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Drafted by:	Jensen - Permitting
Sponsors:	
Attachments:	None

1 ..Title

2 AN ORDINANCE relating to fireworks regulations;
3 amending Ordinance 3139, Section 601, as amended, and
4 K.C.C. 12.86.500, Ordinance 4461, Section 2, as amended,
5 and K.C.C. 20.22.040, Ordinance 10870, Section 331, as
6 amended, and K.C.C. 21A.08.040, Ordinance 10870,
7 Section 548, as amended, and K.C.C. 21A.32.110,
8 Ordinance 13332, Section 43, as amended, and K.C.C.
9 27.10.360, Ordinance 17682, Section 48, as amended, and
10 K.C.C. 27.10.580, adding a new chapter to K.C.C Title 17
11 and repealing Ordinance 6836, Section 1, and K.C.C.
12 6.26.010, Ordinance 6836, Section 2, as amended, and
13 K.C.C. 6.26.020, Ordinance 6836, Section 3, as amended,
14 and K.C.C. 6.26.030, Ordinance 6836, Section 4, as
15 amended, and K.C.C. 6.26.040, Ordinance 6836, Section 5,
16 and K.C.C. 6.26.050, Ordinance 6836, Section 6, as
17 amended, and K.C.C. 6.26.060, Ordinance 6836, Section 7,
18 as amended, and K.C.C. 6.26.070, Ordinance 6836, Section
19 8, as amended, and K.C.C. 6.26.080, Ordinance 6836,
20 Section 9, and K.C.C. 6.26.090, Ordinance 6836, Section
21 10, and K.C.C. 6.26.100, Ordinance 6836, Section 11, and

22 K.C.C. 6.26.110 and Ordinance 10850, Section 6, as
23 amended, and K.C.C. 6.26.115.

24 ..Body

25 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

26 SECTION 1. Purpose.

27 A. This ordinance updates the King County Code to prohibit the retail sale of
28 fireworks, as well as the use and discharge of fireworks without a permit, as allowed by
29 RCW and WAC fireworks regulations.

30 B. This ordinance also relocates fireworks regulations from K.C.C. Title 6,
31 Licensing, to K.C.C. Title 17, Fire Code. This alignment coordinates with the State
32 adoption of the International Fire Code.

33 C. This ordinance provides for regulatory procedures to continue to allow for the
34 public display of fireworks.

35 SECTION 2. Ordinance 3139, Section 601, as amended, and K.C.C. 12.86.500
36 are hereby amended to read as follows:

37 The following sounds are exempt from this chapter:

38 A. Sounds originating from aircraft in flight and sounds that originate at airports
39 and are directly related to flight operations;

40 B. Sounds created by the normal operation of commercial, nonrecreational
41 watercraft;

42 C. Sounds created by normal docking and undocking operations of all watercraft;

43 D. Sounds created by watercraft picking up or dropping off waterskiers while
44 operating within the temporary speed limit exemption authorized in K.C.C. 12.44.230;

45 E. Sounds created by safety and protective devices, such as relief valves, if noise
46 suppression would defeat the safety intent of the device;

47 F. Sounds created by fire alarms;

48 G. Sounds created by warning devices of not more than fifteen minutes in
49 duration per incident. For the purposes of this subsection, "warning device" means a
50 device that is working as intended to provide public warning of potentially hazardous,
51 emergency or illegal activities, including, but not limited to, a burglar alarm or vehicle
52 backup signal, but not including any fire alarm;

53 H. Sounds created by emergency equipment and emergency work necessary in
54 the interests of law enforcement or for the health, safety or welfare of the community.
55 For the purposes of this subsection, "emergency work" means work required to restore
56 property to a safe condition following a disaster, as defined at K.C.C. 12.52.010, work
57 required to protect persons or property from an imminent danger, work by private or
58 public utilities for providing or restoring immediately necessary utility service, or work to
59 address other emergencies as determined by the director. The director shall, within
60 fourteen days of making such a determination under this section, document in a written
61 decision the nature of the emergency work, why it is necessary for the health, safety or
62 welfare of the community, any complaints about the noise and any objections to the
63 director's determination. The written decision shall be filed in the form of a paper
64 original and an electronic copy with the clerk of the council, who shall retain the original
65 and provide an electronic copy to all councilmembers, the council chief of staff, the
66 policy staff director and the lead staff for the law, justice, health and human services
67 committee, or its successor;

