



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

December 12, 2013

Ordinance 17710

Proposed No. 2013-0472.3

Sponsors Gossett

1 AN ORDINANCE relating to zoning; amending Ordinance
2 10870, Section 48, as amended, and K.C.C. 21A.06.040,
3 Ordinance 10870, Section 334, as amended, and K.C.C.
4 21A.08.070, Ordinance 10870, Section 335, as amended,
5 and K.C.C. 21A.08.080, Ordinance 10870, Section 336, as
6 amended, and K.C.C. 21A.08.090, Ordinance 10870,
7 Section 536, as amended, and K.C.C. 21A.30.080,
8 Ordinance 15606, Section 20, as amended, and K.C.C.
9 21A.30.085 and Ordinance 10870, Section 537, as
10 amended, and K.C.C.21A.30.090, adding new sections to
11 K.C.C. chapter 21A.06 and adding a new section to K.C.C.
12 chapter 21A.32.

13 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

14 SECTION 1. Ordinance 10870, Section 48, as amended, and K.C.C. 21A.06.040
15 are each hereby amended to read as follows:

16 Agricultural product sales: the retail sales of items resulting from the practice of
17 agriculture, including primary horticulture products such as fruits, vegetables, grains,
18 seed, feed and plants, primary animal products such as eggs, milk and meat, or secondary
19 and value added products resulting from processing, sorting or packaging of primary

20 agricultural products such as jams, cheeses, dried herbs or similar items. Agricultural
21 product sales do not include marijuana, usable marijuana or marijuana-infused products.

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

24 Marijuana: all parts of the plant cannabis, whether growing or not, with a
25 percentage concentration of delta-9 tetrahydrocannabinol content per dry weight of any
26 part of the plant cannabis, or per volume or weight of marijuana product greater than 0.3
27 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the
28 plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the
29 plant, its seeds or resin. Marijuana does not include the mature stalks of the plant, fiber
30 produced from the stalks, oil or cake made from the seeds of the plant, any other
31 compound, manufacture, salt, derivative, mixture or preparation of the mature stalks
32 (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant
33 which is incapable of germination.

34 NEW SECTION. SECTION 3. There is hereby added to K.C.C. chapter 21A.06
35 a new section to read as follows:

36 Marijuana greenhouse: a structure with a glass or rigid plastic roof and glass or
37 rigid plastic walls designed and used to create an artificial climate for the growing of
38 marijuana as licensed by the Washington state Liquor Control Board for the marijuana
39 production that is of sufficient strength and stability to comply with the structural design
40 load requirements of the building code and that is not used as a place for human
41 habitation or by the general public.

42 NEW SECTION. SECTION 4 There is hereby added to K.C.C. chapter 21A.06
43 a new section to read as follows:

44 Marijuana processor, recreational: a facility licensed by the Washington state
45 Liquor Control Board to process marijuana into useable marijuana and marijuana-infused
46 products, package and label useable marijuana and marijuana-infused products for sale in
47 retail outlets, and sell useable marijuana and marijuana-infused products at wholesale to
48 marijuana retailers. Recreational marijuana processors are classified as follows:

49 A. Recreational marijuana processor I -- processing which is limited to:

- 50 1. Drying, curing, and trimming; and
- 51 2. Packaging.

52 B. Recreational marijuana processor II -- all elements of processing including:

- 53 1. All recreational marijuana processor I activities;
- 54 2. Extracting concentrates and infusing products;
- 55 3. Mechanical and chemical processing; and
- 56 4. Packaging.

57 NEW SECTION. SECTION 5. There is hereby added to K.C.C. chapter 21A.06
58 a new section to read as follows:

59 Marijuana producer, recreational: a facility licensed by the Washington state
60 Liquor Control Board for the production and sale at wholesale of marijuana to marijuana
61 processors and other marijuana producers.

62 NEW SECTION. SECTION 6. There is hereby added to K.C.C. chapter 21A.06
63 a new section to read as follows:

64 Marijuana retailer, recreational: a facility licensed by the Washington state
 65 Liquor Control Board where useable marijuana and marijuana-infused products may be
 66 sold at retail.

67 SECTION 7. Ordinance 10870, Section 334, as amended, and K.C.C.
 68 21A.08.070 are each hereby amended to read as follows:

69 A. Retail land uses.

KEY		RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
P-Permitted Use	Z O N E	A	F	M	R	U R	U R		N B	C B	R B	O	I
C-Conditional Use		G	O	I	U	R E	R E		E U	O U	E U	F	N
S-Special Use		R	R	N	R	B S	B S		I S	M S	G S	F	D
		I	E	E	A	A E	A I		G I	M I	I I	I	U
		C	S	R	L	N R	N D		H N	U N	O N	C	S
		U	T	A		V	E		B E	N E	N E	E	T
		L		L	A	E	N		O S	I S	A S		R
		T			R		T		R S	T S	L S		I
		U			E		I		H	Y			A
		R			A		A		O				L
		E					L		D				
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (30)
*	Building Materials and Hardware Stores		P23						P2	P	P		
*	Retail Nursery, Garden Center and Farm Supply Stores	P1 C1			P1 C1				P	P	P		
*	Forest Products Sales	P3 and 4	P4		P3 and 4						P		
*	Department and						C14a	P14	P5	P	P		

	Variety Stores												
54	Food Stores					C15a	P15	P	P	P	C	P6	
*	Agricultural Product Sales	P7 C7	P4		P7 C7	P3	P3	P25	P25	P25	P25	P25	P25
*	Farmers Market	P24	P24		P24	P24	P24	P24	P24	P24	P24	P24	P24
*	Motor Vehicle and Boat Dealers										P8		P
553	Auto Supply Stores									P9	P9		P
554	Gasoline Service Stations								P	P	P		P
56	Apparel and Accessory Stores									P	P		
*	Furniture and Home Furnishings Stores									P	P		
58	Eating and Drinking Places				P21 C19		P20 C16	P20 P16	P10	P	P	P	P
*	Drug Stores						C15	P15	P	P	P	C	
*	Recreational marijuana retailer									P26 C27	P26 C27		
592	Liquor Stores	P13			P13	P13			P13	P	P		
593	Used Goods: Antiques/ Secondhand Shops									P	P		
*	Sporting Goods and Related Stores			P22	P22	P22	P22	P22	P22	P	P	P22	P22
*	Book, Stationery, Video and Art Supply Stores						C15a	P15	P	P	P		
*	Jewelry Stores									P	P		
*	Monuments, Tombstones, and Gravestones										P		
*	Hobby, Toy, Game Shops								P	P	P		
*	Photographic and Electronic Shops								P	P	P		

*	Fabric Shops									P	P		
598	Fuel Dealers									C11	P		P
*	Florist Shops						C15a	P15	P	P	P	P	
*	Personal Medical Supply Stores									P	P		
*	Pet Shops								P	P	P		
*	Bulk Retail									P	P		
*	Auction Houses										P12		P
*	Livestock Sales	P17	P17		P17	P17	P17						P
							and 18						
GENERAL CROSS		Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see K.C.C.											
REFERENCES:		chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*)Definition of this specific land use, see K.C.C. chapter 21A.06.											

