



Legislation Details (With Text)

File #: 2006-0407 **Version:** 3

Type: Ordinance **Status:** Passed

File created: 9/18/2006 **In control:** Growth Management and Natural Resources Committee

On agenda: 11/19/2007 **Final action:** 11/19/2007

Enactment date: 11/30/2007 **Enactment #:** 15974

Title: AN ORDINANCE relating to implementing recommendations from the 2005 rural economic strategies report; amending Ordinance 9614, as amended, and K.C.C. 16.82.140, Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030, Ordinance 10870, Section 332, as amended, and K.C.C. 21A.08.050, Ordinance 10870, Section 333, as amended, and K.C.C. 21A.08.060, Ordinance 10870, Section 334, as amended, and K.C.C. 21A.08.070 and Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080 and adding new sections to K.C.C. chapter 21A.06.

Sponsors: Dow Constantine, Larry Phillips

Indexes: DDES/DPER, Development and Environmental Services, Development Regulations, Land Use, Zoning

Code sections: 16.82.140 -, 21A.06 -, 21A.08.030 -, 21A.08.060 -, 21A.08.070 -, 21A.08.080 -

Attachments: 1. 15974.pdf, 2. 2006-0407 Attach 2 - Striking Amendment (8-23 edits).doc, 3. 2006-0407 Attach 3 - striker matrix (10-09).doc, 4. 2006-0407 Attach 4 - Title Amendment (8-23 edits).doc, 5. 2006-0407 Attachment 2 to Staff Report (7-10-07).doc, 6. 2006-0407 Attachment 3 to Staff Report (7-10-07).doc, 7. 2006-0407 Attachment to Transmittal Letter--Public Involvement Summary.doc, 8. 2006-0407 Attachment to Transmittal Letter--Rural Economic Strategies Code Changes Table 060824.doc, 9. 2006-0407 Fiscal Note.xls, 10. 2006-0407 Hearing Notice.doc, 11. 2006-0407 Notice of Adoption.doc, 12. 2006-0407 Staff Report - RES (7-10).doc, 13. 2006-0407 Staff Report (10-09).doc, 14. 2006-0407 Transmittal Letter.doc

Date	Ver.	Action By	Action	Result
11/19/2007	2	Metropolitan King County Council	Hearing Held	
11/19/2007	2	Metropolitan King County Council	Passed as Amended	Pass
10/9/2007	2	Growth Management and Natural Resources Committee	Recommended Do Pass Substitute	Pass
7/10/2007	1	Growth Management and Natural Resources Committee	Deferred	
2/5/2007	1	Metropolitan King County Council	Reintroduced	
9/18/2006	1	Metropolitan King County Council	Introduced and Referred	

Clerk 10/20/2007

AN ORDINANCE relating to implementing recommendations from the 2005 rural economic strategies report; amending Ordinance 9614, as amended, and K.C.C. 16.82.140, Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030, Ordinance 10870, Section 332, as amended, and K.C.C. 21A.08.050, Ordinance

10870, Section 333, as amended, and K.C.C. 21A.08.060, Ordinance 10870, Section 334, as amended, and K.C.C. 21A.08.070 and Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080 and adding new sections to K.C.C. chapter 21A.06.

SECTION 1. Ordinance 9614, as amended, and K.C.C. 16.82.140 are each hereby amended to read as follows:

A. Under a Class IV-G forest practice, all clearing not otherwise exempted under this chapter shall be subject to this chapter. All such clearing subject to the state Environmental Policy Act, chapter 43.21C RCW, and King County shall accept or assume lead agency status. The department shall consolidate its review of the Class IV-G application with its SEPA review and its review of associated King County development permits or approvals.

B. Except as otherwise provided in subsections D. and E. of this section, for six years after the forest practice commenced, the department shall deny a development proposal on a site when the activity was:

1. A Class II, III or IV special forest practice, as defined in chapter 76.09 RCW;
2. A nonconversion Class IV-G forest practice, as defined in K.C.C. chapter 21A.06: or
3. Undertaken without forest practices or county authorization.

C. Subsection B. of this section applies to a development proposal for:

1. The subdivision of land;
2. The preparation or construction of a new residential or commercial structure; and
3. Any other development proposal that is not related to ongoing forestry.

D. The department may approve a development proposal on a site subject to subsection B. of this section if:

1.a. The applicant demonstrates that the forest practice or clearing on the harvested portion of the site was consistent with the Conversion Option harvest Plan reviewed and approved by King County (~~and~~

~~incorporated as a condition of the state's forest practice permit));~~

b. Forest management activities conducted within aquatic areas, wetlands, steep slopes and wildlife habitat areas are limited to specific silvicultural prescriptions to improve forest health identified in a forest management plan approved by King County; and

c. The forest practice is conducted as a:

(1) Class IV-G nonconversion forest practice, as defined in K.C.C. chapter 21A.06, that has been approved by the county;

(2) Class II, III or IV-S forest practice pursuant to a Washington State Department of Natural resources forest practices permit; or

(3) Class I forest practice, as defined in chapter 76.09 RCW, only for purposes of precommercial thinning and pruning; or

2. The director determines that:

a. the applicant was the unknowing subject of criminal trespass, timber theft or fraud;

b. the applicant has demonstrated to the satisfaction of the department that:

(1) those portions of the clearing not in compliance with the applicable King County regulations can be fully restored to the extent that functions shall be improved over those existing before the clearing; and

(2) the unharvested portion of the property is not required to satisfy tree retention or other mitigation requirements; and

c. the applicant has an approved mitigation plan to restore the areas cleared without complying with applicable King County regulations.

E. The department may approve a development proposal on the unharvested portion of a site subject to subsection B. of this section if:

1. The applicant demonstrates that the clearing on the harvested portion of the site was conducted consistent with a forest management plan approved by King County and the forest management plan excluded

the area proposed for development; and

2. The forest practice is conducted as a:

a. Class IV-G nonconversion forest practice, as defined in K.C.C. chapter 21A.06, that has been approved by the county;

b. Class II, III or IV-S forest practice pursuant to a Washington state Department of Natural resources forest practices permit; or

c. Class I forest practice, as defined in chapter 76.09 RCW, only for purposes of precommercial thinning and pruning.

F. In all cases, lifting or waiving of the six-year moratorium is subject to compliance with all county ordinances.

SECTION 2. Ordinance 10870, Section 69 and K.C.C. 21A.06.145 are each hereby amended to read as follows:

Building~~(s)~~ materials and hardware ~~((and garden materials))~~ store: an establishment engaged in selling lumber and other building materials, ~~((feed, or lawn and garden supplies))~~ paint and glass; including, but not limited to uses located in SIC Major Group No. 52-Building Materials, Hardware, Garden Supply, and Mobile Home Dealers, but excluding retail nursery, garden center and farm supply stores and ~~((M))~~mobile ~~((H))~~home ~~((D))~~dealers.

