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zonetech.sub

Introduced by: SULLIVAN

Proposed No.: 93-795

ORDINANCE NO. **11157**

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AN ORDINANCE relating to technical amendments to Title 21A Zoning Code; amending Ordinance 10870, Sections 5, 90, 136, 137, 151, 154, 197, 252, 253, 328, 331, 333, 334, 337, 341, 358, 402, 408, 440, 444, 447, 448, 526, 531, 532 and K.C.C. 21A.06.240, 21A.06.480, 21A.06.485, 21A.06.555, 21A.06.570, 21A.06.785, 21A.06.1060, 21A.06.1062, 21A.06.1435, 21A.08.030, 21A.08.050, 21A.08.060, 21A.08.090, 21A.12.030, 21A.12.200, 21A.16.160, 21A.18.030, 21A.22.010, 21A.22.050, 21A.22.060, 21A.22.080, 21A.22.090, 21A.28.150, 21A.30.020, 21A.30.040; and adding a new section to K.C.C. 21A.06.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 10870, Section 5 is hereby amended to read as follows: Area zoning conversion guidelines. A. The council directs the department to prepare proposed new zoning maps applying the 1993 King County Zoning code and transmit within ten months of the effective date of this ordinance for council review and adoption.

B. The department shall use the table set forth in subsection C and the guidelines of this section in preparing an ordinance or ordinances to convert each area zoning document to the 1993 Zoning Code, so as to continue implementation of adopted community plans and convert old zone designations to new ones in a consistent manner. The provisions of this section also shall apply to conversion of the resource lands area zoning adopted pursuant to K.C.C. 20.12.390.

C. Conversion table. The following conversion table and criteria contained therein shall be used by the department in converting the zoning maps adopted pursuant to Resolution 25789 to the 1993 Zoning Code:

RESOLUTION 25789 ZONING MAP SYMBOLS	1993 ZONING CODE MAP SYMBOLS	ADDITIONAL CRITERIA
F	F	
FR	F or RA	Use zone most consistent with the comprehensive plan .
A, A-10 A-35	A-10 A-35	
Q-M	M	
AR-2.5 AR-5 AR-10 GR-5, GR-2.5, G-5	RA-2.5 RA-5 RA-10 UR RA	Only in designated urban areas In areas not designated urban
G	R-1 RA	Only in designated urban areas In areas not designated urban
SE, S-C	R-1	
SR/RS15000, SR/RS 9600	R-4	
SR7200, RS7200	R-6	
SR5000, RS5000	R-8	
RMHP	R-4 through R-48	Use zone closest to zoning on adjacent property or midrange if adjacent zones vary
RD3600, RT3600	R-12	
RM2400, RT2400	R-18	
RT, RM1800, RT1800	R-24	
RM900	O or R-48	Apply zoning closest to community plan land use designations
RM 900 P	O or R-48	According to P-suffix limitations allowing only office or residential uses
B-N, BR-N B-C, BR-C C-G	NB or RB CB or RB RB	For all business zones, use zone most consistent with the comprehensive plan and community plan designation and actual scale of business area
M-L, M-P, M-H	I	

1 D. Unclassified Use Permit Mining Operations. In addition to the  
2 conversions set out in the table in subsection C, all sites legally operating  
3 pursuant to an unclassified use permit for mining operations shall be zoned M  
4 (Mineral).

5 E. Resolution of map conflicts. In cases of ambiguity or conflict between a  
6 community plan map designation and the zone classification applied under the  
7 old code, the department shall use the following guidelines and procedures in  
8 recommending new zones:

9 1. As a general rule, the zoning designation applied shall be that which is  
10 most likely to have been applied to implement the community plan if the 1993  
11 zoning code designations had been available;

12 2. If the application of the guidelines in this subsection leads the  
13 department to propose applying a zone classification from the 1993 Zoning  
14 Code that is not functionally equivalent to a classification from the old code as  
15 defined in the table in subsection C, the department shall notify the owner of  
16 the property proposed for reclassification no later than the council introduction  
17 date of the ordinance amending said property, and the property owner may  
18 request a change in the area zoning in a manner consistent with the procedures  
19 used for council review of a community plan and area zoning.

20 F. Area-wide P-suffix development conditions. The department shall  
21 review all area-wide P-suffix conditions applied through zoning adopted pursuant  
22 to Resolution 25789, and recommend legislation removing all such conditions  
23 which have been replaced adequately by standards adopted in the 1993 zoning  
24 code from the area zoning documents. Any such P-suffix conditions which  
25 establish standards that are not adequately addressed by this code shall be  
26 recommended to be included directly in the 1993 zoning code.

1 G. Site-specific development conditions. Approval conditions for previous  
 2 zone reclassifications, planned unit developments, unclassified permits, and P-  
 3 suffix conditions applied to individual properties in land use actions pursuant to  
 4 Resolution 25789, should be recommended for retention wherever they address  
 5 conditions unique to a particular property and not addressed by the standards in  
 6 the 1993 Zoning Code.

7 H. For area zoning documents being converted to the 1993 Zoning Code  
 8 without amendments to their respective community plan maps and policies, only  
 9 requests for zone changes which meet one of the following criteria shall be  
 10 considered during either the department or council review process:

- 11 1. as provided in subsection E;
- 12 2. when an applicant can demonstrate that the department's proposal  
 13 incorrectly implements an adopted community plan map designation or policy in  
 14 converting existing zoning to a new zone classification; or
- 15 3. the site is the subject of an application for a Master Planned  
 16 Development or Urban Planned Development, and conversion to the 1993  
 17 Zoning Code is requested as part of such application. Rezoning of such sites  
 18 shall conform as closely as possible to the table set out in subsection C.

19 L. Requests which do not meet one of the ~~((æ))~~ criteria of subsection H shall  
 20 be treated as quasi-judicial reclassification requests which must be formally  
 21 applied for according to the process provided for such requests and shall be  
 22 subject to the criteria in K.C.C. 20.24.190.

23 J. Requests for quasi-judicial reclassification that are consistent with the  
 24 conversion table illustrated in subsection C and requests for quasi-judicial  
 25 reclassification to the M zone, shall not be subject to the criteria in K.C.C.  
 26 20.24.190.

27 ~~((+))~~K. Bear Creek MPD's. The following transition provisions shall apply to  
 28 the Master Plan Development applications in the Bear Creek Community Plan  
 29 (BCCP).

1           1. An applicant may either continue to utilize the procedural provisions of  
2 the BCCP or may utilize the procedural provisions of K.C.C. 21A.39.

3           2. If an applicant utilizes the procedural provisions of K.C.C. 21A.39, the  
4 Pre-Development Applications previously submitted for the Blakely Ridge MPD  
5 and the Northridge MPD are deemed the equivalent of and accepted as complete  
6 applications for "UPD Permits" under Chapter 21A.39 of the 1993 zoning code.

7           3. The substantive provisions of the BCCP Area Zoning MPD P-Suffix  
8 conditions and conditions precedent to rezoning set forth in Section 1C of the  
9 BCCP Area Zoning (page 140) shall remain in effect for purposes of considering  
10 the UPD applications, under either the BCCP or K.C.C. 21A.39

11           4. The applicants may elect either one base zone pursuant to K.C.C.  
12 21A.39, or multiple zones pursuant to the Bear Creek Community Plan, applying  
13 the equivalent zone designations of the 1993 zoning code. The zoning and  
14 potential zoning adopted in the BCCP shall remain in effect until rezones  
15 applying the 1993 zoning code designations are approved.