70 B. Development conditions.

71 1.a. As a permitted use, covered sales areas shall not exceed a total area of two
 72 thousand square feet, unless located in a building designated as historic resource under
 73 K.C.C. chapter 20.62. With a conditional uses permit, covered sales areas of up to three
 74 thousand five hundred square feet may be allowed. Greenhouses used for the display of
 75 merchandise other than plants shall be considered part of the covered sales area.

76 Uncovered outdoor areas used to grow or display trees, shrubs, or other plants are not
 77 considered part of the covered sales area;

- 78 b. The site area shall be at least four and one-half acres;
- 79 c. Sales may include locally made arts and crafts; and
- 80 d. Outside lighting is permitted if no off-site glare is allowed.

81 2. Only hardware stores.

82 3.a. Limited to products grown on site.

83 b. Covered sales areas shall not exceed a total area of five hundred square feet.

84 4. No permanent structures or signs.

85 5. Limited to SIC Industry No. 5331-Variety Stores, and further limited to a
86 maximum of two thousand square feet of gross floor area.

87 6. Limited to a maximum of five thousand square feet of gross floor area.

88 7.a. As a permitted use, the covered sales area shall not exceed two thousand
89 square feet, unless located in a building designated as a historic resource under K.C.C.
90 chapter 20.62. As a conditional use, up to three thousand five hundred square feet of
91 covered sales area may be allowed;

92 b. The site area shall be at least four and one-half acres;

93 c. Forty percent or more of the gross sales of agricultural product sold through
94 the store must be sold by the producers of primary agricultural products;

95 d. Sixty percent or more of the gross sales of agricultural products sold through
96 the store shall be derived from products grown or produced in the Puget Sound counties.

97 At the time of the initial application, the applicant shall submit a reasonable projection of
98 the source of product sales;

99 e. Sales shall be limited to agricultural products and locally made arts and
100 crafts;

101 f. Storage areas for agricultural products may be included in a farm store
102 structure or in any accessory building; and

103 g. Outside lighting is permitted if no off-site glare is allowed.

104 8. Excluding retail sale of trucks exceeding one-ton capacity.

105 9. Only the sale of new or reconditioned automobile supplies is permitted.

106 10. Excluding SIC Industry No. 5813-Drinking Places.

107 11. No outside storage of fuel trucks and equipment.

108 12. Excluding vehicle and livestock auctions.

109 13. Only as accessory to a winery or SIC Industry No. 2082-Malt Beverages,
110 and limited to sales of products produced on site and incidental items where the majority
111 of sales are generated from products produced on site.

112 14.a. Not in R-1 and limited to SIC Industry No. 5331-Variety Stores, limited to
113 a maximum of five thousand square feet of gross floor area, and subject to K.C.C.
114 21A.12.230; and

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

117 15.a. Not permitted in R-1 and limited to a maximum of five thousand square
118 feet of gross floor area and subject to K.C.C. 21A.12.230; and

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

121 16.a. Not permitted in R-1 and excluding SIC Industry No. 5813-Drinking
122 Places, and limited to a maximum of five thousand square feet of gross floor area and
123 subject to K.C.C. 21A.12.230, except as provided in subsection B.20. of this section; and

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

126 17. Retail sale of livestock is permitted only as accessory to raising livestock.

127 18. Limited to the R-1 zone.

128 19. Only as:

129 a. an accessory use to a permitted manufacturing or retail land use, limited to
130 espresso stands to include sales of beverages and incidental food items, and not to include
131 drive-through sales; or

132 b. an accessory use to a large active recreation and multiuse park, limited to a
133 total floor area of three thousand five hundred square feet.

134 20. Only as:

135 a. an accessory use to a large active recreation and multiuse park; or

136 b. an accessory use to a park and limited to a total floor area of one thousand
137 five hundred square feet.

138 21. Accessory to a park, limited to a total floor area of seven hundred fifty
139 square feet.

140 22. Only as an accessory use to:

141 a. a large active recreation and multiuse park in the urban growth area; or

142 b. a park, or a large active recreation and multiuse park in the RA zones, and
143 limited to a total floor area of seven hundred and fifty square feet.

144 23. Only as accessory to SIC Industry Group No. 242-Sawmills and SIC
145 Industry No. 2431-Millwork and;

146 a. limited to lumber milled on site; and

147 b. the covered sales area is limited to two thousand square feet. The covered
148 sales area does not include covered areas used to display only milled lumber.

149 24. Requires at least five farmers selling their own products at each market and
150 the annual value of sales by farmers should exceed the annual sales value of nonfarmer
151 vendors.

152 25. Limited to sites located within the urban growth area and:
 153 a. The sales area shall be limited to three hundred square feet and must be
 154 removed each evening;
 155 b. There must be legal parking that is easily available for customers; and
 156 d. The site must be in an area that is easily accessible to the public, will
 157 accommodate multiple shoppers at one time and does not infringe on neighboring
 158 properties.

159 26. Per parcel, limited to a maximum aggregated total of two thousand square
 160 feet of gross floor area devoted to, and in support of, the retail sale of marijuana.

161 27. Limited to a maximum of five thousand square feet gross floor area devoted
 162 to, and in support of, the retail sale of marijuana.

163 SECTION 8. Ordinance 10870, Section 335, as amended, and K.C.C.

164 21A.08.080 are each hereby amended to read as follows:

165 A. Manufacturing land uses.

KEY		RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL								
P-Permitted Use	Z O N E	A	F	M	R	U	R	U	R	N	B	C	B	R	B	O	I
C-Conditional Use		G	O	I	U	R	E	R	E	E	U	O	U	E	U	F	N
S-Special Use		R	R	N	R	B	S	B	S	I	S	M	S	G	S	F	D
		I	E	E	A	A	E	A	I	G	I	M	I	I	I	I	U
		C	S	R	L	N	R	N	D	H	N	U	N	O	N	C	S
		U	T	A			V		E	B	E	N	E	N	E	E	T
		L		L	A		E		N	O	S	I	S	A	S		R
		T			R				T	R	S	T	S	L	S		I
		U			E				I	H		Y					A
		R			A				A	O							L
	E							L	O								
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I	(11)			