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

Employee, agricultural: A person who renders personal services to, or under the direction of, an agricultural employer in connection with the employer's agricultural activity.

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

Retail nursery, garden center and farm supply store: an establishment primarily engaged in retailing to

the general public:

A. Trees, shrubs, other plants, seeds, bulbs, mulches, soil conditioners, fertilizers, pesticides, garden tools, landscaping materials and other garden supplies; and

B. Animal feeds, fertilizers, agricultural chemicals, pesticides, seeds and other farm supplies.

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

Winery: An establishment primarily engaged in one or more of the following:

A. Growing grapes or fruit and manufacturing wine, cider or brandies;

B. Manufacturing wine, cider, or brandies from grapes and other fruits grown elsewhere; and

C. Blending wines, cider or brandies.

SECTION 6. Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030 are each hereby amended to read as follows:

A. Residential land uses.

KEY		RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL									
P-Permitted Use		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		Z	R	N	R	B	S	B	S	I	S	M	S	G	S	F	D	
		O	I	E	E	A	A	E	A	I	G	I	M	I	I	I	U	
		N	C	S	R	L	N	R	N	D	H	N	U	N	O	N	C	S
		E	U	T	A			V		E	B	E	N	E	N	E	E	T
		L		L				E		N	O	S	I	S	A	S		R
		T							T	R	S	sl	S	L	S		I	
		U							I	H		Y					A	
		R							A	O							L	
		E							L	O								
									D									
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I					
	DWELLING UNITS, TYPES:																	
*	Single Detached	P C13	P2		P C13	P C13	P C13	P17										

*	Townhouse				C4	C4	P C12	P	P3	P3	P3	P3
*	Apartment				C4	C4	P5 C4	P	P3	P3	P3	P3
*	Mobile Home Park				S14		C8	P				
*	Cottage Housing						C16					
	GROUP RESIDENCES:											
*	Community Residential Facility -I				C	C	P15 C	P	P3	P3	P3	P3
*	Community Residential Facility -II							P	P3	P3	P3	P3
*	Dormitory				C6	C6	C6	P				
*	Senior Citizen Assisted Housing					P4	P4	P	P3	P3	P3	P3
	ACCESSORY USES:											
*	Residential Accessory Uses	P7	P18	P7	P7	P7	P7	P7	P7	P7	P7	P7
*	Home Occupation	P	P		P	P	P	P	P	P	P	P
*	Home Industry	C			C	C	C					
	TEMPORARY LODGING:											
7011	tx50 40 Hotel/Motel (1)									P	P	P
*	Bed and Breakfast Guesthouse	P9 C10			P10	P10	P10	P10	P10	P11	P11	
7041	Organization Hotel/Lodging Houses										P	
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.										

B. Development conditions.

1. Except bed and breakfast guesthouses.
2. In the forest production district, the following conditions apply:
 - a. Site disturbance associated with development of any new residence shall be limited to

three acres. Site disturbance shall mean all land alterations including, but not limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage disposal systems and driveways. Additional site disturbance for raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be approved only if a farm management (conservation) plan is prepared in accordance with K.C.C. chapter 21A.30. Animal densities shall be based on the area devoted to animal care and not the total area of the lot;

b. A forest management plan shall be required for any new residence in the forest production district, which shall be reviewed and approved by the King County department of natural resources and parks prior to building permit issuance; and

c. The forest management plan shall incorporate ((A)) a fire protection ((plan for the subject property is required and shall be reviewed and approved by the Washington state department of natural resources with the concurrence of the fire marshal for each residential use. This plan shall be developed in such a manner as to protect the adjoining forestry uses from a fire that might originate from the residential use. This plan shall provide for setbacks from existing forestry uses and maintenance of approved fire trails or other effective fire line buffers on perimeters with forest land)) element that includes fire safety best management practices developed by the department.

3. Only as part of a mixed use development subject to the conditions of K.C.C. chapter 21A.14, except that in the NB zone on properties with a land use designation of commercial outside of center (CO) in the urban areas, stand-alone townhouse developments are permitted subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060 and 21A.14.180.

4.a. Only in a building listed on the National Register as an historic site or designated as a King County landmark subject to the provisions of K.C.C. 21A.32.

b. In the R-1 zone, apartment units are permitted, provided that:

(1) The proposal shall be subject to a conditional use permit when exceeding base density,

(2) At least fifty percent of the site is constrained by unbuildable sensitive areas. For purposes of this section, unbuildable sensitive areas shall include wetlands, streams and slopes forty percent or steeper and associated buffers; and

(3) The density does not exceed a density of eighteen units per acre of net buildable area as defined in K.C.C. 21A.06.797; or

c. In the R-4 through R-8 zones, apartment units are permitted, provided that the proposal shall be subject to a conditional use permit when exceeding base density, and provided that the density does not exceed a density of eighteen units per acre of net buildable area as defined in K.C.C. 21A.06.797.

5. Apartment units are permitted outright as follows:

a. In the R-1 zone when at least fifty percent of the site is constrained by unbuildable sensitive areas which for purposes of this section, includes wetlands, streams and slopes forty percent or steeper and associated buffers, and provided that the density does not exceed a density of eighteen units per acre of net buildable area as defined in K.C.C. 21A.06.797; or

b. In the R-4 through R-8 zones, provided that the density does not exceed eighteen units per acre of net buildable area as defined in K.C.C. 21A.06.797.

6. Only as an accessory to a school, college, university or church.

7.a. Accessory dwelling units:

(1) Only one accessory dwelling per primary single detached dwelling unit;

(2) Only in the same building as the primary dwelling unit on an urban lot that is less than ten thousand square feet in area, on a rural lot that is less than the minimum lot size, or on a lot containing more than one primary dwelling;

(3) The primary dwelling unit or the accessory dwelling unit shall be owner occupied;

(4)(a) One of the dwelling units shall not exceed a floor area of one thousand square feet except when one of the dwelling units is wholly contained within a basement or attic((;)); and

(b) When the primary and accessory dwelling units are located in the same building, only one entrance may be located on each street side of the building;

(5) One additional off-street parking space shall be provided;

(6) The accessory dwelling unit shall be converted to another permitted use or shall be removed if one of the dwelling units ceases to be owner occupied; and

(7) An applicant seeking to build an accessory dwelling unit shall file a notice approved by the department of executive services, records and licensing services division, which identifies the dwelling unit as accessory. The notice shall run with the land. The applicant shall submit proof that the notice was filed before the department shall approve any permit for the construction of the accessory dwelling unit. The required contents and form of the notice shall be set forth in administrative rules. If an accessory dwelling unit in a detached building in the rural zone is subsequently converted to a primary unit on a separate lot, neither the original lot or the new lot may have an additional detached accessory dwelling unit constructed unless the lot is at least twice the minimum lot area required in the zone((-); and

(8) Accessory dwelling units and accessory living quarters are not allowed in the F zone.

