May 5, 1993 hh:lpg2.sub Introduced by:

C. Sullivan

Proposed No.:

92-875

ORDINANCE NO.

AN ORDINANCE related to zoning; permitting certain bulk gas storage facilities in residential zones; amending Ordinance 3144, Section 4 as amended, Section 7 as amended; Ordinance 5318, Section 3; Ordinance 7661, Section 4 as amended; Ordinance 4303, Section 3 as amended; and K.C.C. 21.08.040; 21.08.070; 21.20A.030; 21.21A.040; 21.25.020.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 3144, Section 4 as amended and K.C.C. 21.08.040 are hereby amended to read as follows:

Permitted uses - Primary nonresidential. The following nonresidential uses only are permitted outright in an RS zone, subject to the off-street parking requirements, landscaping requirements, and the general provisions and exceptions set forth in this title beginning with Chapter 21.46, and subject to the provisions of the King County shoreline management master program where applicable:

- A. Art galleries and museums, when located in a public park or on a public or private school site;
 - B. Cemeteries which were legally in existence prior to

- 4. On interior lots, the required side yards may be used to provide off-street parking areas and on corner lots the interior side yards may be similarly used. Under no circumstances may the required front yard or the side yard on the side street be used for off-street parking.
- 5. All lights provided to illuminate any parking area or building on such site shall be so arranged as to direct the light away from any adjoining premises.
- 6. Church sites shall abut and be accessible from at least one public street having two moving traffic lanes and a dedicated width that will permit not less than a thirty-six-foot roadway.
 - 7. The following signs only are permitted:
- a. One sign area, lighted or unlighted, on the outside wall of the main building and parallel thereto, having an area not greater than forty square feet;
- b. A detached sign having an area of not more than twenty square feet and on which both faces may be utilized, such being securely mounted on the ground on supports and the top of which sign shall be not more than six feet above the natural level of the ground upon which it rests. On corner and reverse corner lots one such sign may be placed facing each

permit and thereafter the issuance of any building permits shall be governed by and conform to the approved plot plan. If later, a modified plot plan is submitted, the modified plan shall conform to the conditions and requirements of this title or any amendments in effect at the time the modified plan is submitted;

- D. Golf courses, private or public, including clubhouse, accessory driving range, pitch and putt courses, provided:
- 1. All buildings or structures shall maintain a distance of not less than fifty feet from any property boundary line and from any street boundary line.
- 2. No required yard or open space on the premises may be used to provide parking spaces for cars or vehicles.
- 3. Where property devoted to these purposes is bounded by a street, then on any street property line no entrance-exit facilities for automobiles shall be located closer than one hundred feet from a street intersection;
 - E. Libraries, publicly operated;
 - F. Parks, publicly owned and operated, provided:
- 1. No bleachers or stadiums are permitted if the site is less than ten acres, and no public amusement devices for hire are permitted.

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- c. For senior high schools, fifteen acres,
- d. For junior colleges, twenty acres.
- 2. All buildings and structures shall maintain a distance not less than thirty feet from any property line.
- 3. All buildings, including accessory buildings and structures, shall not cover more than forty percent of the area of the site.
 - 4. The following signs only are permitted:
- a. One sign, lighted or unlighted, on the outside wall of the main building and parallel thereto, having an area not greater than forty square feet,
- b. A detached sign, lighted or unlighted, totalling not more than twenty square feet and on which both faces may be utilized, such sign being securely mounted on the ground and the top of which sign shall be not more than six feet above natural grade. On corner and reverse corner lots one such sign may be placed facing each street;
- c. A detached readerboard sign having an area no greater than fifty square feet, lighted or unlighted, and on which both faces may be utilized.
- H. The reuse of closed public school facilities that are retained in the ownership of the school district, provided:

access abutting right-of-way width and street and sidewalk improvements, fire access, existing vegetation and proposed landscaping, signs, and exterior lighting. A certificate of water availability shall be attached to the site plan.

