

Legislation Text

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Clerk 04/27/2021

AN ORDINANCE related to planning and permitting; allowing search and rescue facilities in King County, subject to conditions; amending Ordinance 10870 Section 333, as amended, and K.C.C. 21A.08.060, Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100 and Ordinance 10870, Section 388, as amended, and K.C.C. 21A.16.030 and adding a new section to K.C.C. chapter 21A.06.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. RCW 38.52.010 defines search and rescue as "the acts of searching for, rescuing, or recovering by means of ground, marine, or air activity any person who becomes lost, injured, or is killed while outdoors or as a result of a natural, technological, or human caused disaster, including instances involving searches for downed aircraft when ground personnel are used."

B. RCW 38.52.400 endows the chief law enforcement officer of each political subdivision in Washington with responsibility for conducting search and rescue activities. In King County, the King County sheriff is the responsible official.

C. Chapter 118-04 WAC provides for the registration of volunteers as search and rescue emergency workers, in order to assist law enforcement in emergency operations, including search and rescue operations. That chapter provides basic requirements for classification of these workers as novice, support personnel or field personnel according to their training and qualifications, and allows for more detailed or extensive

requirements to be developed at the local level.

D. The sheriff's office partners with volunteer organizations to conduct search and rescue operations throughout the county. Volunteers, under the direction of the sheriff, conduct a variety of search and rescue operations, including mountain rescue, ground search and rescue, ski patrol, search dogs, horseback search and rescue and vehicular operations.

E. Effective coordination and utilization of volunteers in search and rescue operations require that those volunteers are adequately trained to meet state and local specifications, and that equipment, such as vehicles, aircraft and personal supplies are readily accessible in the event of search and rescue activation.

F. A training facility for search and rescue volunteers requires ample indoor and outdoor space, so that sufficiently large numbers of volunteers can be trained on the technical and theoretical aspects of search and rescue operations and participate in outdoor drills that simulate the field conditions to which volunteers may be subjected.

G. Search and rescue operations are time sensitive, with an expeditious volunteer response potentially meaning the difference between life and death for the individual or individuals who are the subject of the search. It is therefore important that search and rescue equipment, such as vehicles, aircraft and personal equipment for volunteers be located near the areas where operations will most likely occur.

H. A majority of King County search and rescue operations occur in the rural area, with over seventy percent of search and rescue operations in the year 2020 occurring in wilderness areas outside of the urban growth area.

I. According to a November 20, 2020, memorandum from the director of the permitting division of the King County department of local services, a facility allowing for the full range of search and rescue operations and training does not meet the definition of any classified use in K.C.C. Title 21A. The same memorandum stated that establishment of such a use would best be achieved through a code amendment to K.C.C. Title 21A.

J. An allowance for the establishment of search and rescue facilities in the Rural Area zone is essential

both for effective training of volunteers and for effective and expeditious response when volunteers are activated.

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

Search and rescue facility: a multiuse facility operated by a nonprofit organization or organizations that, under direction from or in collaboration with a law enforcement agency, utilize emergency workers to conduct search and rescue operations as described in chapter 118-04 WAC. A search and rescue facility may include areas and spaces used for search and rescue activities and operations, such as:

A. Indoor and outdoor training areas;

B. Administrative offices and associated food preparation and dining facilities;

C. Equipment storage and maintenance areas;

D. Vehicle storage and maintenance areas;

E. Meeting space;

F. An assembly hall, which is a large room used for the assembly of persons without fixed seats or a permanent stage; and

G. Helistops and helicopter fueling, maintenance and storage, including hangars.

SECTION 3. Ordinance 10870 Section 333, as amended, and K.C.C. 21A.08.060 are hereby amended to read as follows:

A. Government/business services land uses.

P-Permitted Use C-Conditional Use S-Special Use	SIC#	SPECIFIC A	RESOURCE			R U R A L		RESIDENTIAL		COMMERCIAL/INDUSTRIAL				
			A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (30)
		GOVERNMENT SERVICES												
*		Public agency				P3 C5	P3 C5	P3 C	P3 C	P	P	P	P	P16
*		Public agency				P27	P27	P27	P27			P		P
*		Public agency										P	P	P
921		Court									P4	P	P	
9221		Police Facility				P7	P7	P7	P7	P7	P	P	P	P

