



Legislation Text

File #: 2017-0407, **Version:** 1

Clerk 10/04/2017

AN ORDINANCE relating to permitting and zoning; amending Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030, Ordinance 10870, Section 331, as amended, and K.C.C. 21A.08.040, 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, Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080, Ordinance 10870, Section 336, as amended, and K.C.C. 21A.08.090, Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100, Ordinance 12196, Section 9, as amended, and K.C.C. 20.20.020, Ordinance 4461, Section 1, as amended, and K.C.C. 20.22.060, Ordinance 6949, Section 10, as amended, and K.C.C. 20.44.080 and Ordinance 10870, Section 388, as amended, and K.C.C. 21A.16.030, adding new sections to K.C.C. chapter 21A.06, adding a new section to K.C.C. chapter 21A.42 and repealing Ordinance 3064, Section 1, as amended, and K.C.C. 20.54.010, Ordinance 3064, Section 2, and K.C.C. 20.54.020, Ordinance 3064, Section 3, as amended, and K.C.C. 20.54.030, Ordinance 3064, Section 4, as amended, and K.C.C. 20.54.040, Ordinance 3064, Section 5, and K.C.C. 20.54.050, Ordinance 3064, Section 6, as amended, and K.C.C. 20.54.060, Ordinance 3064, Section 7, as amended, and K.C.C. 20.54.070, Ordinance 3064, Section 8, as amended, and K.C.C. 20.54.080, Ordinance 3064,

Section 9, as amended, and K.C.C. 20.54.090, Ordinance 3064, Section 10, as amended, and K.C.C. 20.54.100, Ordinance 3064, Section 11, as amended, and K.C.C. 20.54.110, Ordinance 3064, Section 12, and K.C.C. 20.54.120 and Ordinance 3064, Section 13, and K.C.C. 20.54.130.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. 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)) P = Permitted Use C = Conditional Use S		RESOURCE			RUR	RESIDENTI	COMMERCIAL/INDUSTRIAL						
((P-Permitted Use C-Conditional Use S-Special Use))		(A	F	M	RA	UR	R1	R12	NB	CB	RB	O	I
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12	NB	CB	RB	O	I
	DWELLING UNITS, TYPES:												
*	Single Detached	P	C12	P2	P	C12	P	C1	P15				
*	Townhouse				C4	C4	P1	P	P3	P3	P3	P3	
*	Apartment				C4	C4	P5	P	P3	P3	P3	P3	
*	Mobile Home Park				S13		C8	P					
*	Cottage Housing						P1						
	GROUP RESIDENCES:												

*	Community Residential Facility-I				C	C	P1 4.a C	P	P3	P3	P3	P3	
*	Community Residential Facility-II						P1 4.b	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 ((P17))	P7		P7	P7	P7	P7	P7	P7	P7	P7	
*	Home Occupation	P18	P18		P18	P18	P18	P18	P18	P18	P18	P18	
*	Home Industry	C			C	C	C						
	TEMPORARY LODGING:												
7011	Hotel/Motel (1)									P	P	P	
*	Bed and Breakfast Guesthouse	P9			P9	P9	P9	P9	P9	P10	P10		
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 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Applied Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*)Definition of this specific land use, see 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 agriculture, including raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be approved only if a farm management 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, that shall be reviewed and approved by the King County department of natural resources and parks before building permit issuance; and

c. The forest management plan shall incorporate a fire protection 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. Only in a building listed on the National Register as an historic site or designated as a King County landmark subject to K.C.C. chapter 21A.32.

5.a. In the R-1 zone, apartment units are permitted, if:

(1) At least fifty percent of the site is constrained by unbuildable critical areas. For purposes of this subsection, unbuildable critical areas includes wetlands, aquatic areas and slopes forty percent or steeper and associated buffers; and

(2) The density does not exceed a density of eighteen units per acre of net buildable area.

b. In the R-4 through R-8 zones, apartment units are permitted if the density does not exceed a density of eighteen units per acre of net buildable area.

c. If the proposal will exceed base density for the zone in which it is proposed, a conditional use permit is required.

6. Only as 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:

- (a) an urban lot that is less than five thousand square feet in area;
- (b) except as otherwise provided in subsection B.7.a.(5) of this section, a rural lot that is less than the minimum lot size; or
 - c. a lot containing more than one primary dwelling;
- (3) The primary dwelling unit or the accessory dwelling unit shall be owner occupied;
- (4)(a) Except as otherwise provided in subsection B.7.a.(5) of this section, one of the dwelling units shall not exceed one thousand square feet of heated floor area 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, or in multiple buildings connected by a breezeway or other structure, only one entrance may be located on each street;
- (5) On a site zoned RA:
 - (a) If one transferable development right is purchased from the Rural Area or Natural Resource Lands under K.C.C. chapter 21A.37, the smaller of the dwelling units is permitted a maximum floor area up to one thousand five hundred square feet; and
 - (b) If one transferable development right is purchased from the Rural Area or Natural Resource Lands under K.C.C. chapter 21A.37, a detached accessory dwelling unit is allowed on an RA-5 zoned lot that is at least two and one-half acres and less than three and three-quarters acres;
 - (6) One additional off-street parking space shall be provided;
 - (7) 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
 - (8) 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, that 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 nor 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

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

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, but only if there are:

(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 accessory to the permanent residence of the operator, and:

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

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

10. Only if part of a mixed use development, and subject to the conditions of subsection B.9. of this section.

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

12. 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 subsection B.7. of this section.

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

14.a. Limited to domestic violence shelter facilities.

b. Limited to domestic violence shelter facilities with no more than eighteen residents or staff.

15. 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;

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 K.C.C. 21A.12.020.B.25. or the floor area and footprint limits in K.C.C. 21A.14.025.B; and

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

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

a. The lot must have legally existed before March 1, 2005;

b. The lot has a Comprehensive Plan land use designation of Rural Neighborhood Commercial Center or Rural Area; and

c. The standards of this title for the RA-5 zone shall apply.

17. ~~((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.

)) Repealed.

18. Allowed if consistent with K.C.C. chapter 21A.30.

SECTION 2. Ordinance 10870, Section 331, as amended, and K.C.C. 21A.08.040 are each hereby amended to read as follows:

A. Recreational/cultural land uses.

((KEY)) P = Permitted Use C = Conditional Use	RESOURCE			RUR	RESIDENTIAL			COMMERCIAL/INDUSTRIAL								
	(A	F	M	R	* R	U	R	N	B	C	B	R	B	O	I	
(P-Permitted Use C-Conditional Use	G	O	I	U	U	E	R	E	E	U	O	U	E	U	F	N

SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12	NB	CB	RB	O	I
	PARK/RECREATION:												
*	Park	P1	P1	P1	P1	P1	P1	P1	P	P	P	P	P13
*	Trails	P	P	P	P	P	P	P	P	P	P	P	P
*	Campgrounds		P16 C16a	P16	P16 C16a	P16 C16a							P16 C1 6a
*	Destination Resorts		S		S18	C					C		
*	Marina		C 3		C4	C4	C4	C4	P5	P	P	P	P
*	Recreational Vehicle Park		P19	P19	C2 and 18 P19	C2 P19							
*	Sports Club (17)				C4 and18	C4	C4	C4	C	P	P		
*	Ski Area		S		S18								
*	Recreational Camp		C		P24 C								
	AMUSEMENT/ENTERTAINMENT:												
*	Adult Entertainment Business									P6	P6	P6	
*	Theater									P	P	P	P25
7833	Theater, Drive-in										C		
793	Bowling Center									P	P		P
*	Golf Facility				C7 and 18	P7	P7	P7					
7999 (14)	Amusement and Recreation Services		P21	P21	P8 P21 C15 and 18	P8 P21 P22 C15	P8 P P2 P22 C15	P21 P22	P	P		P21	P21
*	Indoor Paintball Range									P26	P26		P26
*	Outdoor Paintball Range				C27	C27							
*	Shooting Range		C9		C9 and18						C10		P10
*	Amusement Arcades									P	P		
7996	Amusement Park										C		

*	Outdoor Performance Center		S		C12 S18		P2 0	P20			S		
	CULTURAL:												
823	Library				P11	P11 C	P1 1 C	P28	P	P	P	P	
841	Museum	C23	C23		P11	P11 C	P1 1 C	P28	P	P	P	P	P
842	Arboretum	P	P		P	P	P	P	P	P	P	P	
*	Conference Center				P29C1 2	P29C1 2	P2 9 C	P29	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 and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*)Definition of this specific											

B. Development conditions.

1. The following conditions and limitations shall apply, where appropriate:

- a. No stadiums on sites less than ten acres;
- b. Lighting for structures and fields shall be directed away from rural area and residential zones;
- c. Structures or service yards shall maintain a minimum distance of fifty feet from property lines

adjoining rural area and residential zones, except for fences and mesh backstops;

d. Facilities in the A zone shall be limited to trails and trailheads, including related accessory uses such as parking and sanitary facilities; and

e. Overnight camping is allowed only in an approved campground.

2. Recreational vehicle parks are subject to the following conditions and limitations:

a. The maximum length of stay of any vehicle shall not exceed one hundred eighty days during a three-hundred-sixty-five-day period;

b. The minimum distance between recreational vehicle pads shall be no less than ten feet; and

c. Sewage shall be disposed in a system approved by the Seattle-King County health department.

3. Limited to day moorage. The marina shall not create a need for off-site public services beyond those already available before the date of application.

4. Not permitted in the RA-10 or RA-20 zones. Limited to recreation facilities subject to the

following conditions and limitations:

a. The bulk and scale shall be compatible with residential or rural character of the area;

b. For sports clubs, the gross floor area shall not exceed ten thousand square feet unless the building is on the same site or adjacent to a site where a public facility is located or unless the building is a nonprofit facility located in the urban area; and

c. Use is limited to residents of a specified residential development or to sports clubs providing supervised instructional or athletic programs.

5. Limited to day moorage.

6.a. Adult entertainment businesses shall be prohibited within three hundred thirty feet of any property zoned RA, UR or R or containing schools, licensed daycare centers, public parks or trails, community centers, public libraries or churches. In addition, adult entertainment businesses shall not be located closer than three thousand feet to any other adult entertainment business. These distances shall be measured from the property line of the parcel or parcels proposed to contain the adult entertainment business to the property line of the parcels zoned RA, UR or R or that contain the uses identified in this subsection B.6.a.

b. Adult entertainment businesses shall not be permitted within an area likely to be annexed to a city subject to an executed interlocal agreement between King County and a city declaring that the city will provide opportunities for the location of adult businesses to serve the area. The areas include those identified in the maps attached to Ordinance 13546.

