



# KING COUNTY

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

## Signature Report

December 12, 2017

Ordinance 18626

**Proposed No.** 2017-0407.1

**Sponsors** Dembowski

1 AN ORDINANCE relating to permitting and zoning;  
2 amending Ordinance 10870, Section 330, as amended, and  
3 K.C.C. 21A.08.030, Ordinance 10870, Section 331, as  
4 amended, and K.C.C. 21A.08.040, Ordinance 10870,  
5 Section 332, as amended, and K.C.C. 21A.08.050,  
6 Ordinance 10870, Section 333, as amended, and K.C.C.  
7 21A.08.060, Ordinance 10870, Section 334, as amended,  
8 and K.C.C. 21A.08.070, Ordinance 10870, Section 335, as  
9 amended, and K.C.C. 21A.08.080, Ordinance 10870,  
10 Section 336, as amended, and K.C.C. 21A.08.090,  
11 Ordinance 10870, Section 337, as amended, and K.C.C.  
12 21A.08.100, Ordinance 12196, Section 9, as amended, and  
13 K.C.C. 20.20.020, Ordinance 4461, Section 1, as amended,  
14 and K.C.C. 20.22.060, Ordinance 6949, Section 10, as  
15 amended, and K.C.C. 20.44.080 and Ordinance 10870,  
16 Section 388, as amended, and K.C.C. 21A.16.030, adding  
17 new sections to K.C.C. chapter 21A.06, adding a new  
18 section to K.C.C. chapter 21A.42 and repealing Ordinance  
19 3064, Section 1, as amended, and K.C.C. 20.54.010,

20 Ordinance 3064, Section 2, and K.C.C. 20.54.020,  
 21 Ordinance 3064, Section 3, as amended, and K.C.C.  
 22 20.54.030, Ordinance 3064, Section 4, as amended, and  
 23 K.C.C. 20.54.040, Ordinance 3064, Section 5, and K.C.C.  
 24 20.54.050, Ordinance 3064, Section 6, as amended, and  
 25 K.C.C. 20.54.060, Ordinance 3064, Section 7, as amended,  
 26 and K.C.C. 20.54.070, Ordinance 3064, Section 8, as  
 27 amended, and K.C.C. 20.54.080, Ordinance 3064, Section  
 28 9, as amended, and K.C.C. 20.54.090, Ordinance 3064,  
 29 Section 10, as amended, and K.C.C. 20.54.100, Ordinance  
 30 3064, Section 11, as amended, and K.C.C. 20.54.110,  
 31 Ordinance 3064, Section 12, and K.C.C. 20.54.120 and  
 32 Ordinance 3064, Section 13, and K.C.C. 20.54.130.

33 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

34 SECTION 1. Ordinance 10870, Section 330, as amended, and K.C.C.

35 21A.08.030 are each hereby amended to read as follows:

36 A. Residential land uses.

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

SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	<b>DWELLING UNITS, TYPES:</b>												
*	Single Detached	P C12	P2		P C12	P C12	P C12	P C12	P15				
*	Townhouse				C4	C4	P11 C12	P	P3	P3	P3	P3	
*	Apartment				C4	C4	P5 C5	P	P3	P3	P3	P3	
*	Mobile Home Park				S13		C8	P					
*	Cottage Housing						P15						
	<b>GROUP RESIDENCES:</b>												
*	Community Residential Facility-I				C	C	P14.a C	P	P3	P3	P3	P3	
*	Community Residential Facility-II						P14.b	P	P3	P3	P3	P3	
*	Dormitory				C6	C6	C6	P					
*	Senior Citizen Assisted Housing					P4	P4	P	P3	P3	P3	P3	
	<b>ACCESSORY USES:</b>												
*	Residential Accessory Uses	P7 (P7)	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						
	<b>TEMPORARY LODGING:</b>												
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		
<b>((GENERAL CROSS REFERENCES:</b>		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.))											

- 37 B. Development conditions.
- 38 1. Except bed and breakfast guesthouses.
- 39 2. In the forest production district, the following conditions apply:
- 40 a. Site disturbance associated with development of any new residence shall be
- 41 limited to three acres. Site disturbance shall mean all land alterations including, but not
- 42 limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage
- 43 disposal systems and driveways. Additional site disturbance for agriculture, including
- 44 raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be
- 45 approved only if a farm management plan is prepared in accordance with K.C.C. chapter
- 46 21A.30. Animal densities shall be based on the area devoted to animal care and not the
- 47 total area of the lot;
- 48 b. A forest management plan shall be required for any new residence in the
- 49 forest production district, that shall be reviewed and approved by the King County
- 50 department of natural resources and parks before building permit issuance; and

51 c. The forest management plan shall incorporate a fire protection element that  
52 includes fire safety best management practices developed by the department.

53 3. Only as part of a mixed use development subject to the conditions of K.C.C.  
54 chapter 21A.14, except that in the NB zone on properties with a land use designation of  
55 commercial outside of center (CO) in the urban areas, stand-alone townhouse  
56 developments are permitted subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060 and  
57 21A.14.180.

