



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

July 23, 2002

Ordinance 14429

Proposed No. 2002-0119.3

Sponsors Hague

1 AN ORDINANCE relating to zoning and comprehensive
2 planning, clarifying the application of minimum lot area in
3 the Rural Area, adding kennel and cattery as a conditional
4 use in the Agricultural Production District subject to
5 conditions and correcting typing errors; amending Ordinance
6 10870, Section 332, as amended, and K.C.C. 21A.08.050,
7 Ordinance 10870, Section 340, as amended, and K.C.C.
8 21A.12.030, Ordinance 10870, Section 357, as amended, and
9 K.C.C. 21A.12.200, Ordinance 10870, Section 378, as
10 amended, and K.C.C. 21A.14.180 and Ordinance 10870,
11 Section 530, as amended, and K.C.C. 21A.30.020 and
12 repealing Ordinance 12627, Section 4, and K.C.C.
13 21A.55.040.

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STATEMENT OF FACTS:

17 1. King County has adopted the 1994 King County Comprehensive Plan
18 to meet the requirements of the Washington state Growth Management
19 Act (GMA).

20 2. The GMA requires that the Comprehensive Plan and development
21 regulations be subject to continuing review and evaluation by the county.

22 3. King County has approved annual amendments to correct technical
23 errors and to make changes that do not require a substantive policy change
24 or alter the urban growth line.

25 4. King County has performed its first comprehensive four-year cycle
26 review of the Comprehensive Plan and development regulations. As a
27 result of the review, King County amended the 1994 Comprehensive Plan
28 through passage of the King County Comprehensive Plan 2000.

29 5. The GMA requires that King County adopt development regulations, to
30 be consistent with and implement the Comprehensive Plan.

31 6. The changes to the King County zoning code, K.C.C. Title 21A,
32 contained in this ordinance are needed to bring K.C.C. Title 21A into
33 conformance with the King County Comprehensive Plan 2000, as required
34 by the GMA. As such, they bear a substantial relationship to, and are
35 necessary for, the public health, safety and general welfare of King
36 County and its residents.

37 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

38 SECTION 1. Ordinance 10870, Section 332, as amended, and K.C.C.

39 21A.08.050 are each hereby amended to read as follows:

General services land uses. A. General services land uses.

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

SIC#	SPECIFIC LAND USE	Z	RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL				
			A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	PERSONAL SERVICES:													
72	General Personal Service						C 26	C 26	P	P	P	P3	P3	
7216	Drycleaning plants												P	
7218	Industrial Launderers												P	
7261	Funeral Home/Crematory					C4	C4	C4		P	P			
*	Cemetery, Columbarium or Mausoleum				P25 C5, 32	P25 C5	P25 C5	P25 C5	P25	P25	P25 C5	P25		
*	Day care I		P6		P6	P6	P6	P	P	P	P	P7	P7	
*	Day care II				P8 C	P8 C	P8 C	P8 C	P	P	P	P7	P7	
074	Veterinary Clinic		P9		P9 C10, 32	P9 C10			P10	P10	P10		P	
753	Automotive repair (1)								P11	P	P		P	
754	Automotive service								P11	P	P		P	
76	Miscellaneous repair									P	P		P	
866	Churches, synagogue, temple				P12 C28, 32	P12 C	P12 C	P12 C	P	P	P	P		
83	Social Services (2)				P12 C13, 32	P12 C13	P12 C13	P12 C13	P13	P	P	P		
*	Stable		P14 C		P14 C,32	P14 C	P 14 C							

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*	Kennel or Cattery	P9			C	C				C	P		
*	Theatrical Production Services									P31	P31		
*	Artist Studios				P29	P29	P29	P29	P	P	P	P30	P
*	Interim Recycling Facility	P 21	P21	P21	P 22		P 22	P 22	P 23	P 23	P		P
	HEALTH SERVICES:												
801-04	Office/Outpatient Clinic				P12 C 13	P12 C 13	P12 C 13	P12 C 13	P	P	P	P	P
805	Nursing and personal care facilities							C		P	P		
806	Hospital						C13	C13		P	P	C	
807	Medical/Dental Lab									P	P	P	P
808-09	Miscellaneous Health									P	P	P	
	EDUCATION SERVICES:												
*	Elementary School				P16 15, 32	P	P	P					
*	Middle/Junior High School				P16 C15, 32	P	P	P					
*	Secondary or High School				P16 C15, 27, 32	P27	P27	P27		C	C		
*	Vocational School				P13 C, 32	P13 C	P13 C	P13 C			P	P17	P
*	Specialized Instruction School		P18		P19 C20, 32	P19 C20	P19 C20	P19 C20	P	P	P	P17	P
*	School District Support Facility				C 24, 32 P16,C15	P 24 C	P 24 C	P 24 C	C	P	P	P	P
GENERAL CROSS REFERENCES: Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards ,see K.C.C. 21A.12 through 21A.30; General Provisions, see K.C.C. 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. 21A.40 through 21A.44; (*)Definition of this specific Land Use, see K.C.C. 21A.06													