- 68 I. Sounds created by the discharge of firearms in the course of lawful hunting
69 activities;
- 70 J. Sounds caused by natural phenomena and unamplified human voices;
- 71 K. Sounds originating from silviculture or forest practices conducted under
72 chapter 76.09 RCW and Title 222 WAC if the receiving property is located in a rural,
73 commercial or industrial district of King County;
- 74 L. Sounds originating from commercial agriculture practices if the receiving
75 property is located in a rural, commercial or industrial district of King County;
- 76 M. Sounds created by auxiliary equipment on motor vehicles used for public
77 highway maintenance;
- 78 N. Sounds created by off highway vehicles while being used in officially
79 designated all terrain vehicle parks, except when the sound is received off the park site in
80 a rural or residential district of King County and the sound measurably increases the
81 ambient level;
- 82 O. Sounds created by watercraft competing in a regatta or boat race held under a
83 permit issued by the sheriff and sounds created while on trial runs or while on official
84 trials for speed records during the time and in the designated area authorized by the
85 permit;
- 86 P. Sounds created by motor vehicle racing events and motor vehicle testing and
87 training, governed by and conducted in accordance with applicable King County permit
88 conditions; and

89 Q. Sounds created by the legal discharge of fireworks as defined in K.C.C.
90 (~~6.26.060 and K.C.C. 6.26.080~~) chapter 17.XX (the new chapter created in section 3 of
91 this ordinance).

92 SECTION 3. Sections 4 through 9 of this ordinance should constitute a new
93 chapter in K.C.C. Title 17.

94 NEW SECTION. SECTION 4. There is hereby added to the chapter established
95 in section 3 of this ordinance a new section to read as follows:

96 Unless otherwise specified in K.C.C. 17.04.020 or the context clearly requires
97 otherwise, the definitions for terms used in this chapter shall be as established in chapter
98 70.77 RCW, chapter 212-17 WAC and the International Fire Code, Chapter 56, as
99 adopted under K.C.C. 17.04.010.

100 NEW SECTION. SECTION 5. There is hereby added to the chapter established
101 in section 3 of this ordinance a new section to read as follows:

102 A. Except as otherwise noted in this chapter, all permitting, licensing and
103 regulatory requirements shall be in accordance with the fireworks regulations of chapter
104 70.77 RCW, chapter 212-17 WAC and the International Fire Code, Chapter 56, as
105 adopted under K.C.C. 17.04.010.

106 B. This chapter does not apply to the sale and discharge of fireworks on tribal
107 trust lands.

108 NEW SECTION. SECTION 6. There is hereby added to the chapter established
109 in section 3 of this ordinance a new section to read as follows:

110 A. The county council hereby delegates the power to grant all permits required
111 under this chapter to the King County fire marshal or designee. The King County fire

112 marshal may adopt reasonable procedures and policies to clarify the application of this
113 chapter. As a condition of any permit, the fire marshal may specify additional safeguards
114 as necessary to provide for public safety.

115 B. In addition to the sheriff's powers to enforce state and county criminal law, the
116 sheriff's office may assist the King County fire marshal in enforcing the permitting,
117 licensing and regulatory requirements of this chapter.

118 NEW SECTION. SECTION 7. There is hereby added to the chapter established
119 in section 3 of this ordinance a new section to read as follows:

120 A. The retail sale of fireworks in unincorporated King County is prohibited.

121 B. The use, discharge or display of fireworks in unincorporated King County is
122 prohibited absent a permit issued by the county pursuant to RCW 70.77.260(2) and this
123 section.

124 C. Any person desiring to give public displays of fireworks shall submit to the
125 fire marshal an application for a permit to operate the public display. This may be in
126 addition to permits required by Section 105 of the International Fire Code for pyrotechnic
127 special effects material and use of hazardous materials.

128 D. Complete permit applications for public displays shall be made at least twenty
129 days in advance of the date set for the public display. Applications received after that
130 date or incomplete applications shall be denied.

131 E. The fee for the permit shall be as established in K.C.C. Title 27. The permit
132 required by this section shall be in addition to any license required by the state fire
133 marshal under chapter 70.77 RCW.

134 F.1. For any scheduled public display, applicants shall submit such information
135 as deemed appropriate by the department and the sheriff's office to ensure that adequate
136 traffic control and crowd protection policing has either been arranged through private
137 security agencies or has been contracted for with the sheriff.

138 2. A written notice that the applicant has complied with this requirement shall
139 be issued by the sheriff to the fire marshal before a public display permit is issued.

140 3. If the applicant contracts for traffic control and crowd protection policing
141 with King County, the sum agreed upon in payment for the policing shall not be less than
142 the actual expense incurred by the county in providing that service. The compensation
143 for a contract for traffic control and crowd protection policing with King County shall be
144 calculated for personnel resources in the hourly rate for overtime under the current
145 collective bargaining agreement, plus the percentage being paid for fringe benefits, and
146 all sums paid under the contract shall be paid in accordance with procedures specified by
147 the county treasurer.

148 G. Every public display of fireworks shall be conducted with a licensed
149 pyrotechnic operator supervising the handling discharging of the fireworks.

150 H. A bond or certificate of insurance must be furnished to the department before
151 a permit is issued. The bond shall be in the amount of one million dollars and shall be
152 conditioned upon the applicant's payment of all damages to persons and property
153 resulting from or caused by the public display of fireworks, or by any negligence on the
154 part of the applicant or its agents, servants, employees or subcontractors in the
155 presentation of the display. The certificate of insurance shall evidence a comprehensive
156 general liability insurance policy providing limits of one million dollars combined single

157 limit, per occurrence and annual aggregate, and naming King County as an additional
158 insured. Any such a bond or insurance policy must be approved by the fire marshal.