9224	Fire Facility				C6 and 33	C6	C6	C6	P	P	P	P	P
*	Utility Facility	P29 C28	P29 C28	P29 C28	P29 C28 and 33	P29 C28	P29 C28	P29 C28	P	P	P	P	P
*	Commuter Facility				C 33 P19	C P19	C P19	C 19	P	P	P	P	P35
*	Private Storage Management	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8
*	Vactor Waste Facility	P	P	P	P18	P18	P18	P18	P31	P31	P31	P31	P
	BUSINESS												
*	Construction				P34						P	P9	P
*	Individual Taxi									P25	P	P10	P
421	Trucking and									P11	P12	P13	P
*	Warehousing Wholesale Trade												P
*	Self-service							P14	P37	P	P	P	P
4221 4222	Farm Product Refrigeration (38)												P
*	Log Storage		P		P26 and 33								P
47	Transportation												P39
473	Freight and										P	P	P
472	Passenger Transportation Service								P	P	P		
48	Communication										P	P	P
482	Telegraph and Communication								P	P	P	P	
*	General Business								P	P	P	P	P16
*	Professional								P	P	P	P	P16
7312	Outdoor Advertising										P	P17	P
735	Miscellaneous Rental									P17	P	P17	P
751	Automotive Leasing								P	P			P
752	Automotive								P20a	P20b	P21	P20a	P
*	Off-Street Parking Lot				P32	P32	P32	P32	P32	P32	P32	P32	P32
7941	Professional Teams/Prom										P	P	
873	Research, Development Testing										P2	P2	P2
*	Heavy Equipment Repair												P
	ACCESSORIES												
*	Commercial Accessory Use			P	P22				P22	P22	P	P	P
*	Helistop				40	C23	C233	C23	C23	C23	C23	C24	C24

B. Development conditions.

1. Except self-service storage.
2. Except SIC Industry No. 8732-Commercial Economic, Sociological, and Educational Research, see general business service/office.
- 3.a. Only as a reuse of a public school facility or a surplus nonresidential facility subject to K.C.C. chapter 21A.32; or
 - b. only when accessory to a fire facility and the office is no greater than one thousand five hundred square feet of floor area.
4. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.
5. New utility office locations only if there is no commercial/industrial zoning in the utility district, and not in the RA-10 or RA-20 zones unless it is demonstrated that no feasible alternative location is possible, and provided further that this condition applies to the UR zone only if the property is located within a designated unincorporated Rural Town.
- 6.a. All buildings and structures shall maintain a minimum distance of twenty feet from property lines adjoining rural area and residential zones;
 - b. Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of thirty-five feet from such street;
 - c. No outdoor storage; and
 - d. Excluded from the RA-10 and RA-20 zones unless it is demonstrated that no feasible alternative location is possible.
7. Limited to storefront police offices. Such offices shall not have:
 - a. holding cells;
 - b. suspect interview rooms (except in the NB zone); or
 - c. long-term storage of stolen properties.
8. Private stormwater management facilities serving development proposals located on

commercial/industrial zoned lands shall also be located on commercial/industrial lands, unless participating in an approved shared facility drainage plan. Such facilities serving development within an area designated urban in the King County Comprehensive Plan shall only be located in the urban area.

9. No outdoor storage of materials.

10. Limited to office uses.

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

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

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

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

- a. The gross floor area in self service storage shall not exceed the total gross floor area of the apartment dwellings on the site;
- b. All outdoor lights shall be deflected, shaded and focused away from all adjoining property;
- c. The use of the facility shall be limited to dead storage of household goods;
- d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;
- e. No outdoor storage or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;
- f. No residential occupancy of the storage units;
- g. No business activity other than the rental of storage units; and
- h. A resident director shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.
- i. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

15. Repealed.

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

17. No outdoor storage.

18. Only as an accessory use to a public agency or utility yard, or to a transfer station.

19. Limited to new commuter parking lots designed for thirty or fewer parking spaces or commuter parking lots located on existing parking lots for churches, schools, or other permitted nonresidential uses that have excess capacity available during commuting; provided that the new or existing lot is adjacent to a designated arterial that has been improved to a standard acceptable to the department of local services;

20.a. No tow-in lots for damaged, abandoned or otherwise impounded vehicles,

and

b. Tow-in lots for damaged, abandoned or otherwise impounded vehicles shall be:

(1) permitted only on parcels located within Vashon Town Center;

(2) accessory to a gas or automotive service use; and

(3) limited to no more than ten vehicles.

