

MEMORANDUM

TO: King City Planning Commission
FROM: Keith Liden, Planning Consultant
SUBJECT: King City Town Center Plan and Implementation Strategy
King City Community Development Code Amendments
DATE: February 10, 2015

Introduction

A final task for the King City Town Center Plan and Implementation Strategy (KCTCP) project is to complete any King City Community Development Code (CDC) amendments necessary to support the plan. The city is obligated to complete and adopt the CDC amendments by the end of March. The staff has identified several amendments, which would be either necessary or generally supportive of the adopted town center plan. In addition, the staff has identified a range of housekeeping amendments, which are recommended to address errors, internal conflicts, and to improve general code performance. Because the entire amendment list is too extensive to complete by March 31st, the staff recommends dividing the amendments into two phases. The Phase 1 amendments, which are detailed in this memorandum, will be reviewed and acted upon before the end of March. They include the important amendments related to the town center plus what are considered to be the more pressing housekeeping amendments. The Phase 2 amendments will be reviewed in the spring.

The following table summarizes the proposed Phase 1 amendments by identifying the CDC section, the type of amendment (town center plan support or general), and the recommendation. The text for the proposed amendments is provided in the attachment.

The purpose of the February 25th hearing is to review the draft amendments, consider public and agency comments and forward a recommendation to the City Council. The City Council will consider the Planning Commission comments along with public and agency comments at its hearing on March 18th.

Draft CDC Amendments

The table beginning on the following page lists the draft amendments including:

- CDC sections listed in numerical order
- Amendment type – King City Town Center Plan (KCTCP), general housekeeping, or both
- Comment – rationale for the proposed amendment

The attachment contains the CDC amendment language. The amendments are presented in the same order as the table.

CDC Section	Amendment Type		Comments
	KCTCP	General	
16.24 Definitions			
16.24.020 Definitions of specific terms			
Street tree		✓	New definition. The CDC currently refers to “yard trees” in what most people commonly understand to be street trees found in the street right-of-way on the adjacent property. The term yard tree is proposed to be replaced with street tree..
16.24.030 Definitions of land use types			
Retail sales and service	✓	✓	Address self-service storage. This use has been interpreted to be a retail sales and service use. However, this type of use is contrary to creating pedestrian- and transit-friendly community centers. A new definition for self-service storage, with limited application through conditional use review is proposed.
Theaters	✓	✓	Theaters are excluded from the retail sales and service definition, but the rationale is not clear. Deleting theaters from the “prohibited” list, and thereby allowing them, is recommended.
Self-service storage	✓	✓	This is proposed as a new separate definition from retail sales and service that will include new conditional use criteria in Chapter 16.156.
16.40 Types of Development Actions and Determination of Proper Procedure			
16.40.020 City manager review		✓	This section was amended for internal consistency. The only change from current procedure is processing minor and major land partitions as a City Manager Review.
16.40.030 Planning commission review		✓	Same types of amendments in this section.
16.46 Requirement for Community Meetings			
16.46.010 Community meeting required		✓	This chapter has a number of amendments recommended for consistency with the established development review process.
16.46.040 Notices		✓	The 500’ requirement should be reduced to 250’ to coincide with the normal application notice requirement.
16.80 General Provisions			
16.80.080 Other requirements	✓	✓	C. requires a garage for all dwellings. This conflicts with 16.132 Parking and Loading, which doesn’t require garages.
16.92 Apartments and Townhouse Zone (AT)			
16.92.010 Purpose	✓	✓	Minor amendments to align terminology with the Comprehensive Plan.
16.92.040 Dimensional and density requirements	✓	✓	Removal of setback requirements, which are not consistent with other CDC provisions.
16.104 Limited Commercial Zone (LC)			
16.104.010 Purpose	✓	✓	Minor amendments including acknowledgement of residential uses in the LC zone.
16.104.020 Permitted uses	✓	✓	Include multi-family residential use consistent with the town center plan.
16.104.030 Conditional uses	✓		Self-service storage as a new use, which is separate from retail sales and service. This has new corresponding approval criteria in the Chapter 16.156 Conditional Use.

CDC Section	Amendment Type		Comments
	KCTCP	General	
16.104.040 Dimensional requirements	✓	✓	The dimensional standards are modified to accommodate residential use, maintain compatibility with adjoining residential zones, and to support development orientation to SW 116 th Avenue and Royalty Parkway. Standards are presented in a table, similar to the R-9 and R-12 zone format.
16.104.050 Design requirements	✓		This is a new section containing basic design requirements regarding building orientation, building entrances, and site design. This section, along with 16.104.040 may require several diagrams to clarify the narrative.
16.104.060 Additional requirements	✓	✓	This features a new requirement that would apply to major redevelopment of the King City Plaza property. In lieu of trying to create CDC standards for new development that could take a wide variety of forms, this would require a master plan. The advantage of a master plan would be the property owner/developer would be offered flexibility and freedom from the LC zone dimensional and design standards – similar to planned development.
16.124 Landscaping and Beautification			
16.124.050 Yard trees		✓	As noted above, the term “yard trees” is substituted with “street trees.”
16.124.060 Location of yard trees	✓	✓	B. refers to “minimum caliper of 2 inches at 4 feet”. This is amended to be consistent with the definition of caliper in Chapter 16.24.
16.124.070-090	✓	✓	Amendments to allow greater flexibility regarding location of street trees.
16.124.110 Buffering/screening requirements	✓	✓	Amendments here are intended to provide improved buffering and screening between commercial and residential development.
16.124.140 Parking and loading areas	✓	✓	Screening and planting requirements are amended to provide greater flexibility while supporting the town center plan.
16.132 Parking and Loading			
16.132.020 General provisions	✓	✓	Subsection E. is recommended for amendment to allow shared parking for residential uses in addition to nonresidential uses.
16.132.030 Minimum off-street parking requirements		✓	Several minor clarifications to the standards. These should be evaluated again during the Phase 2 amendments for other uses and allowing the city to approve reductions in parking for certain uses and/or circumstances.
16.136 Circulation and Access			
16.136.030 Access standards – non-residential		✓	Standards clarified for residential uses.
16.136.040 Access standards - residential		✓	Amendments to improve pedestrian access and safety.
16.136.050 design standards	✓	✓	A. 2. amended to include vehicle maneuvering conflicts with pedestrian/bicycle routes and crosswalks.
16.140 Flood Plain and Drainage Hazard Areas			
16.140.020 Applicability of provisions		✓	Sections B. 1. b. and 16.140.020 C. 1. j. are modified to place partitions under city manager review, consistent with Chapter 16.40.
16.152 Site Plan Review			
16.152.020 Applicability of provisions		✓	A new is section added to clarify minor improvements that are subject to administrative review.
16.152.110 Approval standards	✓	✓	The list has additional chapters included to make it a complete list.

CDC Section	Amendment Type		Comments
	KCTCP	General	
16.156 Conditional Uses			
16.156.060 Approval standards for specific uses	✓		The standards in this section are amended for quick vehicle servicing (G.) and drive-through facilities (I.). A new conditional use, self-service storage, is added with location criteria that limit its location to the existing Extra Space Storage property.
16.200 Major and Minor Land Partitions and Lot Line Adjustments			
16.200.030 Administration		✓	Major and minor partitions are to be reviewed by the PC. Recommend City Manager review.
16.212 Neighborhood Circulation			
16.212.080 Modification of stds.		✓	Planning commission approval is changed to approval authority.

King City CDC Amendments

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16.24 DEFINITIONS

16.24.030 Definitions of land use types.

“Street tree” means a tree along public street frontage, which is located within or adjacent to a public street right-of-way or easement.