~~((9) In the A zone, one accessory dwelling unit is allowed on any lot under twenty acres in size, and two accessory dwelling units are allowed on lots that are twenty acres or more, provided that the accessory dwelling units are occupied only by farm workers and the units are constructed in conformance with the State Building Code.))~~

b. One single or twin engine, noncommercial aircraft shall be permitted only on lots that abut, or have a legal access that is not a county right-of-way, to a waterbody or landing field, provided there is:

(1) no aircraft sales, service, repair, charter or rental; and

(2) no storage of aviation fuel except that contained in the tank or tanks of the aircraft.

c. Buildings for residential accessory uses in the RA and A zone shall not exceed five

thousand square feet of gross floor area, except for buildings related to agriculture or forestry.

8. Mobile home parks shall not be permitted in the R-1 zones.

9. Only as an accessory to the permanent residence of the operator, and:

a. Serving meals to paying guests shall be limited to breakfast; and

b. There shall be no more than five guests per night.

10. Only as an accessory to the permanent residence of the operator, and:

a. Serving meals to paying guests shall be limited to breakfast; and

b. The number of persons accommodated per night shall not exceed five, except that a structure that satisfies the standards of the Uniform Building Code as adopted by King County for R-1 occupancies may accommodate up to ten persons per night.

11. Only if part of a mixed use development, and subject to the conditions of K.C.C.

21A.08.030_B.10.

12. Townhouses are permitted, but shall be subject to a conditional use permit if exceeding base density.

13. Required before approving more than one dwelling on individual lots, except on lots in subdivisions, short subdivisions or binding site plans approved for multiple unit lots, and except as provided for accessory dwelling units in K.C.C. 21A.08.030_B.7.

14. No new mobile home parks are allowed in a rural zone.

15. Limited to domestic violence shelter facilities.

16. Only in the R4-R8 zones limited to:

a. developments no larger than one acre;

b. not adjacent to another cottage housing development such that the total combined land area of the cottage housing developments exceeds one acre; and

c. All units must be cottage housing units with no less than three units and no more than sixteen units, provided that if the site contains an existing home that is not being demolished, the

existing house is not required to comply with the height limitation in subsection B.25. of this section or the floor area and footprint limits in K.C.C. 21A.14.025.B.

17. The development for a detached single-family residence shall be consistent with the following:

- a. The lot must have legally existed prior to March 1, 2005;
- b. The lot has a comprehensive plan land use designation of Rural Neighborhood or Rural Residential; and
- c. The standards of this title for the RA-5 zone shall apply.

18. Housing for agricultural employees who are employed by the owner or operator of the site year-round as follows:

a. Not more than:

(1) One agricultural employee dwelling unit on a site under twenty acres;

(2) Two agricultural employee dwelling units on a site between twenty acres and fifty

acres;

(3) Three agricultural employee dwelling units on a site greater than fifty acres and less

than one-hundred acres; and

(4) On sites one-hundred acres and larger one additional agricultural employee dwelling

unit for each additional one hundred acres;

b. The primary use of the site shall be agricultural in SIC Industry Group No. 01-Growing and Harvesting Crops or SIC Industry Group No. 02-Raising Livestock and Small Animals. If the primary use of the site changes to a nonagricultural use, all agricultural employee dwelling units shall be removed;

c. The applicant shall file with the department of executive services, records and licensing services division, a notice approved by the department that identifies the agricultural employee dwelling units as accessory and that the dwelling units shall only be occupied by agricultural

employees who are employed by the owner or operator year-round. The notice shall run with the land. The applicant shall submit to the department proof that the notice was filed with the department of executive services, records and licensing services division, before the department approves any permit for the construction of agricultural employee dwelling units;

d. An agricultural employee dwelling unit shall not exceed a floor area of one thousand square feet and may be occupied by no more than eight unrelated agricultural employees;

e. One off-street parking space shall be provided for each agricultural employee dwelling unit; and

f. The agricultural employee dwelling units shall be constructed in compliance with K.C.C.

Title 16.

SECTION 7. Ordinance 10870, Section 332, as amended, and K.C.C. 21A.08.050 are each hereby amended to read as follows:

A. General services land uses.

KEY		RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL								
P-Permitted Use		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	Z	R	R	N	R	B	S	B	S	I	S	M	S	G	S	F	D
	O	I	E	E	A	A	E	A	I	G	I	M	I	I	I	I	U
	N	C	S	R	L	N	R	N	D	H	N	U	N	O	N	C	S
	E	U	T	A			V		E	B	E	N	E	N	E	E	T
		L		L			E		N	O	S	I	S	A	S		R
		T							T	R	S	T	S	L	S		I
		U							I	H		Y					A
		R							A	O							L
		E							L	O							
									D								
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-4	NB	CB	RB	O	I				
	PERS ONAL SERVICES:																
72	General Personal Service						C25	C25	P	P	P	P3	P3				

7216	Drycleaning Plants												P
7218	Industrial Launderers												P
7261	Funeral Home/Crematory				C4	C4	C4		P	P			
*	Cemetery, Columbarium or Mausoleum				P24 C31	P24 C5	P24 C5	P24 C	P24	P24	P24 C5	P24	
*	Day Care I	P6			P6	P6	P6	P	P	P	P	P7	P7
*	Day Care II				P8 C	P8 C	P8 C	P8 C	P	P	P	P7	P7
074	Veterinary Clinic	P9			P9 C31	P9 C10			P10	P10	P10		P
753	Automotive Repair (1)								P11	P	P		P
754	Automotive Service								P11	P	P		P
76	Miscellaneous Repairs	C33			P32 C	P32	P32	P32	P32	P	P		P
866	Church, Synagogue, Temple				P12 C31	P12 C	P12 C	P12 C	P	P	P		P
83	Social Services (2)				P12 C31	P12 C13	P12 C13	P12 C13	P13	P	P		P
*	Stable	P14 C			P14 C	P14 C	P14 C	P14 C					
0752	Animal specialty services				C P3	C			P	P	P	P	P
*	Kennel or Cattery	P9			C	C				C	P		
*	Theatrical Production Services									P30	P28		
*	Artist Studios				P28	P28	P28	P28	P	P	P	P29	P
*	Interim Recycling Facility				P21	P21	P21	P21	P22	P22	P	P21	P
*	Dog training facility	C34			C34	C34			P	P	P		P

	HEALTH SERVICES:												
801-04	Office/Outpatient Clinic				P12 CP13	P12 C13	P12 CP13		P	P	P	P	
805	Nursing and Personal Care Facilities						C		P	P			
806	Hospital						C13		P	P	C		
807	Medical/Dental Lab								P	P	P	P	
808-09	Miscellaneous Health								P	P	P		
	EDUCATION SERVICES:												
*	Elementary School				P15 aP	P	P		P16c	P16c	P16c		
*	Middle/Junior High School				P16 CP31	P	P		P16c	P16c	P16c		
*	Secondary or High School				P16 CP26 and	P26	P26		P16c C	P16c C	P16c		
*	Vocational School				P13 CP13 C	P13 C	P13 C		P		P17	P	
*	Specialized Instruction School		P18		P19 CP19 C20 and 31	P19 C20	P19 C20	P	P	P	P17	P	
*	School District Support Facility				P16 CP23 C and	P23 C	P23 C C		P	P	P	P	
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.											