Ordinance 17710

20	Food and Kindred Products	P1 C1	P1		P1 C1	P1			P2	P2	P2 C		P2 C
* /2082 /2085	Winery/Brewery /Distillery	P3 C12			P3 C12	P3			P18	P18	P		P
*	Materials Processing Facility	P13	P14 C	P15 C16	P17 C								P
22	Textile Mill Products												C
23	Apparel and other Textile Products										C		P
24	Wood Products, except furniture	P4 P19	P4 P19 C5		P4 P19 C5	P4					C6		P
25	Furniture and Fixtures		P20		P20						C		P
26	Paper and Allied Products												C
27	Printing and Publishing								P7	P7	P7 C	P7 C	P
* _	Recreational marijuana Processor I	<u>P21</u>			<u>P21</u>					<u>P22</u> <u>C23</u>	<u>P22</u> <u>C23</u>		
* _	Recreational marijuana Processor II									<u>P24</u> <u>C25</u>	<u>P24</u> <u>C25</u>		<u>P25</u>
28	Chemicals and Allied Products												C
2911	Petroleum Refining and Related Industries												C
30	Rubber and Misc. Plastics Products												C
31	Leather and Leather Goods										C		P
32	Stone, Clay, Glass and Concrete Products								P6	P9			P
33	Primary Metal Industries												C
34	Fabricated Metal Products												P
35	Industrial and Commercial Machinery												P

171 c. In the RA and UR zones, only allowed on lots of at least four and one-half
172 acres and only when accessory to an agricultural use;

173 d.(1) Except as provided in subsection B.1.d.(2) and B.1.d.(3) of this section,
174 the floor area devoted to all processing shall not exceed three thousand five hundred
175 square feet, unless located in a building designated as historic resource under K.C.C.
176 chapter 20.62;

177 (2) With a conditional use permit, up to five thousand square feet of floor
178 area may be devoted to all processing; and

179 (3) In the A zone, on lots thirty-five acres or greater, the floor area devoted to
180 all processing shall not exceed seven thousand square feet, unless located in a building
181 designated as historic resource under K.C.C. chapter 20.62;

182 e. Structures and areas used for processing shall maintain a minimum distance of
183 seventy-five feet from property lines adjoining rural area and residential zones, unless
184 located in a building designated as historic resource under K.C.C. chapter 20.62;

185 f. Processing is limited to agricultural products and sixty percent or more of
186 the products processed must be grown in the Puget Sound counties. At the time of initial
187 application, the applicant shall submit a projection of the source of products to be
188 produced;

189 g. In the A zone, structures used for processing shall be located on portions of
190 agricultural lands that are unsuitable for other agricultural purposes, such as areas within
191 the already developed portion of such agricultural lands that are not available for direct
192 agricultural production, or areas without prime agricultural soils; and

193 h. Tasting of products produced on site may be provided. The area devoted to
194 tasting shall be included in the floor area limitation in subsection B.1.d. of this section.

195 2. Except slaughterhouses.

196 3.a. Limited to wineries, SIC Industry No. 2082-Malt Beverages and SIC
197 Industry No. 2085-Distilled and Blended Liquors;

198 b. In the A zone, only allowed on sites where the primary use is SIC Industry
199 Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small
200 Animals;

201 c. In the RA and UR zones, only allowed on lots of at least four and one-half
202 acres;

203 d. The floor area devoted to all processing shall not exceed three thousand five
204 hundred square feet, unless located in a building designated as historic resource under
205 K.C.C. chapter 20.62;

206 e. Structures and areas used for processing shall maintain a minimum distance
207 of seventy-five feet from property lines adjoining rural area and residential zones, unless
208 located in a building designated as historic resource under K.C.C. chapter 20.62;

209 f. Sixty percent or more of the products processed must be grown in the Puget
210 Sound counties. At the time of the initial application, the applicant shall submit a
211 projection of the source of products to be produced; and

212 g. Tasting of products produced on site may be provided. The area devoted to
213 tasting shall be included in the floor area limitation in subsection B.3.c. of this section.

214 4. Limited to rough milling and planing of products grown on-site with portable
215 equipment.

- 216 5. Limited to SIC Industry Group No. 242-Sawmills and SIC Industry No.
217 2431-Millwork. For RA zoned sites, if using lumber or timber grown off-site, the
218 minimum site area is four and one-half acres.
- 219 6. Limited to uses found in SIC Industry No. 2434-Wood Kitchen Cabinets and
220 No. 2431-Millwork, (excluding planing mills).
- 221 7. Limited to photocopying and printing services offered to the general public.
- 222 8. Only within enclosed buildings, and as an accessory use to retail sales.
- 223 9. Only within enclosed buildings.
- 224 10. Limited to boat building of craft not exceeding forty-eight feet in length.
- 225 11. For I-zoned sites located outside the urban growth area designated by the
226 King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C.
227 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for
228 rural industrial uses as set forth in K.C.C. chapter 21A.12.
- 229 12.a. Limited to wineries, SIC Industry No. 2082-Malt Beverages and SIC
230 Industry No. 2085-Distilled and Blended Liquors;
- 231 b.(1) Except as provided in subsection B.12.b.(2) of this section, the floor area
232 of structures for wineries, breweries and distilleries and any accessory uses shall not
233 exceed a total of eight thousand square feet. The floor area may be increased by up to an
234 additional eight thousand square feet of underground storage that is constructed
235 completely below natural grade, not including required exits and access points, if the
236 underground storage is at least one foot below the surface and is not visible above
237 ground; and

238 (2) On Vashon-Maury Island, the total floor area of structures for wineries,
239 breweries and distilleries and any accessory uses may not exceed six thousand square
240 feet, including underground storage;

241 c. Wineries, breweries and distilleries shall comply with Washington state
242 Department of Ecology and King County board of health regulations for water usage and
243 wastewater disposal. Wineries, breweries and distilleries using water from exempt wells
244 shall install a water meter;

245 d. Off-street parking is limited to one hundred and fifty percent of the
246 minimum requirement for wineries, breweries or distilleries specified in K.C.C.
247 21A.18.030;

248 e. Structures and areas used for processing shall be set back a minimum
249 distance of seventy-five feet from property lines adjacent to rural area and residential
250 zones, unless the processing is located in a building designated as historic resource under
251 K.C.C. chapter 20.62;

252 f. The minimum site area is four and one-half acres. If the total floor area of
253 structures for wineries, breweries and distilleries and any accessory uses exceed six
254 thousand square feet, including underground storage:

255 (1) the minimum site area is ten acres; and

256 (2) a minimum of two and one-half acres of the site shall be used for the
257 growing of agricultural products;

258 g. The facility shall be limited to processing agricultural products and sixty
259 percent or more of the products processed must be grown in the Puget Sound counties.