16.24.030 Definitions of land use types.

D. Commercial Use Types.

“Retail sales and service” means businesses that are involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods. Such uses are conducted indoors with limited provisions in this title to allow outdoor storage of material or merchandise. Categories and examples of retail sales and service uses include:

1. “Sales-oriented” stores selling, leasing or renting consumer, home and business goods including appliances, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, liquor, pets, pet food, pharmaceuticals, plants, printed material, stationery and food sales.
2. “Personal service-oriented” businesses such as branch banks; urgency medical care; dental and medical offices; laundromats; photo or laundry drop-off; photographic studios; photocopy and blueprint services; hair, business, and other trade schools; dance or music classes; veterinarians; and animal grooming.
3. “Entertainment-oriented” businesses such as restaurants, cafes and delicatessens; bowling alleys; health clubs; gyms; and membership clubs and lodges.

Uses not included, thus prohibited, as part of this definition are:

1. Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation;
2. Landscape materials stored outside, including bark chips, rock, fertilizer and compost;
3. Repair, sale, rental or leasing of commercial or consumer vehicles (except for that allowed as quick vehicle service), motorcycles, trucks, and industrial vehicles and equipment;
4. Self-service storage as defined in this chapter;
5. Establishments having any merchandise items, books, magazines, other publications, films or videotapes which are for sale, rent or viewing on the premises and which are distinguished or characterized by their emphasis on matters depicting the specified sexual activities or specified anatomical areas defined herein;
6. Establishments where entertainment includes matters depicting specified sexual activities or specified anatomical areas as defined herein.

Deleted: Theaters which have still or motion pictures or dramatic representations

“Self-service storage” means facilities that provide separate storage areas for rent which are available to individuals or businesses. The storage areas are designed to allow private access by the tenant for storing or removing personal property.

16.40 TYPES OF DEVELOPMENT ACTIONS AND DETERMINATION OF PROPER PROCEDURE

16.40.020 City manager review.

A. Land use actions by the city manager are presumed by this title to be appropriate. They generally involve uses or development for which review criteria are reasonably objective, requiring only limited discretion. Impacts on nearby properties may be associated with these uses which may necessitate imposition of specific conditions of approval to minimize those impacts to ensure compliance with this title.

B. The following are city manager actions:

1. Uses and activities permitted through a city manager review in Section 16.140.020 B.;
2. Goal 5 safe harbor review in Section 16.142.030 B.;
3. Major and minor land partition;
4. Lot line adjustment;
5. Temporary use;
6. Type I home occupation;
7. Accessory dwelling units; and
8. Communication facilities and structures.

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16.40.030 Planning commission review.

A. Planning commission actions involve development or uses, which may be approved or denied, thus requiring the exercise of discretion and judgment when applying the development criteria contained in this title or the comprehensive plan. Impacts may be significant and the development issues complex. Extensive conditions of approval may be imposed to mitigate impacts or ensure compliance with this title and the comprehensive plan.

B. The following are initial planning commission actions:

1. Uses and activities allowed through a planning commission review in Section 16.140.020 C.;
2. Site plan review;
3. Conditional use;
4. Variance;
5. Type II home occupation;
6. Subdivision; and
7. Determination of unlisted uses.

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16.46 REQUIREMENT FOR COMMUNITY MEETINGS

Sections:

- 16.46.010** Community meeting required.
- 16.46.020** Proof of meeting.
- 16.46.030** Purpose of meeting.
- 16.46.040** Notices.

16.46.010 Community meeting required.

The following types of development applications inside the UGB shall be subject to a requirement for a community meeting:

- A. ~~Site plan review;~~
- B. ~~Conditional use; and~~
- C. ~~Subdivision.~~

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Deleted: C. Manufactured dwelling or mobile home parks; and¶
D. Development review for commercial or industrial uses. (Ord. O-06-01 (part), 2006)¶

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16.46.020 Proof of meeting.

The applicant shall be required to hold at least one community meeting prior to submitting an application for approval of one of the ~~application types listed in Section 16.46.010~~. Applications for development shall not be complete until substantiation of the community meeting has been submitted to the city manager. Substantiation shall include:

- A. Copy of notice of community meeting posted;
- B. Copy of notice mailed to neighbors;
- C. Affidavit, signed by applicant that notice was mailed and posted as required. The affidavit shall be notarized; ~~and~~
- D. Copy of meeting minutes and notes taken to provide a record, including names and addresses of people attending and all issues raised. (Ord. O-06-01 (part), 2006)

16.46.030 Purpose of meeting.

The purpose of the community meeting is to provide an opportunity for neighbors to review a development proposal and identify issues that may be addressed in a manner consistent with the King City code and to address the issues prior to submission of the application. The community meeting shall occur within one hundred eighty days before submitting a land development application. (Ord. O-06-01 (part), 2006)

16.46.040 Notices.

The applicant shall post a notice of the community meeting on the site of the proposed development not less than twenty ~~calendar~~ days prior to the meeting. The notice shall state that the site may be subject to a proposed development, shall indicate the date, time and location of a community meeting, and shall indicate the name of the applicant and telephone number where applicant or its representative may be reached for more information. ~~Not less than twenty calendar days prior to the meeting,~~ the applicant shall mail written notice of the meeting to the city manager and to all neighbors within ~~two hundred and fifty~~ feet of the property that is proposed to be developed. ~~In addition to the information posted on the site,~~ the notice shall also provide tax lot number(s) of the proposed site, site address, acreage, ~~current~~ land use designation, and a brief description of the nature of the proposed development.

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Chapter 16.80 GENERAL PROVISIONS

16.80.080 Other requirements.

- C. A garage is required of each single family attached or detached dwelling, which shall conform generally in architectural style and exterior materials and finish to the house. (Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

Chapter 16.92

APARTMENTS AND TOWNHOUSES ZONE (AT)

Sections:

- 16.92.010 Purpose.**
- 16.92.020 Permitted uses.**
- 16.92.030 Conditional uses.**
- 16.92.040 Dimensional and density requirements.**

16.92.010 Purpose.

The purpose of the AT zone is to provide land for housing opportunities for individual households. The zone implements the comprehensive plan policies and regulations that are intended to create, maintain and promote medium density residential neighborhoods. This land use designation is intended to primarily apply to established residential properties within the city prior to June 5, 1991. (Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

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16.92.020 Permitted uses.

A permitted use is a use, which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Permitted uses in the AT zone are:

- A. Dwelling, single-family detached;
- B. Dwelling, single-family attached;
- C. Dwelling, multi-family;
- D. Manufactured home on an individual lot;
- E. Residential home;
- F. Manufactured/mobile home parks and subdivisions;
- G. Duplex; and
- H. Dwelling, accessory.