159 I. A cash deposit in the amount of one hundred fifty dollars must be posted with
160 the department at least twenty days in advance of the public display date to provide for
161 costs of site cleanup. The deposit shall be forfeited to King County if the operator fails to
162 perform such cleanup within six days after the public display. If the operator properly
163 performs the cleanup, the deposit shall be returned to the operator.

164 NEW SECTION. SECTION 8. There is hereby added to the chapter established
165 in section 3 of this ordinance a new section to read as follows:

166 In the event of drought or other fire hazard conditions that pose a threat to public
167 health, safety and welfare, the fire marshal, in consultation with the representatives of the
168 fire districts of the county, may declare an emergency and prohibit the use or discharge of
169 any fireworks, including public displays, until the hazard has been abated.

170 NEW SECTION. SECTION 9. There is hereby added to the chapter established
171 in section 3 of this ordinance a new section to read as follows:

172 A. A violation of this chapter is a misdemeanor and is punishable as prescribed
173 by law.

174 B. Notwithstanding any criminal penalty provided in this chapter, a person who
175 violates this chapter or chapter 70.77 RCW is subject to the maximum civil penalty in an
176 amount not to exceed one thousand dollars per violation. In addition, a person in
177 violation of this chapter is responsible for any costs incurred to enforce this chapter,
178 including bringing a civil action, court costs and reasonable attorneys' fees. All civil
179 penalties assessed shall be enforced under K.C.C. Title 23.

180 C. A person commits a separate offense for each day during that the person
181 commits, continues or permits a violation of this chapter.

182 SECTION 10. Ordinance 4461, Section 2, as amended, and K.C.C. 20.22.040 are
183 hereby amended to read as follows:

184 The examiner shall issue final decisions in the following cases:

185 A. Appeals of orders of the ombuds under the lobbyist disclosure code, K.C.C.
186 chapter 1.07;

187 B. Appeals of sanctions of the finance and business operations division in the
188 department of executive services imposed under K.C.C. chapter 2.97;

189 C. Appeals of career service review committee conversion decisions for part-time
190 and temporary employees under K.C.C. chapter 3.12A;

191 D. Appeals of electric vehicle recharging station penalties of the Metro transit
192 department under K.C.C. 4A.700.700;

193 E. Appeals of notice and orders of the manager of records and licensing services
194 or the department of local services permitting division manager under K.C.C. chapter
195 6.01;

196 F. Appeals of adult entertainment license denials, suspensions and revocations
197 under K.C.C. chapter 6.09;

198 G. Appeals of the fire marshal's decisions on fireworks permits under K.C.C.
199 chapter ((6.26)) 17.XX (the new chapter created in section 3 of this ordinance);

200 H. Appeals of cable franchise nonrenewals under K.C.C. 6.27A.060 and notices
201 and orders under K.C.C. 6.27A.240;

202 I. Appeals of notices and orders of the department of natural resources and parks
203 under K.C.C. chapter 7.09;

204 J. Appeals of decisions of the director of the department of natural resources and
205 parks on surface water drainage enforcement under K.C.C. chapter 9.04;

206 K. Appeals of decisions of the director of the department of natural resources and
207 parks on requests for rate adjustments to surface and storm water management rates and
208 charges under K.C.C. chapter 9.08;

209 L. Appeals of decisions on water quality enforcement under K.C.C. chapter 9.12;

210 M. Appeals of notices and orders of the manager of animal control under K.C.C.
211 chapter 11.04;

212 N. Certifications by the finance and business operations division of the
213 department of executive services involving K.C.C. chapter 12.16;

214 O. Appeals of orders of the office of civil rights under K.C.C. chapter 12.17,
215 K.C.C. chapter 12.18, K.C.C chapter 12.20 and K.C.C. chapter 12.22;

216 P. Appeals of noise-related orders and citations of the department of local
217 services, permitting division, under K.C.C. chapter 12.86;

218 Q. Appeals of utilities technical review committee determinations on water
219 service availability under K.C.C. 13.24.090;

220 R. Appeals of decisions regarding mitigation payment system, commute trip
221 reduction and intersection standards under K.C.C. Title 14;

222 S. Appeals of suspensions, revocations or limitations of permits or of decisions of
223 the board of plumbing appeals under K.C.C. chapter 16.32;

224 T. Appeals of all Type 2 decisions under K.C.C. chapter 20.20, with the
225 exception of appeals of shoreline permits, including shoreline substantial development
226 permits, shoreline variances and shoreline conditional uses, which are appealable to the
227 state Shoreline Hearings Board;

228 U. Appeals of SEPA decisions, as provided in K.C.C. 20.44.120 and public rules
229 adopted under K.C.C. 20.44.075;

230 V. Appeals of completed farm management plans under K.C.C. 21A.30.045;

231 W. Appeals of decisions of the interagency review committee created under
232 K.C.C. 21A.37.070 regarding sending site applications for certification under K.C.C.
233 chapter 21A.37;