7. Clubhouses, maintenance buildings, equipment storage areas and driving range tees shall be at least fifty feet from rural area and residential zoned property lines. Lighting for practice greens and driving range ball impact areas shall be directed away from adjoining rural area and residential zones. Applications shall comply with adopted best management practices for golf course development. Within the RA zone, those facilities shall be permitted only in the RA-5 and RA-2.5 zones. Not permitted in designated rural forest focus area, regionally significant resource areas or locally significant resource areas. Ancillary facilities associated

with a golf course are limited to practice putting greens, maintenance buildings and other structures housing administrative offices or activities that provide convenience services to players. These convenience services are limited to a pro shop, food services and dressing facilities and shall occupy a total of no more than ten thousand square feet. Furthermore, the residential density that is otherwise permitted by the zone shall not be used on other portions of the site through clustering or on other sites through the transfer of density provision. This residential density clustering or transfer limitation shall be reflected in a deed restriction that is recorded at the time applicable permits for the development of the golf course are issued.

8. Limited to golf driving ranges, only as:

- a. accessory to golf courses; or
- b. accessory to a recreation or multiuse park.

9.a. New structures and outdoor ranges shall maintain a minimum distance of fifty feet from property lines adjoining rural area and residential zones, but existing facilities shall be exempt.

b. Ranges shall be designed to prevent stray or ricocheting projectiles, pellets or arrows from leaving the property.

c. Site plans shall include: safety features of the range; provisions for reducing sound produced on the firing line; elevations of the range showing target area, backdrops or butts; and approximate locations of buildings on adjoining properties.

d. Subject to the licensing provisions of K.C.C. Title 6.

10.a. Only in an enclosed building, and subject to the licensing provisions of K.C.C. Title 6;

b. Indoor ranges shall be designed and operated so as to provide a healthful environment for users and operators by:

(1) installing ventilation systems that provide sufficient clean air in the user's breathing zone, and

(2) adopting appropriate procedures and policies that monitor and control exposure time to airborne

lead for individual users.

11. Only as accessory to a park or in a building listed on the National Register as an historic site or designated as a King County landmark subject to K.C.C. chapter 21A.32.
- 12.a. Only as accessory to a nonresidential use established through a discretionary permit process, if the scale is limited to ensure compatibility with surrounding neighborhoods; and
 - b. In the UR zone, only if the property is located within a designated unincorporated rural town.
13. Subject to the following:
 - a. The park shall abut an existing park on one or more sides, intervening roads notwithstanding;
 - b. No bleachers or stadiums are permitted if the site is less than ten acres, and no public amusement devices for hire are permitted;
 - c. Any lights provided to illuminate any building or recreational area shall be so arranged as to reflect the light away from any premises upon which a dwelling unit is located; and
 - d. All buildings or structures or service yards on the site shall maintain a distance not less than fifty feet from any property line and from any public street.
14. Excluding amusement and recreational uses classified elsewhere in this chapter.
15. For amusement and recreation services not otherwise provided for in this chapter:
 - a. In the RA zones, not subject to regulation under K.C.C. Title 6 and only on sites at least five acres or larger;
 - b. Retail sales are limited to incidental sales to patrons of the amusement or recreation service; and
 - c. Does not involve the operation of motor vehicles or off-road vehicles, including, but not limited to, motorcycles and go-carts.
16. Subject to the following conditions:
 - a. The length of stay per party in campgrounds shall not exceed one hundred eighty days during a three-hundred-sixty-five-day period; and
 - b. Only for campgrounds that are part of a proposed or existing county park, that are subject to

review and public meetings through the department of natural resources and parks.

17. Only for stand-alone sports clubs that are not part of a park.

18. 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.

19. Only as an accessory to a recreation or multiuse park.

20. Only as an accessory to a recreation or multiuse park of at least twenty acres located within the urban growth area or on a site immediately adjacent to the urban growth area with the floor area of an individual outdoor performance center stage limited to three thousand square feet.

21. Limited to rentals of sports and recreation equipment with a total floor area of no more than seven hundred fifty square feet and only as accessory to a park, or in the RA zones, to a recreation or multiuse park.

22. Only as accessory to a large active recreation and multiuse park and limited to:

- a. water slides, wave pools and associated water recreation facilities; and
- b. rentals of sports and recreation equipment.

23. Limited to natural resource and heritage museums and only allowed in a farm or forestry structure, including but not limited to barns or sawmills, existing as of December 31, 2003.

24. Use is permitted without a conditional use permit only when in compliance with all of the following conditions:

a. The use is limited to camps for youths or for persons with special needs due to a disability, as defined by the American With Disabilities Act of 1990, or due to a medical condition and including training for leaders for those who use the camp;

b. Active recreational activities shall not involve the use of motorized vehicles such as cross-country motorcycles or all-terrain vehicles or the use of firearms. The prohibition on motorized vehicles does not apply to such vehicles that may be necessary for operation and maintenance of the facility or to a client-specific vehicle used as a personal mobility device;

c.(1) Except as provided in subsection B.24.c.(2)(b) of this section, the number of overnight campers, not including camp personnel, in a new camp shall not exceed:

(a) one hundred and fifty for a camp between twenty and forty acres; or

(b) for a camp greater than forty acres, but less than two hundred and fifty acres, the number of users allowed by the design capacity of a water system and on-site sewage disposal system approved by the department of health, Seattle/King County, up to a maximum of three hundred and fifty; and

(2) Existing camps shall be subject to the following:

(a) For a camp established before August 11, 2005, with a conditional use permit and that is forty acres or larger, but less than one hundred and sixty acres, the number of overnight campers, not including camp personnel, may be up to one hundred and fifty campers over the limit established by subsection B.24.c.(1)(b) of this section.

(b) For a camp established before August 11, 2005, with a conditional use permit and that is one hundred and sixty acres or larger, but less than two hundred acres, the number of overnight campers, not including camp personnel, may be up to three hundred and fifty campers over the limit established by subsection B.24.c.(1)(b) of this section. The camp may terminate operations at its existing site and establish a new camp if the area of the camp is greater than two hundred and fifty acres and the number of overnight campers, not including camp personnel, shall not exceed seven hundred.

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

e. The camp facilities, such as a medical station, food service hall, and activity rooms, shall be of a scale to serve overnight camp users;

f. The minimum size of parcel for such use shall be twenty acres;

g. Except for any permanent caretaker residence, all new structures where camp users will be housed, fed or assembled shall be no less than fifty feet from properties not related to the camp;

h. In order to reduce the visual impacts of parking areas, sports and activity fields or new structures where campers will be housed, fed or assembled, the applicant shall provide a Type 3 landscape buffer no less than twenty feet wide between the nearest property line and such parking area, field, or structures, by retaining existing vegetation or augmenting as necessary to achieve the required level of screening;

i. If the site is adjacent to an arterial roadway, access to the site shall be directly onto said arterial unless direct access is unsafe due inadequate sight distance or extreme grade separation between the roadway and the site;

j. If direct access to the site is via local access streets, transportation demand management measures, such as use of carpools, buses or vans to bring in campers, shall be used to minimize traffic impacts;

k. Any lights provided to illuminate any building or recreational area shall be so arranged as to reflect the light away from any adjacent property; and

l. A community meeting shall be convened by the applicant before submittal of an application for permits to establish a camp, or to expand the number of camp users on an existing camp site as provided in subsection B.24.c.(2)(b) of this section. Notice of the meeting shall be provided at least two weeks in advance to all property owners within five hundred feet, or at least twenty of the nearest property owners, whichever is greater. The notice shall at a minimum contain a brief description of the project and the location, as well as, contact persons and numbers.

25. Limited to theaters primarily for live productions located within a Rural Town designated by the King County Comprehensive Plan.

26.a. Only in an enclosed building; and

b. A copy of the current liability policy of not less than one million dollars for bodily injury or death shall be maintained in the department.

27. Minimum standards for outdoor paintball recreation fields:

a. The minimum site area is twenty-five acres;

b. Structure shall be no closer than one hundred feet from any lot line adjacent to a rural area or residential zoned property;

c. The area where paintballs are discharged shall be located more than three hundred feet of any lot line and more than five hundred feet from the lot line of any adjoining rural area or residential zoned property. The department may allow for a lesser setback if it determines through the conditional use permit review that the lesser setback in combination with other elements of the site design provides adequate protection to adjoining properties and rights-of-ways;

d. A twenty-foot high nylon mesh screen shall be installed around all play areas and shall be removed at the end of each day when the play area is not being used. The department may allow for the height of the screen to be lowered to no less than ten feet if it determines through the conditional use permit review that the lower screen in combination with other elements of the site design provides adequate protection from discharged paintballs;

e. All parking and spectator areas, structures and play areas shall be screened from adjoining rural area or residential zoned property and public rights of way with Type 1 landscaping at least ten feet wide;

f. Any retail sales conducted on the property shall be accessory and incidental to the permitted activity and conducted only for the participants of the site;

g. A plan of operations specifying days and hours of operation, number of participants and employees, types of equipment to be used by users of the site, safety procedures, type of compressed air fuel to be used on the site and storage and maintenance procedures for the compressed air fuel shall be provided for review in conjunction with the conditional use permit application. All safety procedures shall be reviewed and approved by department of public safety before submittal of the conditional use permit application. All activities shall be in compliance with National Paintball League standards;

h. The hours of operation shall be limited to Saturdays and Sundays and statutory holidays from 8:30 A.M. to 8:30 P.M., and further restricted as applicable to daylight hours;

- i. No more than one hundred paintball players shall be allowed on the site at any one time;
- j. No outdoor lights or amplified sounds shall be permitted;
- k. The facility shall have direct access to a road designated as a major collector (or higher) in the Comprehensive Plan unless the department determines through the conditional use permit review that the type and amount of traffic generated by the facility is such that it will not cause an undue impact on the neighbors or adversely affect safety of road usage;
- l. The facility shall be secured at the close of business each day;
- m. All equipment and objects used in the paintball activities shall be removed from the site within ninety days of the discontinuance of the paintball use; and
- n. A copy of the current liability policy of not less than one million dollars for bodily injury or death shall be submitted with the conditional use permit application and shall be maintained in the department.

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

29. Only as accessory to a recreation or multiuse park of least twenty acres located within the urban growth area or on a site immediately adjacent to the urban growth area or in a building listed on the National Register as an historic site or designated as a King County landmark subject to K.C.C. chapter 21A.32.