- 41 General services land uses.
- 42 B. Development conditions.
- 43 1. Except SIC Industry No. 7534 - Tire Retreading, see manufacturing permitted
- 44 use table.
- 45 2. Except SIC Industry Group Nos.:
- 46 a. 835-Day Care Services, and

- 47 b. 836-Residential Care, which is otherwise provided for on the residential
48 permitted land use table.
- 49 3. Limited to SIC Industry Group and Industry Nos.:
- 50 a. 723-Beauty Shops;
- 51 b. 724-Barber Shops;
- 52 c. 725-Shoe Repair Shops and Shoeshine Parlors;
- 53 d. 7212-Garment Pressing and Agents for Laundries and Drycleaners; and
- 54 e. 217-Carpet and Upholstery Cleaning.
- 55 4. Only as an accessory to a cemetery, and prohibited from the UR zone only if
56 the property is located within a designated unincorporated Rural Town.
- 57 5. Structures shall maintain a minimum distance of one hundred feet from
58 property lines adjoining residential zones.
- 59 6. Only as an accessory to residential use, and:
- 60 a. Outdoor play areas shall be completely enclosed by a solid wall or fence,
61 with no openings except for gates, and have a minimum height of six feet; and
- 62 b. Outdoor play equipment shall maintain a minimum distance of twenty feet
63 from property lines adjoining residential zones.
- 64 7. Permitted as an accessory use. See commercial/industrial accessory, K.C.C.
65 21A.08.060A.
- 66 8. Only as a re((-))use of a public school facility subject to K.C.C. chapter
67 21A.32, or an accessory use to a school, church, park, sport club or public housing
68 administered by a public agency, and:

69 a. Outdoor play areas shall be completely enclosed by a solid wall or fence,
70 with no openings except for gates and have a minimum height of six feet;

71 b. Outdoor play equipment shall maintain a minimum distance of twenty feet
72 from property lines adjoining residential zones;

73 c. Direct access to a developed arterial street shall be required in any
74 residential zone; and

75 d. Hours of operation may be restricted to assure compatibility with
76 surrounding development.

77 9.(a). As a home occupation only, but the square footage limitations in K.C.C.
78 chapter 21A.30 for home occupations apply only to the office space for the veterinary
79 clinic, office space for the kennel or office space for the cattery, and:

80 ~~((a-))~~ (1) ~~((B))~~boarding or overnight stay of animals is allowed only on sites of
81 five acres or more;

82 ~~((b-))~~ (2) ~~((N))~~no burning of refuse or dead animals is allowed;

83 ~~((e-))~~ (3) ~~((F))~~the portion of the building or structure in which animals are kept
84 or treated shall be soundproofed. All run areas, excluding confinement areas for
85 livestock, shall be surrounded by an eight-foot-high solid wall and the floor area shall be
86 surfaced with concrete or other impervious material; and

87 ~~((e-))~~ (4) ~~((F))~~the provisions of K.C.C. chapter 21A.30 relative to animal
88 keeping are met.

89 b. The following additional provisions apply to kennels or catteries in the A
90 zone:

91 (1) impervious surface for the kennel or cattery shall not exceed twelve
92 thousand square feet;

93 (2) obedience training classes are not allowed; and

94 (3) any buildings or structures used for housing animals and any outdoor runs
95 shall be set back one hundred and fifty feet from property lines.

96 10.a. No burning of refuse or dead animals is allowed;

97 b. The portion of the building or structure in which animals are kept or treated
98 shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be
99 surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with
100 concrete or other impervious material; and

101 c. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

102 11. The repair work or service shall only be performed in an enclosed building,
103 and no outdoor storage of materials. SIC Industry No. 7532 - Top, Body, and Upholstery
104 Repair Shops and Paint Shops is not allowed.

105 12. Only as a re-use of a public school facility subject to K.C.C. chapter
106 21A.32.

107 13. Only as a re-use of a surplus nonresidential facility subject to K.C.C. chapter
108 21A.32.

109 14. Covered riding arenas are subject to K.C.C. 21A.30.030 and shall not
110 exceed twenty thousand square feet, but stabling areas, whether attached or detached,
111 shall not be counted in this calculation.

112 15. Limited to projects which do not require or result in an expansion of sewer
113 service outside the urban growth area, unless a finding is made that no cost-effective

114 alternative technologies are feasible, in which case a tightline sewer sized only to meet
115 the needs of the public school, as defined in RCW 28A.150.010, or the school facility and
116 serving only the public school or the school facility may be used. New public high
117 schools shall be permitted subject to the review process set forth in K.C.C. 21A.42.140.