16           5. The Novelty Hill Master Plan sites and urban designation adopted and  
17 delineated in the Bear Creek Community Plan and Bear Creek Area zoning shall  
18 be considered "UPD Special District Overlays" and "UPD boundary delineations"  
19 for purposes of applying K.C.C. 21A.38.020, .070(B) (1), (2) and K.C.C.  
20 21A.39.020.

21           SECTION 2. Ordinance 10870, Section 90 and K.C.C. 21A.06.240 is  
22 hereby amended to read as follows:

23           **Confinement ((A))area.** Confinement area: A confinement area is any open land  
24 area in which livestock are kept where the forage does not meet the definition of  
25 a grazing area.

26           SECTION 3. Ordinance 10870, Section 136 and K.C.C. 21A.06.480 is  
27 hereby amended to read as follows:

28           **Flood insurance rate map.** Flood ((I))insurance ((R))rate ((M))map: the official  
29 map on which the Federal Insurance Administration has delineated some areas  
30 of flood hazard.

1        SECTION 4. Ordinance 10870, Section 137 and K.C.C. 21A.06.485 is

2 hereby amended to read as follows:

3 **Flood insurance study for King County.** Flood ~~((H))~~insurance ~~((S))~~study for King

4 County: the official report provided by the Federal Insurance Administration

5 which includes flood profiles and the Flood Insurance Rate Map.

6        SECTION 5. Ordinance 10870, Section 151 and K.C.C. 21A.06.555 is

7 hereby amended to read as follows:

8 **Golf course facility.** Golf course facility: a recreational facility, under public or

9 private ownership, designed and developed for golf activities with accessory

10 uses including, but not limited to:

11 A. A driving range;

12 B. Miniature golf;

13 C. Pro shops;

14 D. Caddyshack buildings;

15 E. Swimming pools, tennis courts and other related recreational facilities;

16 ~~((E-))~~F. Restaurants;

17 ~~((F-))~~G. Office and meeting rooms; and

18 ~~((G-))~~H. Related storage facilities

19        SECTION 6. Ordinance 10870, Section 154 and K.C.C. 21A.06.570 is

20 hereby amended to read as follows:

21 **Grazing ~~((A))~~area.** Grazing area: A grazing area is any open land area used to

22 pasture livestock in which suitable forage is maintained over 80% of the area at

23 all times of the year.

24        SECTION 7. Ordinance 10870, Section 197 and K.C.C. 21A.06.785 is

25 hereby amended to read as follows:

26 **Municipal ~~((W))~~water ~~((P))~~production.** Municipal water production: The

27 collection and processing of surface water through means of dams or other

28 methods of impoundment for municipal water systems.

29        SECTION 8. Ordinance 10870, Section 252 and K.C.C. 21A.06.1060 is

30 hereby amended to read as follows:

1 Senior citizen. Senior ~~(G)~~citizen: A person aged 62 or older.

2 SECTION 9. Ordinance 10870, Section 253 and K.C.C. 21A.06.1062 is  
3 hereby amended to read as follows:

4 **Senior citizen assisted housing.** Senior citizen assisted housing: housing in a  
5 building consisting of two or more dwelling units or sleeping units restricted to  
6 occupancy by at least one senior citizen per unit, and may include~~(,)~~ the  
7 following support services, as deemed necessary:

- 8 A. Food preparation and dining areas;
- 9 B. Group activity areas;
- 10 C. Medical supervision; and
- 11 D. Similar activities.

12 SECTION 10. Ordinance 10870, Section 328 and K.C.C. 21A.06.1435 is  
13 hereby amended to read as follows:

14 **Yard or organic waste processing facility.** Yard or organic waste processing  
15 facility: a site where yard and garden wastes, including wood and landclearing  
16 debris, are processed into new products such as soil amendments and wood  
17 chips.

18 SECTION 11. Ordinance 10870, Section 331 and K.C.C. 21A.08.030 is  
19 amended to read as follows:

K.C.C. 21A.08.030  
**A. RESIDENTIAL**  
**LAND USES**

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

Z O N E	RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL								
	A	F	M	R	UR	UR	UR	NB	CB	RB	O	I				
	G	O	I	U	R	E	R	E	E	U	O	E	U	F	N	
	R	R	N	R	B	S	B	S	I	S	M	S	G	S	F	D
	I	E	E	A	A	E	A	I	G	I	M	I	I	I	I	U
	C	S	R	L	N	R	N	D	H	N	U	N	O	N	C	S
	U	T	A		V		E		B	E	N	E	N	E	E	T
	L		L		E		N		O	S	I	S	A	S		R
	T						I		R	S	T	S	L	S		I
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	R						A		O							L
	E						L		O							
									D							

SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
<b>DWELLING UNITS, TYPES:</b>													
*	Single detached	P2	P2		P2	P	P	P					
*	Townhouse						P 12 C	P	P3	P3	P3	P3	
*	Apartment				C4	C4	P5 C4	P	P3	P3	P3	P3	
*	Mobile home park						C8	P					
(( <del>1</del>	<del>Senior citizen assisted</del>						<del>P4</del>	<del>P4</del>	<del>P</del>	<del>P3</del>	<del>P3</del>	<del>P3</del>	<del>P3</del> ))
<b>GROUP RESIDENCES:</b>													
*	Community residential facility-I				C	C	C	P	P3	P3	P3	P3	
*	Community residential facility-II							P	P3	P3	P3	P3	
*	Dormitory				C6	C6	C6	P					
	<u>Senior citizen assisted housing</u>						<u>P4</u>	<u>P4</u>	<u>P</u>	<u>P3</u>	<u>P3</u>	<u>P3</u>	<u>P3</u>
<b>ACCESSORY USES:</b>													
*	Residential accessory uses	P7	P7		P7	P7	P7	P7	P7	P7	P7	P7	
*	Home occupation	P	P		P	P	P	P	P	P	P	P	
*	Home Industry	C			C	C	C						
<b>TEMPORARY LODGING:</b>													
7011	Hotel/Motel (1)									P	P	P	
*	Bed and breakfast guesthouse	P9 C10			P10	P10	P10	P10	P10	P11	P11		
7041	Organization Hotel/Lodging houses											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.3  
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



- 1 21A.08.030 B. DEVELOPMENT CONDITIONS.
- 2 1. Except bed and breakfast guesthouses.
- 3 2. The use shall be limited as follows:
- 4 a. Prior to issuance of any residential building permit, the property owner
- 5 shall sign an affidavit acknowledging the following declaratory statement and
- 6 shall record it in the deed and mortgage records for the subject property: "The
- 7 subject property is located in or adjacent to an area designated by King County
- 8 for forestry, agriculture, and mineral extraction and other compatible uses.
- 9 Noise, dust, smoke and odors result from the harvesting, planting, fertilization,
- 10 ~~((and))~~ pest control, and other resource-related activities associated with usual
- 11 and normal forest, ~~((or))~~ agricultural or mining resource management practices,
- 12 and, as such, these normal and usual ~~((forestry))~~ practices, when performed in
- 13 accordance with county, state and federal law, shall not be subject to legal
- 14 action as public nuisances"; and
- 15 b. For properties in the F zone. ~~((A))~~ a fire protection plan for the subject
- 16 property shall be reviewed and approved by the Washington Department of
- 17 Natural Resources with the concurrence of the fire marshal for each residential
- 18 use. This plan shall be developed in such a manner as to protect the adjoining
- 19 forestry uses from a fire which may originate from the residential use. This plan
- 20 shall provide for setbacks from existing forestry uses and maintenance of
- 21 approved fire trails or other effective fire line buffers on perimeters with forest
- 22 land.
- 23 3. Only as part of a mixed use development subject to the conditions of K.C.C.
- 24 21A.14.
- 25 4. Only in a building listed on the National Register as an historic site or
- 26 designated as a King County landmark subject to the provisions of K.C.C.
- 27 21A.32.
- 28 5. Only subject to the residential density incentive provisions of K.C.C.
- 29 21A.34.
- 30 6. Only as an accessory to a school, college/university or church.