SECTION 3. 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)) P = Permitted Use C = Condit ((P-Permitted Use C-Conditional Use S-Special Use))		RESOURCE			R U R A L			RESIDENTIAL			COMMERCIAL/INDUSTRIAL						
		A	F	M	R	U	R	U	R	N	B	C	B	R	B	O	I
		G	O	I	U	R	E	R	E	E	U	O	U	E	U	F	N
	((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	A		E		N	O	S	I	S	A	S	R	
		T		R					T	R	S	T	S	L	S	I	

SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12	NB	CB	RB	O	I
	PERSONAL SERVICES:												
72	General Personal Service						C25 C37		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 C5 and 31	P24 C5	P24 C5	P24	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 C10 and 31	P9 C10			P10	P10	P10		P
753	Automotive Repair (1)								P11	P	P		P
754	Automotive Service								P11	P	P		P
76	Miscellaneous Repair (44)	((P33			P32 ((P33))	P32	P32	P32	P32	P	P		P
866	Church, Synagogue, Temple				P12 C27 and 31	P12 C	P12 C	P12	P	P	P	P	
83	Social Services (2)				P12 P13 C31	P12 P13 C	P12 P13 C	P12 P13	P	P	P	P	
0752	Animal specialty services				C P35 P36	C			P	P	P	P	P
*	Stable	P14 C			P14 C31	P14 C	P	14 C					
*	Commercial Kennel or Commercial Cattery	P42			C43	C43				C43	P43		
*	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 C13a	P12 C13a	P12 C13a	P12 C13a	P	P	P	P	P
805		Nursing and Personal Care Facilities							C		P	P		
806		Hospital						C13a	C13a		P	P	C	
807		Medical/Dental Lab									P	P	P	P
808-09		Miscellaneous Health									P	P	P	
		EDUCATION SERVICES:												
*		Elementary School				P39P40	P	P	P		P16 P40	P16 P40	P16 P40	P16 P40
*		Middle/Junior High School				P40 C39 and 31	P	P	P		P16 C40	P16 C40	P16 C40	P16 C40
*		Secondary or High School				C39 and 31 C41 and 31	P26	P26	P26		P16 C15	P16 C15	P16 C15	P16 C15
*		Vocational School					P13a C	P13a C	P13a C			P15	P17	P
*		Specialized Instruction School		P18		P19 C20 and 31	P19 C20	P19 C20	P19 C20	P	P	P	P	P17 P38
*		School District Support Facility					P23 C	P23 C	P23 C	C15	P15	P15	P15	P15
((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.33 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. Community residential facilities.
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 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 rural area and residential zones.
6. Only as 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 rural area and 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 rural area and 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. 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, and:

- a. Boarding or overnight stay of animals is allowed only on sites of five acres or more;
- b. No burning of refuse or dead animals is allowed;
- c. 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

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

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

13.a. Except as otherwise provided in subsection B.13.b. of this ~~((subsection))~~ section, only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.

- b. Allowed for a social service agency on a site in the NB zone that serves transitional or low-income housing located within three hundred feet of the site on which the social service agency is located.

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

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. If located outside of the urban growth area, limited to projects that are of a size and scale designed to primarily serve the Rural Area and Natural Resource Lands and shall be located within a rural town.

16. If located outside of the urban growth area, shall be designed to primarily serve the Rural Area and Natural Resource Lands and shall be located within a rural town. 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 accessory to residential use, and:

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

b. Except as provided in subsection B.19.c. of this ((~~subsection~~) section), all instruction must be within an enclosed structure;

c. Outdoor instruction may be allowed on properties at least two and one-half acres in size. Any outdoor activity must comply with the requirements for setbacks in K.C.C. chapter 21A.12; and

d. Structures used for the school shall maintain a distance of twenty-five feet from property lines adjoining rural area and 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 in subsection B.20.c. of this section and this title.

21. Limited to:

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

b. in the RA zone, a facility accessory to a retail nursery, garden center and farm supply store that accepts earth materials, vegetation, organic waste, construction and demolition materials or source separated organic materials, if:

(1) the site is five acres or greater;

- (2) all material is deposited into covered containers or onto covered impervious areas;
 - (3) the facility and any driveways or other access to the facility maintain a setback of at least twenty five feet from adjacent properties;
 - (4) the total area of the containers and covered impervious area is ten thousand square feet or less;
 - (5) ten feet of type II landscaping is provided between the facility and adjacent properties;
 - (6) no processing of the material is conducted on site; and
 - (7) access to the facility is not from a local access street.
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 permitted in the rural and the urban residential and urban reserve zones shall be 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 rural area and 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.

32. Limited to repair of sports and recreation equipment:

- a. as accessory to a recreation or multiuse park in the urban growth area; or
- b. as accessory to a park 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.)) Repealed.~~

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; and
- 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 four and one-half 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 on the property at any one time shall be limited to the number allowed for hobby kennels, as provided in K.C.C. 11.04.060.B; and

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

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

37. Not permitted in R-1 and subject to the additional requirements in K.C.C. 21A.12.250.

38. Driver training is limited to driver training schools licensed under chapter 46.82 RCW.

39. A school may be located outside of the urban growth area only if allowed under King County Comprehensive Plan policies.

40. Only as a reuse of an existing public school.

41. A high school may be allowed as a reuse of an existing public school if allowed under King

County Comprehensive Plan policies.

42. Commercial kennels and commercial catteries in the A zone are subject to the following:

a. Only as a home occupation, but the square footage limitations in K.C.C. chapter 21A.30.085 for home occupations apply only to the office space for the commercial kennel or commercial cattery; and

b. Subject to K.C.C. 21A.30.020, except:

- (1) A building or structure used for housing dogs or cats and any outdoor runs shall be set back one hundred and fifty feet from property lines;
- (2) The portion of the building or structure in which the dogs or cats are kept shall be soundproofed;
- (3) Impervious surface for the kennel or cattery shall not exceed twelve thousand square feet; and
- (4) Obedience training classes are not allowed except as provided in subsection B.34. of this section.

43. Commercial kennels and commercial catteries are subject to K.C.C. 21A.30.020.

44. If the miscellaneous repair is associated with agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

SECTION 4. 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)) P = Permitted Use C = Conditional Use S = Special Use		RESOURCE	RURAL	RESIDENTIAL	COMMERCIAL/INDUSTRIAL
(P-Permitted Use		(A F M R U	R U	R U R	N B C B R B O I
C-Conditional Use		G O I U R	E R	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 E S	
	E))	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	E))
		E		L O D	

SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12	NB	CB	RB	O	I (30)
	GOVERNMENT SERVICES:												
*	Public agency or utility office				P3 C5	P3 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	P
921	Court									P4	P	P	
9221	Police Facility				P7	P7	P7	P7	P7	P	P	P	P
9224	Fire Facility				C6 and 33	C6	C6	C6	P	P	P	P	P
*	Utility Facility	P29 C28	P29 C28	P29 C28	P29 C28 and 33	P29 C28	P29 C28	P29 C28	P	P	P	P	P
*	Commuter Parking Lot				C 33 P19	C P19	C P19	C 19 P		P	P	P	P35
*	Private Stormwater Management Facility	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8
*	Vector Waste Receiving Facility	P	P	P	P18	P18	P18	P18	P31	P31	P31	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							P14	P37	P	P	P	P
4221 4222	Farm Product Warehousing, Refrigeration and Storage (38)	((P15 C36))			((P15 and 33 C36))	((P15, C36))							P
*	Log Storage (38)	((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 Communications										P	P	P
*	General Business Service								P	P	P	P	P16
*	Professional Office								P	P	P	P	P16
7312	Outdoor Advertising Service										P		P17P
735	Miscellaneous Equipment Rental									P17	P		P17P
751	Automotive Rental and Leasing										P	P	P
752	Automotive Parking									P20a	P20b	P21	P20P a
*	Off-Street Required Parking Lot				P32	P32	P32	P32	P32	P32	P32	P32	P32P32
7941	Professional Sport Teams/Promoters											P	P
873	Research, Development and Testing											P2	P2
*	Heavy Equipment and Truck Repair												P
	ACCESSORY USES:												
*	Commercial/Industrial Accessory Uses				P	P22					P22	P22	P
*	Helistop					C23	C24	C23	C23	C23	C24	C23	C24
((GENERAL CROSS REFERENCE and Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see 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 self-service storage.
2. Except SIC Industry No. 8732-Commercial Economic, Sociological, and Educational Research, see general business service/office.
- 3.a. Only as a reuse of a public school facility or a surplus nonresidential facility subject to K.C.C.

chapter 21A.32; or

b. only when accessory to a fire facility and the office is no greater than one thousand five hundred square feet of floor area.

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

5. New utility office locations only if there is no commercial/industrial zoning in the utility district, and not in the RA-10 or RA-20 zones unless it is demonstrated that no feasible alternative location is possible, and provided further that this condition applies to the UR zone only if the property is located within a designated unincorporated Rural Town.

6.a. All buildings and structures shall maintain a minimum distance of twenty feet from property lines adjoining rural area and residential zones;

b. Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of thirty-five feet from such street;

c. No outdoor storage; and

d. Excluded from the RA-10 and RA-20 zones unless it is demonstrated that no feasible alternative location is possible.

7. Limited to storefront police offices. Such offices shall not have:

a. holding cells;

b. suspect interview rooms (except in the NB zone); or

c. long-term storage of stolen properties.

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

9. No outdoor storage of materials.

10. Limited to office uses.
11. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station.
12. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station and SIC Industry No. 4215-Courier Services, except by air.
13. Limited to SIC Industry No. 4215-Courier Services, except by air.
14. Accessory to an apartment development of at least twelve units provided:
 - a. The gross floor area in self service storage shall not exceed the total gross floor area of the apartment dwellings on the site;
 - b. All outdoor lights shall be deflected, shaded and focused away from all adjoining property;
 - c. The use of the facility shall be limited to dead storage of household goods;
 - d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;
 - e. No outdoor storage or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;
 - f. No residential occupancy of the storage units;
 - g. No business activity other than the rental of storage units; and
 - h. A resident director shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.
 - i. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.
15. ~~(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 rural area and 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.)~~ Repealed.

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

17. No outdoor storage.

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

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

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

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

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

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

(3) limited to no more than ten vehicles.

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

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

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

24. Allowed as accessory to an allowed use.

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

26. Limited to two acres or less.

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

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

28. Limited to bulk gas storage tanks that 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 in K.C.C. chapter 21A.12.

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

32. Provided:

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

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

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

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

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

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

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

36. ~~((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 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 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 rural area and 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.)) Repealed.~~

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

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

SECTION 5. 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)) P = Permitted Use C = Conditional Use ((P-Permitted Use C-Conditional Use S-Special Use))		RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL								
		(A	F	M	R	U	R	U	R	N	B	C	B	R	B	O	I
		G	O	I	U	R	E	R	E	E	U	O	U	E	U	F	N
		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							
										D							
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12	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 P4			P3 and 4						P						
*	Department and Variety Stores						C14 a	P14	P5	P	P						
54	Food Stores						C15 a	P15	P	P	P	C	P6				
*	Agricultural Product Sales (28)	((P7-C))	((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
*	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							C15 a	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							C15 a	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 (28)	((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. 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 stores.