B. Development conditions.

1. Except SIC Industry No. 7534-Tire Retreading, see manufacturing permitted use table.
2. Except SIC Industry Group Nos.:
 - a. 835-Day Care Services, and
 - b. 836-Residential Care, which is otherwise provided for on the residential permitted land use table.

3. Limited to SIC Industry Group and Industry Nos.:
 - a. 723-Beauty Shops;
 - b. 724-Barber Shops;
 - c. 725-Shoe Repair Shops and Shoeshine Parlors;
 - d. 7212-Garment Pressing and Agents for Laundries and Drycleaners; and
 - e. 217-Carpet and Upholstery Cleaning.
4. Only as an accessory to a cemetery, and prohibited from the UR zone only if the property is located within a designated unincorporated Rural Town.
5. Structures shall maintain a minimum distance of one hundred feet from property lines adjoining residential zones.
6. Only as an accessory to residential use, and:
 - a. Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates, and have a minimum height of six feet; and
 - b. Outdoor play equipment shall maintain a minimum distance of twenty feet from property lines adjoining residential zones.
7. Permitted as an accessory use. See commercial/industrial accessory, K.C.C. 21A.08.060.A.
8. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32, or an accessory use to a school, church, park, sport club or public housing administered by a public agency, and:
 - a. Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates and have a minimum height of six feet;
 - b. Outdoor play equipment shall maintain a minimum distance of twenty feet from property lines adjoining residential zones;
 - c. Direct access to a developed arterial street shall be required in any residential zone; and
 - d. Hours of operation may be restricted to assure compatibility with surrounding development.

9.a. As a home occupation only, but the square footage limitations in K.C.C. chapter 21A.30 for home occupations apply only to the office space for the veterinary clinic, office space for the kennel or office space for the cattery, and:

- (1) Boarding or overnight stay of animals is allowed only on sites of five acres or more;
- (2) No burning of refuse or dead animals is allowed;
- (3) The portion of the building or structure in which animals are kept or treated shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with concrete or other impervious material; and
- (4) The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

b. The following additional provisions apply to kennels or catteries in the A zone:

- (1) Impervious surface for the kennel or cattery shall not exceed twelve thousand square feet;
- (2) Obedience training classes are not allowed except as provided in subsection B.34. of this section; and
- (3) Any buildings or structures used for housing animals and any outdoor runs shall be set back one hundred and fifty feet from property lines.

10.a. No burning of refuse or dead animals is allowed;

b. The portion of the building or structure in which animals are kept or treated shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with concrete or other impervious material; and

c. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

11. The repair work or service shall only be performed in an enclosed building, and no outdoor storage of materials. SIC Industry No. 7532-Top, Body, and Upholstery Repair Shops and Paint Shops is not allowed.

12. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.

13. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.

14. Covered riding arenas are subject to K.C.C. 21A.30.030 and shall not exceed twenty thousand square feet, but stabling areas, whether attached or detached, shall not be counted in this calculation.

15. Limited to projects which do not require or result in an expansion of sewer service outside the urban growth area, unless a finding is made that no cost-effective alternative technologies are feasible, in which case a tightline sewer sized only to meet the needs of the public school, as defined in RCW 28A.150.010, or the school facility and serving only the public school or the school facility may be used. New public high schools shall be permitted subject to the review process set forth in K.C.C. 21A.42.140.

16.a. For middle or junior high schools and secondary or high schools or school facilities, only as a reuse of a public school facility or school facility subject to K.C.C. chapter 21A.32. An expansion of such a school or a school facility shall be subject to approval of a conditional use permit and the expansion shall not require or result in an extension of sewer service outside the urban growth area, unless a finding is made that no cost-effective alternative technologies are feasible, in which case a tightline sewer sized only to meet the needs of the public school, as defined in RCW 28A.150.010, or the school facility may be used.

b. Renovation, expansion, modernization or reconstruction of a school, a school facility, or the addition of relocatable facilities, is permitted but shall not require or result in an expansion of sewer service outside the urban growth area, unless a finding is made that no cost-effective alternative technologies are feasible, in which case a tightline sewer sized only to meet the needs of the public school, as defined in RCW 28A.150.010, or the school facility may be used.

c. In CB, RB and O, for K-12 schools with no more than one hundred students.

17. All instruction must be within an enclosed structure.

18. Limited to resource management education programs.

19. Only as an accessory to residential use, and:

a. Students shall be limited to twelve per one-hour session;

b. All instruction must be within an enclosed structure; and

c. Structures used for the school shall maintain a distance of twenty-five feet from property lines adjoining residential zones.

20. Subject to the following:

a. Structures used for the school and accessory uses shall maintain a minimum distance of twenty-five feet from property lines adjoining residential zones;

b. On lots over two and one-half acres:

(1) Retail sale of items related to the instructional courses is permitted, if total floor area for retail sales is limited to two thousand square feet;

(2) Sale of food prepared in the instructional courses is permitted with Seattle-King County department of public health approval, if total floor area for food sales is limited to one thousand square feet and is located in the same structure as the school; and

(3) Other incidental student-supporting uses are allowed, if such uses are found to be both compatible with and incidental to the principal use; and

c. On sites over ten acres, located in a designated Rural Town and zoned any one or more of UR, R-1 and R-4:

(1) Retail sale of items related to the instructional courses is permitted, provided total floor area for retail sales is limited to two thousand square feet;

(2) Sale of food prepared in the instructional courses is permitted with Seattle-King County department of public health approval, if total floor area for food sales is limited to one thousand seven hundred fifty square feet and is located in the same structure as the school;

(3) Other incidental student-supporting uses are allowed, if the uses are found to be functionally related, subordinate, compatible with and incidental to the principal use;

(4) The use shall be integrated with allowable agricultural uses on the site;

(5) Advertised special events shall comply with the temporary use requirements of this chapter; and

(6) Existing structures that are damaged or destroyed by fire or natural event, if damaged by more than fifty percent of their prior value, may reconstruct and expand an additional sixty-five percent of the original floor area but need not be approved as a conditional use if their use otherwise complies with development condition B.20.c. of this section and this title.

21. Limited to drop box facilities accessory to a public or community use such as a school, fire station or community center.