- 1 7. a. Accessory dwelling units:
- 2 (1) Only one accessory dwelling per lot;
- 3 (2) Only in the same building as the principal residence unless the lot is
- 4 at least 10,000 square feet in area and the allowable density of the zone is not
- 5 exceeded;
- 6 (3) The primary residence or the accessory dwelling unit shall be owner
- 7 occupied:
- 8 (4) The accessory dwelling unit shall not be larger than 50% of the living
- 9 area of the primary residence;
- 10 (5) One additional off-street parking space is provided; and
- 11 (6) The accessory dwelling unit shall be converted to another permitted
- 12 use or shall be removed if one of the dwelling units ceases to be owner
- 13 occupied.
- 14 b. One single or twin engine, noncommercial aircraft shall be permitted only
- 15 on lots which abut, or have a legal access which is not a county right-of-way, to
- 16 a waterbody or landing field, provided:
- 17 (1) No aircraft sales, service, repair, charter or rental;
- 18 (2) No storage of aviation fuel except that contained in the tank or tanks
- 19 of the aircraft; and
- 20 (3) Storage hangars shall not exceed 20 feet in height above average
- 21 finished grade or have a gross area exceeding 3,000 square feet.
- 22 8. Mobile home parks shall not be permitted in the R-1 zones.
- 23 9. Only as an accessory to the permanent residence of the operator, provided:
- 24 a. Serving meals to paying guests shall be limited to breakfast; and
- 25 b. No more than 5 guests per night.
- 26 10. Only as an accessory to the permanent residence of the operator,
- 27 provided:
- 28 a. Serving meals to paying guests shall be limited to breakfast; and

1           b. The number of persons accommodated per night shall not exceed five,  
2 except that a structure which satisfies the standards of the Uniform Building  
3 Code as ((adapted)) adopted by King County for R-1 occupancies may  
4 accommodate up to ten persons per night.

5           11. Only when part of a mixed use development, and subject to the conditions  
6 of 21A.08.030B(10).

7           12. A conditional use permit is not required for townhouse units on lots in a  
8 subdivision designed for townhouse units.

9           SECTION 12. Ordinance 10870, Section 333 and K.C.C. 21A.08.050 is  
10 hereby amended to read as follows:

K.C.C. 21A.08.050  
**A. GENERAL SERVICES**  
**LAND USES**

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

Z O N E	RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	G	O	I	U	UR	UR	UR	NE	CB	RB	O	I
	R	R	N	R	BS	BS	BS	IS	MS	GS	F	D
	I	E	E	A	AE	AI		GI	MI	II	I	U
	C	S	R	L	NR	ND		HN	UN	ON	C	S
	U	T	A			VE		BE	NE	NE	E	T
	L		L			EN		OS	IS	AS		R
	T							RS	TS	LS		I
	U							I	H	Y		A
	R							AO				L
	E							LD				

SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
<b>PERSONAL SERVICES:</b>													
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	P25 C5	P25 C5	P25 C5	P25	P25	P25	P25	
*	Day care I	P6			P6	P6	P6	P6	P	P	P	P7	P7
*	Day care II				P8	P8	P8	P8	P	P	P	P(8)Z	P(8)Z
074	Veterinary Clinic	P9			P9 C10	P9 C10			P10	P10	P10		P
753	Automotive repair (1)									P	P		P
754	Automotive service								P11	P	P		P
76	Miscellaneous repair									P	P		P
866	Churches, synagogue, temple				P12 C	P12 C	P12 C	P12 C	P	P	P	P	
83	Social Services (2)				P12 C13	P12 C13	P12 C13	P12 C13	P13	P	P	P	
*	Stable	P14 C			P14 C	P14 C	P14 C						
*	Kennel or Cattery				C	C				C	P		
<b>HEALTH SERVICES:</b>													
801-04	Office/Outpatient Clinic				P12 C13	P12 C13	P12 C13	P12 C13	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	
<b>EDUCATION SERVICES:</b>													
*	Elementary School				P16, 15	P	P	P					
	Middle/Junior High School				P16 C15	P	P	P					
*	Secondary or High School				P16 C15	P27	P27	P27		C	C		
*	Vocational School				P13 C	P13 C	P13 C	P13 C			P	P17	P
*	Specialized Instruction School		P18		P19 C20	P19 C20	P19 C20	P19 C20	P	P	P	P17	P
*	School District Support Facility				C 24	P 24 C	P 24 C	P 24 C	C	P	P	P	P
*	Interim Recycling Facility	P 21	P21	P21	P 22		P 22	P 22	P 23	P 23	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

- 1 21A.08.050 B. DEVELOPMENT CONDITIONS.
- 2 1. Except SIC Industry No. 7534-Tire Retreading, see manufacturing permitted
- 3 use table.
- 4 2. Except SIC Industry Group Nos.:
- 5 a. 835-Day Care Services, and
- 6 b. 836-Residential Care, which is otherwise provided for on the residential
- 7 permitted land use table.
- 8 3. Limited to SIC Industry Group and Industry Nos.:
- 9 a. 723-Beauty Shops;
- 10 b. 724-Barber Shops;
- 11 c. 725-Shoe Repair Shops and Shoeshine Parlors;
- 12 d. 7212-Garment Pressing and Agents for Laundries and Drycleaners;
- 13 e. 7217-Carpet and Upholstery Cleaning.
- 14 4. Only as an accessory to a cemetery.
- 15 5. Structures shall maintain a minimum distance of 100 feet from property lines
- 16 adjoining residential zones.
- 17 6. Only as an accessory to residential use, provided:
- 18 a. Outdoor play areas shall be completely enclosed by a solid wall or fence,
- 19 with no openings except for gates, and have a minimum height of six feet; and
- 20 b. Outdoor play equipment shall maintain a minimum distance of 20 feet
- 21 from property lines adjoining residential zones.
- 22 7. Permitted as an accessory use, see commercial/industrial accessory, K.C.C.
- 23 21A.08.060A.
- 24 8. Only as a re-use of a public school facility subject to the provisions of
- 25 K.C.C. 21A.32, or an accessory use to a school or church, provided:
- 26 a. Outdoor play areas shall be completely enclosed by a solid wall or fence,
- 27 with no openings except for gates and have a minimum height of six feet;
- 28 b. Outdoor play equipment shall maintain a minimum distance of 20 feet
- 29 from property lines adjoining residential zones;

- 1 c. Direct access to a developed arterial street shall be required in any
- 2 residential zone; and
- 3 d. Hours of operation may be restricted to assure compatibility with
- 4 surrounding development.
- 5 9. As a home occupation only, provided that the square footage limitations in
- 6 K.C.C. 21A.30 for home occupations applies only to the office space for the
- 7 clinic, and provided further that:
  - 8 a. Boarding or overnight stay of animals is allowed only on sites of 5 acres
  - 9 or more;
  - 10 b. No burning of refuse or dead animals is allowed;
  - 11 c. The portion of the building or structure in which animals are kept or
  - 12 treated shall be soundproofed. All run areas, excluding confinement areas for
  - 13 livestock, shall be surrounded by an eight-foot solid wall and surfaced with
  - 14 concrete or other impervious material; and
  - 15 d. The provisions of 21A.30 relative to animal keeping are met.
- 16 10. a. No burning of refuse or dead animals is allowed;
- 17 b. The portion of the building or structure in which animals are kept or
- 18 treated shall be soundproofed. All run areas, excluding confinement areas for
- 19 livestock, shall be surrounded by an eight-foot solid wall and surface with
- 20 concrete or other impervious material; and
- 21 c. The provisions of 21A.30 relative to animal keeping are met.
- 22 11. Only as an accessory to a gasoline service station, see retail and wholesale
- 23 permitted use table.
- 24 12. Only as a re-use of a public school facility subject to the provisions of
- 25 K.C.C. 21A.32.
- 26 13. Only as a re-use of a surplus non-residential facility subject to K.C.C.
- 27 21A.32.
- 28 14. Covered riding arenas are subject to the provisions of 21A.30.030 and
- 29 shall not exceed 20,000 square feet provided that; stabling areas, whether
- 30 attached or detached, shall not be counted in this calculation.