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 five thousand square feet of gross floor area.

~~7.(a. As a permitted use, the covered sales area shall not exceed two thousand square feet, unless located in a building designated as a 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;~~
- ~~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;~~

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

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

~~g. Outside lighting is permitted if no off-site glare is allowed.)) Repealed.~~

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 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.a. 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.12.230; and

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

15.a. 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; and

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

16.a. 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.12.230, except as provided

in subsection B.20. of this section; and

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

17. (~~Retail sale of livestock is permitted only as accessory to raising livestock.~~) Repealed.

18. (~~Limited to the R-1 zone.~~) Repealed.

19. Only as:

a. 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

b. an accessory use to a recreation or multiuse park, limited to a total floor area of three thousand five hundred square feet.

20. Only as:

a. an accessory use to a recreation or multiuse park; or

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

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

22. Only as an accessory use to:

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

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

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

a. limited to lumber milled on site; and

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

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

25. Limited to sites located within the urban growth area and:

- a. The sales area shall be limited to three hundred square feet and must be removed each evening;
- b. There must be legal parking that is easily available for customers; and
- c. The site must be in an area that is easily accessible to the public, will accommodate multiple

shoppers at one time and does not infringe on neighboring properties.

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

b. Notwithstanding subsection B.26.a. of this section, the maximum aggregated total gross floor area devoted to, and in support of, the retail sale of marijuana may be increased to up to three thousand square feet if the retail outlet devotes at least five hundred square feet to the sale, and the support of the sale, of medical marijuana, and the operator maintains a current medical marijuana endorsement issued by the Washington state Liquor and Cannabis Board.

c. Any lot line of a lot having any area devoted to retail marijuana activity must be one thousand feet or more from any lot line of any other lot having any area devoted to retail marijuana activity; and a lot line of a lot having any area devoted to new retail marijuana activity may not be within one thousand feet of any lot line of any lot having any area devoted to existing retail marijuana activity.

d. Whether a new retail marijuana activity complies with this locational requirement shall be determined based on the date a conditional use permit application submitted to the department of permitting and environmental review became or was deemed complete, and:

(1) if a complete conditional use permit application for the proposed retail marijuana use was not submitted, or if more than one conditional use permit application became or was deemed complete on the same date, then the director shall determine compliance based on the date the Washington state Liquor and Cannabis

Board issues a Notice of Marijuana Application to King County;

(2) if the Washington state Liquor and Cannabis Board issues more than one Notice of Marijuana Application on the same date, then the director shall determine compliance based on the date either any complete building permit or change of use permit application, or both, were submitted to the department declaring retail marijuana activity as an intended use;

(3) if more than one building permit or change of use permit application was submitted on the same date, or if no building permit or change of use permit application was submitted, then the director shall determine compliance based on the date a complete business license application was submitted; and

(4) if a business license application was not submitted or more than one business license application was submitted, then the director shall determine compliance based on the totality of the circumstances, including, but not limited to, the date that a retail marijuana license application was submitted to the Washington state Liquor and Cannabis Board identifying the lot at issue, the date that the applicant entered into a lease or purchased the lot at issue for the purpose of retail marijuana use and any other facts illustrating the timing of substantial investment in establishing a licensed retail marijuana use at the proposed location.

e. Retail marijuana businesses licensed by the Washington state Liquor and Cannabis Board and operating within one thousand feet of each other as of August 14, 2016, and retail marijuana businesses that do not require a permit issued by King County, that received a Washington state Liquor and Cannabis Board license to operate in a location within one thousand feet of another licensed retail marijuana business prior to August 14, 2016, and that King County did not object to within the Washington state Liquor and Cannabis Board marijuana license application process, shall be considered nonconforming and may remain in their current location, subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

(1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months; and

(2) the gross floor area of a nonconforming retail outlet may be increased up to the limitations in

subsection B.26.a. and B.26.b. of this section.

27. Per lot, limited to a maximum aggregated total of five thousand square feet gross floor area devoted to, and in support of, the retail sale of marijuana, and((;)):

a. Any lot line of a lot having any area devoted to retail marijuana activity must be one thousand feet or more from any lot line of any other lot having any area devoted to retail marijuana activity; and any lot line of a lot having any area devoted to new retail marijuana activity may not be within one thousand feet of any lot line of any lot having any area devoted to existing retail marijuana activity; and

b. Whether a new retail marijuana activity complies with this locational requirement shall be determined based on the date a conditional use permit application submitted to the department of permitting and environmental review became or was deemed complete, and:

(1) if a complete conditional use permit application for the proposed retail marijuana use was not submitted, or if more than one conditional use permit application became or was deemed complete on the same date, then the director shall determine compliance based on the date the Washington state Liquor and Cannabis Board issues a Notice of Marijuana Application to King County;

(2) if the Washington state Liquor and Cannabis Board issues more than one Notice of Marijuana Application on the same date, then the director shall determine compliance based on the date either any complete building permit or change of use permit application, or both, were submitted to the department declaring retail marijuana activity as an intended use;

(3) if more than one building permit or change of use permit application was submitted on the same date, or if no building permit or change of use permit application was submitted, then the director shall determine compliance based on the date a complete business license application was submitted; and

(4) if a business license application was not submitted or more than one business license application was submitted, then the director shall determine compliance based on the totality of the circumstances, including, but not limited to, the date that a retail marijuana license application was submitted to the

Washington state Liquor and Cannabis Board identifying the lot at issue, the date that the applicant entered into a lease or purchased the lot at issue for the purpose of retail marijuana use, and any other facts illustrating the timing of substantial investment in establishing a licensed retail marijuana use at the proposed location; and

c. Retail marijuana businesses licensed by the Washington state Liquor and Cannabis Board and operating within one thousand feet of each other as of August 14, 2016, and retail marijuana businesses that do not require a permit issued by King County, that received a Washington state Liquor and Cannabis Board license to operate in a location within one thousand feet of another licensed retail marijuana business prior to August 14, 2016, and that King County did not object to within the Washington state Liquor and Cannabis Board marijuana license application process, shall be considered nonconforming and may remain in their current location, subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

(1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months; and

(2) the gross floor area of a nonconforming retail outlet may be increased up to the limitations in subsection B.27. of this section, subject to K.C.C. 21A.42.190.

28. If the agricultural product sales or livestock sales is associated with agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

SECTION 6. 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)) P = Permitted Use C = Conditional Use S = Special Use		RESOURCE			RUR	RESIDENTIAL		COMMERCIAL/INDUSTRIAL									
		A	F	M	R	U	R	U	R	N	B	C	B	R	B	O	I
		G	O	I	U	R	E	R	E	E	U	O	U	E	U	F	N
	((Z	R	R	N	R	B	S	B	S	I	S	M	S	G	S	F	D
	Ø	I	E	E	A	A	E	A	I	G	I	M	I	I	I	I	U
	N	€	S	R	L	N	R	N	D	H	N	U	N	O	N	€	S
	E))	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

SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (11)
20	Food and Kindred Products (28)	((P1 C1))	((P1))		((P1-C1))	((P1))			P2	P2	P2 C		P2 C
*/2082 /2085	Winery/Brewery /Distillery	P3 C12			P3 C12	P3			P17	P17	P		P
*	Materials Processing Facility		P13 C	P14 C15	P16 C								P
22	Textile Mill Products												C
23	Apparel and other Textile Products										C		P
24	Wood Products, except furniture	P4 P18	P4 P1 C5		P4 P18 C5	P4					C6		P
25	Furniture and Fixtures		P19		P19						C		P
26	Paper and Allied Products												C
27	Printing and Publishing								P7	P7	P7C	P7C	P
*	Marijuana Processor I	P20			P27					P21 C22	P21 C22		
*	Marijuana Processor II									P23 C24	P23 C24		P25 C26
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 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, 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;~~

~~(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;~~

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

~~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 in accordance with state law. The area devoted to tasting shall be included in the floor area limitation in subsection B.1.d. of this section.)) Repealed.~~

2. Except slaughterhouses.

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

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 rural area and 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 the 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 in accordance with state law. 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 and SIC Industry No. 2431-Millwork. For RA zoned sites, if using lumber or timber grown off-site, the minimum site area is four and one-half acres.

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

b.(1) Except as provided in subsection B.12.b.(2) of this section, the floor area of structures for wineries, breweries and distilleries and any accessory uses shall not exceed a total of eight thousand square feet. 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, if the underground storage is at least one foot below the surface and is not visible above ground; and

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

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

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

e. Structures and areas used for processing shall be set back a minimum distance of seventy-five feet

from property lines adjacent to rural area and residential zones, unless the processing is located in a building designated as historic resource under K.C.C. chapter 20.62;

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

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

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

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 the 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 in accordance with state law. The area devoted to tasting shall be included in the floor area limitation in subsection B.12.b. of this section.

13. 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.

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 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.

15. Continuation of a materials processing facility after reclamation in accordance with an approved reclamation plan.

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

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

b. 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;

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

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

18. Limited to:

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

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

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

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

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

(6) In the RA zone, the facility's driveway shall have adequate entering sight distance required by the 2007 King County Road Design and Construction Standards. An adequate turn around shall be provided on-

site to prevent vehicles from backing out on to the roadway that the driveway accesses; and

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

b. SIC Industry No. 2411-Logging.

19. Limited to manufacture of custom made wood furniture or cabinets.

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

b. Only as an accessory use to a Washington state Liquor Control Board licensed marijuana

production facility on the same lot; (~~and~~)

c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

d. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before marijuana products are imported onto the site; and

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

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

b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before marijuana products are imported onto the site;

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

e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and every marijuana-related

entity occupying space in addition to the two-thousand-square-foot threshold area on that lot shall obtain a conditional use permit as set forth in subsection B.22. of this section.

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

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

c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.; and

d. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before marijuana products are imported onto the site.

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

b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before marijuana products are imported onto the site;

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

e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and every marijuana-related entity occupying space in addition to the two-thousand-square-foot threshold area on that lot shall obtain a conditional use permit as set forth in subsection B.24. of this section.

24.a. Only in the CB and RB zones located inside the urban growth area;

b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before marijuana products are imported onto the site; and

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

25.a. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

b. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before marijuana products are imported onto the site; and

c. Per lot, limited to a maximum aggregate total of two thousand square feet of gross floor area devoted to, and in support of, the processing of marijuana together with any separately authorized production of marijuana.

