



## King County

Department of Development  
and Environmental Services  
900 Oakesdale Avenue Southwest  
Renton, WA 98055-1219

# REGULATORY REVIEW COMMITTEE

- MINUTES -

**MEETING DATE: April 27, 2006**

**TO:** Building Services Division Staff                      Land Use Services Division Staff  
         Mike Dykeman, Manager                                      Joe Miles, Manager  
         Chris Ricketts    Lisa Dinsmore  
         Jim Chan    Randy Sandin  
         Pam Dhanapal    Deidre Andrus  
   Steve Bottheim

Stephanie Warden, Director  
Harry Reinert, Special Projects Manager and RRC Co-Chair  
Cass Newell, Prosecuting Attorney's Office

**FM:** Harry Reinert, Co-Chair

Present: Lisa Dinsmore, Pam Dhanapal, Jim Chan, Randy Sandin, Pesh Klein, Dave Baugh, Jeri Breazeal, Cass Newell, and Harry Reinert

**1. Is paintball a permitted use in a park? Are private parks permitted in King County? If so, what is the process for establishing a private park in King County?**

Background

A business owner operates a paint ball play area along the Maple Valley Highway on leased property. The site is approximately 45 acres zoned RA-5. The site is undeveloped except for a sani-can and a small tent or canopy structure. There is a small gravel parking area off the gravel driveway and a fenced yard. Trails throughout the site have been surfaced with hog fuel or gravel. A code enforcement complaint has been made concerning operation of the business. The business owner was advised that he could operate his paintball facility under a temporary use permit. The owner has asked whether the property could be established as a park, with paintball as one of the permitted activities.

Discussion

The Regulatory Review Committee has discussed the issue of Paintball on several occasions. The conclusion has been that Paintball falls under SIC 7999. As such, it is not a permitted use in

the residential zones. K.C.C. 21A.08.040 limits this SIC category in the RA zone to golf driving ranges or as accessory to a large, active recreation and multi-use park.

A park is defined as " a site designed or developed for recreational use by the public." K.C.C. 21A.06.835. Outdoor facilities include playfields, fishing areas, picnic and related outdoor activity areas, and approved campgrounds. Paintball, as an outdoor recreation activity, can take place in a park.

There is no specific permit to establish a park. However, in order to design or develop a site for recreational use by the public, permits will be necessary for structures, grading or clearing for parking, or for other modifications necessary to make the site accessible to the public. It is not sufficient for a property owner to merely announce that a lot is a park.

### Conclusion

Paintball can be conducted in a park. In order to be designed or developed for recreational use by the public, a park requires parking and other infrastructure that will require building, clearing and grading, and other permits.

The Committee recommends that the specific provisions relating to paintball be added to the zoning code to establish the zones and conditions under which it is permitted.

## **2. What activities are included as an expansion or replacement of an accessory structure under K.C.C. 21A.24.045D.7?**

### Background

A property owner owns two adjacent lots with an existing residence located on one of the lots. The residence is located within an aquatic area buffer. The property owner wants to construct a residence on the second lot. The desired location would be located within the aquatic area buffer. The property owner is also considering constructing a detached garage and has asked whether an accessory dwelling unit could be located in the garage.

### Discussion

The expansion or replacement of a dwelling unit in a grazed wetland meadow, wetland or aquatic area buffer is an allowed alteration if "the expansion or replacement, including any expansion of accessory structure, does not increase the footprint of the accessory structure and the dwelling unit by more than one-thousand feet." K.C.C. 21A.24.045D.7.b. A residential accessory structure must be on or adjacent to existing impervious surfaces.

Construction of a new dwelling unit is an allowed alteration in an aquatic area buffer only in limited circumstances on lakes 20 acres or larger. K.C.C. 21A.24.045D.2.

Therefore, if there is a dwelling unit on a parcel, the dwelling unit may be expanded as an allowed alteration by an additional 1,000 square feet by:

- Adding additional attached living area to the dwelling unit;
- Adding a garage, shop, barn (attached or not attached).

However, adding a new dwelling unit, either as an accessory dwelling unit or as a stand-alone residence is not an allowed alteration.

The footprint of non-residential structures that are not residential accessory structures cannot be expanded in aquatic area or wetland buffers as an allowed alteration. K.C.C. 21A.24.045D.7.a.

#### Conclusion

Dwelling units and residential accessory structures may be expanded by up to 1,000 square feet as an allowed alteration. Residential accessory structures may either be attached or detached from the dwelling unit. Adding a new dwelling unit, whether as an accessory dwelling unit or as a stand-alone dwelling, is not an allowed alteration in aquatic area or wetland buffers, with very limited exceptions.