A. ((2)). 4., A. 5., A. ((4)).6. and A. ((5)). 7. when
10 the lot is five acres or larger, or the proposed subdivision, short
11 subdivision or structure is located outside an urban growth area
12 designated by the 1994 King County Comprehensive Plan.

13 SECTION 3. Should any section, subsection, paragraph,
14 sentence, clause or phrase of this ordinance or its application to
15 any person or circumstance be declared unconstitutional or invalid
16 for any reason, such decision shall not affect the validity of the
17 remaining portion of this ordinance or its application to other
18 persons or circumstances.

19 INTRODUCED AND READ for the first time this 28th day of

20 November, 19 94.

21 PASSED by a vote of 13 to 0 this 19th day of

22 December, 1994

23 KING COUNTY COUNCIL
24 KING COUNTY, WASHINGTON

25 Kent Pullen
26 Chair

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28 ATTEST:

29 Gerald A. Peterson
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31 Clerk of the Council

32 APPROVED this 30th day of December, 1994

33 Greg Loh
34 King County Executive
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