118 16.a. For middle or junior high schools and secondary or high schools or school
119 facilities, only as a re-use of a public school facility or school facility subject to K.C.C.
120 chapter 21A.32. An expansion of such a school or a school facility shall be subject to
121 approval of a conditional use permit and the expansion shall not require or result in an
122 extension of sewer service outside the urban growth area, unless a finding is made that no
123 cost-effective alternative technologies are feasible, in which case a tightline sewer sized
124 only to meet the needs of the public school, as defined in RCW 28A.150.010, or the
125 school facility may be used.

126 b. Renovation, expansion, modernization or reconstruction of a school, a
127 school facility, or the addition of relocatable facilities, is permitted but shall not require
128 or result in an expansion of sewer service outside the urban growth area, unless a finding
129 is made that no cost-effective alternative technologies are feasible, in which case a
130 tightline sewer sized only to meet the needs of the public school, as defined in RCW
131 28A.150.010, or the school facility may be used.

132 17. All instruction must be within an enclosed structure.

133 18. Limited to resource management education programs.

134 19. Only as an accessory to residential use, and:

135 a. Students shall be limited to twelve per one-hour session;

136 b. All instruction must be within an enclosed structure; and

137 c. Structures used for the school shall maintain a distance of twenty-five feet
138 from property lines adjoining residential zones.

139 20. Subject to the following:

140 a. Structures used for the school and accessory uses shall maintain a minimum
141 distance of twenty-five feet from property lines adjoining residential zones;

142 b. On lots over two and one half acres:

143 (1) ~~((R))~~ retail sales of items related to the instructional courses is permitted, if
144 total floor area for retail sales is limited to two thousand square feet;

145 (2) ~~((S))~~ sales of food prepared in the instructional courses is permitted with
146 department of public health-Seattle and King County approval, if total floor area for food
147 sales is limited to one thousand square feet and is located in the same structure as the
148 school; and

149 (3) ~~((O))~~ other incidental student-supporting uses are allowed, if such uses are
150 found to be both compatible with and incidental to the principal use; and

151 c. On sites over ten acres, located in a designated Rural Town and zoned UR,
152 R-1, and/or R-4:

153 (1) ~~((R))~~ retail sales of items related to the instructional courses is permitted,
154 provided total floor area for retail sales is limited to two thousand square feet;

155 (2) ~~((S))~~ sales of food prepared in the instructional courses is permitted with
156 department of public health-Seattle and King County approval, if total floor area for food
157 sales is limited to one thousand seven hundred fifty square feet and is located in the same
158 structure as the school;

159 (3) ~~((Θ))~~ other incidental student-supporting uses are allowed, if the uses are
160 found to be functionally related, subordinate, compatible with and incidental to the
161 principal use;

162 (4) ~~((F))~~ the use shall be integrated with allowable agricultural uses on the
163 site;

164 (5) ~~((A))~~ advertised special events shall comply with the temporary use
165 requirements of this chapter; and

166 (6) ~~((E))~~ existing structures that are damaged or destroyed by fire or natural
167 event, if damaged by more than fifty percent of their prior value, may reconstruct and
168 expand an additional sixty-five percent of the original floor area but need not be approved
169 as a conditional use if their use otherwise complies with development condition B.20.c of
170 this section and this title.

171 21. Limited to source-separated yard or organic waste processing facilities.

172 22. Limited to drop box facilities accessory to a public or community use such
173 as a school, fire station or community center.

174 23. With the exception of drop box facilities for the collection and temporary
175 storage of recyclable materials, all processing and storage of material shall be within
176 enclosed buildings. Yard waste processing is not permitted.

177 24. Only if adjacent to an existing or proposed school.

178 25. Limited to columbariums accessory to a church, but required landscaping
179 and parking shall not be reduced.

180 26. Not permitted in R-1 and limited to a maximum of five thousand square feet
181 per establishment and subject to the additional requirements in K.C.C. 21A.12.230.

182 27.a. New high schools shall be permitted in the rural and the urban residential
183 and urban reserve zones subject to the review process in K.C.C. 21A.42.140.

184 b. Renovation, expansion, modernization, or reconstruction of a school, or the
185 addition of relocatable facilities, is permitted.

186 28. Limited to projects that do not require or result in an expansion of sewer
187 service outside the urban growth area. In addition, such use shall not be permitted in the
188 RA-20 zone.

189 29. Only as a reuse of a surplus non-residential facility subject to K.C.C. chapter
190 21A.32 or as a joint use of an existing public school facility.

191 30. All studio use must be within an enclosed structure.

192 31. Adult use facilities shall be prohibited within six hundred sixty feet of any
193 residential zones, any other adult use facility, school, licensed daycare centers, parks,
194 community centers, public libraries or churches that conduct religious or educational
195 classes for minors.

196 32. Subject to review and approval of conditions to comply with trail corridor
197 provisions of K.C.C. chapter 21A.14 when located in an RA zone and in an equestrian
198 community designated by the Comprehensive Plan.