260 At the time of the initial application, the applicant shall submit a projection of the source
261 of products to be processed; and

262 h. Tasting of products produced on site may be provided. The area devoted to
263 tasting shall be included in the floor area limitation in subsection B.12.b. of this section.

264 13. Limited to source separated organic waste processing facilities at a scale
265 appropriate to process the organic waste generated in the agricultural zone.

266 14. Only on the same lot or same group of lots under common ownership or
267 documented legal control, which includes, but is not limited to, fee simple ownership, a
268 long-term lease or an easement:

269 a. as accessory to a primary forestry use and at a scale appropriate to process
270 the organic waste generated on the site; or

271 b. as a continuation of a sawmill or lumber manufacturing use only for that
272 period to complete delivery of products or projects under contract at the end of the
273 sawmill or lumber manufacturing activity.

274 15. Only on the same lot or same group of lots under common ownership or
275 documented legal control, which includes, but is not limited to, fee simple ownership, a
276 long-term lease or an easement:

277 a. as accessory to a primary mineral use; or

278 b. as a continuation of a mineral processing use only for that period to
279 complete delivery of products or projects under contract at the end of mineral extraction.

280 16. Continuation of a materials processing facility after reclamation in
281 accordance with an approved reclamation plan.

282 17. Only a site that is ten acres or greater and that does not use local access
283 streets that abut lots developed for residential use.

284 18.a. Limited to wineries, SIC Industry No. 2082-Malt Beverages and SIC
285 Industry No. 2085-Distilled and Blended Liquors;

286 b. The floor area devoted to all processing shall not exceed three thousand five
287 hundred square feet, unless located in a building designated as historic resource under
288 K.C.C. chapter 20.62;

289 c. Structures and areas used for processing shall maintain a minimum distance
290 of seventy-five feet from property lines adjoining rural area and residential zones, unless
291 located in a building designated as historic resource under K.C.C. chapter 20.62; and

292 d. Tasting of products produced on site may be provided. The area devoted to
293 tasting shall be included in the floor area limitation in subsection B.18.b. of this section.

294 19. Limited to:

295 a. SIC Industry Group No. 242-Sawmills and SIC Industry No. 2431-
296 Millwork, as follows:

297 (1) If using lumber or timber grown off-site, the minimum site area is four
298 and one-half acres;

299 (2) The facility shall be limited to an annual production of no more than one
300 hundred fifty thousand board feet;

301 (3) Structures housing equipment used in the operation shall be located at
302 least one-hundred feet from adjacent properties with residential or rural area zoning;

303 (4) Deliveries and customer visits shall be limited to the hours of 8:00 a.m. to
304 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

305 (6) In the RA zone, the facility's driveway shall have adequate entering sight
306 distance required by the 2007 King County Road Design and Construction Standards. An
307 adequate turn around shall be provided on-site to prevent vehicles from backing out on to
308 the roadway that the driveway accesses; and

309 (7) Outside lighting is limited to avoid off-site glare; and

310 b. SIC Industry No. 2411-Logging.

311 20. Limited to manufacture of custom made wood furniture or cabinets.

312 21.a. Only allowed on lots of at least four and one-half acres;

313 b. Only as an accessory use to a Washington state Liquor Control Board
314 licensed marijuana production facility on the same lot; and

315 c. Accessory marijuana processing uses allowed under this section are subject
316 to all limitations applicable to marijuana production uses under K.C.C. 21A.08.090.

317 22.a. Only in the CB and RB zones located outside the urban growth area; and

318 b. Per parcel, the aggregated total gross floor area devoted to the use of, and in
319 support of, processing marijuana together with any separately authorized production of
320 marijuana shall be limited to a maximum of two thousand square feet; and

321 c. If the two thousand square foot per parcel threshold is exceeded, each and
322 every marijuana-related entity occupying space in addition to the two thousand square
323 foot threshold area on that parcel shall obtain a conditional use permit as set forth in
324 subsection B.23. of this section.

325 23.a. Only in the CB and RB zones located outside the urban growth area; and

326 b. Per parcel, the aggregated total gross floor area devoted to the use of, and in
327 support of, processing marijuana together with any separately authorized production of
328 marijuana shall be limited to a maximum of thirty thousand square feet.

329 24.a. Only in the CB and RB zones located inside the urban growth area and in
330 the UR zone in the Redmond Ridge Urban Planned Development/Fully Contained
331 Community on sites designated as business park under the agreement as authorized by
332 the Northridge Development Agreement; and

333 b. Per parcel, the aggregated total gross floor area devoted to the use of, and in
334 support of, processing marijuana together with any separately authorized production of
335 marijuana shall be limited to a maximum of two thousand square feet; and

336 c. If the two thousand square foot per parcel threshold is exceeded, each and
337 every marijuana-related entity occupying space in addition to the two thousand square
338 foot threshold area on that parcel shall obtain a conditional use permit as set forth in
339 subsection B.25. of this section.

340 25. a. Only in the CB and RB zones located inside the urban growth area and in
341 the UR zone in the Redmond Ridge Urban Planned Development/Fully Contained
342 Community on sites designated as business park under the agreement as authorized by
343 the Northridge Development Agreement; and

344 b. Per parcel, the aggregated total gross floor area devoted to the use of, and in
345 support of, processing marijuana together with any separately authorized production of
346 marijuana shall be limited to a maximum of thirty thousand square feet.

347 26. Per parcel, limited to a maximum aggregate total of thirty thousand square
 348 feet of gross floor area devoted to, and in support of, the processing of marijuana together
 349 with any separately authorized production of marijuana.

350 SECTION 9. Ordinance 10870, Section 336, as amended, and K.C.C.

351 21A.08.090 are each hereby amended to read as follows:

352 A. Resource land uses.

KEY		RESOURCE				R U R A L	RESIDENTIAL		COMMERCIAL/INDUSTRIAL				
P-Permitted Use	Z O N E	A	F	M	R	U R	U	R	N B	C B	R B	O	I
C-Conditional Use		G	O	I	U	R E	R	E	E U	O U	E U	F	N
S-Special Use		R	R	N	R	B S	B	S	I S	M S	G S	F	D
		I	E	E	A	A E	A	I	G I	M I	I I	I	U
		C	S	R	L	N R	N	D	H N	U N	O N	C	S
		U	T	A		V		E	B E	N E	N E	E	T
		L		L	A	E		N	O S	I S	A S		R
		T			R			T	R S	T S	L S		I
		U			E			A	H	Y			A
		R			A			L	O				L
		E							D				
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	AGRICULTURE:												
01	Growing and Harvesting Crops	P	P		P	P	P						P
02	Raising Livestock and Small Animals	P	P		P	P	P6						P
*	<u>Recreational marijuana producer</u>	<u>P15</u>			<u>P16</u> <u>C17</u>					<u>P18 C19</u>	<u>P18</u> <u>C19</u>		<u>P</u> <u>2</u> <u>0</u>
*	Agriculture Training Facility	C10											
*	Agriculture-related special	P12											

	needs camp													
*	Agricultural Anaerobic Digester	P13												
	FORESTRY:													
08	Growing & Harvesting Forest Production	P	P	P7	P	P	P							P
*	Forest Research		P		P	P							P2	P
	FISH AND WILDLIFE MANAGEMENT:													
0921	Hatchery/Fish Preserve (1)	P	P		P	P	C							P
0273	Aquaculture (1)	P	P		P	P	C							P
*	Wildlife Shelters	P	P		P	P								
	MINERAL:													
10,12,14	Mineral Extraction and Processing		P9 C	P										
2951, 3271, 3273	Asphalt/Concrete Mixtures and Block		P8 C11	P8 C11										P
	ACCESSORY USES:													
*	Resource Accessory Uses	P3	P4	P5	P3	P3								P 4
*	Temporary Farm Worker Housing	P14	P14		P14									
GENERAL CROSS REFERENCES:		Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see K.C.C. chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*)Definition of this specific land use, see K.C.C. chapter 21A.06.												

- 353 B. Development conditions.
- 354 1. May be further subject to K.C.C. Title 25, Shoreline Management.
- 355 2. Only forest research conducted within an enclosed building.
- 356 3. Accessory dwelling units in accordance with K.C.C. 21A.08.030.
- 357 4. Excluding housing for agricultural workers.
- 358 5. Limited to either maintenance or storage facilities, or both, in conjunction
- 359 with mineral extraction or processing operation.
- 360 6. Large livestock allowed in accordance with K.C.C. chapter 21A.30.

361 7. Only in conjunction with a mineral extraction site plan approved in
362 accordance with K.C.C. chapter 21A.22.

363 8. Only on the same lot or same group of lots under common ownership or
364 documented legal control, which includes, but is not limited to, fee simple ownership, a
365 long-term lease or an easement:

366 a. as accessory to a primary mineral extraction use;

367 b. as a continuation of a mineral processing only for that period to complete
368 delivery of products or projects under contract at the end of a mineral extraction; or

369 c. for a public works project under a temporary grading permit issued in
370 accordance with K.C.C. 16.82.152.

371 9. Limited to mineral extraction and processing:

372 a. on a lot or group of lots under common ownership or documented legal control,
373 which includes but is not limited to, fee simple ownership, a long-term lease or an
374 easement;

375 b. that are located greater than one-quarter mile from an established residence;

376 and

377 c. that do not use local access streets that abut lots developed for residential
378 use.

379 10. Agriculture training facilities are allowed only as an accessory to existing
380 agricultural uses and are subject to the following conditions:

381 a. The impervious surface associated with the agriculture training facilities
382 shall comprise not more than ten percent of the allowable impervious surface permitted
383 under K.C.C. 21A.12.040;

- 384 b. New or the expansion of existing structures, or other site improvements,
385 shall not be located on class 1, 2 or 3 soils;
- 386 c. The director may require reuse of surplus structures to the maximum extent
387 practical;
- 388 d. The director may require the clustering of new structures with existing
389 structures;
- 390 e. New structures or other site improvements shall be set back a minimum
391 distance of seventy-five feet from property lines adjoining rural area and residential
392 zones;
- 393 f. Bulk and design of structures shall be compatible with the architectural style
394 of the surrounding agricultural community;
- 395 g. New sewers shall not be extended to the site;
- 396 h. Traffic generated shall not impede the safe and efficient movement of
397 agricultural vehicles, nor shall it require capacity improvements to rural roads;
- 398 i. Agriculture training facilities may be used to provide educational services to
399 the surrounding rural/agricultural community or for community events. Property owners
400 may be required to obtain a temporary use permit for community events in accordance
401 with K.C.C. chapter 21A.32;
- 402 j. Use of lodging and food service facilities shall be limited only to activities
403 conducted in conjunction with training and education programs or community events
404 held on site;
- 405 k. Incidental uses, such as office and storage, shall be limited to those that
406 directly support education and training activities or farm operations; and

407 1. The King County agriculture commission shall be notified of and have an
408 opportunity to comment upon all proposed agriculture training facilities during the permit
409 process in accordance with K.C.C. chapter 21A.40.

410 11. Continuation of mineral processing and asphalt/concrete mixtures and block
411 uses after reclamation in accordance with an approved reclamation plan.

412 12.a. Activities at the camp shall be limited to agriculture and agriculture-
413 oriented activities. In addition, activities that place minimal stress on the site's
414 agricultural resources or activities that are compatible with agriculture are permitted.

415 (1) passive recreation;

416 (2) training of individuals who will work at the camp;

417 (3) special events for families of the campers; and

418 (4) agriculture education for youth.

419 b. Outside the camp center, as provided for in subsection B.12.e₂ of this
420 section, camp activities shall not preclude the use of the site for agriculture and
421 agricultural related activities, such as the processing of local food to create value-added
422 products and the refrigeration and storage of local agricultural products. The camp shall
423 be managed to coexist with agriculture and agricultural activities both onsite and in the
424 surrounding area.

425 c. A farm plan shall be required for commercial agricultural production to
426 ensure adherence to best management practices and soil conservation.

427 d.(1) The minimum site area shall be five hundred acres. Unless the property
428 owner has sold or transferred the development rights as provided in subsection B.12.c.(3)
429 of this section, a minimum of five hundred acres of the site must be owned by a single

430 individual, corporation, partnership or other legal entity and must remain under the
431 ownership of a single individual, corporation, partnership or other legal entity for the
432 duration of the operation of the camp.