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

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

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

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

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

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

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

71 7.a. Accessory dwelling units:

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

73 (2) Only in the same building as the primary dwelling unit on:

- 74 (a) an urban lot that is less than five thousand square feet in area;
- 75 (b) except as otherwise provided in subsection B.7.a.(5) of this section, a
- 76 rural lot that is less than the minimum lot size; or
- 77 c. a lot containing more than one primary dwelling;
- 78 (3) The primary dwelling unit or the accessory dwelling unit shall be owner
- 79 occupied;
- 80 (4)(a) Except as otherwise provided in subsection B.7.a.(5) of this section,
- 81 one of the dwelling units shall not exceed one thousand square feet of heated floor area
- 82 except when one of the dwelling units is wholly contained within a basement or attic; and
- 83 (b) When the primary and accessory dwelling units are located in the same
- 84 building, or in multiple buildings connected by a breezeway or other structure, only one
- 85 entrance may be located on each street;
- 86 (5) On a site zoned RA:
- 87 (a) If one transferable development right is purchased from the Rural Area
- 88 or Natural Resource Lands under K.C.C. chapter 21A.37, the smaller of the dwelling
- 89 units is permitted a maximum floor area up to one thousand five hundred square feet; and
- 90 (b) If one transferable development right is purchased from the Rural Area
- 91 or Natural Resource Lands under K.C.C. chapter 21A.37, a detached accessory dwelling
- 92 unit is allowed on an RA-5 zoned lot that is at least two and one-half acres and less than
- 93 three and three-quarters acres;
- 94 (6) One additional off-street parking space shall be provided;
- 95 (7) The accessory dwelling unit shall be converted to another permitted use or
- 96 shall be removed if one of the dwelling units ceases to be owner occupied; and

97           (8) An applicant seeking to build an accessory dwelling unit shall file a notice  
98 approved by the department of executive services, records and licensing services  
99 division, that identifies the dwelling unit as accessory. The notice shall run with the land.  
100 The applicant shall submit proof that the notice was filed before the department shall  
101 approve any permit for the construction of the accessory dwelling unit. The required  
102 contents and form of the notice shall be set forth in administrative rules. If an accessory  
103 dwelling unit in a detached building in the rural zone is subsequently converted to a  
104 primary unit on a separate lot, neither the original lot nor the new lot may have an  
105 additional detached accessory dwelling unit constructed unless the lot is at least twice the  
106 minimum lot area required in the zone; and

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

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

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

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

115           c. Buildings for residential accessory uses in the RA and A zone shall not  
116 exceed five thousand square feet of gross floor area, except for buildings related to  
117 agriculture or forestry.

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

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

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

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

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

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

129 12. Required before approving more than one dwelling on individual lots,  
130 except on lots in subdivisions, short subdivisions or binding site plans approved for  
131 multiple unit lots, and except as provided for accessory dwelling units in subsection B.7.  
132 of this section.

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

134 14.a. Limited to domestic violence shelter facilities.

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

137 15. Only in the R4-R8 zones limited to:

138 a. developments no larger than one acre;

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

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



143 being demolished, the existing house is not required to comply with the height limitation  
144 in K.C.C. 21A.12.020.B.25. or the floor area and footprint limits in K.C.C.  
145 21A.14.025.B; and

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

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

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

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

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

154 17. ~~((Housing for agricultural employees who are employed by the owner or  
155 operator of the site year round as follows:~~

156 a. ~~Not more than:~~

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

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

160 ~~(3) Three agricultural employee dwelling units on a site greater than fifty  
161 acres and less than one hundred acres; and~~

162 ~~(4) On sites one hundred acres and larger one additional agricultural  
163 employee dwelling unit for each additional one hundred acres;~~

164 b. The primary use of the site shall be agricultural in SIC Industry Group No.

165 ~~01 Growing and Harvesting Crops or SIC Industry Group No. 02 Raising Livestock and~~

166 ~~Small Animals. If the primary use of the site changes to a nonagricultural use, all~~  
 167 ~~agricultural employee dwelling units shall be removed;~~

168 ~~e. The applicant shall file with the department of executive services, records~~  
 169 ~~and licensing services division, a notice approved by the department that identifies the~~  
 170 ~~agricultural employee dwelling units as accessory and that the dwelling units shall only~~  
 171 ~~be occupied by agricultural employees who are employed by the owner or operator year-~~  
 172 ~~round. The notice shall run with the land. The applicant shall submit to the department~~  
 173 ~~proof that the notice was filed with the department of executive services, records and~~  
 174 ~~licensing services division, before the department approves any permit for the~~  
 175 ~~construction of agricultural employee dwelling units;~~

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

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

181 ~~f. The agricultural employee dwelling units shall be constructed in compliance~~  
 182 ~~with K.C.C. Title 16.) Repealed.~~

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

184 SECTION 2. Ordinance 10870, Section 331, as amended, and K.C.C.

185 21A.08.040 are each hereby amended to read as follows:

186 A. Recreational/cultural land uses.

<del>((KEY))</del> P = Permitted Use C = Conditional Use	RESOURCE	R U R A	RESIDENTIAL	COMMERCIAL/INDUSTRIAL
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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 P21 P22 C15	P8 P21 P22 C15	P21 P22	P	P	P21	P21
*	Indoor Paintball Range									P26	P26		P26
*	Outdoor Paintball Range				C27	C27							
*	Shooting Range		C9		C9 and 18						C10		P10
*	Amusement Arcades									P	P		
7996	Amusement Park										C		
*	Outdoor Performance Center		S		C12 S18		P20	P20			S		
CULTURAL:													
823	Library				P11	P11 C	P11 C	P28	P	P	P	P	
841	Museum	C2 3	C23		P11	P11 C	P11 C	P28	P	P	P	P	P
842	Arboretum	P	P		P	P	P	P	P	P	P	P	
*	Conference Center				P29 C12	P29 C12	P29 C	P29 C	P	P	P	P	
<b>((GENERAL CROSS REFERENCES:</b>		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:))