199 SECTION 2. Ordinance 10870, Section 340, as amended, and K.C.C.
200 21A.12.030 are each hereby amended to read as follows:

201

Densities and dimensions – residential zones. A. Densities and dimensions -

202

residential zones.

RESIDENTIAL														
STANDARDS	Z O N E S	RURAL				URBAN RE- SERVE	URBAN RESIDENTIAL							
		RA-2.5	RA-5	RA-10	RA-20	UR	R-1 (17)	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Base Density: Dwelling Unit/Acre (15)		0.2 du/ac	0.2 du/ac	0.1 du/ac	0.05 du/ac	0.2 du/ac (21)	1 du/ac	4 du/ac (6)	6 du/ac	8 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac
Maximum Density: Dwelling Unit/Acre (1)		0.4 du/ac (20)	0.4 du/ac (20)					6 du/ac (22)	9 du/ac	12 du/ac	18 du/ac	27 du/ac	36 du/ac	72 du/ac
Minimum Density: (2)								85% (12) (18) (23)	85% (12) (18)	85% (12) (18)	80% (18)	75% (18)	70% (18)	65% (18)
Minimum Lot Area (13)		1.875 ac	3.75 ac	7.5 ac	15 ac									
Minimum Lot Width (3)		135 ft	135 ft	135 ft	135 ft	35 ft (7)	35 ft (7)	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft
Minimum Street Setback (3)		30 ft (9)	30 ft (9)	30ft (9)	30 ft (9)	30 ft (7)	20 ft (7)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10ft (8)	10 ft (8)
Minimum Interior Setback (3) (16)		5 ft (9)	10ft (9)	10 ft (9)	10 ft (9)	5 ft (7)	5 ft (7)	5 ft	5 ft	5 ft	5 ft (10)	5 ft (10)	5 ft (10)	5 ft (10)
Base Height		40 ft	40 ft	40 ft	40 ft	35 ft	35 ft	35 ft	35 ft	35 ft	60 ft	60 ft	60 ft	60 ft

(4)								45 ft (14)	45 ft (14)		80 ft (14)	80 ft (14)	80 ft (14)
Maximum Impervious Surface: Percentage (5)	25% (11)	20% (11)	15% (11)	12.5% (11)	30% (11)	30% (11)	55%	70%	75%	85%	85%	85%	90%

203 B. Development conditions.

204 1. This maximum density may be achieved only through the application of
 205 residential density incentives in accordance with K.C.C. chapter 21A.34 or transfers of
 206 development rights in accordance with K.C.C. chapter 21A.37, or any combination of
 207 density incentive or density transfer. Maximum density may only be exceeded in
 208 accordance with K.C.C. 21A.34.040F.1.g.

209 2. Also see K.C.C. 21A.12.060.

210 3. These standards may be modified under the provisions for zero-lot-line and
 211 townhouse developments.

212 4. Height limits may be increased if portions of the structure that exceed the
 213 base height limit provide one additional foot of street and interior setback for each foot
 214 above the base height limit, but the maximum height may not exceed seventy-five feet.
 215 Netting or fencing and support structures for the netting or fencing used to contain golf
 216 balls in the operation of golf courses or golf driving ranges are exempt from the
 217 additional interior setback requirements but the maximum height shall not exceed
 218 seventy-five feet.

219 5. Applies to each individual lot. Impervious surface area standards for:

220 a. regional uses shall be established at the time of permit review;

221 b. nonresidential uses in residential zones shall comply with K.C.C.

222 21A.12.120 and 21A.12.220;

223 c. individual lots in the R-4 through R-6 zones that are less than nine thousand
224 seventy-six square feet in area shall be subject to the applicable provisions of the nearest
225 comparable R-6 or R-8 zone; and

226 d. a lot may be increased beyond the total amount permitted in this chapter
227 subject to approval of a conditional use permit.

228 6. Mobile home parks shall be allowed a base density of six dwelling units per
229 acre.

230 7. The standards of the R-4 zone shall apply if a lot is less than fifteen thousand
231 square feet in area.

232 8. At least twenty linear feet of driveway shall be provided between any garage,
233 carport or other fenced parking area and the street property line. The linear distance shall
234 be measured along the center line of the driveway from the access point to such garage,
235 carport or fenced area to the street property line.

236 9.a. Residences shall have a setback of at least one hundred feet from any
237 property line adjoining A, M or F zones or existing extractive operations. However,
238 residences on lots less than one hundred fifty feet in width adjoining A, M or F zone or
239 existing extractive operations shall have a setback from the rear property line equal to
240 fifty percent of the lot width and a setback from the side property equal to twenty-five
241 percent of the lot width.

242 b. Except for residences along a property line adjoining A, M or F zones or
243 existing extractive operations, lots between one acre and two and one-half acres in size
244 shall conform to the requirements of the R-1 zone and lots under one acre shall conform
245 to the requirements of the R-4 zone.