234 X. Appeals of citations, notices and orders, notices of noncompliance, stop work
235 orders issued pursuant to K.C.C. Title 23 or Title 1.08 of the rules and regulations of the
236 King County board of health;

237 Y. Appeals of notices and certifications of junk vehicles to be removed as a
238 public nuisance as provided in K.C.C. Title 21A and K.C.C. chapter 23.10;

239 Z. Appeals of decisions not to issue a citation or a notice and order under K.C.C.
240 23.36.010.A.2;

241 AA. Appeals of fee waiver decisions by the department of local services,
242 permitting division, as provided in K.C.C. 27.02.040;

243 BB. Appeals from decisions of the department of natural resources and parks
244 related to permits, discharge authorizations, violations and penalties under K.C.C.
245 28.84.050 and 28.84.060;

246 CC. Appeals of transit rider suspensions under K.C.C. 28.96.430;

247 DD. Appeals of department of public safety seizures and intended forfeitures,
 248 when properly designated by the chief law enforcement officer of the department of
 249 public safety as provided in RCW 69.50.505; and

250 EE. Other applications or appeals that are prescribed by ordinance.

251 SECTION 11. Ordinance 10870, Section 331, as amended, and K.C.C.

252 21A.08.040 are hereby amended to read as follows:

253 A. Recreational/cultural land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/ INDUSTRIAL				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	PARK/RECREATION:												
*	Park	P1	P1	P1	P1	P1	P1	P1	P	P	P	P	P1 3
*	Trails	P	P	P	P	P	P	P	P	P	P	P	P
*	Campgrounds		P16 C16 a	P16	P16 C16 a	P16 C16 a							P1 6 C1 6a
*	Destination Resorts		S		S18	C					C		
*	Marina		C 3		C4	C4	C4	C4	P5	P	P	P	P
*	Recreational Vehicle Park		P19	P19	C2 and 18 P19	C2 P19							
*	Sports Club (17)				C4 and 18	C4	C4	C4	C	P	P		

*	Ski Area		S		S18								
*	Recreational Camp		C		P24 C								
	AMUSEMENT/ENTERTAINMENT:												
*	Adult Entertainment Business									P6	P6	P6	
*	Theater									P	P	P	P2 5
783 3	Theater, Drive-in										C		
793	Bowling Center									P	P		P
*	Golf Facility				C7 and 18	P7	P7	P7					
799 9 (14 and 30)	Amusement and Recreation Services		P21	P21	P8 P21 C15 and 18	P8 P21 P22 C15	P8 P21 P22 C15	P8 P21 P22 C15	P21 P22	P	P	P2 1	P2 1
*	Indoor Paintball Range									P26	P2 6		P2 6
*	Outdoor Paintball Range				C27	C27							
*	Shooting Range		C9		C9 and 18						C1 0		P1 0
*	Amusement Arcades									P	P		
799 6	Amusement Park										C		
*	Outdoor Performance Center		S		C12 S18		P20	P20			S		
	CULTURAL:												
823	Library				P11	P11 C	P11 C	P28	P	P	P	P	

841	Museum	C2 3	C23		P11	P11 C	P11 C	P28	P	P	P	P	P
842	Arboretum	P	P		P	P	P	P	P	P	P	P	
*	Conference Center				P29 C12	P29 C12	P29 C	P29 C	P	P	P	P	

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B. Development conditions.

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1. The following conditions and limitations shall apply, where appropriate:

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a. No stadiums on sites less than ten acres;

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b. Lighting for structures and fields shall be directed away from rural area and

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residential zones;

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c. Structures or service yards shall maintain a minimum distance of fifty feet

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from property lines adjoining rural area and residential zones, except for fences and mesh

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backstops;

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d. Facilities in the A zone shall be limited to trails and trailheads, including

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related accessory uses such as parking and sanitary facilities; and

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e. Overnight camping is allowed only in an approved campground.

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2. Recreational vehicle parks are subject to the following conditions and

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limitations:

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a. The maximum length of stay of any vehicle shall not exceed one hundred

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eighty days during a three-hundred-sixty-five-day period;

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b. The minimum distance between recreational vehicle pads shall be no less

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than ten feet; and

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c. Sewage shall be disposed in a system approved by the Seattle-King County

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health department.

273 3. Limited to day moorage. The marina shall not create a need for off-site
274 public services beyond those already available before the date of application.

275 4. Not permitted in the RA-10 or RA-20 zones. Limited to recreation facilities
276 subject to the following conditions and limitations:

277 a. The bulk and scale shall be compatible with residential or rural character of
278 the area;

279 b. For sports clubs, the gross floor area shall not exceed ten thousand square
280 feet unless the building is on the same site or adjacent to a site where a public facility is
281 located or unless the building is a nonprofit facility located in the urban area; and

282 c. Use is limited to residents of a specified residential development or to sports
283 clubs providing supervised instructional or athletic programs.