22. With the exception of drop box facilities for the collection and temporary storage of recyclable materials, all processing and storage of material shall be within enclosed buildings. Yard waste processing is not permitted.

23. Only if adjacent to an existing or proposed school.

24. Limited to columbariums accessory to a church, but required landscaping and parking shall not be reduced.

25. Not permitted in R-1 and limited to a maximum of five thousand square feet per establishment and subject to the additional requirements in K.C.C. 21A.12.230.

26.a. New high schools shall be permitted in the rural and the urban residential and urban reserve zones subject to the review process in K.C.C. 21A.42.140.

b. Renovation, expansion, modernization, or reconstruction of a school, or the addition of relocatable facilities, is permitted.

27. Limited to projects that do not require or result in an expansion of sewer service outside the urban growth area. In addition, such use shall not be permitted in the RA-20 zone.

28. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32 or as a joint use of an existing public school facility.

29. All studio use must be within an enclosed structure.

30. Adult use facilities shall be prohibited within six hundred sixty feet of any residential zones, any

other adult use facility, school, licensed daycare centers, parks, community centers, public libraries or churches that conduct religious or educational classes for minors.

31. Subject to review and approval of conditions to comply with trail corridor provisions of K.C.C. chapter 21A.14 when located in an RA zone and in an equestrian community designated by the Comprehensive Plan.

32. Limited to repair of sports and recreation equipment:

- a. as an accessory to a large active recreation and multiuse park in the urban growth area; or
- b. as an accessory to a park, or a large active recreation and multiuse park in the RA zones, and

limited to a total floor area of seven hundred fifty square feet.

33. Accessory to agricultural or forestry uses provided:

- a. the repair of tools and machinery is limited to those necessary for the operation of a farm or forest.
- b. the lot is at least five acres.
- c. the size of the total repair use is limited to one percent of the lot size up to a maximum of five

thousand square feet unless located in a farm structure, including but not limited to barns, existing as of December 31, 2003.

34. Subject to the following:

- a. the lot is at least five acres.
- b. in the A zones, area used for dog training shall be located on portions of agricultural lands that are

unsuitable for other agricultural purposes, such as areas within the already developed portion of such agricultural lands that are not available for direct agricultural production or areas without prime agricultural soils.

c. structures and areas used for dog training shall maintain a minimum distance of seventy-five feet from property lines.

- d. all training activities shall be conducted within fenced areas or in indoor facilities. Fences must be

sufficient to contain the dogs.

35. Limited to animal rescue shelters and provided that:

- a. the property shall be at least four acres;
- b. buildings used to house rescued animals shall be no less than fifty feet from property lines;
- c. outdoor animal enclosure areas shall be located no less than thirty feet from property lines and

shall be fenced in a manner sufficient to contain the animals;

d. the facility shall be operated by a nonprofit organization registered under the Internal Revenue Code as a 501(c)(3) organization; and

- e. the facility shall maintain normal hours of operation no earlier than 7 a.m. and no later than 7 p.m.

36. Limited to kennel-free dog boarding and daycare facilities, and:

- a. the property shall be at least five acres;
- b. buildings housing dogs shall be no less than seventy-five feet from property lines;
- c. outdoor exercise areas shall be located no less than thirty feet from property lines and shall be

fenced in a manner sufficient to contain the dogs;

d. the number of dogs allowed shall be limited to twenty-five, consistent with the provisions for hobby kennels as outline in K.C.C. 11.04.060.B;

e. training and grooming are ancillary services which may be provided only to dogs staying at the facility;

- f. the facility shall maintain normal hours of operation no earlier than 7 a.m. and no later than 7 p.m.;

and

g. no new facility shall be permitted to be established after one year from the effective date of this ordinance.

SECTION 8. Ordinance 10870, Section 333, as amended, and K.C.C. 21A.08.060 are each hereby amended to read as follows:

A. Government/business services land uses.

KEY		RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL								
P-Permitted Use		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	Z	R	R	N	R	B	S	B	S	I	S	M	S	G	S	F	D
	O	I	E	E	A	A	E	A	I	G	I	M	I	I	I	I	U
	N	C	S	R	L	N	R	N	D	H	N	U	N	O	N	C	S
	E	U	T	A		V		E	B	E	N	E	N	E	E	E	T
		L		L		E		N	O	S	I	S	A	S		R	
		T						T	R	S	T	S	L	S		I	
		U						I	H		Y					A	
		R						A	O							L	
		E						L	O								
								D									
SIC#	S P E C I F I C L A N D U S E	A	F	M	RA	UR	R1- 8	R12	NB	CB	RB			O	I	(30)	
	G O V E R N M E N T S E R V I C E S:																
*	Pu b l i c a g e n c y o r u t i l i t y o f f i c e				P3	CP3 C5	P3 C	P3 CP	P	P				P	P16		

*	Public Agency or Utility Yard				P27	P27	P27	P27			P		P
*	Public Agency Archives										P		P
921	Court									P4	P		P
9221	Police Facility				P7	P7	P7	P7	P7	P	P		P
9224	Fire Facility				C6,	C6	C6	C6	P	P	P		P
*	Utility Facility	P29 C28	P29 C28	P29 C28	P29 C28	P29 C28	P29 C28	P		P	P		P
*	Community Center				C 33 P19	C P19	C	C 19 P		P	P		P
	Lot												P35

*	Private Stormwater Management Facility	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8
*	Vactor Waste Receiving Facility	P	P	P	P18	P18	P18	P18	P31	P						
	BUSINESS SERVICES:															
*	Construction and Trade				P34							P		P9	P	

*	Individual Transportation and Taxi									P25	P	P10	P
421	Trucking and Courier Service									P11	P12	P13	P

* Warehousing, (1) and Wholesale Trade

P

*	Self-service Storage							C14	P37	P	P	P	P
4221 4222	Farm Product Warehousing, (1) and (2)	P15 C36			P15(() and 33 C36		P15, C36						P
*	Log Storage	P15	P		P26(() and 33								P
47	Transportation Service												P
473	Freight and Cargo Service										P	P	P
472	Passenger Transportation Service									P	P	P	
48	Communication Offices										P	P	P
482	Telegraph and other Communication Service									P	P	P	P
*	General Business Service								P	P	P	P	P16
*	Professional Office								P	P	P	P	P16
7312	Outdoor Advertising Service										P	P17	P
735	Miscellaneous Equipment Rental and Leasing									P17	P	P17	P
751	Automotive Rental and Leasing									P	P		P
752	Automotive Parking								P20	P20	P21	P20	P
*	Off-Street Required Parking Lot				P32	P32	P32	P32	P32	P32	P32	P32	P32
7941	Professional Sport Teams/Professional Athletes										P	P	
873	Research, Development and Testing										P2	P2	P2
*	Heavy Equipment and Truck Rental and Leasing												P
	ACCESSORY USES:												
*	Commercial/Industrial Accessory Uses		P		P22				P22	P22	P	P	P

*	Helistop					C23	C23	C23	C23	C23	C24	C23	C24
GENERAL Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see chapters 21A.12 through CROSS REFERENCES:													

B. Development conditions.

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

- b. suspect interview rooms (except in the NB zone), or
- c. long-term storage of stolen properties.