- 187 B. Development conditions.
- 188 1. The following conditions and limitations shall apply, where appropriate:
- 189 a. No stadiums on sites less than ten acres;
- 190 b. Lighting for structures and fields shall be directed away from rural area and
- 191 residential zones;
- 192 c. Structures or service yards shall maintain a minimum distance of fifty feet
- 193 from property lines adjoining rural area and residential zones, except for fences and mesh
- 194 backstops;
- 195 d. Facilities in the A zone shall be limited to trails and trailheads, including
- 196 related accessory uses such as parking and sanitary facilities; and
- 197 e. Overnight camping is allowed only in an approved campground.
- 198 2. Recreational vehicle parks are subject to the following conditions and
- 199 limitations:
- 200 a. The maximum length of stay of any vehicle shall not exceed one hundred
- 201 eighty days during a three-hundred-sixty-five-day period;
- 202 b. The minimum distance between recreational vehicle pads shall be no less
- 203 than ten feet; and
- 204 c. Sewage shall be disposed in a system approved by the Seattle-King County
- 205 health department.
- 206 3. Limited to day moorage. The marina shall not create a need for off-site
- 207 public services beyond those already available before the date of application.
- 208 4. Not permitted in the RA-10 or RA-20 zones. Limited to recreation facilities

209 subject to the following conditions and limitations:

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

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

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

217 5. Limited to day moorage.

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

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

231 7. Clubhouses, maintenance buildings, equipment storage areas and driving

232 range tees shall be at least fifty feet from rural area and residential zoned property lines.  
233 Lighting for practice greens and driving range ball impact areas shall be directed away  
234 from adjoining rural area and residential zones. Applications shall comply with adopted  
235 best management practices for golf course development. Within the RA zone, those  
236 facilities shall be permitted only in the RA-5 and RA-2.5 zones. Not permitted in  
237 designated rural forest focus area, regionally significant resource areas or locally  
238 significant resource areas. Ancillary facilities associated with a golf course are limited to  
239 practice putting greens, maintenance buildings and other structures housing  
240 administrative offices or activities that provide convenience services to players. These  
241 convenience services are limited to a pro shop, food services and dressing facilities and  
242 shall occupy a total of no more than ten thousand square feet. Furthermore, the residential  
243 density that is otherwise permitted by the zone shall not be used on other portions of the  
244 site through clustering or on other sites through the transfer of density provision. This  
245 residential density clustering or transfer limitation shall be reflected in a deed restriction  
246 that is recorded at the time applicable permits for the development of the golf course are  
247 issued.

248 8. Limited to golf driving ranges, only as:

249 a. accessory to golf courses; or

250 b. accessory to a recreation or multiuse park.

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

254 b. Ranges shall be designed to prevent stray or ricocheting projectiles, pellets

255 or arrows from leaving the property.

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

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

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

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

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

266 (2) adopting appropriate procedures and policies that monitor and control  
267 exposure time to airborne lead for individual users.

268 11. Only as accessory to a park or in a building listed on the National Register  
269 as an historic site or designated as a King County landmark subject to K.C.C. chapter  
270 21A.32.

271 12.a. Only as accessory to a nonresidential use established through a  
272 discretionary permit process, if the scale is limited to ensure compatibility with  
273 surrounding neighborhoods; and

274 b. In the UR zone, only if the property is located within a designated  
275 unincorporated rural town.

276 13. Subject to the following:

277 a. The park shall abut an existing park on one or more sides, intervening roads



278 notwithstanding;

279           b. No bleachers or stadiums are permitted if the site is less than ten acres, and  
280 no public amusement devices for hire are permitted;

281           c. Any lights provided to illuminate any building or recreational area shall be  
282 so arranged as to reflect the light away from any premises upon which a dwelling unit is  
283 located; and

284           d. All buildings or structures or service yards on the site shall maintain a  
285 distance not less than fifty feet from any property line and from any public street.

286           14. Excluding amusement and recreational uses classified elsewhere in this  
287 chapter.

288           15. For amusement and recreation services not otherwise provided for in this  
289 chapter:

290           a. In the RA zones, not subject to regulation under K.C.C. Title 6 and only on  
291 sites at least five acres or larger;

292           b. Retail sales are limited to incidental sales to patrons of the amusement or  
293 recreation service; and

294           c. Does not involve the operation of motor vehicles or off-road vehicles,  
295 including, but not limited to, motorcycles and go-carts.

296           16. Subject to the following conditions:

297           a. The length of stay per party in campgrounds shall not exceed one hundred  
298 eighty days during a three-hundred-sixty-five-day period; and

299           b. Only for campgrounds that are part of a proposed or existing county park,  
300 that are subject to review and public meetings through the department of natural

301 resources and parks.

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

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

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

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

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

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

315 a. water slides, wave pools and associated water recreation facilities; and

316 b. rentals of sports and recreation equipment.

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

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

322 a. The use is limited to camps for youths or for persons with special needs due  
323 to a disability, as defined by the American With Disabilities Act of 1990, or due to a

324 medical condition and including training for leaders for those who use the camp;

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

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

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

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

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

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

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

347 if the area of the camp is greater than two hundred and fifty acres and the number of  
348 overnight campers, not including camp personnel, shall not exceed seven hundred.

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

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

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

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

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

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

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

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

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

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

379           26.a. Only in an enclosed building; and

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

382           27. Minimum standards for outdoor paintball recreation fields:

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

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

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

392           d. A twenty-foot high nylon mesh screen shall be installed around all play areas

393 and shall be removed at the end of each day when the play area is not being used. The  
394 department may allow for the height of the screen to be lowered to no less than ten feet if  
395 it determines through the conditional use permit review that the lower screen in  
396 combination with other elements of the site design provides adequate protection from  
397 discharged paintballs;

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

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

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

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

414 i. No more than one hundred paintball players shall be allowed on the site at  
415 any one time;

416 j. No outdoor lights or amplified sounds shall be permitted;

417 k. The facility shall have direct access to a road designated as a major collector  
 418 (or higher) in the Comprehensive Plan unless the department determines through the  
 419 conditional use permit review that the type and amount of traffic generated by the facility  
 420 is such that it will not cause an undue impact on the neighbors or adversely affect safety  
 421 of road usage;

422 l. The facility shall be secured at the close of business each day;

423 m. All equipment and objects used in the paintball activities shall be removed  
 424 from the site within ninety days of the discontinuance of the paintball use; and

425 n. A copy of the current liability policy of not less than one million dollars for  
 426 bodily injury or death shall be submitted with the conditional use permit application and  
 427 shall be maintained in the department.