246 10.a. For developments consisting of three or more single-detached dwellings
247 located on a single parcel, the setback shall be ten feet along any property line abutting
248 R-1 through R-8, RA and UR zones, except for structures in on-site play areas required in
249 K.C.C. 21A.14.190, which shall have a setback of five feet.

250 b. For townhouse and apartment development, the setback shall be twenty feet
251 along any property line abutting R-1 through R-8, RA and UR zones, except for
252 structures in on-site play areas required in K.C.C. 21A.14.190, which shall have a setback
253 of five feet, unless the townhouse or apartment development is adjacent to property upon
254 which an existing townhouse or apartment development is located.

255 11. Lots smaller than one-half acre in area shall comply with standards of the
256 nearest comparable R-4 through R-8 zone. For lots that are one-half acre in area or
257 larger, the maximum impervious surface area allowed shall be at least ten thousand
258 square feet. On any lot over one acre in area, an additional five percent of the lot area
259 may be used for buildings related to agricultural or forestry practices. For lots smaller
260 than two acres but larger than one-half acre, an additional ten percent of the lot area may
261 be used for structures that are determined to be medically necessary, if the applicant
262 submits with the permit application a notarized affidavit, conforming with K.C.C.
263 21A.32.170A.2.

264 12. For purposes of calculating minimum density, the applicant may request that
265 the minimum density factor be modified based upon the weighted average slope of the
266 net buildable area of the site in accordance with K.C.C. 21A.12.087.

267 13. ~~((These lot size minimums are for purposes of lot averaging, and do))~~ The
268 minimum lot area does not apply to lot clustering proposals.

- 269 14. The base height to be used only for projects as follows:
- 270 a. in R-6 and R-8 zones, a building with a footprint built on slopes exceeding a
- 271 fifteen percent finished grade; and
- 272 b. in R-18, R-24 and R-48 zones using residential density incentives and
- 273 transfer of density credits in accordance with this title.
- 274 15. Density applies only to dwelling units and not to sleeping units.
- 275 16. Vehicle access points from garages, carports or fenced parking areas shall
- 276 be set back from the property line on which a joint use driveway is located to provide a
- 277 straight line length of at least twenty-six feet as measured from the center line of the
- 278 garage, carport or fenced parking area, from the access point to the opposite side of the
- 279 joint use driveway.
- 280 17.a. all subdivisions and short subdivisions in the R-1 zone shall be required to
- 281 be clustered if the property is located within or contains:
- 282 (1) a floodplain,
- 283 (2) a critical aquifer recharge area,
- 284 (3) a Regionally or Locally Significant Resource Area,
- 285 (4) existing or planned public parks or trails, or connections to such facilities,
- 286 (5) a Class I or II stream or wetland, or
- 287 (6) a steep slope, or
- 288 (7) a "greenbelt/urban separator" or "wildlife corridor" area designated by the
- 289 Comprehensive Plan or a community plan.
- 290 b. The development shall be clustered away from sensitive areas or the axis of
- 291 designated corridors such as urban separators or the wildlife habitat network to the extent

292 possible and the open space shall be placed in a separate tract that includes at least fifty
293 percent of the site. Open space tracts shall be permanent and shall be dedicated to a
294 homeowner's association or other suitable organization, as determined by the director,
295 and meet the requirements in K.C.C. 21A.14.040. On-site sensitive area and buffers,
296 wildlife habitat networks, required habitat and buffers for protected species and
297 designated urban separators shall be placed within the open space tract to the extent
298 possible. Passive recreation (with no development of recreational facilities) and natural-
299 surface pedestrian and equestrian trails are acceptable uses within the open space tract.

300 18. See K.C.C. 21A.12.085.

301 19. All subdivisions and short subdivisions in R-1 and RA zones within the
302 North Fork and Upper Issaquah Creek subbasins of the Issaquah Creek Basin (the North
303 Fork and Upper Issaquah Creek subbasins are identified in the Issaquah Creek Basin and
304 Nonpoint Action Plan) and the portion of the Grand Ridge subarea of the East
305 Sammamish Community Planning Area that drains to Patterson Creek shall have a
306 maximum impervious surface area of eight percent of the gross acreage of the plat.
307 Distribution of the allowable impervious area among the platted lots shall be recorded on
308 the face of the plat. Impervious surface of roads need not be counted towards the
309 allowable impervious area. Where both lot- and plat-specific impervious limits apply, the
310 more restrictive shall be required.

311 20. This density may only be achieved on RA 2.5 and RA 5 zoned parcels
312 receiving density from rural forest focus areas through the transfer of density credit pilot
313 program outlined in K.C.C. chapter 21A.55.

314 21. Base density may be exceeded, if the property is located in a designated
315 rural city urban growth area and each proposed lot contains an occupied legal residence
316 that predates 1959.