(Ord. O-03-2 § 1 (part), 2003; Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

16.92.030 Conditional uses.

A conditional use is a use which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the AT district are:

- A. Schools;
- B. Utilities;
- C. Community services;
- D. Parks and open space;
- E. Religious assembly;

- F. Public safety facilities; and
 - G. Residential facility.
- (Ord. O-99-6 § 1 (part), 1999: Ord. 96-4 § 1 (part), 1996)

16.92.040 Dimensional and density requirements.

- A. The dimensional requirements in the AT district are:
 1. A minimum lot area of five thousand square feet. For more than one unit, the minimum lot area shall be two thousand five hundred square feet per unit;
 2. A minimum average lot width of forty feet;
 3. A minimum average lot depth of eighty feet;
 4. Minimum building setback requirements of:
 - a. Front yard of ten feet for the building;
 - b. Side yard of five feet for a one story structure, and ten feet for two-story structures;
 - c. Rear yard of twenty feet;
 - d. Garage vehicle entrance setback of fifteen feet;
 - ~~5.~~ No building shall exceed thirty feet in height;
 - ~~6.~~ The maximum height and size and minimum setbacks for accessory structures shall comply with the provisions of Chapter 16.176; and
 - ~~7.~~ The maximum coverage of buildings and impervious surfaces shall not exceed seventy-five percent of the total lot area.
- B. Residential development shall be no less than eighty percent of the maximum density of 15 units per gross acre, (Ord. O-99-6 § 1 (part), 1999: Ord. 96-4 § 1 (part), 1996)

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**Chapter 16.104
LIMITED COMMERCIAL ZONE (LC)**

Sections:

- 16.104.010 Purpose.**
- 16.104.020 Permitted uses.**
- 16.104.030 Conditional uses.**
- 16.104.040 Dimensional requirements.**
- 16.104.050 Additional requirements.**

16.104.010 Purpose.

The purpose of the LC zone is to provide a mix of retail, service, and business needs along with complementary residential uses for the community while maintaining a compatible relationship with surrounding residential neighborhoods, (Ord. O-99-6 § 1 (part), 1999: Ord. 96-4 § 1 (part), 1996)

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16.104.020 Permitted uses.

- A. A permitted use is a use which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted used under the provisions of Chapter 16.82. Permitted uses in the LC district are as follows:
 - ~~1.~~ Dwelling, multi-family;
 - ~~2.~~ Office;

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- 3. Retail sales and service;
 - a. Sales-oriented,
 - b. Personal service-oriented, and
 - c. Repair-oriented;
- 4. Motel;
- 5. Community services;
- 6. Religious assembly;
- 7. Residential facility; and
- 8. Adult day care (family care). (Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

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16.104.030 Conditional uses.

A conditional use is a use which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the LC district are as follows:

- A. Retail sales and service;
 - 1. Drive-through facilities, and
 - 2. Entertainment-oriented;
- B. Quick vehicle servicing;
- C. ~~Self-service storage;~~
- D. Hospital;
- E. Utilities;
- F. Public safety facilities;
- G. Parks and open space; and

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- Deleted: G. . Recreational vehicle parks. (Ord. O-03-2 § 1 (part), 2003; Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)¶

16.104.040 Dimensional requirements.

- A. The dimensional and density requirements of the LC district are:

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1. The minimum lot area shall be four thousand square feet;¶
2. The minimum lot width shall be forty feet;¶
3. The minimum lot depth shall be eighty feet;¶
4. The minimum setback requirements shall be as follows:¶
 - a. No front yard setback shall be required in this zone;¶
 - b. No side yard setback shall be required, except when abutting a residential zone, a side yard of ten feet shall be required;¶
 - c. No rear yard setback shall be required, except when abutting a residential zone, a rear yard setback of twenty-five feet shall be required;¶
5. No building in this zone shall exceed the following building height standards:¶
 - a. A maximum of thirty feet for buildings within twenty-five feet of a residential zoning district; and¶
 - b. The maximum building height of thirty feet in subsection (a) of this section shall increase one foot for each additional foot of building setback over twenty-five feet from a residential zoning district, up to a maximum building height of fifty feet as illustrated below;¶

Dimensional Requirements Table	
Minimum lot size/land area per residential unit	
<u>Non-residential uses</u>	<u>None</u>
<u>Mixed-use (non-residential and multi-family)</u>	
<u>Multi-family units</u>	<u>1,600 square feet</u>
Minimum average lot width (per lot)	
<u>Non-residential uses</u>	<u>None</u>
<u>Mixed-use (non-residential and multi-family)</u>	
<u>Multi-family units</u>	<u>48 feet</u>
Minimum average lot depth (per lot)	
<u>Non-residential uses</u>	<u>None</u>
<u>Mixed-use (non-residential and multi-family)</u>	
<u>Multi-family units</u>	<u>60 feet</u>
Setbacks (measured from property lines, except as noted for garage entrances)	
Front yard and front yard - corner	
<u>Non-residential uses</u>	<u>20-foot maximum along public street</u>
<u>Mixed-use (non-residential and multi-family)</u>	<u>portions of SW 116th Avenue and Royalty Parkway.</u>

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	<u>30-foot maximum along 99W.</u>
<u>Multi-family units</u>	<u>10 feet minimum and 20-foot maximum along public street portions of SW 116th Avenue and Royalty Parkway.</u> <u>10 feet minimum along 99W.</u>
<u>Garage entrance</u>	<u>Not permitted along public street portions of SW 116th Avenue and Royalty Parkway.</u> <u>18 feet from the nearest edge of the public sidewalk to front of garage entrance for individual garage space. Entrances to structured parking garages or tuck-under parking shall be subject to the front yard standards. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.</u>
<u>Side yard - interior</u>	
<u>Non-residential uses</u>	<u>0 feet, except when abutting a residential zone where a minimum of 10 feet is required.</u>
<u>Mixed-use (non-residential and multi-family)</u>	
<u>Multi-family units</u>	<u>0 feet, except as required by the Uniform Building Code (UBC), or a minimum of 3 feet. In all cases, 0-foot setback buildings shall either (1) be attached at the property line or (2) have a minimum separation of 6 feet.</u> <u>10 feet minimum when abutting a residential zone.</u>
<u>Rear yard</u>	
<u>Non-residential uses</u>	<u>0 feet, except when abutting a residential zone where a minimum of 10 feet is required.</u>
<u>Mixed-use (non-residential and multi-family)</u>	
<u>Multi-family units</u>	<u>10 feet minimum</u>
<u>Garage entrance</u>	<u>0-6 feet or ≥ 18 feet to a garage entrance for individual garage spaces to an alley.</u> <u>Entrances to structured parking garages or tuck-under parking shall be subject to the front yard standards.</u>
<u>Building height</u>	
<u>All buildings except accessory structures</u>	<u>30 feet with a provision to reach a maximum of 50 feet as provided in Figure 1.</u>
<u>Accessory structures</u>	<u>18 feet</u>
<u>Residential density standards</u>	
<u>Maximum</u>	<u>24 units per gross acre (Chapter 16.146)</u>
<u>Minimum</u>	<u>None.</u>

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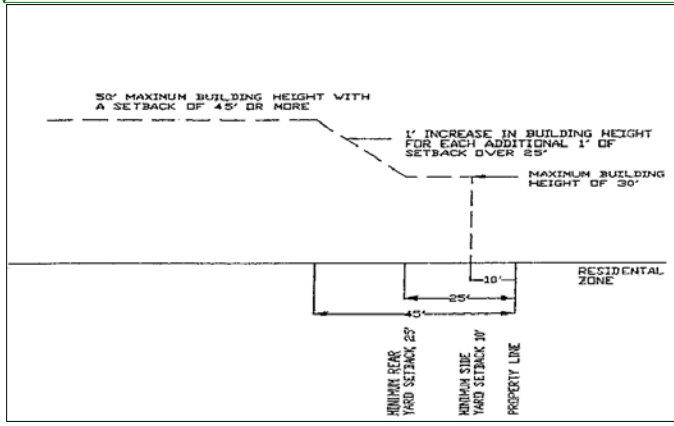


Figure 1 Building Height (this figure will be clarified)

16.94.050 Design requirements.

In addition to the dimensional requirements in Section 16.94.040, the following design requirements shall apply:

Design Requirements Table	
Main building entrance	
<u>Location and Orientation</u>	<u>Primary customer and/or resident entrances for buildings with frontage on the public street portions of SW 116th Avenue or Royalty Parkway shall meet one of the following:</u> <ul style="list-style-type: none">• <u>Be within 20 feet of, and facing the street;</u><u>or</u>• <u>Be located on the side of the building within direct walking distance of 50 feet between the public sidewalk and the entrance.</u>
Front windows – Ground floor of all building facades facing a street.	
<u>Minimum glazing area</u>	<u>40% for the ground each building wall facing a street (Figure 2).</u>