21. No dismantling or salvage of damaged, abandoned or otherwise impounded vehicles.

22. Storage limited to accessory storage of commodities sold at retail on the premises or materials used in the fabrication of commodities sold on the premises.

23. Limited to emergency medical evacuation sites in conjunction with police, fire or health service facility. Helistops are prohibited from the UR zone only if the property is located within a designated unincorporated Rural Town.

24. Allowed as accessory to an allowed use.

25. Limited to private road ambulance services with no outside storage of vehicles.

26. Limited to two acres or less.

27a. Utility yards only on sites with utility district offices; or

b. Public agency yards are limited to material storage for road maintenance facilities.

28. Limited to local distribution gas storage tanks that pipe to individual residences but excluding liquefied natural gas storage tanks.

29. Excluding local distribution gas storage tanks.

30. For I-zoned sites located outside the urban growth area designated by the King County Comprehensive Plan, uses shall be subject to the provisions for rural industrial uses in K.C.C. chapter 21A.12.

31. Vector waste treatment, storage and disposal shall be limited to liquid materials. Materials shall be disposed of directly into a sewer system, or shall be stored in tanks (or other covered structures), as well as enclosed buildings.

32. Provided:

a. Off-street required parking for a land use located in the urban area must be located in the urban area;

b. Off-street required parking for a land use located in the rural area must be located in the rural area; and

c.(1) Except as provided in subsection B.32.c.(2) of this section, off-street required parking must be located on a lot that would permit, either outright or through a land use permit approval process, the land use the off-street parking will serve.

(2) For a social service agency allowed under K.C.C. 21A.08.050B.13.b. to be located on a site in the NB zone, off-street required parking may be located on a site within three hundred feet of the social service agency, regardless of zoning classification of the site on which the parking is located.

33. Subject to review and approval of conditions to comply with trail corridor provisions of K.C.C. chapter 21A.14 when located in an RA zone.

34. Limited to landscape and horticultural services (SIC 078) that are accessory to a retail nursery, garden center and farm supply store. Construction equipment for the accessory use shall not be stored on the

premises.

35. Allowed as a primary or accessory use to an allowed industrial-zoned land use.

36. Repealed.

37. Use shall be limited to the NB zone on parcels outside of the Urban Growth Area, Rural Towns and Rural Neighborhoods and the building floor area devoted to such use shall not exceed ten thousand square feet.

38. If the farm product warehousing, refrigeration and storage, or log storage, is associated with agriculture activities it will be reviewed in accordance with K.C.C. 21A.08.090.

39. Excluding fossil fuel facilities.

40. Helistops are not allowed in the RA zone as an accessory to a government or business services use, but may be allowed in that zone as part of a search and rescue facility, subject to K.C.C. 21A.08.100.B.30.

SECTION 4. Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100 are hereby amended to read as follows:

A. Regional land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC#	SPECIFIC	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (15)
*	Jail						S	S	S	S	S	S	S
*	Jail Farm/C&S		S		S	S							
*	Work Release				S19	S19	S	S	S	S	S	S	
*	Public Agency Control Facility		S		S	S					S		P
*	Public Agency Facility		S		S3					S3	S3	S3	C4
*	Search and Rescue Facility				C30 S30								
*	Hydroelectric Facility		C14 S		C14 S	C14 S	C14 S						
*	Non-hydroelectric Generation	C12 S29	C12 S29	C12 S28	C12 S29	C12 S29	C12 S29	C12 S29	C12 S29	C12 S29	C12 S29	C12 S29	P12 S29
*	Renewable Energy Generation	C28	C28	C	C	C	C	C	C	C	C	C	C
*	Fossil Fuel												S27
*	Communication (17)	C6c S	P		C6c S	C6c S	C6c S	C6c S	C6c S	P	P	P	P