317 22. The maximum density is four dwelling units per acre for properties zoned
318 R-4 when located in the Rural Town of Fall City.

319 23. The minimum density requirement does not apply to properties located
320 within the Rural Town of Fall City.

321 SECTION 3. Ordinance 10870, Section 357, as amended, and K.C.C.

322 21A.12.200 are each hereby amended to read as follows:

323 **Lot or site divided by zone boundary.** When a lot or site is divided by a zone
324 boundary, the following applies:

325 A. If a lot or site contains both residential and non-residential zoning, the zone
326 boundary between the zones shall be considered a lot line for determining permitted
327 building height and required setbacks on the site.

328 B. If a lot or site contains residential zones of varying density:

329 1. Any residential density transfer within the lot or site shall be allowed if:

330 a. the density, as a result of moving dwelling units from one lot to another lot
331 within a site or across zone lines within a single lot, does not exceed one hundred fifty
332 percent of the base density on any of the lots or portions of a lot to which the density is
333 transferred;

334 b. the transfer does not reduce the minimum density achievable on the lot or
335 site;

336 c. the transfer enhances the efficient use of needed infrastructure;

337 d. the transfer does not result in significant adverse impacts to the low density
338 portion of the lot or site;

339 e. the transfer contributes to preservation of environmentally sensitive areas,
340 wildlife corridors, or other natural features; and

341 f. the transfer does not result in significant adverse impacts to adjoining lower
342 density properties;

343 2. Residential density transfers from one lot to another lot within a site or from
344 one portion of a lot to another portion of a lot across a zone line shall not be allowed in
345 the RA zone;

346 3. Residential density transfers shall not be allowed to a lot or portion of a lot
347 zone R-1;

348 4. Compliance with the criteria in this subsection B shall be evaluated during
349 review of any development proposals in which such a transfer is proposed; and

350 5. Residential density transfers from one lot to another lot within a site or from
351 one portion of a lot to another portion of a lot across a zone line shall not, in of itself, be
352 considered development above the base density for purposes of requiring a conditional
353 use permit for apartments or townhouses in the R-1 through R-8 zones.

354 C. Uses on each portion of the lot shall only be those permitted in each zone in
355 accordance with K.C.C. chapter 21A.08.

356 SECTION 4. Ordinance 10870, Section 378, as amended, and K.C.C.
357 21A.14.180 are each hereby amended to read as follows:

358 **On-site recreation - space required.** A. Residential developments of more than
359 four units in the UR and R-4 through R-48 zones, stand-alone townhouse developments

360 in the NB zone on property designated commercial outside of center in the urban area of
361 more than four units, and mixed-use developments of more than four units, shall provide
362 recreation space for leisure, play and sport activities as follows:

363 1. Residential subdivision, townhouses and apartments developed at a density of
364 eight units or less per acre - three hundred ninety square feet per unit;

365 2. Mobile home park - two hundred sixty square feet per unit; and

366 3. Apartment, townhouses developed at a density of greater than eight units per
367 acre, and mixed use:

368 a. Studio and one bedroom - ninety square feet per unit;

369 b. Two bedrooms - one hundred seventy square feet per unit; and

370 c. Three or more bedrooms - one hundred seventy square feet per unit.

371 B. Recreation space shall be placed in a designated recreation space tract if part
372 of a subdivision. The tract shall be dedicated to a homeowner's association or other
373 workable organization acceptable to the director, to provide continued maintenance of the
374 recreation space tract consistent with K.C.C. 21A.14.200.

375 C. Any recreation space located outdoors that is not part of a storm water tract
376 developed in accordance with subsection F. of this section shall:

377 1. Be of a grade and surface suitable for recreation improvements and have a
378 maximum grade of five percent;

379 2. Be on the site of the proposed development;

380 3. Be located in an area where the topography, soils, hydrology and other
381 physical characteristics are of such quality as to create a flat, dry, obstacle-free space in a
382 configuration which allows for passive and active recreation;

383 4. Be centrally located with good visibility of the site from roads and sidewalks;

384 5. Have no dimensions less than thirty feet, (except trail segments);

385 6. Be located in one designated area, unless the director determines that
386 residents of large subdivisions, townhouses and apartment developments would be better
387 served by multiple areas developed with recreation or play facilities;

388 7. ~~((In single detached or townhouse subdivisions, if the required outdoor~~
389 ~~recreation space exceeds five thousand square feet, h))~~ Have a street roadway or parking
390 area frontage along ten percent or more of the recreation space perimeter, except trail
391 segments, if the required outdoor recreation space exceeds five thousand square feet and
392 is located in a single detached or townhouse subdivision;

393 8. Be accessible and convenient to all residents within the development; and

394 9. Be located adjacent to, and be accessible by, trail or walkway to any existing
395 or planned municipal, county or regional park, public open space or trail system, which
396 may be located on adjoining property.