26.a. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

b. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before marijuana products are imported onto the site; and

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

27.a. Marijuana processors in all RA zoned areas except for Vashon-Maury Island, that do not require a conditional use permit issued by King County, that receive a Washington state Liquor and Cannabis Board license business prior to October 1, 2016, and that King County did not object to within the Washington state Liquor and Cannabis Board marijuana license application process, shall be considered nonconforming as to subsection B.27.e. of this section, subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses;

b. Only with a lighting plan that complies with K.C.C. 21A.12.220.G.;

c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before marijuana products are imported onto the site;

d. Only allowed on lots of at least four and on-half acres on Vashon-Maury Island;

e. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres, except on Vashon-Maury Island;

f. Only as an accessory use to a Washington state Liquor Cannabis Board licensed marijuana production facility on the same lot; and

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

28. If the food and kindred products manufacturing or processing is associated with agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

SECTION 7. Ordinance 10870, Section 336, as amended, and K.C.C. 21A.08.090 are each hereby amended to read as follows:

A. Resource land uses.

((KEY)) P = Permitted Use C = Conditional Use S	RESOURCE	R U R A L	RESIDENTIAL	COMMERCIAL/INDUSTRIAL
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((P-Permitted Use C-Conditional Use S-Special Use))		((Z O N E))											
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 (6)	P	P		P	P							P
*	<u>Agricultural Activities</u>	P24 C	P24 C		P24 C	P24 C							
*	<u>Agricultural Support Services</u>	P25 C	P25 C		P26 C	P26 C	P26 C		P27 C28	P27 C28			
*	Marijuana producer	P15 C22			P16 C17					P18 C19	P18 C19		P20 C21
*	Agriculture Training Facility	C10											
*	Agriculture-related special needs camp	P12											
*	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

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

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

9. Limited to mineral extraction and processing:

a. on a lot or 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;

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

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

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

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

b. New or the expansion of existing structures, or other site improvements, shall not be located on class 1, 2 or 3 soils;

c. The director may require reuse of surplus structures to the maximum extent practical;

d. The director may require the clustering of new structures with existing structures;

e. New structures or other site improvements shall be set back a minimum distance of seventy-five feet from property lines adjoining rural area and residential zones;

f. Bulk and design of structures shall be compatible with the architectural style of the surrounding agricultural community;

g. New sewers shall not be extended to the site;

h. Traffic generated shall not impede the safe and efficient movement of agricultural vehicles, nor shall it require capacity improvements to rural roads;

i. Agriculture training facilities may be used to provide educational services to the surrounding rural/agricultural community or for community events. Property owners may be required to obtain a temporary use permit for community events in accordance with K.C.C. chapter 21A.32;

j. Use of lodging and food service facilities shall be limited only to activities conducted in conjunction with training and education programs or community events held on site;

k. Incidental uses, such as office and storage, shall be limited to those that directly support education and training activities or farm operations; and

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

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

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

- (1) passive recreation;
- (2) training of individuals who will work at the camp;
- (3) special events for families of the campers; and
- (4) agriculture education for youth.

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

c. A farm plan shall be required for commercial agricultural production to ensure adherence to best

management practices and soil conservation.

d.(1) The minimum site area shall be five hundred acres. Unless the property owner has sold or transferred the development rights as provided in subsection B.12.c.(3) of this section, a minimum of five hundred acres of the site must be owned by a single individual, corporation, partnership or other legal entity and must remain under the ownership of a single individual, corporation, partnership or other legal entity for the duration of the operation of the camp.

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

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

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

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

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

i. Lodging and food service facilities shall only be used for activities related to the camp or for

agricultural education programs or community events held on site;

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

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

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

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

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

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

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

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

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

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

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

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

13. Limited to digester receiving plant and animal and other organic waste from agricultural activities, and including electrical generation, as follows:

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

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

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

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

14. Farm worker housing. Either:

a. Temporary farm worker housing subject to the following conditions:

~~((a-))~~ (1) The housing must be licensed by the Washington state Department of Health under chapter 70.114A RCW and chapter 246-358 WAC;

~~((b-))~~ (2) Water supply and sewage disposal systems must be approved by the Seattle King County department of health;

~~((c-))~~ (3) To the maximum extent practical, the housing should be located on nonfarmable areas that are already disturbed and should not be located in the floodplain or in a critical area or critical area buffer; and

~~((d-))~~ (4) The property owner shall file with the department of executive services, records and licensing services division, a notice approved by the department identifying the housing as ~~((the))~~ temporary farm worker housing ~~((as accessory))~~ and that the housing shall ~~((only))~~ be occupied only by agricultural employees and their families while employed by the owner or operator or on a nearby farm. The notice shall

run with the land((⁵)); or

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

(1) Not more than:

(a) one agricultural employee dwelling unit on a site less than twenty acres;

(b) two agricultural employee dwelling units on a site of at least twenty acres and less than fifty acres;

(c) three agricultural employee dwelling units on a site of at least fifty acres and less than one-hundred acres; and

(d) four agricultural employee dwelling units on a site of at least one-hundred acres, and one additional agricultural employee dwelling unit for each additional one hundred acres thereafter;

(2) If the primary use of the site changes to a nonagricultural use, all agricultural employee dwelling units shall be removed;

(3) 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;

(4) 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;

(5) To the maximum extent practical, the housing should be located on nonfarmable areas that are already disturbed;

(6) One off-street parking space shall be provided for each agricultural employee dwelling unit; and

(7) The agricultural employee dwelling units shall be constructed in compliance with K.C.C. Title

16.

15. Marijuana production by marijuana producers licensed by the Washington state Liquor and Cannabis Board is subject to the following standards:

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

b. With a lighting plan, only if required by and that complies with K.C.C. 21A.12.220.G.;

c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before marijuana products are imported onto the site;

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

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

f. Outdoor production area fencing as required by the Washington state Liquor and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall maintain a minimum street setback of fifty feet and a minimum interior setback of thirty feet; and

g. If the two-thousand-square-foot-per-lot threshold of plant canopy combined with area used for processing under K.C.C. 21A.08.080 is exceeded, each and every marijuana-related entity occupying space in addition to the two-thousand-square-foot threshold area on that lot shall obtain a conditional use permit as set

forth in subsection B.22. of this section.

16. Marijuana production by marijuana producers licensed by the Washington state Liquor and Cannabis Board is subject to the following standards:

- a. Marijuana producers in all RA zoned areas except for Vashon-Maury Island, that do not require a conditional use permit issued by King County, that receive a Washington state Liquor and Cannabis Board license business prior to October 1, 2016, and that King County did not object to within the Washington state Liquor and Cannabis Board marijuana license application process, shall be considered nonconforming as to subsection B.16.d. and h. of this section, subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses;
- b. In all rural area zones, only with a lighting plan that complies with K.C.C. 21A.12.220.G.;
- c. Only allowed on lots of at least four and one-half acres on Vashon-Maury Island;
- d. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres, except on Vashon-Maury Island;
- e. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before marijuana products are imported onto the site;
- f. Production is limited to outdoor, indoor within marijuana greenhouses, and within nondwelling unit structures that exist as of October 1, 2013, subject to the size limitations in subsection B.16.g. of this section; and
- g. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum aggregated total of two thousand square feet and shall be located within a fenced area or marijuana greenhouse, that is no more than ten percent larger than that combined area, or may occur in nondwelling unit structures that exist as of October 1, 2013;

h. Outdoor production area fencing as required by the Washington state Liquor and Cannabis Board and marijuana greenhouses shall maintain a minimum street setback of fifty feet and a minimum interior setback of one hundred feet; and a minimum setback of one hundred fifty feet from any existing residence; and

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

17. Marijuana production by marijuana producers licensed by the Washington state Liquor and Cannabis Board is subject to the following standards:

a. Only allowed on lots of at least four and one-half acres on Vashon-Maury Island;

b. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres, except on Vashon-Maury Island;

c. In all rural area zones, only with a lighting plan that complies with K.C.C. 21A.12.220.G.;

d. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before marijuana products are imported onto the site;

e. Production is limited to outdoor and indoor within marijuana greenhouses subject to the size limitations in subsection B.17.f. of this section;

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

g. Outdoor production area fencing as required by the Washington state Liquor and Cannabis Board,

and marijuana greenhouses shall maintain a minimum street setback of fifty feet and a minimum interior setback of one hundred feet, and a minimum setback of one hundred fifty feet from any existing residence.

18.a. Production is limited to indoor only;

b. With a lighting plan only as required by and that complies with K.C.C. 21A.12.220.G.;

c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before marijuana products are imported onto the site; and

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

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

19.a. Production is limited to indoor only;

b. With a lighting plan only as required by and that complies with K.C.C. 21A.12.220.G.;

c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before marijuana products are imported onto the site; and

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

canopy and separately authorized processing area.

20.a. Production is limited to indoor only;

b. With a lighting plan only as required by and that complies with K.C.C. 21A.12.220.G.;

c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before marijuana products are imported onto the site;

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

e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and every marijuana-related entity occupying space in addition to the two-thousand-square-foot threshold area on that lot shall obtain a conditional use permit as set forth in subsection B.21. of this section.

21.a. Production is limited to indoor only;

b. With a lighting plan only as required by and that complies with K.C.C. 21A.12.220.G.;

c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before marijuana products are imported onto the site; and

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

22. Marijuana production by marijuana producers licensed by the Washington state Liquor and Cannabis Board is subject to the following standards:

- a. With a lighting plan only as required by and that complies with K.C.C. 21A.12.220.G.;
- b. Only allowed on lots of at least four and one-half acres;
- c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before marijuana products are imported onto the site;
- d. Production is limited to outdoor, indoor within marijuana greenhouses, and within structures that are nondwelling unit structures that exist as of October 1, 2013, subject to the size limitations in subsection B.22. e. and f. of this section;
- e. On lots less than ten acres, per lot, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum aggregated total of five thousand square feet and shall be located within a fenced area or marijuana greenhouse that is no more than ten percent larger than that combined area, or may occur in nondwelling unit structures that exist as of October 1, 2013;
- f. On lots ten acres or more, per lot, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum aggregated total of ten thousand square feet, and shall be located within a fenced area or marijuana greenhouse that is no more than ten percent larger than that combined area, or may occur in nondwelling unit structures that exist as of October 1, 2013; and
- g. Outdoor production area fencing as required by the Washington state Liquor and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall maintain a minimum street setback of fifty feet and a minimum interior setback of one hundred feet, and a minimum setback of one hundred fifty feet from any

existing residence.

23. The storage and processing of non-manufactured source separated organic waste that originates from agricultural operations and that does not originate from the site, if:

a. agricultural is the primary use of the site;

b. the storage and processing are in accordance with best management practices included in an approved farm plan; and

c. except for areas used for manure storage, the areas used for storage and processing do not exceed three acres and ten percent of the site.