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

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

434 SECTION 3. Ordinance 10870, Section 332, as amended, and K.C.C.  
 435 21A.08.050 are each hereby amended to read as follows:

436 A. General services land uses.

((KEY)) P = Permitted Use C = Conditional Use		RESOURCE	R U	RESIDENTIAL	COMMERCIAL/INDUSTRIAL
			R A		





					C10 and 31								
753		Automotive Repair (1)							P11	P	P		P
754		Automotive Service							P11	P	P		P
76		Miscellaneous Repair (44)	((P3 3))		P32 ((P3 3))	P32	P32	P32	P32	P	P		P
866		Church, Synagogue, Temple			P12 C27 and 31	P12 C	P12 C	P12 C	P	P	P	P	
83		Social Services (2)			P12 P13 C31	P12 P13 C	P12 P13 C	P12 P13 C	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
		<b>HEALTH SERVICES:</b>											
801-		Office/Outpatient			P12	P12	P12	P12	P	P	P	P	P

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04		Clinic				C 13a	C13a	C13 a C37	C13a C37				
805		Nursing and Personal Care Facilities							C		P	P	
806		Hospital						C13 a	C13a		P	P	C
807		Medical/Dental Lab									P	P	P P
808- 09		Miscellaneous Health									P	P	P
		<b>EDUCATION SERVICES:</b>											
*		Elementary School				P39 P40	P	P	P		P16 P40	P16 P40	P16 P40
*		Middle/Junior High School				P40 C39 and 31	P	P	P		P16 C40	P16 C40	P16 C40
*		Secondary or High School				C39 and 31 C41 and 31	P26	P26	P26		P16 C15	P16 C15	P16
*		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	P17 P 38
*		School District Support Facility					P23 C	P23 C	P23 C	C15	P15	P15	P15 P15
<p><del>((GENERAL CROSS</del> Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see</p>													

<b>REFERENCES:</b>	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.))
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- 437 B. Development conditions.
- 438 1. Except SIC Industry No. 7534-Tire Retreading, see manufacturing permitted
- 439 use table.
- 440 2. Except SIC Industry Group Nos.:
- 441 a. 835-Day Care Services, and
- 442 b. Community residential facilities.
- 443 3. Limited to SIC Industry Group and Industry Nos.:
- 444 a. 723-Beauty Shops;
- 445 b. 724-Barber Shops;
- 446 c. 725-Shoe Repair Shops and Shoeshine Parlors;
- 447 d. 7212-Garment Pressing and Agents for Laundries and Drycleaners; and
- 448 e. 217-Carpet and Upholstery Cleaning.
- 449 4. Only as accessory to a cemetery, and prohibited from the UR zone only if the
- 450 property is located within a designated unincorporated Rural Town.
- 451 5. Structures shall maintain a minimum distance of one hundred feet from
- 452 property lines adjoining rural area and residential zones.
- 453 6. Only as accessory to residential use, and:
- 454 a. Outdoor play areas shall be completely enclosed by a solid wall or fence,
- 455 with no openings except for gates, and have a minimum height of six feet; and
- 456 b. Outdoor play equipment shall maintain a minimum distance of twenty feet
- 457 from property lines adjoining rural area and residential zones.

458           7. Permitted as an accessory use. See commercial/industrial accessory, K.C.C.  
459 21A.08.060.A.

460           8. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32,  
461 or an accessory use to a school, church, park, sport club or public housing administered  
462 by a public agency, and:

463           a. Outdoor play areas shall be completely enclosed by a solid wall or fence,  
464 with no openings except for gates and have a minimum height of six feet;

465           b. Outdoor play equipment shall maintain a minimum distance of twenty feet  
466 from property lines adjoining rural area and residential zones;

467           c. Direct access to a developed arterial street shall be required in any  
468 residential zone; and

469           d. Hours of operation may be restricted to assure compatibility with  
470 surrounding development.

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

474           a. Boarding or overnight stay of animals is allowed only on sites of five acres  
475 or more;

476           b. No burning of refuse or dead animals is allowed;

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

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

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

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

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

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

491 12. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.  
492 Before filing an application with the department, the applicant shall hold a community  
493 meeting in accordance with K.C.C. 20.20.035.

494 13.a. Except as otherwise provided in subsection B.13.b. of this ((subsection))  
495 section, only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter  
496 21A.32.

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

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

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

504 shall not be counted in this calculation.

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

508           16. If located outside of the urban growth area, shall be designed to primarily  
509 serve the Rural Area and Natural Resource Lands and shall be located within a rural  
510 town. In CB, RB and O, for K-12 schools with no more than one hundred students.

511           17. All instruction must be within an enclosed structure.

512           18. Limited to resource management education programs.

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

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

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

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

520           d. Structures used for the school shall maintain a distance of twenty-five feet  
521 from property lines adjoining rural area and residential zones.

522           20. Subject to the following:

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

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

526           (1) Retail sale of items related to the instructional courses is permitted, if total

527 floor area for retail sales is limited to two thousand square feet;

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

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

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

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

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

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

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

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

548           (6) Existing structures that are damaged or destroyed by fire or natural event,  
549 if damaged by more than fifty percent of their prior value, may reconstruct and expand an

550 additional sixty-five percent of the original floor area but need not be approved as a  
551 conditional use if their use otherwise complies with development condition in subsection  
552 B.20.c. of this section and this title.