<u>Design Requirements Table</u>	
<u>Maximum window sill height</u>	<u>4 feet above finished first floor elevation for the window(s) necessary to meet the minimum glazing area standard. No sill height standard for all other windows.</u>
<u>Required outdoor area</u>	
<u>Multi-family units</u>	<u>Provided in accordance with Section 16.152.110.</u>

Figure 2 Minimum Glazing Area (diagram being developed)

16.104.060 Additional requirements.

- A. Except as provided in subsection B of this section, all business and display of merchandise shall be conducted wholly within an enclosed building.
- B. Subject to an administrative review and approval by the city manager, outdoor storage and display may be permitted when all of the following conditions are satisfied:
 - 1. The amount of outdoor storage and display does not exceed five percent of the gross floor area of the business;
 - 2. Pedestrian, bicycle, wheel chair and motor vehicle access to and within the property is not impeded in any way;
 - 3. The outdoor storage and display is in conformity with any conditions of development permit or building permit approval; and
 - 4. The outdoor storage and display satisfies all relevant provisions of this title and other applicable requirements of this code.
- C. Master plan – King City Plaza.
 - 1. The applicant shall complete a master plan for King City Plaza as part of a site plan review in Chapter 16.152 when:
 - a. Demolition and reconstruction of greater than 50% of the total building floor area on the subject property is proposed;
 - b. Construction of new building floor area, which represents a total building floor area increase of greater than 25% on the subject property, is proposed; or

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- c. Requested by the property owner.
- 2. The following standards may be adjusted through the master plan process:
 - a. Dimensional requirements in Section 16.104.040
 - b. Additional requirements in Section 16.104.050, except subsection C. Hours of Operation, which will continue to apply;
 - c. Parking and loading requirements in Chapter 16.132;
 - d. Approval standards in Section 16.152.110;
 - e. Landscaping standards in Chapter 16.124; and
 - f. Sign standards in Chapter 16.148.
- 3. The approval authority may approve an adjustment of the standards in Section 16.104.060 C. 2 by determining:
 - a. The adjusted standards perform as well or better than the normal standards;
 - b. The adjusted standards will support the King City Town Center Plan and Implementation Strategy by enabling development that is consistent with Urban Design Action UD3 including, but not limited to:
 - i. Frontage and site landscaping;
 - ii. Generous, direct, ADA-compliant, and clearly marked walkways to connect shopping center destination with parking, surrounding neighborhoods, and 99W;
 - iii. Maintaining or improving the efficiency and pedestrian accessibility of the parking lot without reducing parking;
 - iv. Redesigning the portion of SW 116th Avenue, which is within the subject property to look and function more like a village main street, similar to the public street segments of this street;
 - v. Providing a more walkable and interesting pedestrian environment along the sidewalks; and
 - vi. Improving access to transit.

D. Hours of Operation. In keeping with the residential retirement character of the city, business hours shall be between the hours of eight a.m. to ten p.m. No business shall be conducted before or after these times unless approved as a conditional use as provided in this title. (Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

Chapter 16.124
LANDSCAPING AND BEAUTIFICATION

16.124.050 Street trees.

- A. All development projects fronting on a public or private street approved after the adoption of this title shall be required to plant street trees in accordance with the standards in this chapter.
- B. Certain trees can severely damage utilities, streets and sidewalks or can cause personal injury. Approval of any planting list shall be subject to review by the city manager. (Ord. 96-4 § 1 (part), 1996)

16.124.060 Location of street trees.

- A. Landscaping in the front and exterior side yard shall include trees with a minimum caliper of two inches as specified in the requirements stated in Section 16.124.080(B).

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- B. The specific spacing of street trees by size of tree shall be as follows:
1. Small or narrow stature trees (under twenty-five feet tall and less than sixteen feet wide branching) shall have an average spacing of no greater than twenty feet apart;
 2. Medium sized trees (twenty-five feet to forty feet tall, sixteen feet to thirty-five feet wide branching) shall have an average spacing of no greater than thirty feet apart;
 3. Large trees (over forty feet tall and more than thirty-five feet wide branching) shall have an average spacing of no greater than forty feet apart;
 4. Trees shall not be planted closer than twenty feet from a street intersection, nor closer than two feet from private driveways (measured at the back edge of the sidewalk), fire hydrants or utility poles in order to maintain visual clearance;
 5. No new utility pole location shall be established closer than five feet to any existing street tree;
 6. Tree pits shall be located so as not to include services (water and gas meters, etc.), in the tree well;
 7. On-premises services (water and gas meters, etc.), shall not be installed within existing tree well areas;
 8. Street trees shall not be planted closer than twenty feet to a public light standard;
 9. New light public standards shall not be positioned closer than twenty feet to existing street trees except when public safety dictates, the approval authority may reduce this distance requirement;
 10. Trees shall be planted at least two feet from the face of the curb;
 11. Where there are overhead power lines, the street tree species selected shall be of a type which, at full maturity, will not interfere with the lines; and
 12. Trees shall not be planted within two feet of any permanent hard surface, paving or walkway and the:
 - a. Space between the tree and the hard surface may be covered by a nonpermanent hard surface such as grates, bricks on sand, paver blocks and cobblestones; and
 - b. Sidewalk cuts in concrete for tree planting shall be at least four by four feet to allow for air and water into the root area.
- C. Trees, as they grow, shall be pruned to provide at least eight feet of clearance above sidewalks and thirteen feet above local street, fifteen feet above collector street, and eighteen feet above arterial street roadway surfaces. (Ord. 96-4 § 1 (part), 1996)

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16.124.070 Cut and fill around existing trees.

- A. Existing trees may be used as street trees if no cutting or filling takes place within the drip line of the tree unless an exception is approved by the city manager.
- B. An exception must be approved if:
 1. The ground within the drip line is altered merely for drainage purposes; and
 2. A plan is submitted by a qualified arborist showing that the cut or fill will not damage the roots and will not cause the tree to die. (Ord. 96-4 § 1 (part), 1996)

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16.124.080 Replacement of street trees.

- A. Existing street trees removed by development projects or other construction shall be replaced by the developer with those types of trees approved by the city manager.
- B. The replacement trees shall be of a size and species similar to the trees that are being removed unless lesser sized alternatives are approved by the city manager. (Ord. 96-4 § 1 (part), 1996)

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16.124.090 Exemptions.

- A. Exemptions from the street tree requirements may be granted by the approval authority on a case-by-case basis.
- B. Exemptions shall be granted:
 - 1. If the location of a proposed tree would cause potential problems with existing utility lines;
 - 2. If the tree would cause visual clearance problems;
 - 3. If the applicant proposes alternative placement of trees in a manner consistent with the purpose of this chapter; or
 - 4. If there is not adequate space in which to plant street trees. (Ord. 96-4 § 1 (part), 1996)

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16.124.110 Buffering/screening requirements.