433 (2) Nothing in subsection B.12.d.(1) of this section prohibits the property
434 owner from selling or transferring the development rights for a portion or all of the site to
435 the King County farmland preservation program or, if the development rights are
436 extinguished as part of the sale or transfer, to a nonprofit entity approved by the director;

437 e. The impervious surface associated with the camp shall comprise not more
438 than ten percent of the allowable impervious surface permitted under K.C.C. 21A.12.040;

439 f. Structures for living quarters, dining facilities, medical facilities and other
440 nonagricultural camp activities shall be located in a camp center. The camp center shall
441 be no more than fifty acres and shall depicted on a site plan. New structures for
442 nonagricultural camp activities shall be clustered with existing structures;

443 g. To the extent practicable, existing structures shall be reused. The applicant
444 shall demonstrate to the director that a new structure for nonagricultural camp activities
445 cannot be practicably accommodated within an existing structure on the site, though
446 cabins for campers shall be permitted only if they do not already exist on site;

447 h. Camp facilities may be used to provide agricultural educational services to
448 the surrounding rural and agricultural community or for community events. If required
449 by K.C.C. chapter 21A.32, the property owner shall obtain a temporary use permit for
450 community events;

451 i. Lodging and food service facilities shall only be used for activities related to
452 the camp or for agricultural education programs or community events held on site;

453 j. Incidental uses, such as office and storage, shall be limited to those that
454 directly support camp activities, farm operations or agricultural education programs;

455 k. New nonagricultural camp structures and site improvements shall maintain a
456 minimum set-back of seventy-five feet from property lines adjoining rural area and
457 residential zones;

458 l. Except for legal nonconforming structures existing as of January 1, 2007,
459 camp facilities, such as a medical station, food service hall and activity rooms, shall be of
460 a scale to serve overnight camp users;

461 m. Landscaping equivalent to a type III landscaping screen, as provided for in
462 K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures
463 and site improvements located within two hundred feet of an adjacent rural area and
464 residential zoned property not associated with the camp;

465 n. New sewers shall not be extended to the site;

466 o. The total number of persons staying overnight shall not exceed three
467 hundred;

468 p. The length of stay for any individual overnight camper, not including camp
469 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

470 q. Traffic generated by camp activities shall not impede the safe and efficient
471 movement of agricultural vehicles nor shall it require capacity improvements to rural
472 roads;

473 r. If the site is adjacent to an arterial roadway, access to the site shall be
474 directly onto the arterial unless the county road engineer determines that direct access is
475 unsafe;

476 s. If direct access to the site is via local access streets, transportation
477 management measures shall be used to minimize adverse traffic impacts;

478 t. Camp recreational activities shall not involve the use of motor vehicles
479 unless the motor vehicles are part of an agricultural activity or are being used for the
480 transportation of campers, camp personnel or the families of campers. Camp personnel
481 may use motor vehicles for the operation and maintenance of the facility. Client-specific
482 motorized personal mobility devices are allowed; and

483 u. Lights to illuminate the camp or its structures shall be arranged to reflect the
484 light away from any adjacent property.

485 13. Limited to digester receiving plant and animal and other organic waste from
486 agricultural activities, as follows:

487 a. the digester must be included as part of a Washington state Department of
488 Agriculture approved dairy nutrient plan;

489 b. the digester must process at least seventy percent livestock manure or other
490 agricultural organic material from farms in the vicinity, by volume;

491 c. imported organic waste-derived material, such as food processing waste,
492 may be processed in the digester for the purpose of increasing methane gas production for
493 beneficial use, but not shall exceed thirty percent of volume processed by the digester;

494 and

495 d. the use must be accessory to an operating dairy or livestock operation.

496 14. Temporary farm worker housing subject to the following conditions:

497 a. The housing must be licensed by the Washington state Department of
498 Health under chapter 70.114A RCW and chapter 246-358 WAC;

499 b. Water supply and sewage disposal systems must be approved by the Seattle
500 King County department of health;

501 c. To the maximum extent practical, the housing should be located on
502 nonfarmable areas that are already disturbed and should not be located in the floodplain
503 or in a critical area or critical area buffer; and

504 d. The property owner shall file with the department of executive services,
505 records and licensing services division, a notice approved by the department identifying
506 the temporary farm worker housing as accessory and that the housing shall only be
507 occupied by agricultural employees and their families while employed by the owner or
508 operator. The notice shall run with the land.

509 15. Marijuana production by marijuana producers licensed by the Washington
510 state Liquor Control Board is subject to the following standards:

511 a. Production is limited to outdoor, indoor within marijuana greenhouses, and
512 within structures that are nondwelling unit structures that exist as of October 1, 2013,
513 subject to the size limitations in subsection B.15.b. of this section;

514 b. Per parcel, the plant canopy, as defined in WAC 314-55-010, combined with
515 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
516 aggregated total of two thousand square feet and shall be located within a fenced area or
517 marijuana greenhouse that is no more than ten percent larger than that combined area, or
518 may occur in nondwelling unit structures that exist as of October 1, 2013; and

519 c. Outdoor production area fencing as required by the Washington state Liquor
520 Control Board and marijuana greenhouses shall maintain a minimum street setback of
521 fifty feet and a minimum interior setback of thirty feet.

522 16. Marijuana production by marijuana producers licensed by the Washington
523 state Liquor Control Board is subject to the following standards:

524 a. Production is limited to outdoor, indoor within marijuana greenhouses, and
525 within nondwelling unit structures that exist as of October 1, 2013, subject to the size
526 limitations in subsection B.16.b. of this section;

527 b. Per parcel, the plant canopy, as defined in WAC 314-55-010, combined with
528 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
529 aggregated total of two thousand square feet and shall be located within a fenced area or
530 marijuana greenhouse, that is no more than ten percent larger than that combined area, or
531 may occur in nondwelling unit structures that exist as of October 1, 2013;

532 c. Only allowed on lots of at least four and one-half acres; and

533 d. Outdoor production area fencing as required by the Washington state Liquor
534 Control Board and marijuana greenhouses shall maintain a minimum street setback of
535 fifty feet and a minimum interior setback of thirty feet; and

536 e. If the two thousand square foot per parcel threshold of plant canopy within
537 fenced areas or marijuana greenhouses is exceeded, each and every marijuana-related
538 entity occupying space in addition to the two thousand square foot threshold area on that
539 parcel shall obtain a conditional use permit as set forth in subsection B.17. of this section.

540 17. Marijuana production by marijuana producers licensed by the Washington
541 state Liquor Control Board is subject to the following standards:

542 a. Production is limited to outdoor and indoor within marijuana greenhouses
543 subject to the size limitations in subsection B.17.b. of this section;

544 b. Per parcel, the plant canopy, as defined in WAC 314-55-010, combined with
545 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
546 aggregated total of thirty thousand square feet and shall be located within a fenced area or
547 marijuana greenhouse that is no more than ten percent larger than that combined area;
548 and

549 c. Only allowed on lots of at least four and one-half acres.

550 18.a.i. Production is limited to indoor only; and

551 ii. Per parcel, the plant canopy, as defined in WAC 314-55-010, combined
552 with any area used for processing under K.C.C. 21A.08.080, shall be limited to a
553 maximum aggregated total of two thousand square feet and shall be located within a
554 building or tenant space that is no more than ten percent larger than the plant canopy and
555 separately authorized processing area; and

556 b. In the UR zone, only allowed in the Redmond Ridge Urban Planned
557 Development/Fully Contained Community on sites designated as business park under the
558 agreement as authorized by the Northridge Development Agreement; and

559 c. If the two thousand square foot per parcel threshold is exceeded, each and
560 every marijuana-related entity occupying space in addition to the two thousand square
561 foot threshold area on that parcel shall obtain a conditional use permit as set forth in
562 subsection B.19. of this section.

