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Title: AN ORDINANCE relating to rural public infrastructure facilities; amending Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100 and adding a new section to K.C.C. chapter 21A.06.

Sponsors: Larry Phillips

Indexes:

Code sections: 21A.06 -, 21A.08.100 -

Attachments: 1. 15938.pdf, 2. 2007-0464 Transmittal Letter.doc, 3. 2007-0464 Regulatory Note.doc, 4. 2007-0464 Fiscal Note.doc, 5. 2007-0464 Checklist.DOC, 6. 2007-0464 Hearing Notice.doc, 7. 2007-0464 Revised Staff Report.doc, 8. 2007-0464 Staff Report .doc

Date	Ver.	Action By	Action	Result
10/22/2007	1	Metropolitan King County Council	Hearing Held	
10/22/2007	1	Metropolitan King County Council	Passed	Pass
9/18/2007	1	Growth Management and Natural Resources Committee	Recommended Do Pass	Pass
9/17/2007	1	Metropolitan King County Council	Introduced and Referred	

Clerk 9/6/2007

AN ORDINANCE relating to rural public infrastructure facilities; amending Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100 and adding a new section to K.C.C. chapter 21A.06.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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

Rural public infrastructure maintenance facility: a facility operated by a public agency primarily for the maintenance of public roads, parks, regional trails and other public infrastructure located outside of the urban growth area. Uses within the facility may include the following, if primarily devoted to rural public infrastructure maintenance:

- A. Public agency office;
- B. Public agency yard;
- C. Materials processing facility;
- D. Vector waste receiving facility;
- E. Sand and gravel extraction;
- F. Soil recycling; and
- G. Renewable energy facilities, such as solar panels and wind turbines.

SECTION 2. Ordinance. 10870, Section 337, as amended, and K.C.C. 21A.08.100 are each hereby amended to read as follows:

A. Regional land uses.

KEY		RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL								
P-Permitted Use	Z O N E	A	F	M	R	U	R	U	R	N	B	C	B	R	B	O	I
C-Conditional Use		G	O	I	U	R	E	R	E	E	U	O	U	E	U	F	N
S-Special Use		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							T	R	S	T	S	L	S		I
		U							I	H		Y					A
		R							A	O							L
		E							L	O							
										D							
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-4	NB	CB	RB	O	I (15)				
*	Jail						S	S	S	S	S	S	S				
*	Jail Farm/Camp	S	S		S	S											
*	Work Release Facility				S19	S19	S	S	S	S	S	S					
*	Public Agency Animal Control Facility		S		S	S					S		P				
*	Public Agency Training Facility		S		S3					S3	S3	S3	C4				
*	Hydroelectric Generation Facility		C14 S		C14 S	C14 S	C14 S										

4. Except outdoor shooting range.
5. Only in conjunction with an existing or proposed school.
- 6.a. Limited to no more than three satellite dish antennae.
 - b. Limited to one satellite dish antenna.
 - c. Limited to tower consolidations.
7. Limited to landing field for aircraft involved in forestry or agricultural practices or for emergency landing sites.
8. Except racing of motorized vehicles.
9. Limited to wildlife exhibit.
10. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.
11. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.
12. Limited to cogeneration facilities for on-site use only.
13. Excluding impoundment of water using a dam.
14. Limited to facilities that comply with the following:
 - a. Any new diversion structure shall not:
 - (1) exceed a height of eight feet as measured from the streambed; or
 - (2) impound more than three surface acres of water at the normal maximum surface level;
 - b. There shall be no active storage;
 - c. The maximum water surface area at any existing dam or diversion shall not be increased;
 - d. An exceedance flow of no greater than fifty percent in mainstream reach shall be maintained;
 - e. Any transmission line shall be limited to a:
 - (1) right-of-way of five miles or less; and
 - (2) capacity of two hundred thirty KV or less;
 - f. Any new, permanent access road shall be limited to five miles or less; and

g. The facility shall only be located above any portion of the stream used by anadromous fish.