*	Earth Station	P6b C	P		C6a S	C6a S	C6a S	C6a S	P6b C	P	P	P	P
*	Energy Resource Recovery Facility		S	S	S	S	S	S	S	S	S	S	S
*	Soil Recycling Facility		S	S	S								C
*	Landfill		S	S	S	S	S	S	S	S	S	S	S
*	Transfer Station			S	S	S	S	S	S	S	S		P
*	Wastewater Treatment Facility				S	S	S	S	S	S	S	S	C
*	Municipal Wastewater Production		P13 S	S	S	S	S	S	S	S	S	S	S
*	Airport/Heliport	S7	S7		S	S	S	S	S	S	S	S	S
*	Regional Transportation Authority Facility					P25							
*	Rural Public Infrastructure Maintenance				C23								P
*	Transit Bus Station						S	S	S	S	S	S	P
*	Transit Commuter Station				P26		P26	P26	P26	P26	P26	P26	P26
*	School Bus Station				C5 S20	C5 S	C5 S	C5 S	S	S	S	S	P
7948	Racetrack				S8	S8	S8	S8	S8	S8	S8	S8	S24
*	Regional Medical Facility												P
*	County Fairgrounds				P21 S22								
*	Fairground									S	S		S
8422	Zoo/Wildlife		S9		S9	S	S	S		S	S		
7941	Stadium/Arena										S		S
8221-8222	College/University	P10	P10		P10 C11 S18	P10 C11 S18	P10 C11 S	P10 C11 S	P10 C11 S	P	P	P	P
*	Zoo Animal Facility	P16	P16		P16								

B. Development conditions.

1. Except technical institutions. See vocational schools on general services land use table, K.C.C.

21A.08.050.

2. Except arboretum. See K.C.C. 21A.08.040, recreation/cultural land use table.
3. Except weapons armories and outdoor shooting ranges.
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 gas extraction as an accessory use to a waste management process, such as wastewater treatment, landfill waste management, livestock manure and composting processes.
- 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.08.100.A, except for waste water treatment facilities and racetracks, 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.27.

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:

- (1) the facility is a reuse of a public agency yard; or
- (2) the site is separated from a county park by a street or utility right-of-way;

- 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 or when a reuse of an existing building. 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.

24. The following accessory uses to a motor race track operation are allowed if approved as part of the special use permit:

- a. motocross;
- b. autocross;
- c. skidpad;
- d. garage;
- e. driving school; and
- f. fire station.

25. Regional transit authority facilities shall be exempt from setback and height requirements.

26. Transit comfort facility shall:

- a. only be located outside of the urban growth area boundary;
- b. be exempt from street setback requirements; and
- c. be no more than 200 square feet in size.

27.a. Required for all new, modified or expanded fossil fuel facilities. Modification or expansion includes, but is not limited to:

- (1) new uses or fuel types within existing facilities;
- (2) changes to the type of refining, manufacturing or processing;
- (3) changes in the methods or volumes of storage or transport of raw materials or processed products;
- (4) changes in the location of the facilities on-site;
- (5) replacement of existing facilities;
- (6) increases in power or water demands; or
- (7) increases in production capacity.

b. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

c. As part of permit application submittal for new, modified or expanded fossil fuel facilities, the applicant shall submit the following documentation:

- (1) an inventory of similar existing facilities in King County and neighboring counties, including their locations and capacities;
- (2) a forecast of the future needs for the facility;
- (3) an analysis of the potential social and economic impacts and benefits to jurisdictions and local communities receiving or surrounding the facility;
- (4) an analysis of alternatives to the facility, including location, conservation, demand management and other strategies;
- (5) an analysis of economic and environmental impacts, including mitigation, of any similar existing facilities and of any new site(s) under consideration as an alternative to expansion of an existing facility;

(6) an extensive public involvement strategy which strives to effectively engage a wide range of racial, ethnic, cultural, and socio-economic groups, including communities that are the most impacted; and

(7) considered evaluation of any applicable prior review conducted by a public agency, local government or stakeholder group.

d. As part of permit application submittal, a greenhouse gas impact analysis shall be prepared by the applicant for all proposals for new, modified, or expanded fossil fuel facilities. The results of this analysis shall be used to identify and mitigate the impacts of such facilities.

e. New, modified or expanded fossil fuel facilities shall:

(1) not be located within one thousand feet from any schools, medical care facilities, or places of assembly that have occupancies of greater than one thousand persons;

(2) not be located within two hundred fifty feet from a regulated wetland or aquatic area, except when a larger buffer is required under K.C.C. chapter 21A.24, the buffer in K.C.C. chapter 21A.24 shall apply;

(3) maintain an interior setback of at least two hundred feet;

(4) store fossil fuels completely within enclosed structures, tanks or similar facilities; and

(5) be accessed directly to and from an arterial roadway.