24.a. For activities relating to the processing of crops or livestock for commercial purposes, including associated activities such as warehousing, storage, including refrigeration, and other similar activities and excluding wineries, SIC Industry No. 2085 - Distilled and Blended Liquors and SIC Industry No. 2082 - Malt Beverages:

(1) 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;

(2) in the RA and UR zones, only allowed on sites of at least four and one-half acres;

(3) (a) as a permitted use, the floor area devoted to all processing shall not exceed two thousand square feet, unless located in a building designated as an historic resource under K.C.C. chapter 20.62. The agricultural technical review committee, as established in section 15 of this ordinance, may review and approve an increase in the processing floor area as follows: up to three thousand five hundred square feet of floor area may be devoted to all processing in the RA zones or on farms less than thirty-five acres located in the A zones or up to seven thousand square feet on farms greater than thirty-five acres in the A zone; and

(b) as a permitted use, the floor area devoted to all warehousing, refrigeration, storage or other similar activities shall not exceed two thousand square feet, unless located in a building designated as historic

resource under K.C.C. chapter 20.62. The agricultural technical review committee, as established in section 15 of this ordinance, may review and approve an increase of up to three thousand five hundred square feet of floor area devoted to all warehousing, storage, including refrigeration, or other similar activities in the RA zones or on farms less than thirty-five acres located in the A zones or up to seven thousand square feet on farms greater than thirty-five acres in the A zone;

(4) in the A zone, structures and areas used for processing, warehousing, refrigeration, storage and other similar activities 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

(5) structures and areas used for processing, warehousing, storage, including refrigeration, and other similar activities shall maintain a minimum distance of seventy-five feet from property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62.

b. For activities relating to the retail sale of agricultural products, except livestock:

(1) sales shall be limited to agricultural products and locally made arts and crafts;

(2) in the RA and UR zones, only allowed on sites at least four and one-half acres;

(3) as a permitted use, the covered sales area shall not exceed two thousand square feet, unless located in a building designated as a historic resource under K.C.C. chapter 20.62. The agricultural technical review committee, as established in section 15 of this ordinance, may review and approve an increase of up to three thousand five hundred square feet of covered sales area;

(4) 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;

(5) 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;

(6) tasting of products, in accordance with applicable health regulations, is allowed;

(7) storage areas for agricultural products may be included in a farm store structure or in any accessory building; and

(8) outside lighting is permitted if there is no off-site glare.

c. Retail sales of livestock is permitted only as accessory to raising livestock.

d. Farm operations, including equipment repair and related facilities, except that:

(1) the repair of tools and machinery is limited to those necessary for the operation of a farm or forest;

(2) in the RA and UR zones, only allowed on sites of at least four and one-half acres ;

(3) the size of the total repair use is limited to one percent of the farm size in the A zone, and up to one percent of the site size in other zones, up to a maximum of five thousand square feet unless located within an existing farm structure, including but not limited to barns, existing as of December 31, 2003; and

(4) Equipment repair shall not be permitted in the Forest zone.

e. The agricultural technical review committee, as established in section 15 of this ordinance, may review and approve reductions of minimum site sizes in the rural and residential zones and minimum setbacks from rural and residential zones.

25. The department may review and approve establishment of agricultural support services in accordance with the code compliance review process in section 15 of this ordinance only if:

a. project is sited on lands that are unsuitable for direct agricultural production based on size, soil conditions or other factors and cannot be returned to productivity by drainage maintenance, and

b. the proposed use is allowed under any Farmland Preservation Program conservation easement and zoning development standards.

26. The agricultural technical review committee, as established in section 15 of this ordinance, may

review and approve establishment of agricultural support services only if the project site:

- a. adjoins or is within six hundred sixty feet of the agricultural production district,
- b. has direct vehicular access to the agricultural production district
- c. except for farmworker housing, does not use local access streets that abut lots developed for

residential use; and

- b. has a minimum lot size of four and one-half acres.

27. The agricultural technical review committee, as established in section 15 of this ordinance, may

review and approve establishment of agricultural support services only if the project site:

- a. is outside the urban growth area,
- b. adjoins or is within six hundred sixty feet of the agricultural production district,
- c. has direct vehicular access to the agricultural production district,
- d. except for farmworker housing, does not use local access streets that abut lots developed for

residential use; and

- e. has a minimum lot size of four and one-half acres.

28. Only allowed on properties that are outside the urban growth area.

SECTION 8. Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100 are each hereby

amended to read as follows:

A. Regional land uses.

((KEY)) P = Permitted Use C = Conditional ((P-Permitted Use C-Conditional Use S-Special Use))		RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL								
		(A	F	M	R	U	R	U	R	N	B	C	B	R	B	O	I
		G	O	I	U	R	E	R	E	E	U	O	U	E	U	F	N
	((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

SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (15)	
*	Jail						S	S	S	S	S	S	S	
*	Jail Farm/Camp	S	S		S	S								
*	Work Release Facility				S19	S19	S	S	S	S	S	S		
*	Public Agency Animal Control Facility		S		S	S					S		P	
*	Public Agency Training Facility		S		S3					S3	S3	S3	C4	
*	Hydroelectric Generation Facility		C14 S		C14 S	C14 S	C14 S							
*	Non-hydroelectric Generation Facility	((P25) C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	P12 S
*	Communication Facility (17)	C6c S	P		C6c S	C6c S	C6c S	C6c S	C6c S	P	P	P	P	
*	Earth Station	P6b C	P		C6a S	C6a S	C6a S	C6a S	P6b C	P	P	P	P	
13	Oil and Gas Extraction	S	C	P	S	S	S	S	S	S	S	S	C	
*	Energy Resource Recovery Facility		S	S	S	S	S	S	S	S	S	S	S	
*	Soil Recycling Facility		S	S	S								C	
*	Landfill		S	S	S	S	S	S	S	S	S	S	S	
*	Transfer Station			S	S	S	S	S	S	S	S		P	
*	Wastewater Treatment Facility				S	S	S	S	S	S	S	S	C	
*	Municipal Water Production	S	P13 S	S	S	S	S	S	S	S	S	S	S	
*	Airport/Heliport	S7	S7		S	S	S	S	S	S	S	S	S	
*	Rural Public Infrastructure Maintenance Facility				C23									

*	Transit Bus Base					S	S	S	S	S	S	S	P
*	School Bus Base			C5 S20	C5 S	C5 S	C5 S	S	S	S	S	S	P
7948	Racetrack			S8	S8	S8	S8	S8	S8	S8	S8	S8	S24
*	Regional Motor Sports Facility												P
*	County Fairgrounds Facility			P21 S22									
*	Fairground								S	S			S
8422	Zoo/Wildlife Exhibit(2)		S9	S9	S	S	S		S	S			
7941	Stadium/Arena									S			S
8221-8222	College/University(1)	P10	P10	P10 C11 S18	P10 C11 S18	P10 C11 S	P10 C11 S	P10 C11 S	P	P	P	P	P
*	Zoo Animal Breeding Facility	P16	P16	P16									
((GENERAL CROSS REFERENCES:		Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.40; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*)Definition-specific land use, see K.C.C. chapter 21A.06.))											

B. Development conditions.

1. Except technical institutions. See vocational schools on general services land use table, K.C.C. 21A.08.050.
2. Except arboretum. See K.C.C. 21A.08.040, recreation/cultural land use table.
3. Except weapons armories and outdoor shooting ranges.
4. Except outdoor shooting range.
5. Only in conjunction with an existing or proposed school.
- 6.a. Limited to no more than three satellite dish antennae.
- b. Limited to one satellite dish antenna.
- c. Limited to tower consolidations.
7. Limited to landing field for aircraft involved in forestry or agricultural practices or for emergency landing sites.

8. Except racing of motorized vehicles.
9. Limited to wildlife exhibit.
10. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.
11. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.
12. Limited to cogeneration facilities for on-site use only.
13. Excluding impoundment of water using a dam.
14. Limited to facilities that comply with the following:
 - a. Any new diversion structure shall not:
 - (1) exceed a height of eight feet as measured from the streambed; or
 - (2) impound more than three surface acres of water at the normal maximum surface level;
 - b. There shall be no active storage;
 - c. The maximum water surface area at any existing dam or diversion shall not be increased;
 - d. An exceedance flow of no greater than fifty percent in mainstream reach shall be maintained;
 - e. Any transmission line shall be limited to a:
 - (1) right-of-way of five miles or less; and
 - (2) capacity of two hundred thirty KV or less;
 - f. Any new, permanent access road shall be limited to five miles or less; and
 - g. The facility shall only be located above any portion of the stream used by anadromous fish.
15. For I-zoned sites located outside the urban growth area designated by the King County

Comprehensive Plan, uses shown as a conditional or special use in K.C.C. 21A.08.100.A, except for waste water treatment facilities and racetracks, shall be prohibited. All other uses, including waste water treatment facilities, shall be subject to the provisions for rural industrial uses in K.C.C. chapter 21A.12.

16. The operator of such a facility shall provide verification to the department of natural resources and parks or its successor organization that the facility meets or exceeds the standards of the Animal and Plant

Health Inspection Service of the United States Department of Agriculture and the accreditation guidelines of the American Zoo and Aquarium Association.

17. The following provisions of the table apply only to major communication facilities. Minor communication facilities shall be reviewed in accordance with the processes and standard outlined in K.C.C. chapter 21A.27.

18. Only for facilities related to resource-based research.

19. Limited to work release facilities associated with natural resource-based activities.

20. Limited to projects which do not require or result in an expansion of sewer service outside the urban growth area, unless a finding is made that no cost-effective alternative technologies are feasible, in which case a tightline sewer sized only to meet the needs of the school bus base and serving only the school bus base may be used. Renovation, expansion, modernization or reconstruction of a school bus base is permitted but shall not require or result in an expansion of sewer service outside the urban growth area, unless a finding is made that no cost-effective alternative technologies are feasible, in which case a tightline sewer sized only to meet the needs of the school bus base.

21. Only in conformance with the King County Site Development Plan Report, through modifications to the plan of up to ten percent are allowed for the following:

- a. building square footage;
- b. landscaping;
- c. parking;
- d. building height; or
- e. impervious surface.

22. A special use permit shall be required for any modification or expansion of the King County fairgrounds facility that is not in conformance with the King County Site Development Plan Report or that exceeds the allowed modifications to the plan identified in subsection B.21_ of this section.

