

1/12/98, 1/20/98 clerk

December 10, 1997

Introduced By: Rob McKenna

Proposed No.: 97-607

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ORDINANCE NO. **12987**

AN ORDINANCE relating to zoning and amending the definition of "Structure;" adding new definitions for "Berm" and "Retaining wall;" amending fence height provisions to allow retaining walls, rockeries, and berms in setbacks; amending Ordinance 10870, Section 291 and K.C.C. 21A.06; Ordinance 10870, Section 354 and K.C.C. 21A.12; Ordinance 10870, Section 382 and K.C.C. 21A.14, as amended; and adding new sections to K.C.C. 21A.06.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

NEW SECTION. SECTION 1. There is hereby added to K.C.C. 21A.06 a new section to read as follows:

Berm. Berm: a constructed area of compacted earth.

NEW SECTION. SECTION 2. There is hereby added to K.C.C. 21A.06 a new section to read as follows:

Retaining wall. Retaining wall: any wall used to resist the lateral displacement of any material.

SECTION 3. Ordinance 10870, Section 291 and K.C.C. 21A.06.1255 are each hereby amended to read as follows:

1 Structure. Structure: anything permanently constructed in or on the ground, or over
2 the water; excluding fences (~~((less than))~~) (~~((6))~~) six feet or less in height, decks less than 18
3 inches above grade, paved areas, and structural or non-structural fill.

4 SECTION 4. Ordinance 10870, Section 354, and K.C.C. 21A.12.170 are each hereby
5 amended to read as follows:

6 Setbacks - projections and structures allowed. (~~((Projections))~~)Provided that the
7 required setbacks from regional utility corridors of K.C.C. 21A.12.140, the adjoining half-
8 street or designated arterial setbacks of K.C.C. 21A.12.160 and the sight distance
9 requirements of K.C.C. 21A.12.210 are maintained, structures may extend into or be located
10 in required setbacks, including setbacks as required by K.C.C. 21A.12.220B, as follows:

11 A. Fireplace structures, bay or garden windows, enclosed stair landings, closets, or
12 similar structures may project into any setback, provided such projections are:

- 13 1. Limited to two per facade;
- 14 2. Not wider than (~~((10))~~) ten feet; and
- 15 3. Not more than 24 inches into an interior setback or 30 inches into a street
16 setback;

17 B. Uncovered porches and decks which exceed 18 inches above the finished grade
18 may project:

- 19 1. Eighteen inches into interior setbacks, and
- 20 2. Five feet into the street setback;

21 C. Uncovered porches and decks not exceeding 18 inches above the finished grade
22 may project to the property line;

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1 D. Eaves may not project more than:

- 2 1. Eighteen inches into an interior setback,
3 2. Twenty-four inches into a street setback, or
4 3. Eighteen inches across a lot line in a zero-lot-line development; ((and))

5 E. Fences with a height of six feet or less may project into or be located in any
6 setback((, provided that the sight distance requirements of K.C.C. 21A.12.210 are
7 maintained));

8 F. Rockeries, retaining walls and curbs may project into or be located in any setback
9 provided these structures:

- 10 1. do not exceed a height of six feet in the R-1 through R-18, UR, RA and
11 resource zones,
12 2. do not exceed a height of eight feet in the R-24 and R-48 zones, and
13 3. do not exceed the building height for the zone in commercial/industrial zones,
14 measured in accordance with the standards established in the King County Building Code,
15 Title 16;

16 G. Fences located on top of rockeries, retaining walls or berms are subject to the
17 requirements of K.C.C. 21A.14.220;

18 H. Telephone, power, light and flag poles;

19 I. The following may project into or be located within a setback, but may only project
20 into or be located within a five foot interior setback area if an agreement documenting consent
21 between the owners of record of the abutting properties is recorded with the King County
22 department of records and elections prior to the installment or construction of the structure;

1 1. sprinkler systems, electrical and cellular equipment cabinets and other similar
2 utility boxes and vaults,

3 2. security system access controls,

4 3. structures, except for buildings, associated with trails and on-site recreation
5 spaces and play areas required in K.C.C. 21A.14.180 and K.C.C. 21A.14.190 such as benches,
6 picnic tables and drinking fountains, and

7 4. surface water management facilities as required by K.C.C. 9.04;

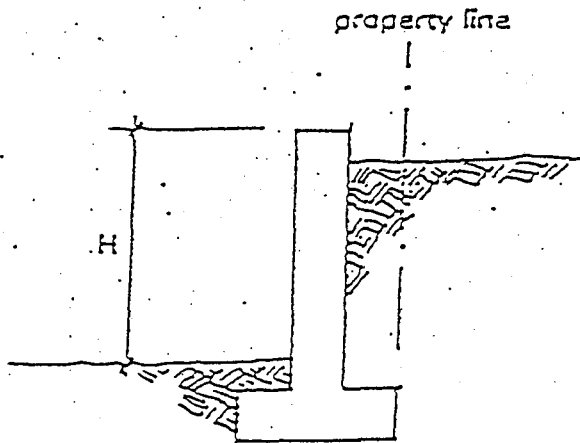
8 J. Mailboxes and newspaper boxes may project into or be located within street
9 setbacks;

10 K. Fire hydrants and associated appendages; and

11 L. Metro bus shelters may be located within street setbacks.

12 M. Unless otherwise allowed in K.C.C. 21A.20.080, free standing and monument
13 signs four feet or less in height, with a maximum sign area of 20 square feet may project into
14 or be located within street setbacks.