284 5. Limited to day moorage.

285 6.a. Adult entertainment businesses shall be prohibited within three hundred
286 thirty feet of any property zoned RA, UR or R or containing schools, licensed daycare
287 centers, public parks or trails, community centers, public libraries or churches. In
288 addition, adult entertainment businesses shall not be located closer than three thousand
289 feet to any other adult entertainment business. These distances shall be measured from
290 the property line of the parcel or parcels proposed to contain the adult entertainment
291 business to the property line of the parcels zoned RA, UR or R or that contain the uses
292 identified in this subsection B.6.a.

293 b. Adult entertainment businesses shall not be permitted within an area likely
294 to be annexed to a city subject to an executed interlocal agreement between King County
295 and a city declaring that the city will provide opportunities for the location of adult

296 businesses to serve the area. The areas include those identified in the maps attached to
297 Ordinance 13546.

298 7.a. Clubhouses, maintenance buildings, equipment storage areas and driving
299 range tees shall be at least fifty feet from rural area and residential zoned property lines.
300 Lighting for practice greens and driving range ball impact areas shall be directed away
301 from adjoining rural area and residential zones. Applications shall comply with adopted
302 best management practices for golf course development. Within the RA zone, those
303 facilities shall be permitted only in the RA-5 and RA-2.5 zones. Not permitted in
304 designated rural forest focus area, regionally significant resource areas or locally
305 significant resource areas. Ancillary facilities associated with a golf course are limited to
306 practice putting greens, maintenance buildings and other structures housing
307 administrative offices or activities that provide convenience services to players. These
308 convenience services are limited to a pro shop, food services and dressing facilities and
309 shall occupy a total of no more than ten thousand square feet. Furthermore, the residential
310 density that is otherwise permitted by the zone shall not be used on other portions of the
311 site through clustering or on other sites through the transfer of density provision. This
312 residential density clustering or transfer limitation shall be reflected in a deed restriction
313 that is recorded at the time applicable permits for the development of the golf course are
314 issued; and

315 b. In addition to ancillary facilities, an organizational hotel/lodging house shall
316 be allowed as an accessory use, subject to the following:

317 (1) only allowed in the R-1 zone;

318 (2) only allowed with a privately owned golf facility that legally existed as of
319 January 1, 2019;

320 (3) only allowed as an incidental or subordinate use to a principal golf facility
321 use;

322 (4) a maximum of twenty-four sleeping units is allowed; and

323 (5) shall be connected to and served by public sewer.

324 8. Limited to golf driving ranges, only as:

325 a. accessory to golf courses; or

326 b. accessory to a recreation or multiuse park.

327 9.a. New structures and outdoor ranges shall maintain a minimum distance of
328 fifty feet from property lines adjoining rural area and residential zones, but existing
329 facilities shall be exempt.

330 b. Ranges shall be designed to prevent stray or ricocheting projectiles, pellets
331 or arrows from leaving the property.

332 c. Site plans shall include: safety features of the range; provisions for reducing
333 sound produced on the firing line; elevations of the range showing target area, backdrops
334 or butts; and approximate locations of buildings on adjoining properties.

335 d. Subject to the licensing provisions of K.C.C. Title 6.

336 10.a. Only in an enclosed building, and subject to the licensing provisions of
337 K.C.C. Title 6;

338 b. Indoor ranges shall be designed and operated so as to provide a healthful
339 environment for users and operators by:

340 (1) installing ventilation systems that provide sufficient clean air in the user's
341 breathing zone, and

342 (2) adopting appropriate procedures and policies that monitor and control
343 exposure time to airborne lead for individual users.

344 11. Only as accessory to a park or in a building listed on the National Register
345 as an historic site or designated as a King County landmark subject to K.C.C. chapter
346 21A.32.

347 12.a. Only as accessory to a nonresidential use established through a
348 discretionary permit process, if the scale is limited to ensure compatibility with
349 surrounding neighborhoods; and

350 b. In the UR zone, only if the property is located within a designated
351 unincorporated rural town.

352 13. Subject to the following:

353 a. The park shall abut an existing park on one or more sides, intervening roads
354 notwithstanding;

355 b. No bleachers or stadiums are permitted if the site is less than ten acres, and
356 no public amusement devices for hire are permitted;

357 c. Any lights provided to illuminate any building or recreational area shall be
358 so arranged as to reflect the light away from any premises upon which a dwelling unit is
359 located; and

360 d. All buildings or structures or service yards on the site shall maintain a
361 distance not less than fifty feet from any property line and from any public street.