553 21. Limited to:

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

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

559 (1) the site is five acres or greater;

560 (2) all material is deposited into covered containers or onto covered  
561 impervious areas;

562 (3) the facility and any driveways or other access to the facility maintain a  
563 setback of at least twenty five feet from adjacent properties;

564 (4) the total area of the containers and covered impervious area is ten  
565 thousand square feet or less;

566 (5) ten feet of type II landscaping is provided between the facility and  
567 adjacent properties;

568 (6) no processing of the material is conducted on site; and

569 (7) access to the facility is not from a local access street.

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



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

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

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

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

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

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

585 28. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter  
586 21A.32 or as a joint use of an existing public school facility.

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

588 30. Adult use facilities shall be prohibited within six hundred sixty feet of any  
589 rural area and residential zones, any other adult use facility, school, licensed daycare  
590 centers, parks, community centers, public libraries or churches that conduct religious or  
591 educational classes for minors.

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

594 32. Limited to repair of sports and recreation equipment:

595 a. as accessory to a recreation or multiuse park in the urban growth area; or

596           b. as accessory to a park and limited to a total floor area of seven hundred fifty  
597 square feet.

598           33. ~~((Accessory to agricultural or forestry uses provided:~~

599           a. ~~the repair of tools and machinery is limited to those necessary for the~~  
600 ~~operation of a farm or forest.~~

601           b. ~~the lot is at least five acres.~~

602           c. ~~the size of the total repair use is limited to one percent of the lot size up to a~~  
603 ~~maximum of five thousand square feet unless located in a farm structure, including but~~  
604 ~~not limited to barns, existing as of December 31, 2003.)) Repealed.~~

605           34. Subject to the following:

606           a. the lot is at least five acres;

607           b. in the A zones, area used for dog training shall be located on portions of  
608 agricultural lands that are unsuitable for other agricultural purposes, such as areas within  
609 the already developed portion of such agricultural lands that are not available for direct  
610 agricultural production or areas without prime agricultural soils;

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

613           d. all training activities shall be conducted within fenced areas or in indoor  
614 facilities. Fences must be sufficient to contain the dogs.

615           35. Limited to animal rescue shelters and provided that:

616           a. the property shall be at least four acres;

617           b. buildings used to house rescued animals shall be no less than fifty feet from  
618 property lines;

619 c. outdoor animal enclosure areas shall be located no less than thirty feet from  
620 property lines and shall be fenced in a manner sufficient to contain the animals;

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

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

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

626 a. the property shall be at least four and one-half acres;

627 b. buildings housing dogs shall be no less than seventy-five feet from property  
628 lines;

629 c. outdoor exercise areas shall be located no less than thirty feet from property  
630 lines and shall be fenced in a manner sufficient to contain the dogs;

631 d. the number of dogs allowed on the property at any one time shall be limited  
632 to the number allowed for hobby kennels, as provided in K.C.C. 11.04.060.B; and

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

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

637 37. Not permitted in R-1 and subject to the additional requirements in K.C.C.  
638 21A.12.250.

639 38. Driver training is limited to driver training schools licensed under chapter  
640 46.82 RCW.

641 39. A school may be located outside of the urban growth area only if allowed

642 under King County Comprehensive Plan policies.

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

644 41. A high school may be allowed as a reuse of an existing public school if  
645 allowed under King County Comprehensive Plan policies.

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

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

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

652 (1) A building or structure used for housing dogs or cats and any outdoor  
653 runs shall be set back one hundred and fifty feet from property lines;

654 (2) The portion of the building or structure in which the dogs or cats are kept  
655 shall be soundproofed;

656 (3) Impervious surface for the kennel or cattery shall not exceed twelve  
657 thousand square feet; and

658 (4) Obedience training classes are not allowed except as provided in  
659 subsection B.34. of this section.

660 43. Commercial kennels and commercial catteries are subject to K.C.C.  
661 21A.30.020.

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

664 SECTION 4. Ordinance 10870, Section 333, as amended, and K.C.C.



					33								
*	Utility Facility	P29 C2 8	P29 C2 8	P29 C2 8	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
*	Vactor Waste Receiving Facility	P	P	P	P18	P18	P18	P18	P31	P31	P31	P31	P
	<b>BUSINESS SERVICES:</b>												
*	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	Farm Product	((P			((P1	((P1							P
4222	Warehousing, Refrigeration and Storage (38)	45 C3 6))			5 and 33 C36 ))	5, C36)							
*	Log Storage (38)	((P 45) )	P		P26 and 33								P
47	Transportation Service												P
473	Freight and Cargo Service										P	P	P
472	Passenger Transportation								P	P	P		

	Service												
48	Communication Offices										P	P	P
482	Telegraph and other Communications								P	P	P	P	
*	General Business Service							P	P	P	P	P	P16
*	Professional Office							P	P	P	P	P	P16
7312	Outdoor Advertising Service										P	P17	P
735	Miscellaneous Equipment Rental									P17	P	P17	P
751	Automotive Rental and Leasing									P	P		P
752	Automotive Parking							P20a	P20b	P21	P20a		P
*	Off-Street Required Parking Lot			P32	P32	P32	P32	P32	P32	P32	P32	P32	P32
7941	Professional Sport Teams/Promoters										P	P	
873	Research, Development and Testing										P2	P2	P2
*	Heavy Equipment and Truck Repair												P
	<b>ACCESSORY USES:</b>												
*	Commercial/Industrial Accessory Uses			P	P22				P22	P22	P	P	P
*	Helistop					C23	C24	C23	C23	C23	C24	C23	C24
<p>((GENERAL Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see chapters 21A.12  <b>CROSS</b> through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Application and Review  <b>REFERENCE</b> Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*) Definition of this specific land use, see K.C.C. chapter  <b>S:</b> 21A.06.))</p>													

667

B. Development conditions.

668

1. Except self-service storage.

669

2. Except SIC Industry No. 8732-Commercial Economic, Sociological, and

670 Educational Research, see general business service/office.

671           3.a. Only as a reuse of a public school facility or a surplus nonresidential facility  
672 subject to K.C.C. chapter 21A.32; or

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

675           4. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter  
676 21A.32.