15 RETAINING WALL IN SETBACK



17 H max. 6' in R1 - R18, UR, RA
18 & Resource Zones

19 H max. 8' in R24 and R 48 Zones, and
20 not to exceed building height
21 requirement in Commerical/Industrial
22 Zones.

22 SECTION 5. Ordinance 10870, Section 382, as amended, and K.C.C. 21A.14.220 are
23 each hereby amended to read as follows:

1 Fences. Fences are permitted as follows: A. Fences exceeding a height of six feet
2 ~~((are subject to the requirements in the building code for a building permit and))~~ shall comply
3 with the applicable street and interior setbacks of the zone in which the property is located;
4 except:

5 ~~((B)) 1. ((The height of a fence))~~ Fences located on a rockery, retaining wall, or berm
6 ~~((shall be measured from the top of the fence to the ground on the low side of the rockery,~~
7 ~~retaining wall, or berm;))~~ within a required setback area are permitted subject to the following
8 requirements:

9 a. In R-1 through R-18, UR, RA and the resource zones:

10 (1) The total height of the fence and the rockery, retaining wall or berm upon
11 which the fence is located shall not exceed a height of ten feet. This height shall be measured
12 from the top of the fence to the ground on the low side of the rockery, retaining wall or berm;
13 and

14 (2) The total height of the fence itself, measured from the top of the fence to the
15 top of the rockery, retaining wall or berm, shall not exceed six feet.

16 b. In the R-24, R-48 and commercial/industrial zones, the height of the fence,
17 measured from the top of the fence to the top of the rockery, retaining wall or berm, shall not
18 exceed six feet.

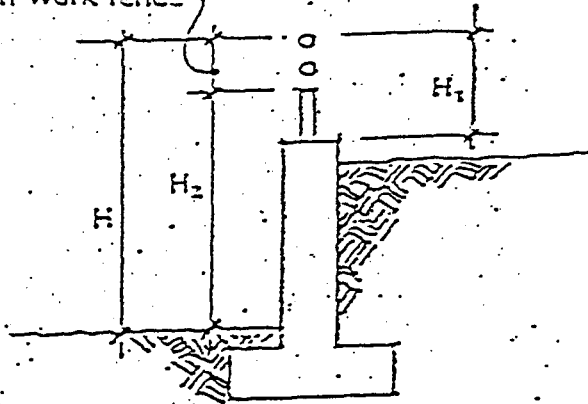
19 c. Any portion of the fence above a height of eight feet, measured to include both
20 the fence and the rockery, retaining wall, or berm (as described in a 1. above), shall be an
21 open-work fence.

22 ~~((C))B. ((When a protective fence is located on top of a rockery within the required~~
23 ~~setback area, any portion of the fence above a height of six feet shall be an open work~~

1 fences;)) Fences located on a rockery, retaining wall or berm outside required setback areas
 2 shall not exceed the building height for the zone, measured in accordance with the standards
 3 established in the King County Building Code, Title 16.

4 RETAINING WALL WITH FENCE IN SETBACK

5 open-work fence



6 H max. 10' in R1 - R12, UR, RA
 & Resource Zones

7 H₁ max. 6' in all Zones

8 H₂ max. 8' for wall & solid-work
 9 fence in all Zones

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 13 ((D))C. Electric fences shall:

14 1. Be permitted in all zones, provided that when placed within R-4 through R-48
 15 zones, additional fencing or other barriers shall be constructed to prevent inadvertent contact
 16 with the electric fence from abutting property;

17 2. Comply with the following requirements:

18 a. An electric fence using an interrupted flow of current at intervals of about one
 19 second on and two seconds off shall be limited to 2,000 volts at 17 milliamp;

20 b. An electric fence using continuous current shall be limited to 1,500 volts at
 21 seven milliamp;

1 c. All electric fences in the R-4 through R-48 zones shall be posted with
2 permanent signs a minimum of 36 square inches in area at 50 foot intervals stating that the
3 fence is electrified; and

4 d. Electric fences sold as a complete and assembled unit can be installed by an
5 owner if the controlling elements of the installation are certified by an A.N.S.I. approved
6 testing agency; and

7 ((E))D. Except as specifically required for the necessary security related to a
8 nonresidential use, no barbed or razor-wire fence shall be located in any R-4 through R-48
9 zone.

10 INTRODUCED AND READ for the first time this 13th day of

11 October, 1997

12 PASSED by a vote of 12 to 0 this 20th day of JANUARY, 1998

13 KING COUNTY COUNCIL
14 KING COUNTY, WASHINGTON

15 Louise Miller
16 Chair

17 ATTEST:

18 [Signature]

19 Clerk of the Council

20 APPROVED this 30 day of January, 1998

21 [Signature]
22 King County Executive