- 362 14. Excluding amusement and recreational uses classified elsewhere in this
363 chapter.
- 364 15. For amusement and recreation services not otherwise provided for in this
365 chapter:
- 366 a. In the RA zones, not subject to regulation under K.C.C. Title 6 and only on
367 sites at least five acres or larger;
- 368 b. Retail sales are limited to incidental sales to patrons of the amusement or
369 recreation service; ~~((and))~~
- 370 c. Does not involve the operation of motor vehicles or off-road vehicles,
371 including, but not limited to, motorcycles and go-carts; and
- 372 d. Does not involve fireworks display services.
- 373 16. Subject to the following conditions:
- 374 a. The length of stay per party in campgrounds shall not exceed one hundred
375 eighty days during a three-hundred-sixty-five-day period; and
- 376 b. Only for campgrounds that are part of a proposed or existing county park,
377 that are subject to review and public meetings through the department of natural
378 resources and parks.
- 379 17. Only for stand-alone sports clubs that are not part of a park.
- 380 18. Subject to review and approval of conditions to comply with trail corridor
381 provisions of K.C.C. chapter 21A.14 when located in an RA zone.
- 382 19. Only as an accessory to a recreation or multiuse park.
- 383 20. Only as an accessory to a recreation or multiuse park of at least twenty acres
384 located within the urban growth area or on a site immediately adjacent to the urban

385 growth area with the floor area of an individual outdoor performance center stage limited
386 to three thousand square feet.

387 21. Limited to rentals of sports and recreation equipment with a total floor area
388 of no more than seven hundred fifty square feet and only as accessory to a park, or in the
389 RA zones, to a recreation or multiuse park.

390 22. Only as accessory to a large active recreation and multiuse park and limited
391 to:

392 a. water slides, wave pools and associated water recreation facilities; and

393 b. rentals of sports and recreation equipment.

394 23. Limited to natural resource and heritage museums and only allowed in a farm or
395 forestry structure, including but not limited to barns or sawmills, existing as of December
396 31, 2003.

397 24. Use is permitted without a conditional use permit only when in compliance
398 with all of the following conditions:

399 a. The use is limited to camps for youths or for persons with special needs due
400 to a disability, as defined by the American With Disabilities Act of 1990, or due to a
401 medical condition and including training for leaders for those who use the camp;

402 b. Active recreational activities shall not involve the use of motorized vehicles
403 such as cross-country motorcycles or all-terrain vehicles or the use of firearms. The
404 prohibition on motorized vehicles does not apply to such vehicles that may be necessary
405 for operation and maintenance of the facility or to a client-specific vehicle used as a
406 personal mobility device;

407 c.(1) Except as provided in subsection B.24.c.(2)(b) of this section, the number
408 of overnight campers, not including camp personnel, in a new camp shall not exceed:

409 (a) one hundred and fifty for a camp between twenty and forty acres; or

410 (b) for a camp greater than forty acres, but less than two hundred and fifty
411 acres, the number of users allowed by the design capacity of a water system and on-site
412 sewage disposal system approved by the department of health, Seattle/King County, up to
413 a maximum of three hundred and fifty; and

414 (2) Existing camps shall be subject to the following:

415 (a) For a camp established before August 11, 2005, with a conditional use
416 permit and that is forty acres or larger, but less than one hundred and sixty acres, the
417 number of overnight campers, not including camp personnel, may be up to one hundred
418 and fifty campers over the limit established by subsection B.24.c.(1)(b) of this section.

419 (b) For a camp established before August 11, 2005, with a conditional use
420 permit and that is one hundred and sixty acres or larger, but less than two hundred acres,
421 the number of overnight campers, not including camp personnel, may be up to three
422 hundred and fifty campers over the limit established by subsection B.24.c.(1)(b) of this
423 section. The camp may terminate operations at its existing site and establish a new camp
424 if the area of the camp is greater than two hundred and fifty acres and the number of
425 overnight campers, not including camp personnel, shall not exceed seven hundred.

426 d. The length of stay for any individual overnight camper, not including camp
427 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

428 e. The camp facilities, such as a medical station, food service hall((s)) and
429 activity rooms, shall be of a scale to serve overnight camp users;

- 430 f. The minimum size of parcel for such use shall be twenty acres;
- 431 g. Except for any permanent caretaker residence, all new structures where
432 camp users will be housed, fed or assembled shall be no less than fifty feet from
433 properties not related to the camp;
- 434 h. In order to reduce the visual impacts of parking areas, sports and activity
435 fields or new structures where campers will be housed, fed or assembled, the applicant
436 shall provide a Type 3 landscape buffer no less than twenty feet wide between the nearest
437 property line and such parking area, field((s)) or structures, by retaining existing
438 vegetation or augmenting as necessary to achieve the required level of screening;
- 439 i. If the site is adjacent to an arterial roadway, access to the site shall be
440 directly onto said arterial unless direct access is unsafe due inadequate sight distance or
441 extreme grade separation between the roadway and the site;
- 442 j. If direct access to the site is via local access streets, transportation demand
443 management measures, such as use of carpools, buses or vans to bring in campers, shall
444 be used to minimize traffic impacts;
- 445 k. Any lights provided to illuminate any building or recreational area shall be
446 so arranged as to reflect the light away from any adjacent property; and
- 447 l. A community meeting shall be convened by the applicant before submittal
448 of an application for permits to establish a camp, or to expand the number of camp users
449 on an existing camp site as provided in subsection B.24.c.(2)(b) of this section. Notice of
450 the meeting shall be provided at least two weeks in advance to all property owners within
451 five hundred feet, or at least twenty of the nearest property owners, whichever is greater.