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

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

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

686           c. No outdoor storage; and

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

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

690           a. holding cells;

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

692           c. long-term storage of stolen properties.



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

698           9. No outdoor storage of materials.

699           10. Limited to office uses.

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

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

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

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

706           a. The gross floor area in self service storage shall not exceed the total gross  
707 floor area of the apartment dwellings on the site;

708           b. All outdoor lights shall be deflected, shaded and focused away from all  
709 adjoining property;

710           c. The use of the facility shall be limited to dead storage of household goods;

711           d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or  
712 similar equipment;

713           e. No outdoor storage or storage of flammable liquids, highly combustible or  
714 explosive materials or hazardous chemicals;

715           f. No residential occupancy of the storage units;

- 716 g. No business activity other than the rental of storage units; and  
717 h. A resident director shall be required on the site and shall be responsible for  
718 maintaining the operation of the facility in conformance with the conditions of approval.  
719 i. Before filing an application with the department, the applicant shall hold a  
720 community meeting in accordance with K.C.C. 20.20.035.

721 15. ~~((a. The floor area devoted to warehousing, refrigeration or storage shall not  
722 exceed two thousand square feet;~~

723 ~~b. Structures and areas used for warehousing, refrigeration and storage shall  
724 maintain a minimum distance of seventy five feet from property lines adjoining rural area  
725 and residential zones; and~~

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

730 Repealed.

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

732 17. No outdoor storage.

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

735 19. Limited to new commuter parking lots designed for thirty or fewer parking  
736 spaces or commuter parking lots located on existing parking lots for churches, schools, or  
737 other permitted nonresidential uses that have excess capacity available during  
738 commuting; provided that the new or existing lot is adjacent to a designated arterial that

739 has been improved to a standard acceptable to the department of transportation;

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

741 and

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

743 be:

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

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

746 (3) limited to no more than ten vehicles.

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

748 vehicles.

749 22. Storage limited to accessory storage of commodities sold at retail on the

750 premises or materials used in the fabrication of commodities sold on the premises.

751 23. Limited to emergency medical evacuation sites in conjunction with police,

752 fire or health service facility. Helistops are prohibited from the UR zone only if the

753 property is located within a designated unincorporated Rural Town.

754 24. Allowed as accessory to an allowed use.

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

756 vehicles.

757 26. Limited to two acres or less.

758 27a. Utility yards only on sites with utility district offices; or

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

760 facilities.

761 28. Limited to bulk gas storage tanks that pipe to individual residences but

762 excluding liquefied natural gas storage tanks.

763           29. Excluding bulk gas storage tanks.

764           30. For I-zoned sites located outside the urban growth area designated by the  
765 King County Comprehensive Plan, uses shall be subject to the provisions for rural  
766 industrial uses in K.C.C. chapter 21A.12.

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

770           32. Provided:

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

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

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

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

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

784           34. Limited to landscape and horticultural services (SIC 078) that are accessory

785 to a retail nursery, garden center and farm supply store. Construction equipment for the  
786 accessory use shall not be stored on the premises.

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

789           36. ~~((Accessory to agricultural uses provided:~~

790           a. ~~In the RA zones and on lots less than thirty-five acres in the A zone, the~~  
791 ~~floor area devoted to warehousing, refrigeration or storage shall not exceed three~~  
792 ~~thousand five hundred square feet unless located in a building designated as historic~~  
793 ~~resource under K.C.C. chapter 20.62;~~

794           b. ~~On lots at least thirty-five acres in the A zones, the floor area devoted to~~  
795 ~~warehousing, refrigeration or storage shall not exceed seven thousand square feet unless~~  
796 ~~located in a building designated as historic resource under K.C.C. chapter 20.62.~~

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

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

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

808 the source of products to be included in the warehousing, refrigeration or storage.))

809 Repealed.

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

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

815 21A.08.090.

816 SECTION 5. Ordinance 10870, Section 334, as amended, and K.C.C.

817 21A.08.070 are each hereby amended to read as follows:

818 A. Retail land uses.

((KEY)) 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	
((P-Permitted Use C-Conditional Use S-Special Use))	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	
	Z																
	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	
	U			E				I	H		Y					A	
	R			A				A	O							L))	
	E							L	O								

SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12	⊘	NB	CB	RB	O	I
								-48						(30)
*	Building Materials and Hardware Stores		P23							P2	P	P		
*	Retail Nursery, Garden Center and Farm Supply Stores	P1 C1			P1 C1					P	P	P		
*	Forest Products Sales	P3 and 4	P4		P3 and 4							P		
*	Department and Variety Stores						C14a	P14		P5	P	P		
54	Food Stores						C15a	P15		P	P	P	C	P6
*	Agricultural Product Sales (28)	((P7 C7))	((P4))		((P7 C7))	((P3))	((P3))	P25		P25	P25	P25	P25	P25
*	Farmers Market	P24	P24		P24	P24	P24	P24		P24	P24	P24	P24	P24
*	Motor Vehicle and Boat Dealers											P8		P
553	Auto Supply Stores										P9	P9		P
554	Gasoline Service Stations									P	P	P		P
56	Apparel and Accessory										P	P		