1 15. Limited to projects which do not require or result in an expansion of the  
2 sewer local service area (LSA), unless a finding is made that no cost effective  
3 alternative technologies are feasible, in which case a tightline to a sewer sized  
4 only to meet the needs of the school may be used.

5 16. a. For middle/junior high schools and secondary or high schools, only as a  
6 re-use of a public school facility subject to the provisions of K.C.C. 21A.32. An  
7 expansion of such school facility shall be subject to approval of a conditional use  
8 permit and the expansion shall not require or result in an extension of the sewer  
9 local service area (LSA), unless a finding is made that no cost effective  
10 alternative technologies are feasible, in which case a tightline to a sewer sized  
11 only to meet the needs of the school may be used.

12 b. Renovation, expansion, modernization, or reconstruction of a school, or  
13 the addition of relocatable facilities, is permitted but shall not require or result in  
14 an expansion of the sewer local service area (LSA), unless a finding is made that  
15 no cost effective alternative technologies are feasible, in which case a tightline  
16 to a sewer sized only to meet the needs of the school may be used.

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

18 18. Limited to resource management education programs.

19 19. Only as an accessory to residential use, provided:

20 a. Students are limited to twelve per one hour session,

21 b. All instruction must be within an enclosed structure, and

22 c. Structures used for the school shall maintain a distance of 25 feet from  
23 property lines adjoining residential zones.

24 20. Subject to the following:

25 a. Structures used for the school and accessory uses shall maintain a  
26 minimum distance of 25 feet from property lines adjoining residential zones; and

- 1 b. On lots over 2.5 acres:
- 2 i. Retail sales of items related to the instructional courses is permitted,
- 3 provided total floor area for retail sales is limited to 2,000 square feet;
- 4 ii. Sales of food prepared in the instructional courses is permitted,
- 5 provided total floor area for food sales is limited to 1,000 square feet and is
- 6 located in the same structure as the school.
- 7 iii. Other incidental student-supporting uses are allowed, provided such
- 8 uses are found to be both compatible with and incidental to the principal use.
- 9 21. Limited to source-separated yard or organic waste processing facilities.
- 10 22. Limited to drop box facilities accessory to a public or community use such
- 11 as a school, fire station or community center.
- 12 23. With the exception of drop box facilities for the collection and temporary
- 13 storage of recyclable materials, all processing and storage of material shall be
- 14 within enclosed buildings. Yard waste processing is not permitted.
- 15 24. Only when adjacent to an existing or proposed school.
- 16 25. Limited to columbariums accessory to a church provided that required
- 17 landscaping and parking are not reduced.
- 18 26. Not permitted in R-1 and limited to a maximum of 5,000 square feet per
- 19 establishment and subject to the additional requirements in K.C.C. 21A.12 .230.
- 20 27. a. New high schools shall be permitted in urban residential and urban
- 21 reserve zones subject to the review process set forth in Section 21A.42.140.
- 22 b. Renovation, expansion, modernization, or reconstruction of a school, or
- 23 the addition of relocatable facilities, is permitted.
- 24 SECTION 13. Ordinance 10870, Section 334 and K.C.C. 21A.08.060 is
- 25 hereby amended to read as follows:



K.C.C. 21A.08.060  
 A. GOVERNMENT/  
 BUSINESS SERVICES  
 LAND USES

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

Z O N E	RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
	A G R I C U L T U R E	F O R E S T R Y	M I N E R A L	R U R A L	U R B A N	U R B A N	U R B A N	N B U R B A N	C B U R B A N	R B U R B A N	O I D U S T R I A L	I N D U S T R I A L

SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
<b>GOVERNMENT SERVICES:</b>													
*	Public agency or utility office				P3 C5	P3 C	P3 C	P3 C	P4	P	P	P	P 16
*	Public agency or utility yard				P 27	P 27	P27	P27			P		P
*	Public agency archives										P	P	P
921	Court								P4	P	P		
9221	Police Facility								P	P	P	P	
9224	Fire Facility				C 6	C 6	C 6	C 6	P	P	P	P	P
*	Utility Facility	P 7 C	P 7 C	P 7	P 7 C28	P29 C28	P29 C28	P29 C28	P	P	P	P	P
*	Minor Communication Facility (18)	C	P		C	C	C	C	C	P	P	P	P
*	Private Stormwater Management Facility	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8
<b>BUSINESS SERVICES:</b>													
15-17	Construction and Trade										P 9	P	P
*	Individual Transportation and Taxi								P 26	P	P 10	P	
421	Trucking and Courier Service								P 11	P 12	P 13	P	
*	Warehousing, (1) and Wholesale Trade												P
*	Self-service Storage						C 14		P	P	P	P	
4221 4222	Farm Product Warehousing, Refrigeration and Storage	P 15 C			C 15	C 15							P
*	Log Storage	P 15	P		P26								P
47	Transportation Service												P
473	Freight and Cargo Service									P	P	P	
472	Passenger Transportation Service								P	P	P		
48	Communication Offices									P	P	P	
482	Telegraph and other Communications								P	P	P	P	
*	General Business Service								P	P	P	P	P 16
*	Professional Office								P	P	P	P	P 16
7312	Outdoor Advertising Service										P	P 17	P
735	Miscellaneous Equipment Rental								P 17	P	P 17	P	
751	Automotive Rental and Leasing								P	P			P
752	Automotive Parking				P 19	P 19	P 19	P 19	P 20	P 20	P 21	P 20	P
7941	Professional Sport Teams/Promoters										P	P	
873	Research, Development and Testing										P 2	P 2	P 2
*	Heavy Equipment and Truck Repair												P
*	Commercial/Industrial Accessory Uses			P	P 22				P 22	P 22	P	P	P
*	Helistop					C 23	C 23	C 23	C 23	C 23	C 24	C 23	C 24

GENERAL CROSS REFERENCES: Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070  
 Development Standards, see 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

1 K.C.C. 21A.08.060 B. DEVELOPMENT CONDITIONS.

2 1. Except self-service storage.

3 2. Except SIC Industry No. 8732-Commercial Economic, Sociological, and  
4 Educational Research, see general business service/office.

5 3. A. Only as a re-use of a public school facility or a surplus non-residential  
6 facility subject to the provisions of K.C.C. 21A.32; or

7 B. Only when accessory to a fire facility and the office is no greater than  
8 1500 square feet of floor area.

9 4. Only as a re-use of a surplus non-residential facility subject to  
10 K.C.C. 21A.32.

11 5. New utility office locations only if there is no commercial/industrial zoning in  
12 the utility district.