15. For I-zoned sites located outside the urban growth area designated by the King County Comprehensive Plan, uses shown as a conditional or special use in K.C.C. 21A.08.100A, except for waste water treatment facilities, shall be prohibited. All other uses, including waste water treatment facilities, shall be subject to the provisions for rural industrial uses in K.C.C. chapter 21A.12.

16. The operator of such a facility shall provide verification to the department of natural resources and parks or its successor organization that the facility meets or exceeds the standards of the Animal and Plant Health Inspection Service of the United States Department of Agriculture and the accreditation guidelines of the American Zoo and Aquarium Association.

17. The following provisions of the table apply only to major communication facilities minor communication facilities shall be reviewed in accordance with the processes and standard outlined in K.C.C. chapter 21A.26.

18. Only for facilities related to resource-based research.

19. Limited to work release facilities associated with natural resource-based activities.

20. Limited to projects which do not require or result in an expansion of sewer service outside the urban growth area, unless a finding is made that no cost-effective alternative technologies are feasible, in which case a tightline sewer sized only to meet the needs of the school bus base and serving only the school bus base may be used. Renovation, expansion, modernization or reconstruction of a school bus base is permitted but shall not require or result in an expansion of sewer service outside the urban growth area, unless a finding is made that no cost-effective alternative technologies are feasible, in which case a tightline sewer sized only to meet the needs of the school bus base.

21. Only in conformance with the King County Site Development Plan Report, through modifications to the plan of up to ten percent are allowed for the following:

a. building square footage;

- b. landscaping;
- c. parking;
- d. building height; or
- e. impervious surface.

22. A special use permit shall be required for any modification or expansion of the King County fairgrounds facility that is not in conformance with the King County Site Development Plan Report or that exceeds the allowed modifications to the plan identified in subsection B.21 of this section.

23. The facility shall be primarily devoted to rural public infrastructure maintenance and is subject to the following conditions:

- a. The minimum site area shall be ten acres, unless the facility is a reuse of a public agency yard;
- b. Type 1 landscaping as provided in K.C.C. chapter 21A.16 shall be provided between any stockpiling or grinding operations and adjacent residential zoned property;
- c. Type 2 landscaping as provided in K.C.C. chapter 21A.16 shall be provided between any office and parking lots and adjacent residential zoned property;
- d. Access to the site does not use local access streets that abut residential zoned property, unless the facility is a reuse of a public agency yard;
- e. Structural setbacks from property lines shall be as follows:
 - (1) Buildings, structures and stockpiles used in the processing of materials shall be no closer than:
 - (a) one hundred feet from any residential zoned properties, except that the setback may be reduced to fifty feet when the grade where the building or structures are proposed is fifty feet or greater below the grade of the residential zoned property;
 - (b) fifty feet from any other zoned property, except when adjacent to a mineral extraction or materials processing site;

(c) the greater of fifty feet from the edge of any public street or the setback from residential zoned property on the far side of the street; and

(2) Offices, scale facilities, equipment storage buildings and stockpiles shall not be closer than fifty feet from any property line except when adjacent to M or F zoned property. Facilities necessary to control access to the site, when demonstrated to have no practical alternative, may be located closer to the property line;

f. On-site clearing, grading or excavation, excluding that necessary for required access, roadway or storm drainage facility construction, shall not be permitted within fifty feet of any property line except along any portion of the perimeter adjacent to M or F zoned property. If native vegetation is restored, temporary disturbance resulting from construction of noise attenuation features located closer than fifty feet shall be permitted; and

g. Sand and gravel extraction shall be limited to forty thousand yards per year.

SECTION 3. Pursuant to K.C.C. 20.44.080, the metropolitan King County council finds that the requirements for environmental analysis, protections and mitigation measures in the chapter of K.C.C. Title 21A amended by this ordinance, provide adequate analysis of and mitigation for the specific adverse environmental impacts to which the requirements apply.

SECTION 4. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

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