	Stores												
*	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			P2 2	P22	P22	P22	P22	P	P	P2 2	P22	
*	Book, Stationery, Video and Art Supply Stores					C15a	P15	P	P	P			
*	Jewelry Stores								P	P			
*	Monuments, Tombstones, and Gravestones									P			
*	Hobby, Toy, Game Shops							P	P	P			
*	Photographic and Electronic Shops							P	P	P			



*	Fabric Shops									P	P		
598	Fuel Dealers									C11	P		P
*	Florist Shops						C15a	P15	P	P	P	P	
*	Personal Medical Supply Stores									P	P		
*	Pet Shops								P	P	P		
*	Bulk Retail									P	P		
*	Auction Houses										P12		P
*	Livestock Sales (28)	((P17) )	((P17) )		((P17) )	((P17) )	((P17 and 18))						P
<b>((GENERAL CROSS REFERENCES:))</b>		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.))											

819

B. Development conditions.

820

1.a. As a permitted use, covered sales areas shall not exceed a total area of two

821

thousand square feet, unless located in a building designated as historic resource under

822

K.C.C. chapter 20.62. With a conditional uses permit, covered sales areas of up to three

823

thousand five hundred square feet may be allowed. Greenhouses used for the display of

824

merchandise other than plants shall be considered part of the covered sales area.

825

Uncovered outdoor areas used to grow or display trees, shrubs, or other plants are not

826

considered part of the covered sales area;

827

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

828

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

829

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

- 830           2. Only hardware stores.
- 831           3.a. Limited to products grown on site.
- 832           b. Covered sales areas shall not exceed a total area of five hundred square feet.
- 833           4. No permanent structures or signs.
- 834           5. Limited to SIC Industry No. 5331-Variety Stores, and further limited to a
- 835 maximum of two thousand square feet of gross floor area.
- 836           6. Limited to a maximum of five thousand square feet of gross floor area.
- 837           7. ~~((a. As a permitted use, the covered sales area shall not exceed two thousand~~
- 838 ~~square feet, unless located in a building designated as a historic resource under K.C.C.~~
- 839 ~~chapter 20.62. As a conditional use, up to three thousand five hundred square feet of~~
- 840 ~~covered sales area may be allowed;~~
- 841           b. ~~The site area shall be at least four and one-half acres;~~
- 842           c. ~~Forty percent or more of the gross sales of agricultural product sold through~~
- 843 ~~the store must be sold by the producers of primary agricultural products;~~
- 844           d. ~~Sixty percent or more of the gross sales of agricultural products sold through~~
- 845 ~~the store shall be derived from products grown or produced in the Puget Sound counties.~~
- 846 ~~At the time of the initial application, the applicant shall submit a reasonable projection of~~
- 847 ~~the source of product sales;~~
- 848           e. ~~Sales shall be limited to agricultural products and locally made arts and~~
- 849 ~~crafts;~~
- 850           f. ~~Storage areas for agricultural products may be included in a farm store~~
- 851 ~~structure or in any accessory building; and~~
- 852           g. ~~Outside lighting is permitted if no off-site glare is allowed.)) Repealed.~~

- 853           8. Excluding retail sale of trucks exceeding one-ton capacity.
- 854           9. Only the sale of new or reconditioned automobile supplies is permitted.
- 855           10. Excluding SIC Industry No. 5813-Drinking Places.
- 856           11. No outside storage of fuel trucks and equipment.
- 857           12. Excluding vehicle and livestock auctions.
- 858           13. Only as accessory to a winery or SIC Industry No. 2082-Malt Beverages,
- 859 and limited to sales of products produced on site and incidental items where the majority
- 860 of sales are generated from products produced on site.
- 861           14.a. Not in R-1 and limited to SIC Industry No. 5331-Variety Stores, limited to
- 862 a maximum of five thousand square feet of gross floor area, and subject to K.C.C.
- 863 21A.12.230; and
- 864           b. Before filing an application with the department, the applicant shall hold a
- 865 community meeting in accordance with K.C.C. 20.20.035.
- 866           15.a. Not permitted in R-1 and limited to a maximum of five thousand square
- 867 feet of gross floor area and subject to K.C.C. 21A.12.230; and
- 868           b. Before filing an application with the department, the applicant shall hold a
- 869 community meeting in accordance with K.C.C. 20.20.035.
- 870           16.a. Not permitted in R-1 and excluding SIC Industry No. 5813-Drinking
- 871 Places, and limited to a maximum of five thousand square feet of gross floor area and
- 872 subject to K.C.C. 21A.12.230, except as provided in subsection B.20. of this section; and
- 873           b. Before filing an application with the department, the applicant shall hold a
- 874 community meeting in accordance with K.C.C. 20.20.035.
- 875           17. ~~((Retail sale of livestock is permitted only as accessory to raising~~

876 livestock.)) Repealed.

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

878 19. Only as:

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

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

884 20. Only as:

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

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

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

890 22. Only as an accessory use to:

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

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

894 23. Only as accessory to SIC Industry Group No. 242-Sawmills and SIC

895 Industry No. 2431-Millwork and;

896 a. limited to lumber milled on site; and

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

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

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

903           a. The sales area shall be limited to three hundred square feet and must be  
904 removed each evening;

905           b. There must be legal parking that is easily available for customers; and

906           c. The site must be in an area that is easily accessible to the public, will  
907 accommodate multiple shoppers at one time and does not infringe on neighboring  
908 properties.

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

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

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

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

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

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

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

940           (4) if a business license application was not submitted or more than one  
941 business license application was submitted, then the director shall determine compliance  
942 based on the totality of the circumstances, including, but not limited to, the date that a  
943 retail marijuana license application was submitted to the Washington state Liquor and  
944 Cannabis Board identifying the lot at issue, the date that the applicant entered into a lease

945 or purchased the lot at issue for the purpose of retail marijuana use and any other facts  
946 illustrating the timing of substantial investment in establishing a licensed retail marijuana  
947 use at the proposed location.