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

9. No outdoor storage of materials.

10. Limited to office uses.

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

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

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

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

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

operation of the facility in conformance with the conditions of approval.

- 15.a. The floor area devoted to warehousing, refrigeration or storage shall not exceed two thousand square feet;
 - b. Structures and areas used for warehousing, refrigeration and storage shall maintain a minimum distance of seventy-five feet from property lines adjoining residential zones; and
 - c. Warehousing, refrigeration and storage is limited to agricultural products and sixty percent or more of the products must be grown or processed in the Puget Sound counties. At the time of the initial application, the applicant shall submit a projection of the source of products to be included in the warehousing, refrigeration or storage.
16. Only as an accessory use to another permitted use.
17. No outdoor storage.
18. Only as an accessory use to a public agency or utility yard, or to a transfer station.
19. Limited to new commuter parking lots designed for thirty or fewer parking spaces or commuter parking lots located on existing parking lots for churches, schools, or other permitted nonresidential uses which have excess capacity available during commuting; provided that the new or existing lot is adjacent to a designated arterial that has been improved to a standard acceptable to the department of transportation;
20. No tow-in lots for damaged, abandoned or otherwise impounded vehicles.
21. No dismantling or salvage of damaged, abandoned or otherwise impounded vehicles.
22. Storage limited to accessory storage of commodities sold at retail on the premises or materials used in the fabrication of commodities sold on the premises.
23. Limited to emergency medical evacuation sites in conjunction with police, fire or health service facility. Helistops are prohibited from the UR zone only if the property is located within a designated unincorporated Rural Town.
24. Allowed as accessory to an allowed use.

25. Limited to private road ambulance services with no outside storage of vehicles.
26. Limited to two acres or less.
- 27a. Utility yards only on sites with utility district offices; or
 - b. Public agency yards are limited to material storage for road maintenance facilities.
28. Limited to bulk gas storage tanks which pipe to individual residences but excluding liquefied natural gas storage tanks.
29. Excluding bulk gas storage tanks.
30. For I-zoned sites located outside the urban growth area designated by the King County Comprehensive Plan, uses shall be subject to the provisions for rural industrial uses as set forth in K.C.C. chapter 21A.12.
31. Vector waste treatment, storage and disposal shall be limited to liquid materials. Materials shall be disposed of directly into a sewer system, or shall be stored in tanks (or other covered structures), as well as enclosed buildings.
32. Provided:
 - a. Off-street required parking for a land use located in the urban area must be located in the urban area;
 - b. Off-street required parking for a land use located in the rural area must be located in the rural area; and
 - c. Off-street required parking must be located on a lot which would permit, either outright or through a land use permit approval process, the land use the off-street parking will serve.
33. Subject to review and approval of conditions to comply with trail corridor provisions of K.C.C. chapter 21A.14 when located in an RA zone and in an equestrian community designated by the Comprehensive Plan.
34. Limited to landscape and horticultural services (SIC 078) that are accessory to a ~~((use-classified as~~

~~)) retail ((nurseries, lawn and)) nursery, garden ((supply)) center and farm supply store ((SIC 5261 and provided that e))~~. Construction equipment for the accessory use shall not be stored on the premises.

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

36. Accessory to agricultural uses provided:

a. In the RA zones and on lots less than thirty-five acres in the A zone, the floor area devoted to warehousing, refrigeration or storage shall not exceed three thousand five hundred square feet unless located in a ~~((farm structure, including but not limited to barns, existing as of December 31, 2003))~~ building designated as historic resource under K.C.C. chapter 20.62;

b. On lots at least thirty-five acres in the A zones, the floor area devoted to warehousing, refrigeration or storage shall not exceed seven thousand square feet unless located in a ~~((farm structure, including but not limited to barns, existing as of December 31, 2003))~~ building designated as historic resource under K.C.C. chapter 20.62;

c. In the A zones, structures and areas used for warehousing, refrigeration and storage shall be located on portions of agricultural lands that are unsuitable for other agricultural purposes, such as areas within the already developed portion of such agricultural lands that are not available for direct agricultural production, or areas without prime agricultural soils;

d. Structures and areas used for warehousing, refrigeration or storage shall maintain a minimum distance of seventy-five feet from property lines adjoining residential zones; and

e. Warehousing, refrigeration and storage is limited to agricultural products and sixty percent or more of the products must be grown or processed in the Puget Sound counties. At the time of the initial application, the applicant shall submit a projection of the source of products to be included in the warehousing, refrigeration or storage.

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

feet.

SECTION 9. Ordinance 10870, Section 334, as amended, and K.C.C. 21A.08.070 are each hereby

amended to read as follows:

A. Retail land uses.

KEY		RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL								
P-Permitted Use	Z O N E	A	F	M	R	U	R	U	R	N	B	C	B	R	B	O	I
C-Conditional Use		G	O	I	U	R	E	R	E	E	U	O	U	E	U	F	N
S-Special Use		R	R	N	R	B	S	B	S	I	S	M	S	G	S	F	D
		I	E	E	A	A	E	A	I	G	I	M	I	I	I	I	U
		C	S	R	L	N	R	N	D	H	N	U	N	O	N	C	S
		U	T	A			V		E	B	E	N	E	N	E	E	T
		L		L			E		N	O	S	I	S	A	S		R
		T							T	R	S	T	S	L	S		I
		U							I	H		Y					A
		R							A	O							L
		E							L	O							
									D								
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-4	NB	CB	RB	O	I (30)				
*	Building(s) Materials and Hardware ((and Garden Materials)) Stores	((P19))			((P21))				P2	P	P						
*	Nursery, Garden Center and Farm Supply Stores	P1 C1			P1 C1				P	P	P						
*	Forest Products Sales	P3,4	P4		P3,4						P						
*	Department and Variety Stores						C14 C14	P5	P	P							
54	Food Stores				((C13))		C15 C15	P	P	P		C	P6				
*	Agricultural Product Sales	((P20)) P7 C7	P4		((P20)) P3 P7 C7		P3										
*	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				((C22 P24)) C19		P20 C16 P23)) ((P23, P20 C10	P10	P	P		P	P				
*	Drug Stores						C15 C15	P	P	P		C					

592	Liquor Stores	P13			P13	P13			P	P	
593	Used Goods: Antiques/ Secondhand Shops								P	P	
*	Sporting Goods and Related Stores			((P25)) P22	(P25) P22	(P25) P22	(P25 (P25)) P22	(P25) P22	P	P	(P25 (P25)) P22 P22
*	Book, Stationery, Video and Art Supply Stores						C15 tx2 0 C15	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						C15 C15	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 (()) and 18				P

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.

