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ORDINANCE NO. **9883**

AN ORDINANCE extending the deadline of the temporary moratorium on the issuance of building permits for facilities accessory to a permitted public utility facility and conditional use permits for radio frequency electromagnetic transmitters and appurtenances on Vashon and Maury Islands and amending Ordinance 6765, Sections 1-4, as amended and K.C.C. 20.12.327.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 6765, Sections 1-4, as amended and K.C.C. 20.12.327 are amended to read as follows:

Temporary moratorium - Vashon and Maury Islands.

A. Findings. The King County council finds that:

1. The location of radio frequency electromagnetic transmitters and appurtenances are a public health concern to the residents of Vashon and Maury Islands.

2. The department of parks, planning and resources has begun a study of regulations governing the location of radio frequency electromagnetic transmitters and appurtenances with proposed regulations due for council consideration.

B. Moratorium established. There is hereby established a moratorium which prohibits the issuance of conditional use permits as defined by K.C.C. 21.44.030 and building permits for facilities accessory to a permitted public utility facility as defined by K.C.C. 21.08.070 B in R, S, A-R, B, C, M, A, FR, and QM zones for radio frequency electromagnetic transmitters, and appurtenances on Vashon and Maury Islands, provided, however, that this moratorium shall not prohibit the issuance of such permits for: 1) the relocation or replacement of existing radio frequency electromagnetic transmitters owned and operated by public police and fire agencies; or 2) a cellular telephone transmitter located in the vicinity of Route 2, Box 280, 156th Street SW, Vashon Island, which transmits at a power level no greater than 100 watts and which consists of a wooden pole

1 under 120 feet tall and under 24 inches in average diameter and  
2 maintains a setback of at least 90 feet from any property line  
3 and contains no more than 4 whip or 12 panel antennas, and one  
4 microwave dish antenna, provided that the applicant shall  
5 comply with all applicable laws and the following standards  
6 contained in the final adopted version of Proposed Ordinance  
7 90-511: 1) landscaping; 2) colors/lighting; 3) fencing and  
8 signs; 4) interference; 5) NIER exposure standard; 6) NIER  
9 measurements and calculations; 7) NIER post-construction  
10 measurements; 8) shock and burn standards; 9) supplemental  
11 application requirements; and 10) NIER enforcement standards.

12 For purposes of this section the term "radio frequency  
13 electromagnetic transmitters" shall mean any antenna, facility  
14 or equipment designed to generate radio waves with the  
15 frequency range of 3 MHz to 100 GHz.

16 C. Duration. The temporary moratorium shall be in effect  
17 until the King County council adopts revised regulations for  
18 radio frequency electromagnetic transmitters and appurtenances  
19 or ((~~April 30, 1990~~)) July 31, 1991, whichever occurs first.

20 D. Implementation. All bonafide applications for  
21 conditional use permits and building permits for public  
22 utilities for radio frequency electromagnetic transmitters, and  
23 appurtenances pending as of the effective date of this section  
24 shall be processed in the normal manner within normally

1 prescribed deadlines. However, no new applications for  
2 conditional use and building permits except as ((described))  
3 exempted in subsection B of this section will be accepted by  
4 King County.

5 INTRODUCED AND READ for the first time this 11<sup>th</sup> day  
6 of March, 1991.

7 PASSED this 8<sup>th</sup> day of April, 1991.

8 KING COUNTY COUNCIL  
9 KING COUNTY, WASHINGTON

10 Lois North  
11 Chair

12 ATTEST:

13 Gerald A. Seton  
14 Clerk of the Council

15 APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

DEEMED ENACTED WITHOUT  
COUNTY EXECUTIVE'S SIGNATURE

16 DATED: 4/17/91  
17 King County Executive



**King County Executive**  
**TIM HILL**

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

April 17, 1991

The Honorable Lois North  
Chair, King County Council  
C O U R T H O U S E

RE: Ordinance 9883: Vashon/Maury Island Tower Moratorium

Dear Councilmember North:

I am allowing Ordinance 9883 to be enacted without signature. The ordinance extends the moratorium on radio transmitters for Vashon and Maury Islands until July 31, 1991. The Growth Management, Communities and Environment committee is making progress in their review of the proposed communication facilities ordinance (Proposed Ordinance 90-511) and I support the extension to give the committee time to complete its work.

However, Ordinance 9883 contains a provision allowing one application for a cellular telephone tower. This provision states that the applicant shall comply with the standards contained in the "**final adopted version**" of Proposed Ordinance 90-511. (Emphasis added.) Allowing an application to be submitted and requiring it to be measured by unadopted standards needlessly complicates the permit process at the Building and Land Development Division. I urge the committee to take swift action to resolve the conflicts generated by Ordinance 9883.

If you have any questions, please call Gregory Kipp, Building and Land Development Division Manager, at 296-6690.

Sincerely,

Tim Hill  
King County Executive

TH:m

Enclosures

cc: King County Councilmembers  
    ATTN: Cal Hoggard, Program Director  
          Jerry Peterson, Administrator  
Lois Schwennesen, Director, Parks, Planning and  
    Resources Department  
    ATTN: Gregory M. Kipp, Manager, Building and  
          Land Development Division