- c. Prepare an application which includes all written comments submitted and a verbatim transcript of all oral comments at the public hearing, addresses citizen concerns with conditions or limitations, and presents the site plan.
- d. Submit the application and site plan to the manager of the building and land development division (BALD).
- 3. The manager of BALD shall either approve, approve with conditions or reject with cause the district's application and site plan based on compliance with applicable rules and regulations. The manager may hold a public hearing if he deems that it is appropriate. The manager's decision may be appealed to the zoning and subdivision examiner as set forth in K.C.C. 20.24. The manager's decision may be revoked or modified if the examiner determines it is clearly erroneous.
- 4. Once an application and site plan is approved by BALD and then accepted by the district through school board resolution, it shall be the basis for reviewing all building permits and change of occupancy permits for the facility. BALD

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| 1 | c. Public health clinic with no overnight stay; |
| 2 | d. Administrative offices of civic, social service, |
| 3 | governmental and religious organizations; |
| 4 | e. Non-profit agencies providing community services |
| 5 | and goods delivery; |
| 6 | f. Community fund raising activities; |
| 7 | g. Community and senior citizens center; |
| 8 | h. Children's programs such as preschool, co-op |
| 9 | nursery; |
| 10 | i. Recreation programs and athletic activities; |
| 11 | j. Maintenance caretaker residence; |
| 12 | k. Dwelling units at the density permitted by the |
| 13 | underlying zoning designation; |
| 14 | l. Cafeteria services (limited to building users and |
| 15 | programs for the elderly); |
| 16 | m. Professional offices limited to twenty percent of |
| 17 | the net usable floor space of the school facility; |
| 18 | n. Convalescent homes; |
| 19 | o. Nursing homes; |
| 20 | p. Storage of materials and equipment within the |
| 21 | building by educational, community service and governmental |

agencies;

- c. Lease agreements negotiated between the tenants and the school district shall stipulate the use of on-site parking facilities.
- 7. Right-of-way dedication and street improvements shall be provided pursuant to K.C.C. 14.28, 19.26.310 and 21.48.110. The county road engineer shall determine necessary access and shall recommend any needed street and sidewalk improvements.
- 8. All uses in converted school buildings shall conform to the building and fire code and meet the necessary standards relating to separation, sprinklers and building requirements.
- 9. Signs shall be permitted according to the following standards and shall not be placed in any yard or required open space:
- a. Up to two signs of no more than forty square feet each may be located on the site to identify the facility and tenants. If the signs are illuminated, they shall be shielded so that direct rays from the light do not impact surrounding properties;
- b. Up to three additional signs of no more than fifteen square feet each may be placed around the site to identify the facility and parking;

| 1. | One | namer | olat | e no | ot exceed: | ing | two | square | feet | in | area |
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| containing | the | name | of | the | occupant | of | the | premise | es, | | |

- 2. One unlighted sign not exceeding six square feet in area pertaining to the sale, lease or hire of only the particular building, property or premises upon which displayed (including a vacant lot or parcel),
- 3. An unlighted permanent community identification sign in connection with a subdivision or planned unit development provided:
- a. A maximum of two signs shall be permitted per subdivision or planned unit development.
- b. Each sign shall not exceed forty-two inches in height.
- c. Each sign shall not exceed twenty square feet in area.
 - d. Each sign shall be residential in character.
- e. Each sign shall not reduce sight distance at intersections.
- f. Each sign may be located in a tract separate from residential lots, on a landscaping or other easement, or on county right-of-way with the approval of the department of public works. In no event shall the county assume maintenance

- 4. Outdoor play areas shall be provided with a minimum of seventy-five square feet in area for each child using the area at one time, and shall be completely enclosed by a solid barrier such as a berm, wall or fence, with no openings except for gates, and having a minimum height of six feet, to minimize visual and noise impacts and prevent trespassing on adjacent residentially classified properties.
- 5. Play equipment shall not be located closer than twenty feet to any property lines.
- 6. The hours of operation may be restricted to assure compatibility with surrounding neighborhood.
- L. Propane and compressed natural gas bulk storage facilities from which gas is distributed only by piping directly to individual users.
- SECTION 2. Ordinance 3144, Section 7 as amended and K.C.C. 21.08.070 are hereby amended to read as follows:

Utilities. Public utilities shall be permitted in an RS zone as follows, subject to the provisions of the King County shoreline management master program where applicable, except that public utility facilities permitted by Section 21.46.140 shall not be affected by this section:

A. Public utility facilities necessary for the

(except as permitted in K.C.C. 21.08.040) or the like, subject to the following minimum standards:

- 1. Any equipment or structure except architectural screens and fences shall observe a setback of one foot for each one foot the equipment or structure rises above the grade, but in no case less than twenty feet from any property line.
- 2. When security fences are used, they shall be supplemented with base plantings of evergreen shrubs or trees, or climbing evergreen material on the fences or wood slats woven into the fence so as to minimize the industrial character of such fences.
- 3. An appropriate area surrounding the installation shall be landscaped and maintained with paving, shrubs and ground cover consistent with surrounding residential standards.
- 4. When the facility includes bulky structures such as water towers or standpipes, the landscaping shall include trees, either natural or planted, of such size as will partially screen and effectively break up the massive appearance of such structures.
- 5. Landscaping shall be planted according to accepted practice in good soil and maintained in good condition at all times. Landscaping shall be planted as a yard improvement at

| 1 | and improvement of the site in accordance with the approved |
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| 2 | screening and landscape plans in an amount estimated to be |
| 3 | equal to the cost of such screening and landscaping. |
| 4 | C. Communication facility subject to K.C.C. 21.80.020 - |
| 5 | 21.80.190. |
| 6 | SECTION 3. Ordinance 5318, Section 3 and K.C.C. |
| 7 | 21.20A.030 are hereby amended to read as follows: |
| 8 | Permitted uses. In an RMHP zone the following uses are |
| 9 | permitted: |
| 10 | A. Mobile home parks; |
| 11 | B. Mobile homes, located only within an approved mobile |
| 12 | home park; |
| 13 | C. Accessory structures, as provided in Chapter 21.08; |
| 14 | D. Recreational facilities, located within and primarily |
| 15 | for use of residents of an approved mobile home park; |
| 16 | E. Recreational vehicles and boat storage facilities, |
| 17 | located within and limited to use by residents of an approved |
| 18 | mobile home park only; |
| 19 | F. Home occupation, as provided in Section 21.08.030L.; |
| 20 | G. Signs, as provided in Section 21.08.040H.; |
| 21 | H. Day nurseries, as provided in Section 21.08.040J.; |
| 22 | I. Propane and compressed natural gas bulk storage |

- 3. One off-street parking space shall be provided for each guestroom plus the required off-street parking spaces for the principal dwelling. This parking area shall not be located within any required setback. Landscaping may be required by the division to screen parking areas from the view of adjacent properties and from public roads;
- 4. The wastewater disposal facility and the domestic water supply serving the guesthouse shall be approved by the Seattle-King County department of public health prior to the use permit being issued;
- 5. The number of persons accommodated per night shall not exceed five except that a structure which satisfies the standards of the uniform building code as adopted by King County for R-1 occupancies may accommodate up to ten persons per night;
 - 6. Service of meals shall be to registered guests only;
- B. Public utility facilities such as telephone exchanges, water pumping stations, electrical distribution substations, water storage reservoirs or tanks necessary for the distribution and transmission of services for the area or which require location in the area;
 - C. Libraries and parks, publicly owned, subject to the

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

SECTION 5. Ordinance 4303, Section 3 as amended and K.C.C. 21.25.020 are hereby amended to read as follows:

Permitted uses. In a G-5 zone, the following uses only are permitted, subject to the off-street parking requirements and other general provisions and exceptions set forth in this title beginning with Chapter 21.46:

- A. A one-family dwelling and accessory buildings and uses; provided, that if the dwelling is a factory built unit or a mobile home, it must be certified by the State of Washington, and if the dwelling is a mobile home, it must also meet on-site permit requirements contained in K.C.C. 21.09 as now or hereafter amended;
- B. On parcels having an area of 35,000 square feet or greater but less than five acres the following uses are permitted:
 - Agricultural crops,
- 2. Accessory buildings and uses, including the following:
 - a. Private stables, provided such buildings or

stand is to be used for such purposes, and such stand shall not have more than three hundred square feet of floor area, and shall not be located in any required yard or open space;

- 3. Livestock, provided:
- a. No more than one horse, cow, steer, or swine or five sheep or goats, not counting sucklings, for each one-half acre of the total site area shall be permitted.
- b. Fee boarding of other's livestock shall be accessory to a residence on the subject property and the total number of animals, including those owned by the occupants of the premises shall not exceed one horse, cow, steer, or swine or five sheep or goats for each one-half acre of the site.
- c. Any building, pen or structure used to house, confine or feed such animals shall not be located closer than thirty-five feet to any boundary property line nor closer than forty-five feet to any building containing a dwelling unit or accessory living quarters on the same premises.
- d. Swine shall be permitted only on a site with a minimum area of three acres which shall not be further subdivided, and any building, pen or structure used to house, confine or feed swine shall not be located closer than one hundred feet to any property line nor closer than forty-five

containing a dwelling unit or accessory living quarters on the same premises.

- 5. Raising of hamsters, nutria and chinchilla for commercial purposes provided:
- a. No more than one hundred of such animals per acre may be kept on the premises.
- b. Any buildings, pens, cages or structures used to contain or house such animals shall not be located closer than thirty-five feet to any building containing a dwelling unit or accessory living quarters on the same premises.
 - 6. Signs, as follows:
- a. One unlighted identification sign not exceeding two square feet in area containing the name of the occupant of the premises;
- b. One unlighted double-faced sign not exceeding six square feet of area per face, pertaining only to the sale, lease or hire of only the particular building, property or premises upon which displayed;
- 7. Rental stables, subject to a conditional use permit, provided the site must be large enough to contain the riding area or trail system.
 - C. On parcels having 5 acres or more but less than 10

- 5. Small animal hospitals and clinics, provided the portion of the building or structure in which animals are kept or treated is sound-proofed; all run areas are completely surrounded by an eight-foot solid wall; the animal runs shall be surfaced with concrete or other impervious materials; there shall be no burning of refuse or dead animals on the premises; drainage shall be away from adjoining properties;
- 6. Slaughtering and dressing of animals or fowl raised on the premises, accessory to a residence; provided any building, structure or area used for such purposes shall not be closer than seventy-five feet to any boundary property line of the premises, or closer than forty-five feet to any building containing a dwelling unit or accessory living quarters on the same premises.
- D. On parcels having 10 acres or more, all of the uses permitted in K.C.C. 21.25.020B and C plus the following structures and uses are permitted:
- 1. Barns, silos and other structures necessary for farming and ranching practices, provided said structures shall not be located closer than seventy-five feet to any boundary property line of the premises or any building containing a dwelling unit or accessory living quarters on the same

- (1) When situated eight feet or more above adjacent ground level or
- (2) When situated less than six feet above adjacent ground level and behind a solid fence or hedge six feet in height to any property line within twenty-five feet of the hive and extending at least twenty feet beyond the hive in both directions;
- 3. Dairies, livestock, poultry and small animals, provided:
- a. Any building, pen, milking shed, cage, aviary, animal run, or area used to contain, house or feed such animals or fowl, other than railroad loading pens, shall not be located closer than seventy-five feet to any boundary property line of the premises or any building containing a dwelling unit or accessory living quarters on the same premises,
- b. Any open-air storage of manure, hay, straw, shavings or similar organic materials shall maintain a distance of not less than thirty-five feet from any boundary property line and a distance of not less than forty-five feet from any building containing a dwelling unit or accessory living quarters on the same premises;
 - 4. Forest products, growing and harvesting, including