13 6. a. All buildings and structures shall maintain a minimum distance of 20 feet  
14 from property lines adjoining residential zones;

15 b. Any buildings from which fire-fighting equipment emerges onto a street  
16 shall maintain a distance of 35 feet from such street; and

17 c. No outdoor storage.

18 7. Limited to utility transmission, distribution, and service lines and associated  
19 switching stations, transmission line booster stations, electrical substations,  
20 natural gas gate stations and limiting stations.

21 8. Except in commercial/industrial zones, such facilities shall be located on the  
22 same lot that they are designed to serve except in subdivisions that set aside a  
23 separate tract for such facilities. In commercial/industrial zones, such facilities  
24 which are not located on the lot they are designed to serve shall be located on a  
25 lot with the same or more intensive zoning designation.

26 9. No outdoor storage of materials.

27 10. Limited to office uses.

28 11. Limited to self-service household moving truck or trailer rental accessory to  
29 a gasoline service station.

1 12. Limited to self-service household moving truck or trailer rental accessory to  
2 a gasoline service station and SIC Industry No. 4215-Courier Services, except by  
3 air.

4 13. Limited to SIC Industry No. 4215-Courier Services, except by air.

5 14. Accessory to an apartment development of at least 12 units provided:

6 a. The gross floor area in self service storage shall not exceed the total  
7 gross floor area of the apartment dwellings on the site;

8 b. All outdoor lights shall be deflected, shaded and focused away from all  
9 adjoining property;

10 c. The use of the facility shall be limited to dead storage of household  
11 goods;

12 d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or  
13 similar equipment;

14 e. No outdoor storage or storage of flammable liquids, highly combustible or  
15 explosive materials or hazardous chemicals;

16 f. No residential occupancy of the storage units;

17 g. No business activity other than the rental of storage units; and

18 h. A resident director shall be required on the site and shall be responsible  
19 for maintaining the operation of the facility in conformance with the conditions  
20 of approval.

21 15. Limited to products produced on-site.

22 16. Only as an accessory use to another permitted use.

23 17. No outdoor storage.

24 18. Minor communication facilities shall be regulated relative to setback, height  
25 and review process pursuant to K.C.C. 21A.26.

26 19. Limited to commuter parking facilities for users of transit, carpools or ride-  
27 share programs, provided:

28 a. They are located on existing parking lots for churches, schools, or other  
29 permitted nonresidential uses which have excess capacity available during  
30 commuting hours ; and

- 1           b. The site is adjacent to a designated arterial that has been improved to a
- 2 standard acceptable to the department of public works.
- 3 20. No tow-in lots for damaged, abandoned or otherwise impounded vehicles.
- 4 21. No dismantling or salvage of damaged, abandoned or otherwise impounded
- 5 vehicles.
- 6 22. Storage limited to accessory storage of commodities sold at retail on the
- 7 premises or materials used in the fabrication of commodities sold on the
- 8 premises.
- 9 23. Limited to emergency medical evacuation sites in conjunction with police,
- 10 fire or health service facility.
- 11 24. Allowed as accessory to an allowed use.
- 12 25. Limited to private road ambulance services with no outside storage of
- 13 vehicles.
- 14 26. Limited to 2 acres or less.
- 15 27. a. Utility yards only on sites with utility district offices; or
- 16           b. Public agency yards are limited to material storage for road maintenance
- 17 facilities.
- 18 28. Limited to bulk gas storage tanks which pipe to individual residences but
- 19 ((E))excluding liquified natural gas storage tanks.
- 20 29. Excluding bulk gas storage tanks.
- 21           **SECTION 14.** Ordinance 10870, Section 337 and K.C.C. 21A.08.090 is
- 22 hereby amended to read as follows:

K.C.C. 21A.08.090  
**A. RESOURCE**  
**LAND USE**

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

Z O N E	RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL			
	A G R I C U L T U R E	F O R E S T E R Y	M I N E R A L	R A S H I N G	U R B A N	U R B A N	U R B A N	N B C B R B O I	C B C B C B	R B R B R B	O I O I O I

SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	<b>AGRICULTURE:</b>												
01	Growing and Harvesting Crops	P	P		P	P	P						P
02	Raising Livestock and Small Animals	P	P		P	P	P6						P
	<b>FORESTRY:</b>												
08	Growing and Harvesting Forest Product	P	P	P7	P	P	P						P
*	Forest Research		P		P	P						P2	P
	<b>Fish and Wildlife Management:</b>												
0921	Hatchery/Fish Preserve (1)	P	P		P	P	C						P
0273	Aquaculture (1)	P	P		P	P	C						P
*	Wildlife Shelters	P	P		P	P							
	<b>MINERAL:</b>												
10(-), 12, 14	Mineral Extraction and Processing			P									
2951, 3271, 3273	Asphalt/ Concrete ((Paving)) Mixtures and Block			P8 C9									P
	<b>RESOURCE ACCESSORY USES:</b>												
*	Resource Accessory Uses	P3	P4	P5	P3	P3							P4

**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

1 21A.08.090 B. DEVELOPMENT CONDITIONS.

2 1. May be further subject to the provisions of K.C.C. Title 25, Shoreline  
3 Management Program.

4 2. Only Forest Research conducted within an enclosed building.

5 3. Housing for agricultural workers and their families employed on the  
6 premises only as an accessory to a permanent residence, provided:

7 a. Sites are limited to those with ten acres or more;

8 b. Accessory housing is limited to one unit on less than 20 acres, or two  
9 on 20 acres or more; and

10 c. Accessory housing shall not be rented to the public at large.

11 4. Excluding housing for agricultural workers

12 5. Limited to maintenance and/or storage facilities in conjunction with  
13 mineral extraction or processing operation.

14 6. Large livestock allowed only in the R-1 zone.

15 7. Only in conjunction with a mineral extraction site plan approved pursuant  
16 to 21A.22.

17 8. Only as accessory to a primary mineral extraction use.

18 9. Only as a continuation of an existing mineral processing use and subject  
19 to the periodic review requirements in Section 21A.22.050.

20 SECTION 15. Ordinance 10870, Section 341 and K.C.C.

21 21A.12.030 is hereby amended to read as follows:

## Densities and Dimensions - Residential Zones

STANDARD S	ZONES	RESIDENTIAL												
		RURAL			URBAN RESERVE	URBAN RESIDENTIAL								
		RA-2.5	RA-5	RA-10	UR	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48	
Base Density: Dwelling Unit/Acre (15)		0.4 du/ac	0.2 du/ac	0.1 du/ac	0.2 du/ac	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)							6 du/ac	9 du/ac	12 du/ac	18 du/ac	27 du/ac	36 du/ac	72 du/ac	
Minimum Density: % of Base Density (2)							85%	85%	85%	80%	75%	70%	65%	
Minimum Lot Width: (3)		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	30 ft	30 ft	30 ft (7)	30 ft (7)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 FT (8)	10 FT (8)	
Minimum Interior Setback (3)		35 ft (9)	35 ft (9)	35 ft (9)	10 ft (7)	10 ft (7)	5 ft	5 ft	5 ft	5 ft (10)	5 ft (10)	5 ft (10)	5 ft (10)	
Base Height (4)		40 ft	40 ft	40 ft	35 ft	35 ft	35 ft	35 ft	35 ft	60 ft	60 ft	60 ft	60 ft 80 ft (14)	
Maximum Building Coverage: Percentage (5)		4% (11) (12)	2% (11) (12)	1% (11) (12)	10 % (11) (12)	15% (11) (12)	35%	50%	55%	60%	60%	70%	70%	
Maximum Impervious Surface: Percentage (5)		15% (13)	10% (13)	15% (13)	20% (13)	20%	45%	70%	75%	85%	85%	85%	90%	

1 **21A.12.030 B. DEVELOPMENT CONDITIONS.**

2 1. The maximum density may be achieved only through the application of  
3 residential density incentives or transfers of density credits pursuant to Chapters  
4 21A.34 or 21A.36. Maximum density may only be exceeded pursuant to  
5 Section 21A.34.040 F. 1. f.