28. Limited to uses that will not convert more than two acres of farmland or forestland, or 2.5 percent of the farmland or forestland, whichever is less.

29.a. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

b. As part of permit application submittal for non-hydroelectric generation facilities, the applicant shall submit the following documentation:

(1) an inventory of similar existing facilities in King County and neighboring counties, including their locations and capacities;

(2) a report demonstrating that the facility would serve a significant portion of the county,

metropolitan region or is part of a statewide or national system;

(3) a forecast of the future needs for the facility;

(4) an analysis of the potential social and economic impacts and benefits to jurisdictions and local communities receiving or surrounding the facility;

(5) an analysis of alternatives to the facility, including location, conservation, demand management and other strategies;

(6) an analysis of economic and environmental impacts, including mitigation, of any similar existing facilities and of any new site(s) under consideration as an alternative to expansion of an existing facility;

(7) an extensive public involvement strategy which strives to effectively engage a wide range of racial, ethnic, cultural and socioeconomic groups, including communities that are the most impacted; and

(8) considered evaluation of any applicable prior review conducted by a public agency, local government or stakeholder group.

c. As part of permit application submittal, a greenhouse gas impact analysis shall be prepared by the applicant. The results of this analysis shall be used to identify and mitigate the impacts of such facilities.

30.a. For all search and rescue facilities:

(1) the minimum lot size is four and one half acres;

(2) structures and parking areas for search and rescue facilities shall maintain a minimum distance of seventy-five feet from interior lot lines that adjoin rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62; and

(3) use of the search and rescue facility is limited to activities directly relating to the search and rescue organization, except that the facility may be used by law enforcement and other public emergency responders for training and operations.

b. A special use permit is required when helicopter fueling, maintenance or storage is proposed.

SECTION 5. Ordinance 10870, Section 388, as amended, and K.C.C. 21A.16.030 are hereby amended to read as follows:

To facilitate the application of this chapter, the land uses of K.C.C. chapter 21A.08 have been grouped in the following manner:

A. Residential development refers to those uses listed in K.C.C. 21A.08.030, except those uses listed under Accessory uses, and:

1. Attached/group residences refers to:

- a. townhouses, except as provided in subsection A.2.a. of this section;
- b. apartments and detached dwelling units developed on common property at a density of twelve or more units per acre;
- c. senior citizen assisted housing;
- d. temporary lodging;
- e. group residences other than Type I community residential facilities;
- f. mobile home parks; and

2. Single-family development refers to:

- a. residential subdivisions and short subdivisions, including attached and detached dwelling units on individually platted or short platted lots;
- b. any detached dwelling units located on a lot including cottage housing units; and
- c. Type I community residential facilities;

B. Commercial development refers to those uses in:

- 1. K.C.C. 21A.08.040 as amusement/entertainment uses, except golf facilities;
- 2. K.C.C. 21A.08.050 except recycling centers, health and educational services, daycare I, churches, synagogues and temples, and miscellaneous repair as allowed in the A and RA zones; and
- 3. K.C.C. 21A.08.070, except forest product sales and agricultural product sales as allowed in the A, F

and RA zones and building, hardware and garden materials as allowed in the A zones;

C. Industrial development refers to those uses listed in:

1. K.C.C. 21A.08.050 as recycling center;
2. K.C.C. 21A.08.060, except government services and farm product warehousing, refrigeration and

storage as allowed in the A zones;

3. K.C.C. 21A.08.080, except food and kindred products as allowed in the A and F zones; and
4. K.C.C. 21A.08.090 as mineral extraction and processing;

D. Institutional development refers to those uses listed in:

1. K.C.C. 21A.08.040 as cultural uses, except arboretums;
2. K.C.C. 21A.08.050 as churches, synagogues and temples, health services and education services

except specialized instruction schools permitted as an accessory use; (~~and~~)

3. K.C.C. 21A.08.060 as government services; and

4. Search and rescue facilities.

E. Utility development refers to those uses listed in K.C.C. 21A.08.060 as utility facilities; and

F. Uses in K.C.C. chapter 21A.08 that are not listed in subsections A. through E. of this section shall not be subject to landscaping and tree retention requirements except as specified in any applicable review of a conditional use or special use permits, or reviews conducted in accordance with K.C.C. 21A.42.300.

SECTION 6. Severability. 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.