23. The facility shall be primarily devoted to rural public infrastructure maintenance and is subject to the following conditions:

a. The minimum site area shall be ten acres, unless:

(1) the facility is a reuse of a public agency yard; or

(2) the site is separated from a county park by a street or utility right-of-way;

b. Type 1 landscaping as provided in K.C.C. chapter 21A.16 shall be provided between any stockpiling or grinding operations and adjacent residential zoned property;

c. Type 2 landscaping as provided in K.C.C. chapter 21A.16 shall be provided between any office and parking lots and adjacent residential zoned property;

d. Access to the site does not use local access streets that abut residential zoned property, unless the facility is a reuse of a public agency yard;

e. Structural setbacks from property lines shall be as follows:

(1) Buildings, structures and stockpiles used in the processing of materials shall be no closer than:

(a) one hundred feet from any residential zoned properties, except that the setback may be reduced to fifty feet when the grade where the building or structures are proposed is fifty feet or greater below the grade of the residential zoned property;

(b) fifty feet from any other zoned property, except when adjacent to a mineral extraction or materials processing site;

(c) the greater of fifty feet from the edge of any public street or the setback from residential zoned property on the far side of the street; and

(2) Offices, scale facilities, equipment storage buildings and stockpiles shall not be closer than fifty feet from any property line except when adjacent to M or F zoned property or when a reuse of an existing building. Facilities necessary to control access to the site, when demonstrated to have no practical alternative, may be located closer to the property line;

f. On-site clearing, grading or excavation, excluding that necessary for required access, roadway or storm drainage facility construction, shall not be permitted within fifty feet of any property line except along any portion of the perimeter adjacent to M or F zoned property. If native vegetation is restored, temporary disturbance resulting from construction of noise attenuation features located closer than fifty feet shall be permitted; and

g. Sand and gravel extraction shall be limited to forty thousand yards per year.

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

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

~~((25. Only as an accessory use of an agricultural anaerobic digester.))~~

NEW SECTION. SECTION 9. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Agriculture: the use of land for commercial purposes for either the raising of crops or livestock or the production of agricultural products, or both.

NEW SECTION. SECTION 10. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Agricultural activities: those agricultural uses and practices that pertain directly to the commercial production of agricultural products, including, but not limited to:

- A. Tilling, discing, planting, seeding, fertilization, composting and other soil amendments and

harvesting;

B. Grazing, animal mortality management and on-site animal waste storage, disposal and processing;

C. Soil conservation practices including dust control, rotating and changing agricultural crops and allowing agricultural lands to lie fallow under local, state or federal conservation programs;

D. Maintenance of farm and stock ponds, agricultural drainage, irrigation systems canals and flood control facilities;

E. Normal maintenance, operation and repair of existing serviceable equipment, structures, facilities or improved areas, including, but not limited to, fencing, farm access roads and parking; and

F. Processing, promotion, sale, storage, packaging and distribution.

NEW SECTION. SECTION 11. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Agricultural products: products that include, but are not limited to:

A. Horticultural, viticultural, floricultural and apiary products;

B. Livestock and livestock products;

C. Animal products including, but not limited to, upland finfish, dairy products, meat, poultry and eggs;

D. Feed or forage for livestock;

E. Christmas trees, hybrid cottonwood and similar hardwood trees grown as crops and harvested within twenty years of planting; and

F. Turf, sod, seed and related products.

NEW SECTION. SECTION 12. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Agricultural support services: any agricultural activity that is directly related to agriculture and directly dependent upon agriculture for its existence but is undertaken on lands that are not predominately in agricultural use.

NEW SECTION. SECTION 13. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Farm: the land, buildings equipment and infrastructure used in the raising and production of agricultural products for commercial sales.

NEW SECTION. SECTION 14. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Farm residence: a single detached dwelling unit that serves as the primary residence for a farm.

NEW SECTION. SECTION 15. There is hereby added to K.C.C. chapter 21A.42 a new section to read as follows:

A. There is hereby established an agricultural technical review committee consisting of representatives of the departments of permitting and environmental review, natural resources and parks and public health and the King Conservation District.

B. The agricultural technical review committee is authorized to review proposals to expand or modify agricultural activities and to site agricultural support services, as identified in K.C.C. 21A.08.090, and to make a recommendation to the director, or designee. The agricultural technical review committee's recommendation will be based on the applicant's submission of a business plan that establishes satisfaction of the relevant criteria set forth in this section.

C. The director, or the director's designee, shall sit on the committee and shall make a final decision on proposals to expand or modify agricultural activities or to site agricultural support services. This decision shall be a Type 1 decision under K.C.C. chapter 20.20. The Director's decision will require the property owner to sign and record on title, at the owner's sole expense, a covenant in a form acceptable to the County which informs subsequent owners of the conditions and limitations under which the use must be maintained.

D. The director, after a recommendation from the agricultural technical review committee established by this section, may modify development standards for agricultural activities as identified in K.C.C.

21A.08.090, subject to the following criteria. The proposed modification or expansion must:

1. Be located on existing impervious surface or lands not otherwise suitable for direct agricultural production based upon soil conditions or other factors and cannot be returned to productivity by drainage maintenance;
2. Be allowed under any Farmland Preservation Program conservation easement and zoning development standards;
3. Be supported by adequate utilities, parking, internal circulation and other infrastructure;
4. Not interfere with neighborhood circulation or interfere with existing or permitted development or use on neighboring properties;
5. Be designed in a manner that is compatible with the character and appearance of existing or proposed development in the vicinity of the subject property;
6. Not be in conflict with the health and safety of the community and is such that pedestrian and vehicular traffic associated with the use must not be hazardous or conflict with existing and anticipated traffic in the neighborhood;
7. Be supported by adequate public facilities or services and must not adversely affect public services to the surrounding area; and
8. Not be in conflict with the policies of the Comprehensive Plan or the basic purposes of K.C.C. Title 21A.

E. Siting of agricultural support services as provided in K.C.C. 21A.08.090 may be authorized by the director, after a recommendation from the agricultural technical review committee established by this section, subject to the following criteria. The proposed use must:

- 1.a. Be limited to processing, warehousing and storage, including refrigeration, retail sales and other similar support services of locally produced agricultural products. Sixty percent or more of the products must be grown or raised in the agricultural production district. At the time of initial application, the applicant shall

submit a projection of the source of products to be produced;

b. Be limited to farmworker housing to support agricultural operations located in the agricultural production district; or

c. Be limited to farm operations, including equipment repair, and other similar services primarily supporting agricultural operations located in the agricultural production district. Sixty percent or more of the services business must be to support agricultural operations in the agricultural production district. At the time of initial application, the applicant shall submit a projection of the source of products to be produced;

2. Meet the setback and size limitation in K.C.C. 21A.08.090.B.24. for structures and areas used for agricultural support services, including walls, fences and screening vegetation, and not interfere with neighborhood circulation or interfere with existing or permitted development or use on neighboring properties;

3. Be designed in a manner which is compatible with the character and appearance of existing, or proposed development in the vicinity of the subject property, and provide sufficient screening vegetation;

4. Not be in conflict with the health and safety of the community and must be such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood;

5. Be supported by adequate public facilities or services, will not adversely affect public services to the surrounding area and shall not depend on urban services; and

6. Not be in conflict with the policies of the Comprehensive Plan or the basic purposes of K.C.C. Title 21A.

SECTION 16. Ordinance 12196, Section 9, as amended, and K.C.C. 20.20.020, are each hereby amended to read as follows:

A. Land use permit decisions are classified into four types, based on who makes the decision, whether public notice is required, whether a public hearing is required before a decision is made and whether administrative appeals are provided. The types of land use decisions are listed in subsection E. of this section.

1. Type 1 decisions are made by the director, or his or her designee, ("director") of the department of permitting and environmental review ("department"). Type 1 decisions are nonappealable administrative decisions.

2. Type 2 decisions are made by the director. Type 2 decisions are discretionary decisions that are subject to administrative appeal.

3. Type 3 decisions are quasi-judicial decisions made by the hearing examiner following an open record hearing. Type 3 decisions may be appealed to the county council, based on the record established by the hearing examiner.

4. Type 4 decisions are quasi-judicial decisions made by the council based on the record established by the hearing examiner.

B. Except as provided in K.C.C. 20.44.120A.7. and 25.32.080 or unless otherwise agreed to by the applicant, all Type 2, 3 and 4 decisions included in consolidated permit applications that would require more than one type of land use decision process may be processed and decided together, including any administrative appeals, using the highest-numbered land use decision type applicable to the project application.

C. Certain development proposals are subject to additional procedural requirements beyond the standard procedures established in this chapter.

D. Land use permits that are categorically exempt from review under SEPA do not require a threshold determination (determination of nonsignificance ["DNS"] or determination of significance ["DS"]). For all other projects, the SEPA review procedures in K.C.C. chapter 20.44 are supplemental to the procedures in this chapter.

E. Land use decision types are classified as follow:

<p>TYPE 1</p>	<p>(Decision by director, no administrative appeal)</p>	<p>Temporary use permit for a homeless encampment under K.C.C. 21A.45.010, 21A.45.020, 21A.45.030, 21A.45.040, 24A.45.050, 21A.45.060, 21A.45.070, 21A.45.080 and 21A.45.090; building permit, site development permit, or clearing and grading permit that is not subject to SEPA, that is categorically exempt from SEPA as provided in K.C.C. 20.20.040, or for which the department has issued a determination of nonsignificance or mitigated determination of nonsignificance; boundary line adjustment; right of way; variance from K.C.C. chapter 9.04; shoreline exemption; decisions to require studies or to approve, condition or deny a development proposal based on K.C.C. chapter 21A.24, except for decisions to approve, condition or deny alteration exceptions; approval of a conversion-option harvest plan; a binding site plan for a condominium that is based on a recorded final planned unit development, a building permit, an as-built site plan for developed sites, a site development permit for the entire site; <u>approvals for agricultural activities and agricultural support services authorized under section 15 of this ordinance.</u></p>
<p>TYPE 2^{1,2}</p>	<p>(Decision by director appealable to hearing examiner, no further administrative appeal)</p>	<p>Short plat; short plat revision; short plat alteration; zoning variance; conditional use permit; temporary use permit under K.C.C. chapter 21A.32; temporary use permit for a homeless encampment under K.C.C. 21A.45.100; shoreline substantial development permit³; building permit, site development permit or clearing and grading permit for which the department has issued a determination of significance; reuse of public schools; reasonable use exceptions under K.C.C. 21A.24.070.B; preliminary determinations under K.C.C. 20.20.030.B; decisions to approve, condition or deny alteration exceptions under K.C.C. chapter 21A.24; extractive operations under K.C.C. 21A.22.050; binding site plan; waivers from the moratorium provisions of K.C.C. 16.82.140 based upon a finding of special circumstances.</p>
<p>TYPE 3¹</p>	<p>(Recommendation by director, hearing and decision by hearing examiner, appealable to county council on the record)</p>	<p>Preliminary plat; plat alterations; preliminary plat revisions.</p>

TYPE 4 ^{1,4}	(Recommendation by director, hearing and recommendation by hearing examiner decision by county council on the record)	Zone reclassifications; shoreline environment redesignation; urban planned development; special use; amendment or deletion of P suffix conditions; plat vacations; short plat vacations; deletion of special district overlay.
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¹ See K.C.C. 20.44.120.C. for provisions governing procedural and substantive SEPA appeals and appeals of Type 3 and 4 decisions to the council.