6 2. Also see Section 21A.12.060.

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

9 4. Height limits may be increased when portions of the structure which exceed  
10 the base height limit provide one additional foot of street and interior setback for  
11 each foot above the base height limit, provided that the maximum height may  
12 not exceed 75 feet.

13 5. Applies to each individual lot. Building coverage and impervious surface area  
14 standards for:

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

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

17 21A.12.120 and .220.

18 c. individual lots in the R-4 through R-8 zones which are less than 6500  
19 square feet in area shall be subject to the applicable provisions of the R-8 zone.

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

22 7. The standards of the R-4 zone shall apply if a lot is less than 15,000 square  
23 feet in area.

24 8. At least 20 linear feet of driveway shall be provided between any garage,  
25 carport, or other fenced parking area and the street property line. The linear  
26 distance shall be measured along the centerline of the driveway from the access  
27 point to such garage, carport or fenced area to the street property line.

28 9. Residences shall have a setback of at least 100 feet from any property line  
29 adjoining A, M or F zones or existing extractive operations.



- 1 10. For townhouse and apartment development, the setback shall be 20 feet  
2 along any property line abutting R-1 through R-8, RA and UR zones.
- 3 11. On any lot over 1 acre in area, an additional 5 percent may be used for  
4 buildings related to agricultural or forestry practices.
- 5 12. The maximum building coverage shall be 10 percent where the lot is  
6 between 1.0 and 1.25 acres in area. The maximum building coverage shall be  
7 15 percent where the lot is less than 1 acre in area.
- 8 13. The impervious surface area shall be twenty percent when the lot is  
9 between 1.0 and 1.25 acres, and thirty-five percent when the lot is less than 1  
10 acre in area.
- 11 14. The base height for projects using residential density incentives and transfer  
12 of density credits pursuant to this title is 80 feet. In all other cases, the base  
13 height is 60 feet.
- 14 15. Density applies only to dwelling units and not to sleeping units.
- 15 SECTION 16. Ordinance 10870, Section 358 and K.C.C. 21A.12.200 is  
16 hereby amended to read as follows:
- 17 **Lot divided by zone boundary.** When a lot is divided by a zone boundary, the  
18 following rules shall apply:
- 19 A. When a lot contains both residential and non-residential zoning, the zone  
20 ~~((boundary))~~ boundary between the zones shall be considered a lot line for  
21 determining permitted building ~~((height))~~ height and required setbacks on the  
22 site;
- 23 B. When a lot contains residential zones of varying density,
- 24 1. any residential density transfer within the lot shall only be allowed from  
25 the portion with the lesser residential density to that of the greater residential  
26 density;
- 27 2. residential density transfer from the higher density zone to the lower  
28 density zone may be allowed only when:

1 a. the units transferred from any R-12 to R-48 zoned portion of the lot are  
2 maintained in an attached dwelling unit configuration on the lower density  
3 portion receiving such units,

4 b. the transfer does not reduce the minimum density achievable on the lot,

5 c. the transfer enhances the efficient use of needed infrastructure,

6 d. the transfer does not result in significant adverse impacts to the low  
7 density portion of the lot,

8 e. the transfer contributes to preservation of environmentally sensitive  
9 areas, wildlife corridors, or other natural features, and

10 f. the transfer does not result in significant adverse impacts to adjoining  
11 lower density properties.

12 3. compliance with these criteria shall be evaluated during review of any  
13 development proposals in which such a transfer is proposed; and

14 C. Uses on each portion of the lot shall only be those permitted in each zone  
15 pursuant to K.C.C. 21A.08.

16 SECTION 17. Ordinance 10870, Section 402 and K.C.C. 21A.16.160 is  
17 hereby amended to read as follows:

18 **Significant trees - protection.** To provide the best protection for significant  
19 trees:

20 A. No clearing shall be allowed on a site until approval of tree retention and  
21 landscape plans;

22 B. An area of prohibited ((ef)) disturbance, generally corresponding to the drip  
23 line of the significant tree shall be identified during the construction stage with  
24 a temporary five-foot high chainlink or plastic net fence;

25 C. No impervious surfaces, fill, excavation, or storage of construction materials  
26 shall be permitted within the area defined by such fencing or stakes;

27 D. A rock well shall be constructed if the grade level around the tree is to be  
28 raised by more than one foot. The inside diameter of the well shall be equal to  
29 the diameter of the dripline of the tree ;

1 E. The grade level shall not be lowered within the larger of the two areas  
2 defined as follows:

- 3 1. The drip line of the tree(s); or
- 4 2. An area around the tree equal to one foot diameter for each inch of tree  
5 trunk diameter measured four feet above the ground; and

6 F. Alternative protection methods may be used if determined by the director to  
7 provide equal or greater tree protection.

8 SECTION 18. Ordinance 10870, Section 408 and K.C.C. 21A.18.030 is  
9 hereby amended to read as follows:

10 **Computation of required off-street parking spaces.** A. Except as modified in  
11 K.C.C. 21A.18.070 B-D, off-street parking areas shall contain at a minimum the  
12 number of parking spaces as stipulated in the following table. Off-street parking  
13 ratios expressed as number of spaces per square feet means the usable or net  
14 square footage of floor area, exclusive of non-public areas. Non-public areas  
15 include but are not limited to building maintenance areas, storage areas, closets,  
16 or restrooms. If the formula for determining the number of off-street parking  
17 spaces results in a fraction, the number of off-street parking spaces shall be  
18 rounded to the nearest whole number with fractions of .50 or greater rounding  
19 up and fractions below .50 rounding down.

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LAND USE	MINIMUM PARKING SPACES REQUIRED
<b>RESIDENTIAL (K.C.C. 21A.08.030A):</b>	
Single detached/Townhouse	2.0 per dwelling unit
<b>Apartment:</b>	
Studio units	1.2 per dwelling unit
One bedroom units	1.5 per dwelling unit
Two bedroom units	1.8 per dwelling unit
Three bedroom units or larger	2.0 per dwelling unit
Mobile home park	2.0 per dwelling unit
Senior citizen assisted	1 per 2 dwelling <u>or sleeping</u> units
Community residential facilities	1 per two bedrooms
Dormitory, including religious	1 per two bedrooms
Hotel/Motel including organizational	1 per bedroom
hotel/lodging	
Bed and breakfast guesthouse	1 per guest room, plus 2 per facility

SECTION 19. Ordinance 10870 is hereby amended to read as follows:

**CHAPTER 21A.20 DEVELOPMENT STANDARDS - SIGNS**

**SECTIONS:**

- 21A.20.010 Purpose
- 21A.20.020 Permit requirements
- 21A.20.030 Exempt signs
- 21A.20.040 Prohibited signs
- 21A.20.050 Sign area calculation
- 21A.20.060 General sign requirements
- 21A.20.065 Community bulletin board signs
- 21A.20.070 Resource zone signs
- 21A.20.080 Residential zone signs
- 21A.20.090 Office zone signs