563 19.a.i. Production is limited to indoor only; and

564 ii. Per parcel, the plant canopy, as defined in WAC 314-55-010, combined
565 with any area used for processing under K.C.C. 21A.08.080, shall be limited to a
566 maximum aggregated total of thirty thousand square feet and shall be located within a

567 building or tenant space that is no more than ten percent larger than the plant canopy and
568 separately authorized processing area.

569 b. In the UR zone, only allowed in the Redmond Ridge Urban Planned
570 Development/Fully Contained Community on sites designated as business park under the
571 agreement as authorized by the Northridge Development Agreement.

572 20. a. Production is limited to indoor only;

573 b. Per parcel, the plant canopy, as defined in WAC 314-55-010, combined with
574 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
575 aggregated total of thirty thousand square feet and shall be located within a building or
576 tenant space that is no more than ten percent larger than the plant canopy and separately
577 authorized processing area.

578 SECTION 10. Ordinance 10870, Section 536, as amended, and K.C.C.
579 21A.30.080 are each hereby amended to read as follows:

580 In the R, UR, NB, CB and RB zones, residents of a dwelling unit may conduct
581 one or more home occupations as accessory activities, only if:

582 A. The total (~~(floor))~~ floor area of the dwelling unit devoted to all home
583 occupations shall not exceed twenty percent of the floor area of the dwelling unit.

584 B. Areas within garages and storage buildings shall not be considered part of the
585 dwelling unit and may be used for activities associated with the home occupation;

586 C. All the activities of the home occupation or occupations shall be conducted
587 indoors, except for those related to growing or storing of plants used by the home
588 occupation or occupations;

589 D. A home occupation or occupations is not limited in the number of employees
590 that remain off-site. No more than one nonresident employee shall be permitted to work
591 on-site for the home occupation or occupations;

592 E. The following uses, by the nature of their operation or investment, tend to
593 increase beyond the limits permitted for home occupations. Therefore, the following
594 shall not be permitted as home occupations:

- 595 1. Automobile, truck and heavy equipment repair;
- 596 2. Autobody work or painting;
- 597 3. Parking and storage of heavy equipment;
- 598 4. Storage of building materials for use on other properties;
- 599 5. Hotels, motels or organizational lodging;
- 600 6. Dry cleaning;
- 601 7. Towing services; ~~((and))~~
- 602 8. Trucking, storage or self service, except for parking or storage of one
603 commercial vehicle used in ~~(([h]ome))~~ home occupation;
- 604 9. Veterinary clinic; and
- 605 10. Recreational marijuana processor, recreational marijuana producer or
606 recreational marijuana retailer;

607 F. In addition to required parking for the dwelling unit, on-site parking is
608 provided as follows:

- 609 1. One stall for each nonresident employed by the home occupations; and
- 610 2. One stall for patrons when services are rendered on-site;

611 G. Sales are limited to:

- 612 1. Mail order sales;
- 613 2. Telephone, Internet or other electronic commerce sales with off-site delivery;
- 614 and
- 615 3. Items accessory to a service provided to patrons who receive services on the
- 616 premises;
- 617 H. On-site services to patrons are arranged by appointment;
- 618 I. The home occupation or occupations use or store a vehicle for pickup of
- 619 materials used by the home occupation or occupations or the distribution of products
- 620 from the site, only if:
- 621 1. No more than one such a vehicle is allowed; and
- 622 2. The vehicle is not stored within any required setback areas of the lot or on
- 623 adjacent streets; and
- 624 3. The vehicle does not exceed an equivalent licensed gross vehicle weight of
- 625 one ton;
- 626 J. The home occupation or occupations do not:
- 627 1. Use electrical or mechanical equipment that results in a change to the
- 628 occupancy type of the structure or structures used for the home occupation or
- 629 occupations; or
- 630 2. Cause visual or audible interference in radio or television receivers, or
- 631 electronic equipment located off-premises or fluctuations in line voltage off-premises;
- 632 and
- 633 K. There shall be no exterior evidence of a home occupation, other than growing
- 634 or storing of plants under subsection C. of this section or a permitted sign, that would

635 cause the premises to differ from its residential character. Exterior evidence includes, but
636 is not limited to, lighting, the generation or emission of noise, fumes or vibrations as
637 determined by using normal senses from any lot line or on average increase vehicular
638 traffic by more than four additional vehicles at any given time;

639 L. Customer visits and deliveries shall be limited to the hours of 8:00 a.m. to 7:00
640 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends; and

641 M. Uses not allowed as home occupations may be allowed as a home industry
642 under K.C.C. 21A.30.090.

643 SECTION 11. Ordinance 15606, Section 20, as amended, and K.C.C.
644 21A.30.085 are each hereby amended to read as follows:

645 In the A, F and RA zones, residents of a dwelling unit may conduct one or more
646 home occupations as accessory activities, under the following provisions:

647 A. The total floor area of the dwelling unit devoted to all home occupations shall
648 not exceed twenty percent of the dwelling unit.

649 B. Areas within garages and storage buildings shall not be considered part of the
650 dwelling unit and may be used for activities associated with the home occupation;

651 C. Total outdoor area of all home occupations shall be permitted as follows:

652 1. For any lot less than one acre: Four hundred forty square feet; and

653 2. For lots one acre or greater: One percent of the area of the lot, up to a
654 maximum of five thousand square feet.

655 D. Outdoor storage areas and parking areas related to home occupations shall be:

656 1. No less than twenty-five feet from any property line; and

657 2. Screened along the portions of such areas that can be seen from an adjacent
658 parcel or roadway by the:

659 a. planting of Type II landscape buffering; or

660 b. use of existing vegetation that meets or can be augmented with additional
661 plantings to meet the intent of Type II landscaping.

662 E. A home occupation or occupations is not limited in the number of employees
663 that remain off-site. Regardless of the number of home occupations, the number of
664 nonresident employees is limited to no more than three who work on-site at the same
665 time and no more than three who report to the site but primarily provide services off-site.