B. Development conditions.

1.a. ~~((Only feed stores and garden supply stores.))~~ As a permitted use, covered sales areas shall not exceed a total area of two thousand square feet, unless located in a building designated as historic resource under K.C.C. chapter 20.62. With a conditional uses permit, covered sales areas of up to three thousand five hundred square feet may be allowed. Greenhouses used for the display of merchandise other than plants shall be considered part of the covered sales area. Uncovered outdoor areas used to grow or display trees, shrubs, or other plants are not considered part of the covered sales area;

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

c. Sales may include locally made arts and crafts; and

- d. Outside lighting is permitted if no off-site glare is allowed.
2. Only hardware ~~((and garden materials))~~ stores ~~((shall be permitted))~~.
- 3.a. Limited to products grown on site.
 - b. Covered sales areas shall not exceed a total area of five hundred square feet.
4. No permanent structures or signs.
5. Limited to SIC Industry No. 5331-Variety Stores, and further limited to a maximum of two thousand square feet of gross floor area.
 6. Limited to a maximum of two thousand square feet of gross floor area.
 - 7.a. As a permitted use, ~~((F))~~the ~~((floor))~~ covered sales area ~~((devoted to retail sales))~~ shall not exceed ~~((three))~~ two thousand ~~((five hundred))~~ square feet, unless ~~((it is))~~ located in ~~((an agricultural structure, such as a barn, existing as of December 31, 2003.))~~ building designated as historic resource under K.C.C. chapter 20.62. As a conditional use, up to three thousand five hundred square feet of covered sales area may be allowed;
 - b. The site area shall be at least four and one-half acres;
 - c. Forty percent or more of the gross sales of agricultural product sold through the store must be sold by the producers of primary agricultural products~~((:))~~;
 - ~~((e-))~~ d. Sixty percent or more of the gross sales of agricultural products sold through the store shall be derived from products grown or produced in the Puget Sound counties. At the time of the initial application, the applicant shall submit a reasonable projection of the source of product sales~~((:))~~;
 - ~~((d-))~~ e. Sales shall be limited to agricultural products and locally made arts and crafts~~((:))~~;
 - ~~((e-))~~ f. Storage areas for agricultural products may be included in a farm store structure or in any accessory building~~((:))~~; and
 - ~~((f-))~~ g. Outside lighting is permitted if no off-site glare is allowed.
8. Excluding retail sale of trucks exceeding one-ton capacity.

9. Only the sale of new or reconditioned automobile supplies is permitted.
10. Excluding SIC Industry No. 5813-Drinking Places.
11. No outside storage of fuel trucks and equipment.
12. Excluding vehicle and livestock auctions.
13. Only as accessory to a winery or ((brewery)) SIC Industry No. 2082-Malt Beverages, and limited to sales of products produced on site and incidental items where the majority of sales are generated from products produced on site.
14. Not in R-1 and limited to SIC Industry No. 5331-Variety Stores, limited to a maximum of five thousand square feet of gross floor area, and subject to K.C.C. 21A.12.330.
15. Not permitted in R-1 and limited to a maximum of five thousand square feet of gross floor area and subject to K.C.C. 21A.12.230.
16. Not permitted in R-1 and excluding SIC Industry No. 5813-Drinking Places, and limited to a maximum of five thousand square feet of gross floor area and subject to K.C.C. 21A.12.230₂ except as provided in subsection ((B.23-)) B.20. of this section.
17. Retail sale of livestock is permitted only as accessory to raising livestock.
18. Limited to the R-1 zone.
19. ~~((Limited to the sale of livestock feed, hay and livestock veterinary supplies with a covered sales area of not more than two thousand square feet. The square foot limitation does not include areas for storing livestock feed, hay or veterinary supplies or covered parking areas for trucks engaged in direct sale of these products from the truck.~~
- 20.a. ~~The floor area devoted to retail sales shall not exceed two thousand square feet₂ unless it is located in an agricultural structure, such as a barn, existing as of December 31, 2003.~~
- ~~b. Forty percent or more of the gross sales of agricultural products sold through the store must be sold by the producers of primary agricultural products.~~

~~e. Sixty percent or more of the gross sales of agricultural products sold through the store over a five-year period shall be derived from products grown or produced in the Puget Sound counties. At the time of the initial application, the applicant shall submit a projection of the source of product sales.~~

~~d. Sales shall be limited to agricultural products and locally made arts and crafts.~~

~~e. Storage areas for agricultural products may be included in a farm store structure or in any accessory building.~~

~~f. Outside lighting is permitted if no off-site glare is allowed.~~

~~21. Limited to hay sales.~~

~~22.)) Only as:~~

~~a. ((an accessory use to a winery or brewery, limited to the tasting of products produced on site;~~

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

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

~~((23.)) 20. Only as:~~

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

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

~~((24.)) 21. Accessory to a park, limited to a total floor area of seven hundred fifty square feet.~~

~~((25.)) 22. Only as an accessory to:~~

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

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

SECTION 10. Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080 are each hereby amended to read as follows:

A. Manufacturing land uses.

KEY		RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL								
P-Permitted Use	Z O N E	A	F	M	R	U	R	U	R	N	B	C	B	R	B	O	I
C-Conditional Use		G	O	I	U	R	E	R	E	E	U	O	U	E	U	F	N
S-Special Use		R	R	N	R	B	S	B	S	I	S	M	S	G	S	F	D
		I	E	E	A	A	E	A	I	G	I	M	I	I	I	I	U
		C	S	R	L	N	R	N	D	H	N	U	N	O	N	C	S
		U	T	A			V		E	B	E	N	E	N	E	E	T
		L		L			E		N	O	S	I	S	A	S		R
		T							T	R	S	T	S	L	S		I
		U							I	H		Y					A
		R							A	O							L
		E							L	O							
									D								
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (11)				
20	Food and Kindred Products	P1((C1)) C1	P1		P1((C1)) C1						C		P2 C				
*2082(=2084)	Winery/Brewery	P3 C12			P3 ((C3)) C12						C		P				
*	Materials Processing Facility	((P15)) P13	((P16)) P14 C	((P17 C18)) P15 C16									P				
22	Textile Mill Products												C				
23	Apparel and other Textile Products										C		P				
24	Wood Products, except furniture	P4	P4 C5		P4, C5	P4					C6		P				
25	Furniture and Fixtures										C		P				
26	Paper and Allied Products												C				
27	Printing and Publishing								P7	P7	P7C		P7C P				
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
351-55	Heavy Machinery and Equipment										C
357	Computer and Office Equipment									C	C P
36	Electronic and other Electric Equipment									C	P
374	Railroad Equipment										C
376	Guided Missile and Space Vehicle Parts										C
379	Miscellaneous Transportation Vehicles										C
38	Measuring and Controlling Instruments									C	C P
39	Miscellaneous Light Manufacturing									C	P
*	Motor Vehicle and Bicycle Manufacturing										C
*	Aircraft, Ship and Boat Building										P10 C
7534	Tire Retreading									C	P
781-82	Movie Production /Distribution									P	P

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

B. Development conditions.

1.a. Excluding wineries and SIC Industry No. 2082-Malt Beverages;

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

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

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

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

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

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

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

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

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

2. Except slaughterhouses.

3. (~~Only as a home industry, subject to K.C.C. chapter 21A.30.~~) a. Limited to wineries and SIC

Industry No. 2082-Malt Beverages;

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

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

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

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

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

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

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

5. Limited to SIC Industry Group No. 242-Sawmills. For RA zoned sites, limited to RA-10 on lots at least ten acres in size and only as accessory to forestry uses.

