

**CHAPTER 21.22 DEVELOPMENT STANDARDS -
MINERAL EXTRACTION**

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

- (1) Ensuring adequate review of all operating aspects of extractive sites;
- (2) Requiring project phasing to ensure that an extractive site is reclaimed in a timely manner prior to the disturbance of additional areas or removal of additional materials;
- (3) Requiring minimum site areas large enough to provide setbacks and mitigation necessary to protect environmental quality; and
- (4) Requiring periodic review of extractive operations to ensure compliance with the most current operating standards.

21.22.020 Exemptions. The provisions of this chapter shall not apply to uses or activities specifically exempted by the WMC.

21.22.030 Grading permits required. Extractive operations shall commence only after issuance of a grading permit.

21.22.040 Nonconforming extractive operations. To the extent determined feasible by the City, nonconforming extractive operations shall be brought into conformance with the operating standards of WMC 21.22.070.

21.22.050 Periodic review. Unless a more frequent review is required by the City, periodic review of extractive operations shall be provided as follows:

- (1) All extractive operations shall be subject to a review of development and operating standards as well as reclamation progress at five (5) year intervals;
- (2) The periodic review shall be:
 - (a) Conducted by the Development Services Director pursuant to the review process outlined in WMC 21.42.040 - .090; and

- (b) Used to determine that the site is operating consistent with the most current standards and to establish other conditions as necessary to mitigate identifiable environmental impacts.

21.22.060

Site design standards. Except as provided for nonconforming extractive operations in WMC 21.22.040, all extractive operations shall comply with the following minimum standards:

- (1) The minimum site area of an extractive operation shall be ten (10) acres.
- (2) Extractive operations on sites larger than twenty (20) acres shall occur in phases to minimize environmental impacts. The size of each phase shall be determined during the review process;
- (3) Fences shall be:
 - (a) Provided in a manner which discourages access to safety hazards which may arise on areas of the site where:
 - (i) Active extracting, processing, stockpiling and loading of materials is occurring;
 - (ii) Any unstable slope or any slope exceeding a grade of forty (40) percent is present; or
 - (iii) Any settling pond or other stormwater facility is present;
 - (b) At least six (6) feet in height above the grade measured at a point five (5) feet from the outside of the fence;
 - (c) Installed with lockable gates at all openings or entrances;
 - (d) No more than four (4) inches from the ground to fence bottom; and
 - (e) Maintained in good repair.
- (4) Warning and trespass signs advising of the extractive operation shall be placed on the perimeter of the site adjacent to R zones at intervals no greater than 200 feet along any unfenced portion of the site where the items noted in subsection 3(a)(i), (iii) are present;
- (5) Structural setbacks from property lines shall be as follows:
 - (a) Buildings or structures used in the processing of materials shall be no closer than:
 - (i) One hundred (100) feet from any R zoned properties except that the setback may be reduced to fifty (50) feet when the grade where such building or structures are proposed is fifty (50) feet or greater below the grade of said R zoned property, or
 - (ii) Twenty feet (20) from any other zoned property, except when adjacent to another extractive site, or from any public street.
 - (b) Offices, scale facilities, equipment storage buildings and stockpiles shall not be closer than twenty (20) feet from any property line except when adjacent to another extractive site;
- (6) No clearing, grading or excavation, excluding that necessary for roadway or storm drainage facility construction, shall be permitted within twenty (20) feet of any property line except along any portion of the perimeter adjacent to another extractive operation provided that such activities may be pursuant to an approved reclamation plan;

- (7) Landscaping as required pursuant to WMC 21.16 shall be provided along any portion of the site perimeter where disturbances such as site clearing and grading, or mineral extraction or processing is performed, except where adjacent to another extractive operation; and
- (8) Lighting shall:
 - (a) Be limited to that required for security, lighting of structures and equipment, and vehicle operations; and
 - (b) Not direct glare onto surrounding properties.

21.22.070 Operating standards. All operating standards shall be as specified in the WMC except:

- (1) Noise levels produced by an extractive operation shall not exceed levels specified pursuant to WMC 8.08.
- (2) Blasting shall be conducted:
 - (a) Consistent with the methods specified in the Office of Surface Mining, 1987 Blasting Guidance Manual;
 - (b) During daylight hours; and
 - (c) According to a time schedule that:
 - (i) Features regular or predictable times, except in the case of an emergency; and
 - (ii) Is provided to residents within one-half mile of the site;
- (3) Dust and smoke produced by extractive operations shall not substantially increase the existing levels of suspended particulates at the perimeter of the site and shall be controlled by watering of the site and equipment or other methods specified by the City;
- (4) The applicant shall provide for measures to prevent transport of rocks, dirt and mud from trucks onto public roadways;
- (5) Traffic control measures such as flagmen or warning signs as determined by the City shall be provided by the applicant during all hours of operation; and
- (6) The applicant shall be responsible for cleaning of debris or repairing of damage to roadways caused by the operation.

21.22.080 Reclamation. A reclamation plan shall be submitted with each application or renewal which addresses:

- (1) Subsequent land uses on the reclaimed lands anticipating reclassification of zones;
- (2) Present and proposed final topography;
- (3) The relationship and impact of alternative post-reclamation land uses on surrounding properties as they relate to possible alternative land uses;
- (4) A time schedule indicating how and when reclamation will occur during and after extractive operations; and
- (5) The requirements of RCW 78.44.090.

21.22.090 Bonds.

- (1) Extractive operations shall be bonded as outlined in the WMC.

- (2) The bond amount may be reduced proportionately as extraction on each phase is completed and the phase is reclaimed.
- (3) Reclamation bonds posted with the Washington State Department of Natural Resources or U.S. Office of Surface Mining may be used to comply with this section.