- c. One unlighted sign, up to sixteen square feet in size, shall be permitted;
 - Pasturing and grazing;
- 7. Housing facilities to accommodate agricultural employees and their families employed by the owner of the premises; provided such facilities are permitted only on holdings containing ten acres or more; and provided further, that such housing facilities shall be considered accessory to the main dwelling but shall conform to the provision of this classification pertaining to required yards and open spaces for dwellings;
- 8. Marketing of agricultural and dairy products raised on the premises; provided only one stand shall be permitted on the premises and such stand shall not contain more than five hundred square feet of floor area and shall not be located in any required yard or open space on the premises;
- 9. Retail sales of feed, seed or fertilizers, and plants for processing agricultural and dairy products, both subject to the issuance of a conditional use permit; provided the following minimum conditions are conformed to:
- a. The number of employees involved and the physical scale is such that there is no substantial traffic involved and

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- b. Is clearly incidental and secondary to the use of the property for agricultural purposes,
- c. Has no display or sign not already permitted in the zone,
- d. Has no outside storage nor other exterior indication of the home occupation or variation from character of the area,
- e. Does not require truck delivery or pickup, nor the installation of heavy equipment, large power tools or power sources not common to an agricultural area,
- f. Does not create a level of noise vibration, smoke, dust, odors, heat or glare beyond that which is common to an agricultural area,
- g. Does not create a level of parking demand beyond that which is normal to an agricultural area, and
 - h. All sales shall be an incidental use.
- E. Public utility facilities such as telephone exchanges, water pumping stations, electrical distribution substations, water storage reservoirs or tanks necessary for the distribution and transmission of services for the area including accessory microwave transmission facilities and towers:

- 2. Any lights provided to illuminate any building or recreational area shall be so arranged as to reflect the light away from any premises upon which a dwelling unit is located.
- 3. The site shall be located upon, or have adequate access to a public thoroughfare.
 - J. Specialized instruction schools provided:
- 1. The lot shall have a minimum lot size of 2 1/2 acres.
- 2. The specific standards set forth in K.C.C. 21.44.030 R. are met.
- K. Unclassified uses as provided in Chapter 21.44, only when consistent with the purpose of this chapter and excluding commercial establishments and enterprises as defined by K.C.C. 21.44.030C.
- L. Communication facility, subject to K.C.C. 21.80.020 21.80.190.

| M. Propane and compressed natural gas bulk storage |
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| facilities from which gas is distributed only by piping |
| directly to individual users. |

INTRODUCED AND READ for the first time this 2/5 of December, 1992. PASSED this 14th day of Quine

KING COUNTY COUNCIL KING COUNTY, WASHINGTON

ATTEST:

Clerk of the Council

APPROVED this __25xt__ day of _

King County Executive

Attachments: None

GROWTH MANAGEMENT, HOUSING AND ENVIRONMENT COMMITTEE

COMMITTEE RECOMMENDATION

93 MMY - 6 PM 1: 37

PROPOSED NO. 92-875

DATE: May 5, 1993, 2

Proposed amendment to the K C Zoning Code to permit certain bulk gas storage facilities to locate in residential zones.

| COMMITTEE RECOMMENDATION: |
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| DO PASS |
| OO PASS SUBSTITUTE DATED _5/5/93 * |
| DO NOT PASS |
| POSTPONE INDEFINITELY |
| PASS OUT OF COMMITTEE (WITH NO RECOMMENDATION) |
| ATTACHMENTS ADOPTED BY THE ORDINANCE OR MOTION: |
| NONE |
| APPROVED AS REFERRED TO COMMITTEE |
| AMENDED BY COMMITTEE AND DATED (List if more than one) |
| CYNTHIA SULLIVAN, CHAIR PAUL BARDEN, VICE-CHAIR |
| AUDREY GRUGER, MEMBER BRUCE LAING MEMBER |