6. Limited to uses found in SIC Industry No. 2434-Wood Kitchen Cabinets and No. 2431-Millwork, (excluding planing mills).

7. Limited to photocopying and printing services offered to the general public.

8. Only within enclosed buildings, and as an accessory use to retail sales.

9. Only within enclosed buildings.

10. Limited to boat building of craft not exceeding forty-eight feet in length.

11. For I-zoned sites located outside the urban growth area designated by the King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C. 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for rural industrial uses as set forth in K.C.C. chapter 21A.12.

~~12. ((Limited to wineries subject to the following:~~

~~a. The total floor area of structures for wineries and any accessory uses are not to exceed three thousand five hundred square feet, including underground storage, unless located in existing agricultural structures, including, but not limited to, barns.~~

~~b. Expansions of existing agricultural structures used for wineries are not to exceed three thousand five hundred square feet.~~

~~c. At least sixty percent of the grapes or other agricultural products used to produce the wine must be grown in King County.~~

~~d. Structures and areas used for processing are set back a minimum distance of seventy-five feet from property lines adjacent to residential zones.~~

~~e. Wineries must comply with Washington state Department of Ecology and King County board of health regulations for water usage and wastewater disposal. Wineries using water from exempt wells must install a water meter.~~

~~13.)) Limited to wineries ((subject to the following:)) and SIC Industry No. 2082-Malt Beverages;~~

~~((a.)) b.(1) Except as provided in subsection B.12.b.(2) of this section, ((F))the floor area of structures for wineries and breweries and any accessory uses ((are limited to a total of)) shall not exceed a total of eight thousand square feet((, except that)). The floor area may be increased by up to an additional eight thousand square feet of underground storage that is constructed completely below natural grade, not including required exits and access points, ((may add an additional eight thousand square feet provided that)) if the~~

underground storage is at least one foot below the surface and is not visible above ground (~~and must meet the following:)); and~~

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

~~((1))~~ c. Wineries and breweries (~~must~~) shall comply with Washington state Department of Ecology and King County board of health regulations for water usage and wastewater disposal. Wineries and breweries using water from exempt wells (~~are to~~) shall install a water meter(~~(:)~~);

~~((2) Clearing on the site is limited to a maximum of thirty-five percent of the lot area or the amount previously legally cleared, whichever is greater. Removal of noxious weeds and invasive vegetation is exempt from this clearing limitation. The remainder of the site is to be managed under a forest management plan approved by the King County department of natural resources and parks.~~

~~(3))~~ d. Off-street parking is limited to one hundred and fifty percent of the minimum requirement for wineries or breweries specified in K.C.C. 21A.18.030(:);

~~((4))~~ e. Structures and areas used for processing (~~are~~) shall be set back a minimum distance of seventy-five feet from property lines adjacent to residential zones, unless the processing is located in a building designated as historic resource under K.C.C. chapter 20.62(:);

~~((b-))~~ f. The minimum site area is four and one-half acres. If the total floor area of (~~(S))~~structures for wineries and breweries and any accessory uses (~~that~~) exceed six thousand square feet, (~~(of total floor area))~~ including underground storage (~~must~~):

(1) (~~have a~~) the minimum (~~(lot size of))~~ site area is ten acres; and

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

~~((c. Structures for wineries and any accessory uses that do not exceed a six thousand square feet of total floor area, including underground storage, must have a minimum lot size of five acres.~~

~~d. On Vashon-Maury Island, the total floor area of structures for wineries and any accessory uses located may not exceed six thousand square feet including underground storage and must have a minimum lot size of five acres.))~~

g. The facility shall be limited to processing agricultural products and sixty percent or more of the products processed must be grown in the Puget Sound counties. At the time of initial application, the applicant shall submit a projection of the source of products to be processed; and

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

~~((14. Accessory to agriculture uses provided:~~

~~a. In the RA zones and on lots less than thirty-five acres in the A zones, the floor area devoted to processing shall not exceed three thousand five hundred square feet unless located in a farm structure, including, but not limited to barns, existing as of December 31, 2003.~~

~~b. On lots at least thirty-five acres in the A zones, the floor area devoted to processing shall not exceed seven thousand square feet unless located in a farm structure, including, but not limited to barns, existing as of December 31, 2003.~~

~~c. In the A zones, structures used for processing shall be located on portions of agricultural lands that are unsuitable for other agricultural purposes, such as areas within the already developed portion of such agricultural lands that are not available for direct agricultural production, or areas without prime agricultural soils.~~

~~d. Structures and areas used for processing shall maintain a minimum distance of seventy-five feet from property lines adjoining residential zones.~~

~~e. Processing is limited to agricultural products and sixty percent or more of the products processed must be grown in the Puget Sound counties. At the time of initial application, the applicant shall submit a projection of the source of products to be processed.~~

~~15.))~~ 13. Limited to source separated organic waste processing facilities at a scale appropriate to process the organic waste generated in the agricultural zone.

~~((16.))~~ 14. Only on the same lot or same group of lots under common ownership or documented legal control, which includes, but is not limited to, fee simple ownership, a long-term lease or an easement:

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

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

~~((17.))~~ 15. Only on the same lot or same group of lots under common ownership or documented legal control, which includes, but is not limited to, fee simple ownership, a long-term lease or an easement:

a. as accessory to a primary mineral use; or

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

~~((18.))~~ 16. Continuation of a materials processing facility after reclamation in accordance with an approved reclamation plan.

SECTION 11. Pursuant to K.C.C. 20.44.080, the metropolitan King County council finds that the requirements for environmental analysis, protections and mitigation measures in the chapter of K.C.C. Title 21A amended by this ordinance, provide adequate analysis of and mitigation for the specific adverse environmental impacts to which the requirements apply.

SECTION 12. If any provision of this ordinance or its application to any person

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

30 days prior

official paper

Publishing: Wednesday, October 17, 2007

Public hrg: 11/19/07

Newspaper: Seattle Times