- 1 21A.20.095 Neighborhood business zone signs
- 2 21A.20.100 Community business and Industrial zone signs
- 3 21A.20.110 Regional business zone signs
- 4 21A.20.120 Signs or displays of limited duration
- 5 21A.20.130 Billboards: Location and height standards
- 6 21A.20.140 Billboards: General requirements
- 7 21A.20.150 Billboards: Special restrictions in the CB zone
- 8 21A.20.160 Billboards: Alteration or relocation limitations
- 9 21A.20.170 Billboards: View and vegetative ~~((buffer))~~ screening protections
- 10 21A.20.180 Billboard free areas

11 SECTION 20. Ordinance 10870, Section 440 and K.C.C. 21A.22.010 is  
 12 hereby amended to read as follows:

13 **Purpose.** The purpose of this chapter is to establish standards which minimize  
 14 the impacts of extractive operations upon surrounding properties by:

- 15 A. Ensuring adequate review of ~~((all))~~ operating aspects of extractive sites;
- 16 B. Requiring project phasing on large sites to ~~((ensure that an extractive site is~~  
 17 ~~reclaimed in a timely manner prior to the disturbance of additional areas or~~  
 18 ~~removal of additional materials))~~ minimize environmental impacts;
- 19 C. Requiring minimum site areas large enough to provide setbacks and  
 20 mitigations necessary to protect environmental quality; and
- 21 D. Requiring periodic review of extractive and processing operations to ensure  
 22 compliance with the most current operating standards.

23 SECTION 21. Ordinance 10870, Section 444 and K.C.C. 21A.22.050 is  
 24 hereby amended to read as follows:

25 **Periodic review.** Unless a more frequent review is required by the county,  
 26 periodic review of extractive and processing operations shall be provided as  
 27 follows:

- 28 A. All extractive operations shall be subject to a review of development and  
 29 operating standards~~((, as well as reclamation progress,))~~ at five year intervals;

1 B. The periodic review shall be:

2 1. Conducted by the director or zoning adjustor pursuant to the review  
3 process outlined in K.C.C. 21A.42.040 - .090.; and

4 2. Used to determine that the site is operating consistent with the most  
5 current standards and to establish other conditions as necessary to mitigate  
6 identifiable environmental impacts.

7 SECTION 22. Ordinance 10870, Section 445 and K.C.C. 21A.22.060 are  
8 hereby amended to read as follows: **Site design standards.** Except as provided  
9 for nonconforming extractive operations in K.C.C. 21A.22.040, all extractive  
10 and processing operations shall at minimum comply with the following  
11 standards:

12 A. The minimum site area of an extractive operation shall be 10 acres.

13 B. Extractive operations on sites larger than 20 acres shall occur in phases to  
14 minimize environmental impacts. The size of each phase shall be determined  
15 during the review process;

16 C. Fences shall be:

17 1. Provided in a manner which discourages access to safety hazards which  
18 may arise on areas of the site where:

19 a. active extracting, processing, stockpiling and loading of materials is  
20 occurring;

21 b. any unstable slope or any slope exceeding a grade of 40 percent is  
22 present; or

23 c. any settling pond or other stormwater facility is present;

24 2. At least six feet in height above the grade measured at a point five feet  
25 from the outside of the fence;

26 3. Installed with lockable gates at all openings or entrances;

27 4. No more than four inches from the ground to fence bottom; and

28 5. Maintained in good repair;

29 D. Warning and trespass signs advising of the extractive operation shall be  
30 placed on the perimeter of the site adjacent to RA, UR or R zones at intervals no

1 greater than 200 feet along any unfenced portion of the site where the items  
2 noted in subsection C.1.a-c are present;

3 E. Structural setbacks from property lines shall be as follows:

4 1. Buildings or structures used in the processing of materials shall be no  
5 closer than:

6 a. One hundred feet from any UR or R zoned properties except that the  
7 setback may be reduced to 50 feet when the grade where such building or  
8 structures are proposed is 50 feet or greater below the grade of said UR or R  
9 zoned property, or

10 b. Twenty feet from any other zoned property, except when adjacent to  
11 another extractive site, or from any public street.

12 2. Offices, scale facilities, equipment storage buildings and stockpiles shall  
13 not be closer than 20 feet from any property line except when adjacent to  
14 another extractive site;

15 F. No clearing, grading or excavation, excluding that necessary for roadway or  
16 storm drainage facility construction, shall be permitted within 20 feet of any  
17 property line except along any portion of the perimeter adjacent to another  
18 extractive operation provided that such activities may be pursuant to an  
19 approved reclamation plan;

20 G. Landscaping as required pursuant to K.C.C. 21A.16 shall be provided along  
21 any portion of the site perimeter where disturbances such as site clearing and  
22 grading, or mineral extraction or processing is performed, except where adjacent  
23 to another extractive operation; and

24 H. Lighting shall:

25 1. Be limited to that required for security, lighting of structures and  
26 equipment, and vehicle operations; and

27 2. Not direct glare onto surrounding properties.

28 SECTION 23. Ordinance 10870, Section 447 and K.C.C. 21A.22.080 is  
29 hereby amended to read as follows:

1 Reclamation. A reclamation plan approved pursuant to the requirements of RCW  
 2 78.44.090 shall be submitted ~~((with each rezone application))~~ prior to the  
 3 effective date of a rezone approval. ~~((which addresses:~~  
 4 ~~A. Subsequent land uses on the reclaimed lands anticipating reclassification of~~  
 5 ~~zones;~~  
 6 ~~B. Present and proposed final topography;~~  
 7 ~~C. The relationship and impact of alternative post reclamation land uses on~~  
 8 ~~surrounding properties as they relate to possible alternative land uses;~~  
 9 ~~D. A time schedule indicating how and when reclamation will occur during and~~  
 10 ~~after extractive operations; and~~  
 11 ~~E. The requirements of RCW 78.44.090.)~~

12 SECTION 24. Ordinance 10870, Section 448 and K.C.C. 21A.22.090 is  
 13 hereby amended to read as follows:

14 **Bonds.** A. Extractive operations shall be bonded as provided for in K.C.C.  
 15 16.82 and RCW 78.44.  
 16 B. The bond amount may be reduced proportionately as extraction on each  
 17 phase is completed and the phase is reclaimed.  
 18 C. ~~((Reclamation bonds))~~ Performance security posted with the Washington  
 19 State Department of Natural Resources or U.S. Office of Surface Mining may be  
 20 used to comply with this section.





1 zoning, and multifamily building permits, shall consider the school district's  
2 capital facilities plan as adopted by the council.

3 B. Documentation which the district is required to submit pursuant to Section  
4 21.61.060 or Title 20. shall be incorporated into the record in every case  
5 without requiring the district to offer such plans and data into the record. The  
6 school district is also authorized to present testimony and documents  
7 demonstrating a lack of concurrency in the district and the inability of the  
8 district to accommodate the students to be generated by a specific  
9 development.

10 C. Based upon a finding that the impacts generated by the plat, the UPD or the  
11 multi-family development were generally not anticipated at the time of the last  
12 council review and approval of a school district capital plan and were not  
13 included in the district's long-range forecast, the director may require or  
14 recommend phasing or provision of the needed facilities and/or sites as  
15 appropriate to address the deficiency or deny or condition approval, consistent  
16 with the provisions of this chapter, the State Subdivision Act, and the State  
17 Environmental Policy Act.

18 D. Determinations of the examiner or director regarding concurrency can be  
19 appealed only pursuant to the provisions for appeal of the development permit  
20 process for which the determination has been made. Where no other  
21 administrative appeal process is available, an appeal may be taken to the zoning  
22 examiner using the appeal procedures for variances. Any errors in the formula  
23 identified as a result of an appeal should be referred to the council for possible  
24 modifications.