- A. A buffer consists of an area within a required interior setback adjacent to a property line containing a length equal to the length of the property line of the abutting use or uses.
- B. A buffer area may only be occupied by utilities, screening, sidewalks and bikeways, and landscaping. No building, accessways or parking areas shall be allowed in a buffer area except where an accessway has been approved by the city.
- C. A buffer/screening area shall be provided between different types of land use zones (for example, between single-family and multi-family residential, and between residential and commercial) on all portions of the lot abutting a lesser zone as follows:
 - 1. A ten foot wide buffer area shall be landscaped on a commercial property abutting a residential zone; and
 - 2. A five foot wide buffer area shall be landscaped on a multi-family property abutting a single-family zone; and
 - 3. A ten foot wide buffer area shall be landscaped on a multi-family property abutting a commercial zone.
- D. The minimum improvements within a buffer area shall consist of the following:
 - 1. At least one row of trees shall be planted. They shall be not less than ten feet high for deciduous trees and five feet high for evergreen trees at the time of planting. Spacing for trees shall be as follows:
 - a. Small or narrow stature trees, under twenty-five feet tall or less than sixteen feet wide at maturity shall be spaced no further than fifteen feet apart;
 - b. Medium size trees between twenty-five feet to forty feet tall and with sixteen feet to thirty-five feet wide branching at maturity shall be spaced no greater than thirty feet apart.
 - c. Large trees, over forty feet tall and with more than thirty-five feet wide branching at maturity, shall be spaced no greater than thirty feet apart.
 - 2. In addition, at least ten five gallon shrubs or twenty-one gallon shrubs shall be planted for each one thousand square feet of required buffer area.
 - 3. The remaining area shall be planted in living grass or other plant materials. A maximum of twenty-five percent of the landscaped area may be covered with mulch such as bark chips, rock, stone walkways or other similar permeable materials acceptable to the approval authority, but non-permeable materials such as “visqueen” may not be used. Areas covered by bark chips, rock or other similar materials shall not be underlain with nonpermeable materials such as plastic sheeting.

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- E. Where screening is required, the following standards shall apply in addition to those required for buffering (Figure 1):
1. A hedge of narrow or broadleaf evergreen shrubs shall be planted which will form a four foot tall continuous screen within two years of planting, or;
 2. An earthen berm planted with evergreen plant materials shall be provided which must form a continuous screen six feet in height within two years. The unplanted portion of the berm shall be planted in living grass or other plant materials, or;
 3. A five-foot or taller fence or wall shall be constructed to provide a continuous sight obscuring screen.

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Figure 1 Landscape Screening Diagram (being developed)

- F. Buffering and screening provisions shall be superseded by the vision clearance requirements as set forth in Section 16.144.030(C).
- G. When the use to be screened is downhill from the adjoining zone or use, the prescribed heights of required fences, walls, or landscape screening shall be measured from the actual grade of the adjoining property.
- H. Fences and Walls.
1. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood or brick, or otherwise acceptable by the approval authority;
 2. When potential visual or noise impacts from normal activities on the site is anticipated, such as buildings, parking lots and loading areas, the approval authority may require fences and walls to be constructed of materials and in a manner and height that will attenuate noise impacts on adjoining properties;
 3. Such fence or wall construction shall be in compliance with Section 16.144.030 of this code; and
 4. Chain link fences with slats shall not qualify for screening along a property perimeter.
- I. Hedges.
1. Except for development in the LC Zone, an evergreen hedge or other dense evergreen landscaping may satisfy a requirement for a sight obscuring fence where required subject to the height requirement in Section 16.124.130.
 2. Such hedge or other dense landscaping shall be properly maintained and shall be replaced with another hedge, other dense evergreen landscaping, or a fence or wall when it ceases to serve the purpose of obscuring view; and

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3. No hedge shall be grown or maintained at a height greater than that permitted by these regulations for a fence or wall in a vision clearance area as set forth in Section 16.144.030(C). (Ord. 96-4 § 1 (part), 1996)

16.124.140 Parking and loading areas.

A. Screening of parking and loading areas in the limited commercial zone. The specifications for this screening are as follows:

1. Landscaped parking areas shall include special design features to visually screen parking lot areas. These design features may include the use of landscaped berms, decorative walls and raised planters;
2. Landscape planters may be used to define or screen the appearance of off-street parking areas from the public right-of-way;
3. Materials to be installed should achieve a balance between low lying and vertical shrubbery and trees;
4. Trees shall be planted in landscaped islands in all parking areas at a ratio of one tree for each seven parking spaces in order to provide a canopy effect; and
5. The minimum dimension of the landscape islands shall be twenty-five feet and have minimum width of four feet measured from back to curb, and shall be designed so as to prevent vehicular damage to trees. Landscaping shall be protected from vehicular damage by some form of wheel guard or curb.

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B. Criteria for trees and parking areas. Deciduous shade trees shall meet the following criteria:

1. Reach a mature height of thirty feet or more;
2. Cast moderate to dense shade in the summer;
3. Be long lived, i.e., over sixty years;
4. Do well in an urban environment by being:
 - a. Pollution tolerant; and
 - b. Tolerant of direct and reflected heat.
5. Require little maintenance:
 - a. Mechanically strong;
 - b. Insect and disease resistant; and
 - c. Require little pruning.
6. Be resistant to drought conditions;
7. Be barren of fruit production. (Ord. 96-4 § 1 (part), 1996)

Chapter 16.132

PARKING AND LOADING

16.132.020 General provisions.

D. Location. Required parking spaces for residential uses must be located on the site of the use. Required parking spaces for nonresidential uses and residential uses in the LC Zone must be located on the site of the use or in parking areas whose closest point is within three hundred feet of the site.

E. Shared Parking. Shared parking between two or more uses is permitted when all the following criteria are satisfied:

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1. The hours of operation of the uses do not overlap;

2. Satisfactory legal evidence is presented to the city manager in the form of deeds, leases or contracts to establish the shared use;
 3. The other standards of this title can be met; and
 4. If a joint use arrangement is subsequently terminated, the requirements of this title shall then apply separately to each use.
- F. Change in Use.
1. When an existing structure is changed in use from one use to another use as listed in Section 16.132.030, and the parking requirements for each use are the same, no additional parking shall be required.
 2. Where a change in use results in an intensification of use in terms of the number of parking spaces required, additional parking spaces shall be provided in an amount equal to the difference between the number of spaces required for the existing use and the number of spaces required for the new, more intensive use.
- G. D.E.Q. Permit. All parking areas which are designed to contain two hundred fifty or more parking spaces or to contain two or more levels, shall obtain a Department of Environmental Quality (D.E.Q.) indirect source construction permit and shall install oil and grease separators. Possible/applicable?
- H. Calculation of Required Parking.
1. Where building square footage is specified, the area measured shall be the gross floor area within the exterior walls of the structure, excluding interior space devoted to off-street parking or loading.
 2. Where several uses occupy a single structure or parcel of land or a combination of uses are included in one business, the total off-street parking spaces and loading area shall be the sum of the separately computed requirements for each use, unless shared parking is approved as provided in Section 16.132.020 E.
 3. When a building is planned or constructed in such a manner that a variety of uses is possible and a choice of parking requirements could be made, the use(s) which requires the greater number of parking spaces shall govern.

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16.132.030 Minimum off-street parking requirements.