666 F. In addition to required parking for the dwelling unit, on-site parking is
667 provided as follows:

668 1. One stall for each nonresident employed on-site; and

669 2. One stall for patrons when services are rendered on-site;

670 G. Sales are limited to:

671 1. Mail order sales;

672 2. Telephone, Internet or other electronic commerce sales with off-site delivery;

673 3. Items accessory to a service provided to patrons who receive services on the
674 premises;

675 4. Items grown, produced or fabricated on-site; and

676 5. On sites five acres or larger, items that support agriculture, equestrian or
677 forestry uses except for the following:

678 a. motor vehicles and parts (North American Industrial Classification System
679 ("NAICS" Code 441);

- 680 b. electronics and appliances (NAICS Code 443); and
- 681 c. building material and garden equipments and supplies (NAICS Code 444);
- 682 H. The home occupation or occupations do not:
- 683 1. Use electrical or mechanical equipment that results in a change to the
- 684 occupancy type of the structure or structures used for the home occupation or
- 685 occupations;
- 686 2. Cause visual or audible interference in radio or television receivers, or
- 687 electronic equipment located off-premises or fluctuations in line voltage off-premises; or
- 688 3. Increase average vehicular traffic by more than four additional vehicles at any
- 689 given time;
- 690 I. Customer visits and deliveries shall be limited to the hours of 8:00 a.m. to 7:00
- 691 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;
- 692 J. The following uses, by the nature of their operation or investment, tend to
- 693 increase beyond the limits permitted for home occupations. Therefore, the following
- 694 shall not be permitted as home occupations:
- 695 1. Hotels, motels or organizational lodging;
- 696 2. Dry cleaning: ~~((and))~~
- 697 3. Automotive towing services, automotive wrecking services and tow-in
- 698 parking lots; and
- 699 4. Recreational marijuana processor, recreational marijuana producer or
- 700 recreational marijuana retailer.
- 701 K. Uses not allowed as home occupation may be allowed as a home industry
- 702 under K.C.C. chapter 21A.30; and

- 703 L. The home occupation or occupations may use or store vehicles, as follows:
- 704 1. The total number of vehicles for all home occupations shall be:
- 705 a. for any lot five acres or less: two;
- 706 b. for lots greater than five acres: three; and
- 707 c. for lots greater than ten acres: four;
- 708 2. The vehicles are not stored within any required setback areas of the lot or on
- 709 adjacent streets; and
- 710 3. The parking area for the vehicles shall not be considered part of the outdoor
- 711 storage area provided for in subsection C. of this section.

712 SECTION 12. Ordinance 10870, Section 537, as amended, and

713 K.C.C.21A.30.090 are each hereby amended to read as follows:

- 714 A resident may establish a home industry as an accessory activity, as follows:
- 715 A. The site area is one acre or greater;
- 716 B. The area of the dwelling unit used for the home industry does not exceed fifty
- 717 percent of the floor area of the dwelling unit.
- 718 C. Areas within attached garages and storage buildings shall not be considered
- 719 part of the dwelling unit for purposes of calculating allowable home industry area but
- 720 may be used for storage of goods associated with the home industry;
- 721 ~~((C))~~ D. No more than six nonresidents who work on-site at the time;
- 722 ~~((D))~~ E. In addition to required parking for the dwelling unit, on-site parking is
- 723 provided as follows:
- 724 1. One stall for each ~~((non-resident))~~ nonresident employee of the home
- 725 industry; and

726 2. One stall for customer parking;

727 ~~((E))~~ F. Additional customer parking shall be calculated for areas devoted to the

728 home industry at the rate of one stall per:

729 1. One thousand square feet of building floor area; and

730 2. Two thousand square feet of outdoor work or storage area;

731 ~~((F))~~ G. Sales are limited to items produced on-site, except for items collected,

732 traded and occasionally sold by hobbyists, such as coins, stamps, and antiques;

733 ~~((G))~~ H. Ten feet of Type I landscaping are provided around portions of parking

734 and outside storage areas that are otherwise visible from adjacent properties or public

735 rights-of-way; ~~((and))~~

736 ~~((H))~~ I. The department ensures compatibility of the home industry by:

737 1. Limiting the type and size of equipment used by the home industry to those

738 that are compatible with the surrounding neighborhood;

739 2. Providing for setbacks or screening as needed to protect adjacent residential

740 properties;

741 3. Specifying hours of operation;

742 4. Determining acceptable levels of outdoor lighting; and

743 5. Requiring sound level tests for activities determined to produce sound levels

744 that may be in excess of those in K.C.C. chapter 12.88; and

745 J. Recreational marijuana processors, recreational marijuana producers and

746 recreational marijuana retailers shall not be allowed as home industry.

747 SECTION 13. The King County council shall reevaluate the requirement for a
748 conditional use permit to establish any marijuana-related business and shall by no later
749 than December 31, 2016, adopt any necessary revisions to the King County Code.

750 NEW SECTION. SECTION 14. There is hereby added to K.C.C. chapter
751 21A.32 a new section to read as follows:

752 For those recreational marijuana production and processing facilities requiring a
753 conditional use permit under the chapter, as part of the permit review process, the
754 department may require the applicant to submit an odor management plan for any areas
755 of indoor processing or ventilation of any structure used to produce or process marijuana.
756 The purpose of such plan is to minimize odors and fumes from chemicals or products
757 used in or resulting from production and/or processing of marijuana.

758 SECTION 15. Pursuant to K.C.C. 20.44.080, the metropolitan King County
759 council finds that the requirements for environmental analysis, protections and mitigation
760 measures in the chapters of K.C.C. Title 21A amended by this ordinance, provide
761 adequate analysis of and mitigation for the specific adverse environmental impacts to
762 which the requirements apply.

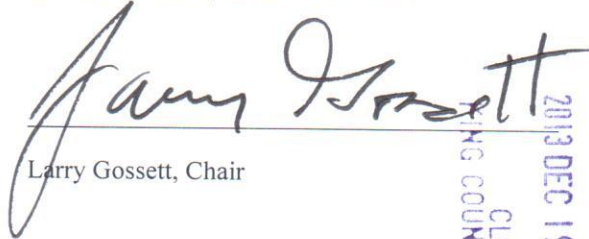
763 SECTION 16. If any provision of this ordinance or its application to any person

764 or circumstance is held invalid, the remainder of the ordinance or the application of the
765 provision to other persons or circumstances is not affected.
766


Ordinance 17710 was introduced on and passed as amended by the Metropolitan King
County Council on 12/9/2013, by the following vote:

Yes: 9 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,
Ms. Patterson, Ms. Lambert, Mr. Dunn, Mr. McDermott and Mr.
Dembowski
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Larry Gossett, Chair

ATTEST:


Anne Noris, Clerk of the Council

RECEIVED
2013 DEC 19 PM 3:53
CLERK
KING COUNTY COUNCIL

APPROVED this ____ day of _____, 2013.

~~DEEMED~~ ENACTED WITHOUT
COUNTY EXECUTIVE'S SIGNATURE
DATED: 12/19/2013

Dow Constantine, County Executive

Attachments: None