COUNTY COUNCILMEMBER

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| not in a supplement the | ereof, and is a true copy of the notice as it was printed in the regular as |
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| issue of said paper or pa | apers on the following day or daysJune 2, 1993 |
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| | Subscribed and sworn to before me this |
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| issue of said paper or papers | and is a true copy of the notice as it was printed in the regular and entire on the following day or days; |
| and that said newspaper or | newspapers were regularly distributed to its subscribers during all of said |
| period. | |
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| | Subscribed and sworn to before me this Third day |
| | of June , 19_93 Notary Public Index for the State of Washington CEATTH F |
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King County Executive TIM HILL

400 King County Courthouse 516 Third Avenue Seattle, Washington 98104 (206) 296-4040 10879

RECEIVED
SERVICE AND SEAS
LANGUAGE COURCE

November 24, 1992

Marris - Sullivan - GM

The Honorable Audrey Gruger, Chair King County Council Room 402 COURTHOUSE

Re: Zoning Code Amendments Regarding Bulk Gas Storage Facilities

Dear Councilmember Gruger:

Enclosed for consideration by the County Council are zoning code amendments that would permit certain limited bulk gas storage facilities to locate in residential zones.

The proposal would permit bulk gas storage facilities to locate in R, S, AR, GR, G and G-5 zones with a Conditional Use Permit. The facility must be one that distributes gas only by piping it directly to individual users. The amendments specify that the zoning adjuster shall review the size, scale and design of the facility to ensure that it is compatible with the surrounding area and does not create an undue fire or public safety hazard.

The zoning code currently allows each individual user to have a separate gas tank. The bulk storage facilities permitted under this proposal would eliminate the need for separate gas tanks by piping gas directly to users. The Fire Marshal has indicated that serving an area with gas piped directly from a bulk storage facility, rather than through many individual user tanks, provides greater control over the point of tank filling and therefore lessens the risk of spills. The facilities permitted under this proposal will not be large commercial distribution centers that distribute gas by truck or train; they will be limited in scale and function by the requirement that gas be piped directly to individual users. Further controls on the facility will be accomplished that

The Honorable Audrey Gruger November 24, 1992 Page 2

If you have any questions, please contact Greg Kipp, Interim Director, at 296-6691.

Sincerely,

Tim Hill

King County Executive

TH:hh

Enclosure

cc: Greg Kipp, Interim Director, Building and Land Development/ Environmental Divisions

> <u>ATTN</u>: Clint Lank, Manager, Environmental Division Jerry Balcom, Supervisor, Code Development Section

FISCAL NOTE

AMENDMENTS TO KING COUNTY ZONING CODE

ORDINANCE TITLE: Amendments to zoning code relating to bulk gas storage.

AFFECTED AGENCY: Building and Land Development Division

IMPACT TO REVENUES: The proposal would permit certain limited bulk gas storage facilities to locate in R, S, AR, GR, G and G-5 zones with a Conditional Use Permit. The fee for a Conditional Use Permit is currently \$6,477.

IMPACT TO EXPENDITURES: It is unlikely that the adoption of the proposed ordinance would have any significant adverse impact upon county expenditures.

IMPACT TO NON-COUNTY AGENCIES OR INDIVIDUALS: No significant costs to non-county agencies or individuals are expected.

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| DATE INTRO | ODUCED <u>12-21</u> | -92 PROPOSED | ORDINANCE NO |). <u>92-0875</u> | _ | |
| INTRODUCE | D BY <u>CS</u> | REFERRED TO | | COMMITTEE | | |
| TITLE: | storage facil Section 6 as Section 5 as Ordinance 531 | related to zoni ities as a cond amended, Section amended; Ordina 8, Section 3; a 1.25.020; 21.20 | itional use; n 7 as amende nce 4303, Sec nd K.C.C. 21. | amending Ord ed; Ordinance ction 3 as am | inance 31 7661, ended: | 44, |
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