Minimum Off-Street Parking Requirements		
Use Categories	Specific Uses	Minimum Required Parking
A. Residential Categories		
1. Single-Family	<ul style="list-style-type: none"> ■ Single-Family Attached/Detached ■ Manufactured Home ■ Mobile Home ■ Duplex ■ Residential Care 	1 space per unit
2. Multi-Family/Group Living	<ul style="list-style-type: none"> ■ Multi-Family Studio/1 Bedroom ■ Multi-Family ■ 2 or more Bedrooms 	1 space per unit
B. Commercial Categories		
1. Retail Sales and Service	<ul style="list-style-type: none"> ■ Retail, Personal Service, Repair 	1 space per 500 sq. ft. of floor area

Minimum Off-Street Parking Requirements		
Use Categories	Specific Uses	Minimum Required Parking
	<ul style="list-style-type: none"> ■ Retail, Repair Large Merchandise such as Home Appliances, Furniture ■ Restaurants, Health clubs, Meeting rooms ■ Motel ■ Theater 	1 space per 1,000 sq. ft. of floor area 1 space per 250 sq. ft. of floor area 1 space per room, plus 1 per 2 employees <u>of the largest shift</u> 1 space per 4 seats or 1 per 6 feet of bench
2. Office	<ul style="list-style-type: none"> ■ Professional Government ■ Medical, Dental 	1 space per 400 sq. ft. of floor area 1 space per 250 sq. ft. of floor area
3. Automotive	<ul style="list-style-type: none"> ■ Vehicle Repair ■ Quick Vehicle Service, Car Wash 	1 space per 750 sq. ft. of floor area 1 space per 500 sq. ft. of floor area
C. Institutional Categories		
1. Public Safety Facilities		1 space per 500 sq. ft. of floor area
2. Community	<ul style="list-style-type: none"> ■ Parks and Open Space ■ Meeting Recreation Halls, Recreation Buildings 	Per site Plan or Conditional Use Review
3. Schools	<ul style="list-style-type: none"> ■ Grades K-8 ■ Grades 9-12 	1 space per classroom 7 spaces per classroom
4. Religious Assembly		1 space per 100 sq. ft. of main assembly area
5. Utilities		Number determined as part of Conditional Use Review

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(Ord. O-03-2 § 1 (part), 2003; Ord. 96-4 § 1 (part), 1996)

16.132.060 Minimum bicycle parking requirements.

Minimum Bicycle Parking Requirements		
Use Categories	Specific Uses	Minimum Required Bicycle Parking
A. Residential Categories		
1. Single-Family Facilities	<ul style="list-style-type: none"> ■ Single-Family Attached/Detached ■ Manufactured Home ■ Mobile Home ■ Duplex ■ Residential Care 	<u>None</u>

Minimum Bicycle Parking Requirements		
Use Categories	Specific Uses	Minimum Required Bicycle Parking
2. Multi-Family Group Living	■ Multi-Family Studio/1 Bedroom	1 space per unit
	■ Multi-Family 2 or more Bedrooms	1 space per unit
B. Commercial Categories		
1. Retail Sales and Service	■ Retail, Personal Service, Repair	1 space per 4,000 sq. ft. or 2 minimum
	■ Retail, Repair Large merchandise such as home appliances, furniture	1 space per 6,000 sq. ft. or 2 minimum
	■ Restaurants, Health Clubs, Meeting Rooms	1 space per 5,000 sq. ft. or 6 minimum
	■ Motel	1 space per 5 rooms, or 2 minimum
	■ Theater	1 space per 5 rooms, or 2 minimum
2. Office	■ Professional Government	1 space per 4,000 sq. ft. or 2 minimum
	■ Medical, Dental	1 space per 5,000 sq. ft. or 2 minimum
3. Automotive	■ Service Stations, Vehicle Repair	1 space per 6,000 sq. ft. or 2 minimum
	■ Quick Vehicle Service, Car Wash	1 space per 6,000 sq. ft. or 2 minimum
C. Institutional Categories		
1. Utilities	■ Transit Station/ Park and Ride	10 spaces per acre, or 6 minimum*
	■ Other use Types	Number determined as part of conditional use
2. Public Safety Facilities		Number determined as part of conditional use
3. Community Recreation	■ Parks	Per site plan or conditional use review
	■ Meeting Halls, Recreation Buildings	
4. Schools	■ Grades K-8	6 spaces per classroom
	■ Grades 9-12 Studio/1 Bedroom	4 spaces per 40 seats in main assembly area, or 4 minimum
5. Religious Assembly		1 space per 40 seats in main assembly area, or 4 minimum

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* All spaces shall be covered and fifty percent of the spaces shall be lockable enclosures.

16.132.080 Loading area standards.

- A. Off-Street Loading Dimensions.
 - 1. The design, entrances, exits, and location of each loading berth or area shall be approved by the approval authority.
 - 2. Each loading space shall have sufficient area for turning and maneuvering of vehicles on the site, and at a minimum, the maneuvering length shall not be less than twice the overall length of the longest vehicle using the loading space.
 - 3. Landscaping for off-street loading facilities is required and shall comply with Chapter 16.124.
- B. Loading/Unloading Driveways Required On-Site. A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading passengers shall be located on the site of any school, community center or other meeting place which is designed to accommodate more than twenty-five people at one time.
- C. Off-Street Loading Spaces. Buildings or structures to be built or altered which receive and distribute material or merchandise by truck shall provide and maintain off-street loading and maneuvering space as follows:
 - 1. Every commercial use having floor area of ten thousand square feet or more, shall have at least one off-street loading space on the site;
 - 2. One additional off-street loading space shall be provided for each additional twenty thousand square feet or fraction thereof; and
 - 3. Loading spaces and areas shall be located in a manner that does not conflict with customer and pedestrian traffic on the site. (Ord. 96-4 § 1 (part), 1996)

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**Chapter 16.136
CIRCULATION AND ACCESS**

16.136.030 Access standards—Residential.

- A. Vehicular access and egress for single-family, duplex, or attached single-family dwelling units on individual lots shall not be less than the following:

Number Dwelling Unit/Lots	Minimum Number of Driveways	Minimum Property or Easement Width	Minimum Pavement Width
1	1	15 ft.	10 ft.
2	2 or 1	15 ft. 25 ft.	10 ft. 20 ft.
3-6	1	30 ft.	24 ft. With curbs on both sides and walkway on one side.

B. Vehicular access and egress for multiple-family residential uses shall not be less than the following:

Dwelling Units	Minimum Number of Driveways	Minimum Property or Easement Width	Minimum Pavement, Sidewalks, etc.
1-2	1	10 ft.	10 ft.
3-99	1 or one-way	30 ft. 20 ft.	24 ft. if two-way 15 ft. if one-way Curbs on both sides and 5' walkway on one side.
20-49	1	30 ft.	24 ft. if two-way 15 ft. if one-way Curbs on both sides and 5' walkway on one side.
100+	2	30 ft.	24 ft. Curbs on both sides and 5' walkway on <u>both</u> sides.
100+	2	30 ft.	24 ft. Curbs on both sides and 5' walkway on <u>both</u> sides.

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- C. A public street right-of-way and improvement shall be required when more than six separate lots are served by a street or access drive.
- D. Private residential access drives shall be provided and maintained in accordance with the applicable provisions of the uniform fire code.
- E. Access drives in excess of one hundred fifty feet in length shall be provided with approved provisions for the turning around of fire apparatus by one of the following:
 1. A level, circular, paved surface having a minimum turn radius measured from center point to outside edge of forty-five feet.
 2. A level, hammerhead-configured, paved surface with each leg of the hammerhead having a minimum depth of forty feet and a minimum width of twenty feet. (Ord. 96-4 § 1 (part), 1996)

16.136.040 Access standards—Non-residential.

A. Vehicle access, egress and circulation for nonresidential use shall not be less than the following:

Required Parking Spaces	Minimum Number of Driveways	Minimum Property or Easement Width	Minimum Pavement
0-99	1	30 ft.	24 ft. Curbs on both sides and 5' walkway on one side.
100+	2	30 ft.	24 ft. Curbs on both sides and 5' walkway on both sides.
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	1	50 ft.	40 ft. Curbs on both sides and 5' walkway on both sides.

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(Ord. 96-4 § 1 (part), 1996)

16.136.050 Design standards.

A. Access Drives.

1. Access drives from the street to off-street parking or loading areas shall be designed and constructed to facilitate the flow of traffic and provide maximum safety for pedestrian and vehicular traffic on the site.
2. Parking spaces on major access driveways shall be designed to reduce or eliminate backing movements and other conflicts with the driveway traffic ~~and pedestrian routes and crosswalks.~~
3. In order to slow traffic speeds on access drives, speed bumps, speed limit signs and similar techniques may be required by the approval authority to enhance safety for pedestrians, bicyclists and motorists on the site.
4. In order to improve traffic flow, the approval authority may require directional signs on the site to guide pedestrians, bicyclists or motorists.