452 The notice shall at a minimum contain a brief description of the project and the location,
453 as well as, contact persons and numbers.

454 25. Limited to theaters primarily for live productions located within a Rural
455 Town designated by the King County Comprehensive Plan.

456 26.a. Only in an enclosed building; and

457 b. A copy of the current liability policy of not less than one million dollars for
458 bodily injury or death shall be maintained in the department.

459 27. Minimum standards for outdoor paintball recreation fields:

460 a. The minimum site area is twenty-five acres;

461 b. Structure shall be no closer than one hundred feet from any lot line adjacent
462 to a rural area or residential zoned property;

463 c. The area where paintballs are discharged shall be located more than three
464 hundred feet of any lot line and more than five hundred feet from the lot line of any
465 adjoining rural area or residential zoned property. The department may allow for a lesser
466 setback if it determines through the conditional use permit review that the lesser setback
467 in combination with other elements of the site design provides adequate protection to
468 adjoining properties and rights-of-ways;

469 d. A twenty-foot high nylon mesh screen shall be installed around all play
470 areas and shall be removed at the end of each day when the play area is not being used.

471 The department may allow for the height of the screen to be lowered to no less than ten
472 feet if it determines through the conditional use permit review that the lower screen in
473 combination with other elements of the site design provides adequate protection from
474 discharged paintballs;

- 475 e. All parking and spectator areas, structures and play areas shall be screened
476 from adjoining rural area or residential zoned property and public rights of way with
477 Type 1 landscaping at least ten feet wide;
- 478 f. Any retail sales conducted on the property shall be accessory and incidental
479 to the permitted activity and conducted only for the participants of the site;
- 480 g. A plan of operations specifying days and hours of operation, number of
481 participants and employees, types of equipment to be used by users of the site, safety
482 procedures, type of compressed air fuel to be used on the site and storage and
483 maintenance procedures for the compressed air fuel shall be provided for review in
484 conjunction with the conditional use permit application. All safety procedures shall be
485 reviewed and approved by department of public safety before submittal of the conditional
486 use permit application. All activities shall be in compliance with National Paintball
487 League standards;
- 488 h. The hours of operation shall be limited to Saturdays and Sundays and
489 statutory holidays from 8:30 A.M. to 8:30 P.M., and further restricted as applicable to
490 daylight hours;
- 491 i. No more than one hundred paintball players shall be allowed on the site at
492 any one time;
- 493 j. No outdoor lights or amplified sounds shall be permitted;
- 494 k. The facility shall have direct access to a road designated as a major collector
495 (or higher) in the Comprehensive Plan unless the department determines through the
496 conditional use permit review that the type and amount of traffic generated by the facility

497 is such that it will not cause an undue impact on the neighbors or adversely affect safety
498 of road usage;

499 l. The facility shall be secured at the close of business each day;

500 m. All equipment and objects used in the paintball activities shall be removed
501 from the site within ninety days of the discontinuance of the paintball use; and

502 n. A copy of the current liability policy of not less than one million dollars for
503 bodily injury or death shall be submitted with the conditional use permit application and
504 shall be maintained in the department.

505 28. Before filing an application with the department, the applicant shall hold a
506 community meeting in accordance with K.C.C. 20.20.035.

507 29. Only as accessory to a recreation or multiuse park of least twenty acres
508 located within the urban growth area or on a site immediately adjacent to the urban
509 growth area or in a building listed on the National Register as an historic site or
510 designated as a King County landmark subject to K.C.C. chapter 21A.32.

511 30. Fireworks display services allowed as prescribed in K.C.C. chapter 17.XX
512 (the new chapter created in section 3 of this ordinance).

513 SECTION 12. Ordinance 10870, Section 548, as amended, and K.C.C.
514 21A.32.110 are hereby amended to read as follows:

515 A. The following uses shall be exempt from requirements for a temporary use
516 permit when located in the RB, CB, NB, O or I zones for the time period specified below:

517 1. Uses not to exceed a total of thirty days each calendar year:

518 a. Christmas tree lots; and

519 b. ~~((Fireworks stands; and~~

- 520 e.) Produce stands.
- 521 2. Uses not to exceed a total of fourteen days each calendar year:
- 522 a. Amusement rides, carnivals or circuses;
- 523 b. Community festivals; and
- 524 c. Parking lot sales.
- 525 B. Any use not exceeding a cumulative total of two days each calendar year shall
- 526 be exempt from requirements for a temporary use permit.
- 527 C. Any community event held in a park and not exceeding a period of seven days
- 528 shall be exempt from requirements for a temporary use permit.
- 529 D. Christmas tree sales not exceeding a total of (~~30~~) thirty days each calendar
- 530 year when located on Rural Area (RA) zoned property with legally established non-
- 531 residential uses shall be exempt from requirements for a temporary use permit.
- 532 E.1. Events at a winery, brewery, distillery facility II or III shall not require a
- 533 temporary use permit if:
- 534 a. The business is operating under an active Washington state Liquor and
- 535 Cannabis Board production license issued for their current location before the effective
- 536 date of this ordinance, and where King County did not object to the location during the
- 537 Washington state Liquor and Cannabis Board license application process;
- 538 b. The parcel is at least eight acres in size;
- 539 c. The structures used for the event maintain a setback of at least one hundred
- 540 fifty feet from interior property lines;
- 541 d. The parcel is located in the RA zone;

542 e. The parcel has access directly from and to a principal arterial or state
 543 highway;
 544 f. The event does not use amplified sound outdoors before 12:00 p.m. or after
 545 8:00 p.m.

546 2. Events that meet the provisions in this subsection E. shall not be subject to
 547 the provisions of K.C.C. 21A.32.120, as long as the events occur no more frequently than
 548 an annual average of eight days per month.

549 SECTION 13. Ordinance 13332, Section 43, as amended, and K.C.C. 27.10.360
 550 are hereby amended to read as follows:

551 Fees shall be charged for reviewing applications and inspecting permits for
 552 fireworks display, special event, building occupancy and fire code operational permits as
 553 follows:

<u>A.</u>	((Fireworks stand	Maximum allowed under chapter 70.77 RCW
B.))	Special event or fireworks display	
1.	Application fee	\$244.00
2.	Inspection fee, per site visit	\$402.00
((C.))	Building occupancy inspection, per building per site	\$211.00
<u>B.</u>	visit	
((D.))	Inspection for an operational permit under the	
<u>C.</u>	International fire code	
1.	Initial permit, per code item	\$150.00

2. Permit renewal, per code item \$100.00

554 SECTION 14. Ordinance 17682, Section 48, as amended, and K.C.C. 27.10.580

555 are hereby amended to read as follows:

556 Fees shall be charged for permit processing, clerical services, contractor
557 certification, title elimination, permit extension, review of resubmitted plans and permit
558 revisions, expedited review and after-hours inspection as follows:

559 A. A fee of seventy-five dollars shall be charged for reissuing a public notice.

560 B. The department may charge fees for clerical services unrelated to permits
561 including, but not limited to, making copies, scanning documents, notarizing documents,
562 gathering, preparing and publishing special request reports and providing publications.

563 The fees shall be the actual cost to the department and shall be collected at the time
564 services are requested. The department shall publish a schedule of these fees on the
565 internet and in the public areas of its offices.

566 C. The fee for annual certification of a tank removal contractor is two hundred
567 forty-four dollars.

568 D. The fee for a title elimination is sixty dollars.

569 E. The fee for extension of a nonresidential building, fire, mechanical, sign,
570 demolition, grading, site development or conditional use permit is one hundred fifty-nine
571 dollars.

572 F. Unless otherwise specified in this title, the review of resubmitted plans or
573 revisions to an issued building, fire((s)) or grading permit shall be charged a fee of
574 twenty-five percent of the original application fee.

575 G. The fee for expedited review shall be one hundred fifty percent of the regular
576 review fee, and shall be charged in lieu of the regular review fee in this title.

577 H. When building or land use inspections outside regular business hours are
578 required by the construction schedule or otherwise requested by a permit holder,
579 excluding inspections for (~~fireworks stands,~~) fireworks displays and other special
580 events, the overtime labor cost of county personnel shall be charged in addition to the
581 regular inspection fees.

582 SECTION 15. The following are hereby repealed:

583 A. Ordinance 6836, Section 1, and K.C.C. 6.26.010;

584 B. Ordinance 6836, Section 2, as amended, and K.C.C. 6.26.020;

585 C. Ordinance 6836, Section 3, as amended, and K.C.C. 6.26.030;

586 D. Ordinance 6836, Section 4, as amended, and K.C.C. 6.26.040;

587 E. Ordinance 6836, Section 5, and K.C.C. 6.26.050;

588 F. Ordinance 6836, Section 6, as amended, and K.C.C. 6.26.060;

589 G. Ordinance 6836, Section 7, as amended, and K.C.C. 6.26.070;

590 H. Ordinance 6836, Section 8, as amended, and K.C.C. 6.26.080;

591 I. Ordinance 6836, Section 9, and K.C.C. 6.26.090;

592 J. Ordinance 6836, Section 10, and K.C.C. 6.26.100;

593 K. Ordinance 6836, Section 11, and K.C.C. 6.26.110; and

594 L. Ordinance 10850, Section 6, as amended, and K.C.C. 6.26.115.

595 SECTION 16. Severability. If any provision of this ordinance or its application
596 to any person or circumstance is held invalid, the remainder of the ordinance or the
597 application of the provision to other persons or circumstances is not affected.