25 E. Where the council has not adopted an impact fee ordinance for a particular  
26 school district, the language of this section shall not affect the authority or  
27 duties of the examiner or the director pursuant to the State Environmental Policy  
28 Act or the State Subdivision Act.

1        SECTION 27. Ordinance 10870, Section 531 and K.C.C. 21A.30.020 is  
2 hereby amended to read as follows:  
3 **Animal regulations-small animals.** The raising, keeping, breeding or fee boarding  
4 of small animals are subject to K.C.C. 11.04, Animal Control Regulations, and  
5 the following requirements:  
6 A. Small animals which are kept indoors as household pets in aquariums,  
7 terrariums, cages or similar containers shall not be limited in number, except as  
8 may be provided in Title 11. Other small animals excluding cats kept indoors as  
9 household pets shall be limited to five, of which not more than three may be  
10 unaltered cats or dogs. Cats kept indoors shall not be limited in numbers.  
11 B. Other small animals kept outside, including adult cats and dogs, shall be  
12 limited to three per household on lots of less than 20,000 square feet, five per  
13 household on lots of 20,000 to 35,000 square feet, with an additional 2 per  
14 acre of site area over 35,000 square feet up to a maximum of 20, unless more  
15 are allowed as an accessory use pursuant to paragraph E., provided that (~~not~~  
16 ~~more than three of such cats or dogs are unaltered~~) all unaltered animals kept  
17 outdoors must be kept on a leash or in a confined area, except (~~or~~) as  
18 authorized for a hobby kennel or cattery or commercial kennel or cattery  
19 pursuant to K.C.C. 11.04.  
20 C. Excluding kennels and catteries, the total number of unaltered adult cats  
21 and/or dogs per household shall not exceed three(~~, whether those animals are~~  
22 ~~kept in a dwelling or outside~~).  
23 D. Animals considered to be household pets shall be treated as other small  
24 animals pursuant to K.C.C. 21A.30.020E. when they are kept for commercial  
25 breeding, boarding or training;  
26 E. Small animals and household pets kept as an accessory use outside the  
27 dwelling, shall be raised, kept or bred only as an accessory use on the premises  
28 of the owner, or in a kennel or cattery approved through the conditional use  
29 permit process, subject to the following limitations:

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

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

5 b. Aviaries or lofts shall not exceed 2000 square feet, provided this limit  
6 shall not apply in rural, forestry, or agricultural zones,

7 c. the aviary is set back at least 10 feet from any property line, and 20 feet  
8 from any dwelling unit.

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

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

13 b. All animals shall be confined within a building, pen, aviary or similar  
14 structure;

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

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

23 e. Hamsters, nutria and chinchilla are limited to a maximum of one animal  
24 per square foot of structure used to house such animals, up to a maximum of  
25 2000 square feet; provided that this maximum structure size limit shall not apply  
26 in rural, forestry, or agricultural zones;

27 f. Mink and fox are permitted only on sites having a minimum area of five  
28 acres;

- 1 g. Beekeeping is limited as follows:
- 2 i. Beehives are limited to 50 on sites less than five acres;
- 3 ii. The number of beehives shall not be limited on sites of five acres or
- 4 greater;
- 5 iii. Colonies shall be maintained in movable-frame hives at all times;
- 6 iv. Adequate space shall be provided in each hive to prevent overcrowding
- 7 and swarming;
- 8 v. Colonies shall be requeened following any swarming or aggressive
- 9 behavior;
- 10 vi. All colonies shall be registered with the County Extension agent prior
- 11 to April 1st of each year, on a state registration form acceptable to the county;
- 12 and
- 13 vii. Abandoned colonies, diseased bees, or bees living in trees, buildings,
- 14 or any other space except in movable-frame hives shall constitute a public
- 15 nuisance, and shall be abated as set forth in K.C.C. 21A.50, Enforcement;
- 16 3. Kennels and catteries are subject to the following requirements:
- 17 a. For kennels located on residential zoned sites:
- 18 i. The minimum site area shall be five acres; and
- 19 ii. Structures housing animals and outdoor animal runs shall be a
- 20 minimum distance of 100 feet from property lines abutting residential zones;
- 21 b. For kennels located on non-residential zoned sites, run areas shall be
- 22 completely surrounded by an eight foot solid wall or fence, and be subject to the
- 23 requirements in K.C.C. 11.04.060; and
- 24 c. Catteries shall be on sites of 35,000 square feet or more, and buildings
- 25 used to house cats shall be a minimum distance of 50 feet from property lines
- 26 abutting residential zones.

1        SECTION 28. Ordinance 10807, Section 532 and K.C.C. 21A.30.040 is  
2 hereby amended to read as follows:

3        **Animal regulations-livestock-densities.** The raising, keeping, breeding or fee  
4 boarding of livestock are subject to K.C.C. 11.04, Animal Control Regulations,  
5 and the following requirements:

6        A. The minimum site which may be used to accommodate large livestock shall  
7 be 35,000 square feet, provided that the portion of the total site area used for  
8 confinement or grazing meets the requirements of this section;

9        B. The maximum number of livestock shall be as follows:

10        1. Commercial dairy farms covered by the Washington State department of  
11 Ecology NPDES system; either through a general or special permit - as  
12 consistent with the permit requirements.

13        2. Stables with covered arenas, for which farm management plans are  
14 implemented and maintained such that pasture and paddock use does not  
15 exceed the equivalent of 3 animals per acre on a full time basis, up to 6 resident  
16 horses per acre, provided further that higher densities may be allowed subject to  
17 the conditional use permit process to confirm compliance with the management  
18 standards;

19        3. For all large livestock not covered by paragraph 1. or 2. above:

20        (a) if a farm management plan is implemented and maintained as or, in  
21 the alternative, all of the management standards of section K.C.C. 21A.30.060  
22 are met, three horse, cows or similarly sized animals per gross acre of total site  
23 area, provided further that two ponies shall be counted as being equivalent to  
24 one horse and that miniature horses shall be treated as small livestock subject to  
25 paragraph ((d)) 4 below.

26        (b) if paragraph (a) is not met, one horse, cow, or similarly sized animal  
27 (excluding any young under 6 months of age) per two acres of fenced grazing  
28 area;

1 4. for small livestock, five of each or any combination (excluding sucklings)  
2 per one acre of fenced pasturage, or per one-half acre of total site area subject  
3 to the management requirements set out in K.C.C. 21A.30.060 below.

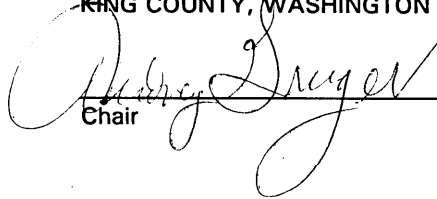
4 New Section. Section 29. A new Section is added to K.C.C. Chapter  
5 21A.06 to read as follows:

6 **Bulk gas storage tanks.** Bulk gas storage tanks: A tank from which illuminating,  
7 heating, or liquified gas is distributed by piping directly to individual users.

8 INTRODUCED AND READ for the first time this 25<sup>th</sup> day  
9 of October, 19 93.

10 PASSED this 16<sup>th</sup> day of December, 19 93.

11 KING COUNTY COUNCIL  
12 KING COUNTY, WASHINGTON

13   
14 Chair

15 ATTEST:

16   
17 Clerk of the Council

18 APPROVED this 17<sup>th</sup> day of DECEMBER, 19 93.

19   
20 King County Executive