B. One-Way Vehicular Access.

1. Where a proposed parking facility is served by one-way traffic flow on the site, it shall be accommodated by a driveway system approved by the city, and the entrance drive shall be situated closest to oncoming traffic and the exit drive shall be situated farthest from oncoming traffic.
2. The direction of traffic flow shall be clearly marked for motorists on the property and the adjoining public street.

C. On-Site Bicycle and Pedestrian Circulation.

1. Walkways and driveways shall provide a direct connection to existing and planned walkways and driveways on adjacent developments.

2. Sidewalks and walkways must connect the pedestrian circulation system to other areas of the site such as buildings, vehicle and bicycle parking, children’s play areas, required outdoor areas and any pedestrian amenities, such as open space, plazas resting areas and viewpoints. The pedestrian system must connect the site to adjacent streets and nearby transit stops.
 3. Walkways shall be located so that pedestrians have a short distance to walk between a transit stop or public sidewalk and building entrances.
 4. Pedestrian and bicycle connections shall be direct and circuitous routes shall be avoided.
 5. Where pedestrian or bicycle routes cross driveways, parking area or loading areas, the connection must be clearly identifiable through the use of striping, elevation changes, speed bumps, a different paving material or other similar method.
 6. Where pedestrian or bicycle routes are parallel and adjacent to an auto travel lane, the connection must be safely separated from the auto travel lane through the use of raised path, a raised curb, bollards, landscaping or other physical barrier. (Ord. 96-4 § 1 (part), 1996)
- B. A parking reservoir space shall be eighteen feet in length and eight feet in width. (Ord. 96-4 § 1 (part), 1996)

**Chapter 16.140
FLOODPLAIN AND DRAINAGE HAZARD AREAS***

16.140.020 Applicability of provisions.

Floodplain and drainage hazard area review shall be applicable to all new development and modifications of existing development as provided in this chapter.

B. Uses and Activities Permitted Through a City Manager Review.

Unless specifically prohibited in this title or the Clean Water Services “Design and Construction Standards for Sanitary Sewer and Surface Water Management” or its successor, a development permit may be approved in a flood or drainage hazard area according to a city manager review procedure for the following:

1. Uses and Activities Allowed in All Floodplain and Drainageway Locations.
 - a. Recreation or nature trails and removal of vegetation down to duff or bare soil provided the applicant obtains a permit for erosion control;
 - b. Lot line adjustments;
 - ~~c. Major and minor land partitions;~~
 - ~~d. Wildlife viewing areas, including interpretive signs and off-street parking, which require no grading, and viewing platforms or structures, provided that all viewing platforms or structures:

 - i. Are elevated by pilings,
 - ii. Have the lowest floor at least one foot above the base flood elevation, and
 - iii. A building permit is obtained for the proposed platform or structure;~~
 - ~~e. Maintenance, preservation and repair of local public streets and private streets except as provided for by subsection (A)(1)(f) of this section, including paving and grading of existing road surfaces, and grading and shaping of roadside ditches;~~
 - ~~f. Above ground electrical, communication, and signal transmission and distribution lines on a single-pole system. For the purposes of this section, a single-pole system~~

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is defined as above ground electrical, communication or signal lines and their supporting concrete, and wood or metal poles, excluding self-supporting steel lattice-type structures;

g. Restoration and stabilization of the bank of a river or other watercourse or body of water for erosion control provided:

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- i. The application includes a registered civil engineer's certification that:
 - (A) The project is in response to a demonstrated bank failure that resulted from a specific flood event or which has occurred within the last two years,
 - (B) The project only restores and stabilizes the bank to its original location before the demonstrated bank failure,
 - (C) The length of the bank involved does not exceed two hundred fifty feet, and
 - (D) If riprap is used, it will be keyed in to the bed and bank of the body of water as specified in OAR 141-089-0005.
- ii. Whether or not riprap is used, the length of bank within the project boundary, from the ordinary high water level to the top of the bank, shall be planted with vegetation that grows roots to stabilize the bank. Plant species used shall be those in the 1987 or most current list entitled "Shrubs, Trees and Aquatic Plants for Wildlife Plantings" prepared by the Oregon Department of Fish and Wildlife. The plantings shall meet the following requirements, unless different requirements are established for the project by the Oregon Division of State Lands through its permitting process:
 - (A) At least five plants shall be placed per one hundred square feet of bank area, and
 - (B) At least twenty percent of the plants placed shall be trees.
- iii. Upon completion of the project, a registered civil engineer or landscape architect shall submit a statement certifying that the project was completed in compliance with the provisions of this section;

h. Maintenance, preservation or repair of drainage facilities located outside of public rights-of-way;

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i. Maintenance of an existing vehicular access to a single-family residence or for farm or forest uses; including culverts for driveway crossings provided the application includes a registered civil engineer's certification that the project complies with Sections 16.140.060(A) through (I) of this chapter.

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C. Uses and Activities Allowed Through a Planning Commission Review.

Unless specifically prohibited by this title, or the Clean Water Services "Design and Construction Standards for Sanitary Sewer and Surface Water Management" or its successor, a development permit may be approved in a flood or drainage hazard area through a planning commission review procedure for the following:

1. Uses and Activities Allowed in All Floodplain and Drainageway Locations.
 - a. Water quality or quantity improvement facilities, or a wetland mitigation project when:
 - i. Mandated or approved by a local, state or federal regulatory agency, or
 - ii. Designed to be consistent with CWS standards;

- b. Dams, weirs, ponds and similar water impoundment devices, and mitigation and enhancement improvements for wetland and habitat areas;
- c. Construction or major improvement or alteration of underground pipes and conduits, including sewer, water and gas lines, transmission and distribution lines for gas and oil, underground electrical, telephone and television transmission and distribution lines, including necessary accessory structures and drainage systems;
- d. Above ground electrical, communication and signal transmission lines, except for those activities described in subsection (B)(1)(e) of this section;
- e. Parks, golf courses and other recreational uses that do not include habitable structures;
- f. Recreation or nature trails and associated grading, piping, culverts or bridges that meet the provisions of this title and applicable local, state and federal agency requirements;
- g. Creation or restoration of wetlands;
- h. Culverts and piping to implement an approved development, other than public transportation facilities, when the pipe or culvert connects to an existing pipe, culvert or drainageway. Culverts and piping in a flood or drainage hazard area shall continue to be subject to applicable local, state and federal agency requirements;
- i. Bank maintenance, restoration or stabilization, including riprap for erosion control, of a river or other watercourse or body of water inside an urban growth boundary or not otherwise permitted by subsection (B)(1)(f) of this section;
- j. Subdivisions, ~~provided that none of the proposed parcels located outside of the UGB shall accommodate residential structures;~~
- k. Driveways and off-street parking that comply with the provisions of this title and applicable local, state and federal agency requirements.