397 D. Indoor recreation areas may be credited towards the total recreation space
398 requirement, if the director determines that the areas are located, designed and improved
399 in a manner that provides recreational opportunities functionally equivalent to those
400 recreational opportunities available outdoors. For senior citizen assisted housing, indoor
401 recreation areas need not be functionally equivalent but may include social areas, game
402 and craft rooms, and other multi-purpose entertainment and education areas.

403 E. Play equipment or age appropriate facilities shall be provided within dedicated
404 recreation space areas according to the following requirements:

405 1. For developments of five dwelling units or more, a tot lot or children's play
406 area, which includes age appropriate play equipment and benches, shall be provided
407 consistent with K.C.C. 21A.14.190;

408 2. For developments of five to twenty-five dwelling units, one of the following
409 recreation facilities shall be provided in addition to the tot lot or children's play area:

410 a. playground equipment;

411 b. sport court;

412 c. sport field;

413 d. tennis court; or

414 e. any other recreation facility proposed by the applicant and approved by the
415 director.

416 3. For developments of twenty-six to fifty dwelling units, at least two or more of
417 the recreation facilities listed in subsection E.2 of this section shall be provided in
418 addition to the tot lot or children's play area;

419 4. For developments of more than fifty dwelling units, one or more of the
420 recreation facilities listed in subsection E.2 of this section shall also be provided for every
421 twenty-five dwelling units in addition to the tot lot or children's play area. If calculations
422 result in a fraction, the fraction shall be rounded to the nearest whole number as follows:

423 a. Fractions of 0.50 or above shall be rounded up; and

424 b. Fractions below 0.50 shall be rounded down.

425 F. In subdivisions, recreation areas that are contained within the on-site
426 stormwater tracts, but are located outside of the one hundred year design water surface,

427 may be credited for up to fifty percent of the required square footage of the on-site
428 recreation space requirement on a foot-per-foot basis, subject to the following criteria:

429 1. The stormwater tract and any on-site recreation tract shall be contiguously
430 located. At final plat recording, contiguous stormwater and recreation tracts shall be
431 recorded as one tract and dedicated to the homeowner's association or other organization
432 as approved by the director;

433 2. The stormwater facilities shall be constructed to meet the following
434 conditions:

435 a. The side slope of the stormwater facilities shall not exceed thirty-three
436 percent unless slopes are existing, natural and covered with vegetation;

437 b. A bypass system or an emergency overflow pathway shall be designed to
438 handle flow exceeding the facility design and located so that it does not pass through
439 active recreation areas or present a safety hazard;

440 c. The stormwater facilities shall be landscaped and developed for passive
441 recreation opportunities such as trails, picnic areas and aesthetic viewing; and

442 d. The stormwater facilities shall be designed so they do not require fencing
443 pursuant to the Surface Water Design Manual.

444 G. For of joint use of the tract for stormwater facilities and recreation space, King
445 County is responsible for maintenance of the stormwater facilities only and requires a
446 drainage easement for that purpose.

447 H. A recreation space plan shall be submitted to the department and reviewed and
448 approved with engineering plans.

449 1. The recreation space plans shall address all portions of the site that will be
450 used to meet recreation space requirements of this section, including stormwater
451 facilities. The plans shall show dimensions, finished grade, equipment, landscaping and
452 improvements, as required by the director, to demonstrate that the requirements of the on-
453 site recreation space in K.C.C. 21A.14.180 and play areas in K.C.C. 21A.14.190 have
454 been met.

455 2. If engineering plans indicate that the on-site stormwater facilities or
456 stormwater tract must be increased in size from that shown in preliminary approvals, the
457 recreation plans must show how the required minimum recreation space under K.C.C.
458 21A.14.180A will be met.

459 SECTION 5. Ordinance 10870, Section 530 as amended, and K.C.C. 21A.30.020
460 are each hereby amended to read as follows:

461 **Animal regulations – Small animals.** The raising, keeping, breeding or fee
462 boarding of small animals are subject to K.C.C. 11.04, Animal Control Regulations, and
463 the following requirements:

464 A. Small animals which are kept indoors as household pets in aquariums,
465 terrariums, cages or similar containers shall not be limited in number, except as may be
466 provided in Title 11. Other small animals excluding cats kept indoors as household pets
467 shall be limited to five, of which not more than three may be unaltered cats or dogs. Cats
468 kept indoors shall not be limited in numbers.

469 B. Other small animals kept outside, including adult cats and dogs, shall be
470 limited to three per household on lots of less than 20,000 square feet, five per household
471 on lots of 20,000 to 35,000 square feet, with an additional 2 per acre of site area over

472 35,000 square feet up to a maximum of 20, unless more allowed as an accessory use
473 pursuant to paragraph E., provided that all unaltered animals kept outdoors must be kept
474 on a leash or in a confined area, except as authorized for a hobby kennel or cattery or
475 commercial kennel or cattery pursuant to K.C.C. 11.04.