² When an application for a Type 2 decision is combined with other permits requiring Type 3 or 4 land use decisions under this chapter, the examiner, not the director, makes the decision.

³ A shoreline permit, including a shoreline variance or conditional use, is appealable to the state Shorelines Hearings Board and not to the hearing examiner.

⁴ Approvals that are consistent with the Comprehensive Plan may be considered by the council at any time. Zone reclassifications that are not consistent with the Comprehensive Plan require a site-specific land use map amendment and the council's hearing and consideration shall be scheduled with the amendment to the Comprehensive Plan under K.C.C. 20.18.040 and 20.18.060.

F. The definitions in K.C.C. 21A.45.020 apply to this section.

SECTION 17. Ordinance 10870, Section 388, as amended, and K.C.C. 21A.16.030 are each hereby amended to read as follows:

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

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

1. Attached/group residences refers to:

a. townhouses, except as provided in subsection A.2.a. of this section;

b. apartments and detached dwelling units developed on common property at a density of twelve or

more units per acre;

- c. senior citizen assisted housing;
- d. temporary lodging;
- e. group residences other than Type I community residential facilities;
- f. mobile home parks; and

2. Single-family development refers to:

a. residential subdivisions and short subdivisions, including attached and detached dwelling units on individually platted or short platted lots;

- b. any detached dwelling units located on a lot including cottage housing units; and
- c. Type I community residential facilities;

B. Commercial development refers to those uses in:

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

C. Industrial development refers to those uses listed in:

- 1. K.C.C. 21A.08.050 as recycling center;
- 2. K.C.C. 21A.08.060, except government services and farm product warehousing, refrigeration and storage as allowed in the A zones;
- 3. K.C.C. 21A.08.080, except food and kindred products as allowed in the A and F zones; and
- 4. K.C.C. 21A.08.090 as mineral extraction and processing;

D. Institutional development refers to those uses listed in:

- 1. K.C.C. 21A.08.040 as cultural uses, except arboretums;

2. K.C.C. 21A.08.050 as churches, synagogues and temples, health services and education services except specialized instruction schools permitted as an accessory use; and

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

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

F. Uses in K.C.C. chapter 21A.08 that are not listed in subsections A. through E. of this section shall not be subject to landscaping and tree retention requirements except as specified in any applicable review of a conditional use or special use permits, or reviews conducted in accordance with section 15 of this ordinance.

SECTION 18. The following are each hereby repealed:

A. Ordinance 3064, Section 1, as amended, and K.C.C. 20.54.010;

B. Ordinance 3064, Section 2, and K.C.C. 20.54.020;

C. Ordinance 3064, Section 3, as amended, and K.C.C. 20.54.030;

D. Ordinance 3064, Section 4, as amended, and K.C.C. 20.54.040;

E. Ordinance 3064, Section 5, and K.C.C. 20.54.050;

F. Ordinance 3064, Section 6, as amended, and K.C.C. 20.54.060;

G. Ordinance 3064, Section 7, as amended, and K.C.C. 20.54.070;

H. Ordinance 3064, Section 8, as amended, and K.C.C. 20.54.080;

I. Ordinance 3064, Section 9, as amended, and K.C.C. 20.54.090;

J. Ordinance 3064, Section 10, as amended, and K.C.C. 20.54.100;

K. Ordinance 3064, Section 11, as amended, and K.C.C. 20.54.110;

L. Ordinance 3064, Section 12, and K.C.C. 20.54.120; and

M. Ordinance 3064, Section 13, and K.C.C. 20.54.130.

SECTION 19. Ordinance 4461, Section 1, as amended, and K.C.C. 20.22.060 are each hereby amended to read as follows:

The examiner shall issue recommendations, in the following cases:

- A. Proposals for establishment or modification of cable system rates under K.C.C. 6.27A.140;
- B. Vacation of county roads under K.C.C. chapter 14.40;
- C. All Type 4 decisions under K.C.C. chapter 20.20;
- D. Applications for public benefit rating system assessed valuation on open space land and current use assessment on timber lands under K.C.C. chapter 20.36, except as provided in K.C.C. 20.36.090;
- E. ~~((Applications for agricultural land variances under K.C.C. 20.54.090, applications for rezones or subdivisions under K.C.C. 20.54.100.A., appeals of designations of agricultural land of county significance under K.C.C. 20.54.100.C. and applications to revise the boundaries of agricultural lands of county significance under K.C.C. 20.54.110.C.;~~
- F.)) Appeals of decisions to designate or reject a nomination for designation for a landmark or issuing or denying a certificate of appropriateness under K.C.C. chapter 20.62;
- ~~((G.))~~ F. Creation of a lake or beach management district and a special assessment roll under chapter 36.61 RCW; and
- ~~((H.))~~ G. Other applications or appeals that are prescribed by ordinance.

SECTION 20. Ordinance 6949, Section 10, as amended, and K.C.C. 20.44.080 are each hereby amended to read as follows:

- A. The procedures and standards of WAC 197-11-650 through 197-11-660 regarding substantive authority and mitigation, and WAC 197-11-158, regarding reliance on existing plans, laws and regulations, are adopted.
- B. For the purposes of RCW 43.21C.060 and WAC 197-11-660, the following policies, plans, rules and regulations, and all amendments thereto, are designated as potential bases for the exercise of King County's substantive authority under SEPA, subject to RCW 43.21C.240 and subsection C of this section:
 - 1. The policies of the state Environmental Policy Act, RCW 43.21C.020.
 - 2. As specified in K.C.C. chapter 20.12, the King County Comprehensive Plan, its addenda and

revisions and community and subarea plans and housing report, and as specified in K.C.C. chapter 20.14, surface water management program basin plans.

3. The King County Zoning Code, as adopted in K.C.C. Title 21A.
4. The King County Agricultural Lands Policy, as adopted in ((K.C.C. chapter 20.54 and)) K.C.C. Title 26.
5. The King County Landmarks Preservation Code, as adopted in K.C.C. chapter 20.62.
6. The King County Shoreline Management Master Plan, as adopted in K.C.C. Title 25.
7. The King County Surface Water Runoff Policy, as adopted in K.C.C. chapter 9.04, including the Covington Master Drainage Plan, as adopted in K.C.C. chapter 20.14.
8. The King County Road Standards, as adopted in K.C.C. chapter 14.42.
9. The Comprehensive Plan for Transportation adopted by Resolution No. 6617 of the council of the Municipality of Metropolitan Seattle and readopted and ratified by the county council in K.C.C. 28.01.030.
10. The Comprehensive Sewerage Disposal Plan adopted by Resolution No. 23 of the council of the Municipality of Metropolitan Seattle and readopted and ratified by the county council in K.C.C. 28.01.030.
11. The rules and regulations for construction and use of local sewage facilities set forth in K.C.C. chapters 28.81 through 28.84.
12. The rules and regulations on the consistency of sewer projects with local land use plans and policies set forth in Ordinance 11034, as amended.
13. The rules and regulations for the disposal of industrial waste into the sewerage system set forth in Ordinance 11034, as amended.
14. The Duwamish Clean Water Plan adopted by the council of the Municipality of Metropolitan Seattle and readopted and ratified by the county council by Ordinance 11032, Section 28, as amended.
15. The Washington Department of Ecology's Best Management Practices for the Use of Municipal Sludge.

C. Within the urban growth area, substantive SEPA authority to condition or deny new development proposals or other actions shall be used only in cases where specific adverse environmental impacts are not addressed by regulations as set forth below or unusual circumstances exist. In cases where the county has adopted the following regulations to systematically avoid or mitigate adverse impacts, those standards and regulations will normally constitute adequate mitigation of the impacts of new development: K.C.C. chapter 9.04, Surface Water Runoff Policy, K.C.C. chapter 9.08, Surface Water Management Program, K.C.C. chapter 9.12, Water Quality, K.C.C. chapter 14.42, King County Road Standards, K.C.C. chapter 16.82, Clearing and Grading, K.C.C. chapter 21A.12, Development Standards - Density and Dimensions, K.C.C. chapter 21A.14, Development Standards - Design Requirements, K.C.C. chapter 21A.16, Development Standards - Landscaping and Water Use, K.C.C. chapter 21A.18, Development Standards - Parking and Circulation, K.C.C. chapter 21A.20, Development Standards - Signs, K.C.C. chapter 21A.22, Development Standards - Mineral Extraction, K.C.C. chapter 21A.24, Critical Areas, K.C.C. chapter 21A.26, Development Standards - Communication Facilities, K.C.C. chapter 21A.28, Development Standards - Adequacy of Public Facilities and Services. Unusual circumstances related to a site or to a proposal, as well as environmental impacts not mitigated by the regulations listed in this subsection, will be subject to site-specific or project-specific SEPA mitigation.

This subsection shall not apply if the county's development regulations cited in this subsection are amended after April 22, 1996, unless the amending ordinance contains a finding, supported by documentation, that the requirements for environmental analysis, protections and mitigation measures in this chapter, provide adequate analysis of and mitigation for the specific adverse environmental impacts to which the requirements apply.

D. Outside the urban growth area, in the course of project review, including any required environmental analysis, the responsible official may determine that requirements for environmental analysis, protection and mitigation measures in the county's development regulations or comprehensive plans adopted under chapter 36.70A RCW and in other applicable local, state or federal laws and rules provide adequate analysis and

mitigation for specific adverse environmental impacts of the project, if the following criteria are met:

1. In the course of project review, the responsible official shall identify and consider the specific probable adverse environmental impacts of the proposed action and then make a determination whether these specific impacts are adequately addressed by the development regulations. If they are not, the responsible official shall apply mitigation consistent with the applicable requirements of the comprehensive plan, subarea plan element of the comprehensive plan or other local, state or federal rules or laws; and

2. The responsible official bases or conditions its approval on compliance with these requirements or mitigation measures.

E. Any decision to approve, deny or approve with conditions pursuant to RCW 43.21C.060 shall be contained in the responsible official's decision document. The written decision shall contain facts and conclusions based on the proposal's specific adverse environmental impacts, or lack thereof, as identified in an environmental checklist, EIS, threshold determination, other environmental document including an executive department's staff report and recommendation to a decision maker, or findings made pursuant to a public hearing authorized or required by law or ordinance. The decision document shall state the specific plan, policy or regulation that supports the SEPA decision and, if mitigation beyond existing development regulations is required, the specific adverse environmental impacts and the reasons why additional mitigation is needed to comply with SEPA.

F. This chapter shall not be construed as a limitation on the authority of King County to approve, deny or condition a proposal for reasons based upon other statutes, ordinances or regulations.

SECTION 21. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.