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Chapter 16.152
SITE PLAN REVIEW

16.152.020 Applicability of provisions.

Site plan review shall be applicable to all new developments and major modifications of existing developments, except it shall not apply to:

- A. Single-family detached dwellings;
- B. A duplex, not being reviewed as part of any other development; or
- C. Proposed minor modification of an existing development which does not cause or create:
 - 1. An increase in dwelling unit density or increase in lot coverage for residential development;
 - 2. A change in the ratio or number of different types of dwelling units;
 - 3. A need for additional on-site parking in accordance with this title;
 - 4. An increase in the height of the building(s) by more than twenty percent;
 - 5. A change in the type and location of accessways and parking areas where off-site traffic would be affected;
 - 6. An increase in vehicular traffic to and from the site of more than twenty vehicles per day as determined by using the International Transportation Engineer's (ITE) Manual or a professional traffic engineer;

7. An increase in the floor area of nonresidential uses by more than ten percent, excluding expansions under five thousand square feet;
 8. A reduction in project amenities below the minimum established by this title or by more than ten percent where specified in the approved site plan including:
 - a. Recreational facilities,
 - b. Screening and buffer areas, and/or
 - c. Landscaping and open space; and
 9. A modification of the conditions imposed at the time of site plan review approval which are not the subject of subsection (C)(1) through (C)(8) of this section.
- D. Alterations which cause or create one or more of the impacts listed in subsection (C) of this section shall be considered as a major modification. (Ord. 96-4 § 1 (part), 1996)
- E. Alterations that do not cause or create any of the impacts listed in subsection (C) of this section shall be subject to the administrative review process.

16.152.110 Approval standards.

The planning commission shall approve, approve with conditions or deny an application based on findings of fact with respect to the approval standards of this section.

- A. Provisions of the following parts of this title:
1. Accessory uses and structures—Chapter 16.176;
 2. Additional yard and setback requirements—Section 16.80.060;
 3. Base zone requirements—Chapters 16.80 through 16.112;
 4. Building height exceptions—Section 16.80.070;
 5. Circulation and access—Chapter 16.136;
 6. Landscaping and screening—Chapter 16.124;
 7. Parking and loading—Chapter 16.132;
 8. Public facility and service requirements—Chapter 16.196;
 9. Flood plain and drainage hazard areas—Chapter 16.140;
 10. Signs—Chapter 16.148;
 11. Solar balance point standards—Chapter 16.116;
 12. Tree removal—Chapter 16.128;
 13. Vision clearance—Chapter 16.144;
 14. Neighborhood circulation—Chapter 16.212
 15. Manufactured/Mobile Home Regulations – Chapter 16.120;
 16. West King City Planning Area Goal 5 Safe Harbor – Chapter 16.142;
 17. Residential Density Calculation – Chapter 16.146;
 18. Planned Development – Chapter 16.150; and
 19. King City Plaza master plan – Section 16.104.060.

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**Chapter 16.156
CONDITIONAL USES**

16.156.060 Approval standards for specific uses.

Additional approval criteria for specific conditional uses are indicated below. They shall be satisfied in addition to Section 16.156.050 and the standards of the applicable zoning district.

- G. Quick Vehicle Servicing.

1. All cleaning, repair and maintenance work shall be conducted indoors.
2. No outdoor storage of vehicles or equipment.
3. Nearby properties shall be buffered from potential noise impacts related to activities occurring on the site, including inside the building(s).
4. The transportation system is capable of safely supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, access to collector or arterial streets, transit availability, on-street parking impacts, access requirements, neighborhood impacts, and pedestrian and bicyclist safety.

5. Vehicle queuing shall not create a conflict with pedestrian routes on the site or adjacent public sidewalks.

J. Retail Sales and Service—Drive-through Facilities.

1. Nearby properties shall be buffered from potential noise impacts related to activities occurring on the site. Special attention shall be given to outdoor speakers.
2. The transportation system is capable of safely supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, access to collector or arterial streets, transit availability, on-street parking impacts, access requirements and neighborhood impacts.
3. Drive-through facilities shall be designed to provide safe and convenient pedestrian and bicyclist access.

4. Drive-through service windows shall be on the rear or side of a building and shall not be located on the front of a building.

5. Vehicle queuing shall not be located between the front of a building and a street or create a conflict with pedestrian routes on the site or adjacent public sidewalks.

N. Self-service storage. Self-service storage shall only be allowed on Tax Lot 3000, Assessor's Map 2S1 15BD, located on the west side of SW Pacific Highway and north of SW Fischer Road as shown in Figure 1.

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Chapter 16.200

MAJOR AND MINOR LAND PARTITIONS AND LOT LINE ADJUSTMENTS

16.200.030 Administration.

A. Major and minor partition applications shall be administered and reviewed as a city manager review in accordance with Article II of this title.

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Chapter 16.212

NEIGHBORHOOD CIRCULATION

16.212.080 Modification of standards.

The approval authority may approve a modification to the circulation analysis review standards of Sections 16.212.050 through 16.212.070 through a planning commission review based upon the relevant approval criteria in this section.

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A. On-Site Street and Accessway Circulation.

1. On-site street and accessway circulation standards in Section 16.212.050 may be modified by the planning commission based on findings that:
 - a. The modification is the minimum necessary to address the constraint;
 - b. The circulation analysis demonstrates that the proposed street and accessway system for the subject property and surrounding area will perform as well as or better than a system, which meets the standards in this chapter; and
 - c. The application of the standard is impractical due to one or more of the following circumstances:
 - i. Physical or topographic conditions make it impractical to satisfy the street or walkway connection requirements of this chapter. These conditions include, but are not limited to, controlled access streets, steep slopes, wetlands, flood plains or water bodies where a connection could not reasonably be provided. Grades that are too steep for a street may not be too steep for an accessway.
 - ii. Buildings or other existing development on adjacent lands physically preclude a street or accessway connection now or in the future considering the potential for redevelopment. A modification to the maximum number of residential units or lots completely dependent upon a neighborhood collector or local street in Section 16.212.050(D), shall not be permitted without a corresponding amendment to the King City comprehensive plan to allow a greater maximum average daily traffic count and/or number of residences on these streets.
 - iii. Where streets or accessways would violate provisions of leases, easements, agency access standards or similar restrictions that are demonstrated to be legally beyond the control of the applicant, developer or property owner;
 - iv. Abutting undeveloped or underdeveloped property is within the one hundred-year flood plain;
 - v. Arterial or collector street access restrictions.
2. When a cul-de-sac is justified as provided in subsection (A)(1) of this section, an accessway shall be provided to connect with another street, greenway, school, or similar

destination unless one or more of the circumstances listed in this section also apply to an accessway.

3. The approval authority may require a sidewalk on only one side of a twenty-two-foot wide or twenty-eight-foot wide local street design options when it is determined that the existing or anticipated pedestrian traffic shall be safely and conveniently accommodated with one sidewalk.

B. Internal Pedestrian Circulation.

1. Internal pedestrian circulation standards in Section 16.212.060 may be modified by the approval authority based on findings that the modification is the minimum necessary to address the constraint and the application of the standard is impractical due to one or more of the following circumstances:

- a. Physical or topographic conditions make a street or walkway connection impractical. These conditions include but are not limited to steep slopes, wetlands or water bodies on the property where a connection could not reasonably be provided.
- b. Buildings or other existing development on the property or adjacent lands physically preclude a connection now or in the future, considering the potential for redevelopment.
- c. A reduction of the number of pedestrian connections required by 16.212.060(A) is justified because it shall not create an increase in out of direction travel from the street to any main building entrance for pedestrians walking to the site from an off-site accessway, the sidewalk or shoulder along the street where the property has frontage, a transit stop, pedestrian crossings on an arterial or collectors street, or pedestrian oriented uses across a collector or local street.

2. When a modification is justified as provided in subsection (B)(1) of this section, walking distances for pedestrian routes within and from the new development shall not be significantly increased from what would be developed under the requirements of this chapter.

- C. Accessway and Greenway Design Standards. An accessway and greenway design standard in Section 16.212.070 may be modified by the approval authority based on findings that the application of the standard is impractical, the proposed modification is the minimum necessary to address the constraint, and the alternative design solution proposed by the applicant meets the intent of the standard. (Ord. O-02-4 § 2 (part), 2002)

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