476 C. Excluding kennels and catteries, the total number of unaltered adult cats
477 and/or dogs per household shall not exceed three.

478 D. Animals considered to be household pets shall be treated as other small
479 animals pursuant to K.C.C. 21A.30.020E when they are kept for commercial breeding,
480 boarding or training.

481 E. Small animals and household pets kept as an accessory use outside the
482 dwelling, shall be raised, kept or bred only as an accessory use on the premises of the
483 owner, or in a kennel or cattery (~~approved through the conditional use permit process~~),
484 subject to the following limitations:

485 1. Birds shall be kept in an aviary or loft that meets the following standards:

486 a. The aviary or loft shall provide 1/2 square foot for each parakeet, canary or
487 similarly sized birds, 1 square foot for each pigeon, small parrot or similarly sized bird,
488 and 2 square feet for each large parrot, macaw or similarly sized bird.

489 b. Aviaries or lots shall not exceed 2,000 square feet, provided this limit shall
490 not apply in rural, forestry, or agricultural zones.

491 c. The aviary is set back at least 10 feet from any property line, and 20 feet
492 from any dwelling unit.

493 2. Small animals other than birds shall be kept according to the following
494 standards:

495 a. The minimum site area shall be one-half acre if more than 3 small animals
496 are being kept.

497 b. All animals shall be confined within a building, pen, aviary or similar
498 structure.

499 c. Any covered structure used to house or contain such animals shall maintain
500 a distance of not less than 10 feet to any property line, except structures used to house
501 mink and fox shall be a distance of not less than 150 feet.

502 d. Poultry, chick, squab, and rabbits are limited to a maximum of one animal
503 per one square foot of structure used to house such animals, up to a maximum of 2000
504 square feet; provided that this maximum structure size limit shall not apply in rural,
505 forestry, or agricultural zones.

506 e. Hamsters, nutria and chinchilla are limited to a maximum of one animal per
507 square foot of structure used to house such animals, up to a maximum of 2000 square
508 feet; provided that this maximum structure size limit shall not apply in rural, forestry, or
509 agricultural zones.

510 f. Mink and fox are permitted only on sites having a minimum area of five
511 acres.

512 g. Beekeeping is limited as follows:

513 (1) Beehives are limited to 50 on sites less than five acres;

514 (2) The number of beehives shall not be limited on sites of five acres or
515 greater;

516 (3) Colonies shall be maintained in movable-frame hives at all times;

517 (4) Adequate space shall be provided in each hive to prevent overcrowding
518 and swarming;

519 (5) Colonies shall be requeened following any swarming or aggressive
520 behavior;

521 (6) All colonies shall be registered with the County Extension agent prior to
522 April 1st of each year, on a state registration form acceptable to the county; and

523 (7) Abandoned colonies, diseased bees, or bees living in trees, buildings, or
524 any other space except in movable-frame hives shall constitute a public nuisance, and
525 shall be abated as set forth in K.C.C. 21A.50, Enforcement;

526 3. Kennels and catteries are subject to the following requirements:

527 a. For kennels located on residential zoned sites:

528 (1) The minimum site area shall be five acres; and

529 (2) Structures housing animals and outdoor animal runs shall be a minimum
530 distance of 100 feet from property lines abutting residential zones;

531 b. For kennels located on non-residential zoned sites, run areas shall be
532 completely surrounded by an eight foot solid wall or fence, and be subject to the
533 requirements in K.C.C. 11.04.060; and

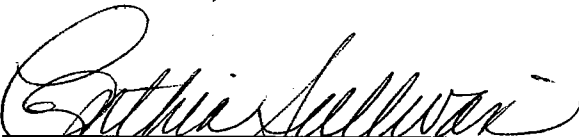
534 c. Catteries shall be on sites of 35,000 square feet or more, and buildings used
535 to house cats shall be a minimum distance of 50 feet from property lines abutting
536 residential zones.

537 SECTION 6. Ordinance 12627, Section 4, and K.C.C.21A.55.040 are each
538 hereby repealed.
539

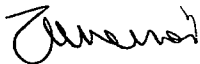
Ordinance 14429 was introduced on 3/11/2002 and passed as amended by the Metropolitan King County Council on 7/22/2002, by the following vote:

Yes: 13 - Ms. Sullivan, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr. Phillips, Mr. Pelz, Mr. McKenna, Mr. Constantine, Mr. Pullen, Mr. Gossett, Ms. Hague, Mr. Irons and Ms. Patterson
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

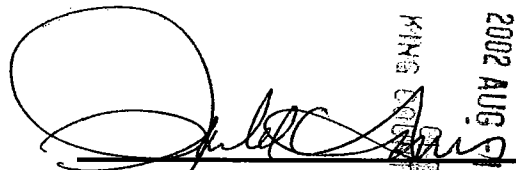

Cynthia Sullivan, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 1 day of August, 2002.


Ron Sims, County Executive

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Attachments None