948 e. Retail marijuana businesses licensed by the Washington state Liquor and  
949 Cannabis Board and operating within one thousand feet of each other as of August 14,  
950 2016, and retail marijuana businesses that do not require a permit issued by King County,  
951 that received a Washington state Liquor and Cannabis Board license to operate in a  
952 location within one thousand feet of another licensed retail marijuana business prior to  
953 August 14, 2016, and that King County did not object to within the Washington state  
954 Liquor and Cannabis Board marijuana license application process, shall be considered  
955 nonconforming and may remain in their current location, subject to the provisions of  
956 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

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

959 (2) the gross floor area of a nonconforming retail outlet may be increased up  
960 to the limitations in subsection B.26.a. and B.26.b. of this section.

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

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

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

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

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

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

986           (4) if a business license application was not submitted or more than one  
987 business license application was submitted, then the director shall determine compliance  
988 based on the totality of the circumstances, including, but not limited to, the date that a  
989 retail marijuana license application was submitted to the Washington state Liquor and  
990 Cannabis Board identifying the lot at issue, the date that the applicant entered into a lease



991 or purchased the lot at issue for the purpose of retail marijuana use, and any other facts  
992 illustrating the timing of substantial investment in establishing a licensed retail marijuana  
993 use at the proposed location; and

994 c. Retail marijuana businesses licensed by the Washington state Liquor and  
995 Cannabis Board and operating within one thousand feet of each other as of August 14,  
996 2016, and retail marijuana businesses that do not require a permit issued by King County,  
997 that received a Washington state Liquor and Cannabis Board license to operate in a  
998 location within one thousand feet of another licensed retail marijuana business prior to  
999 August 14, 2016, and that King County did not object to within the Washington state  
1000 Liquor and Cannabis Board marijuana license application process, shall be considered  
1001 nonconforming and may remain in their current location, subject to the provisions of  
1002 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

1003 (1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months;  
1004 and

1005 (2) the gross floor area of a nonconforming retail outlet may be increased up  
1006 to the limitations in subsection B.27. of this section, subject to K.C.C. 21A.42.190.

1007 28. If the agricultural product sales or livestock sales is associated with  
1008 agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

1009 SECTION 6. Ordinance 10870, Section 335, as amended, and K.C.C.

1010 21A.08.080 are each hereby amended to read as follows:

1011 A. Manufacturing land uses.

((KEY)) P = Permitted Use C = Conditional Use S =	RESOURCE	RURAL	RESIDENTIAL	COMMERCIAL/INDUSTRIAL
------------------------------------------------------	----------	-------	-------------	-----------------------



*	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										C	C	P

	Instruments												
39	Miscellaneous Light Manufacturing											C	P
*	Motor Vehicle and Bicycle Manufacturing												C
*	Aircraft, Ship and Boat Building												P10C
7534	Tire Retreading											C	P
781-82	Movie Production/Distribution											P	P
<b>((GENERAL CROSS REFERENCES:</b>		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))											

1012

B. Development conditions.

1013

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

1014

~~b. In the A zone, only allowed on sites where the primary use is SIC industry~~

1015

~~Group No. 01 Growing Harvesting Crops or No. 02 Raising Livestock and Small~~

1016

~~Animals;~~

1017

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

1018

~~acres and only when accessory to an agricultural use;~~

1019

~~d.(1) Except as provided in subsection B.1.d.(2) and B.1.d.(3) of this section,~~

1020

~~the floor area devoted to all processing shall not exceed three thousand five hundred~~

1021

~~square feet, unless located in a building designated as historic resource under K.C.C.~~

1022

~~chapter 20.62;~~

1023

~~(2) With a conditional use permit, up to five thousand square feet of floor~~

1024

~~area may be devoted to all processing; and~~

1025           ~~(3) In the A zone, on lots thirty five acres or greater, the floor area devoted to~~  
1026 ~~all processing shall not exceed seven thousand square feet, unless located in a building~~  
1027 ~~designated as historic resource under K.C.C. chapter 20.62;~~

1028           ~~e. Structures and areas used for processing shall maintain a minimum distance~~  
1029 ~~of seventy five feet from property lines adjoining rural area and residential zones, unless~~  
1030 ~~located in a building designated as historic resource under K.C.C. chapter 20.62;~~

1031           ~~f. Processing is limited to agricultural products and sixty percent or more of~~  
1032 ~~the products processed must be grown in the Puget Sound counties. At the time of initial~~  
1033 ~~application, the applicant shall submit a projection of the source of products to be~~  
1034 ~~produced;~~

1035           ~~g. In the A zone, structures used for processing shall be located on portions of~~  
1036 ~~agricultural lands that are unsuitable for other agricultural purposes, such as areas within~~  
1037 ~~the already developed portion of such agricultural lands that are not available for direct~~  
1038 ~~agricultural production, or areas without prime agricultural soils; and~~

1039           ~~h. Tasting of products produced on site may be provided in accordance with~~  
1040 ~~state law. The area devoted to tasting shall be included in the floor area limitation in~~  
1041 ~~subsection B.1.d. of this section.) Repealed.~~

1042           2. Except slaughterhouses.

1043           3.a. Limited to wineries, SIC Industry No. 2082-Malt Beverages and SIC  
1044 Industry No. 2085-Distilled and Blended Liquors;

1045           b. In the A zone, only allowed on sites where the primary use is SIC Industry  
1046 Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small  
1047 Animals;

1048 c. In the RA and UR zones, only allowed on lots of at least four and one-half  
1049 acres;

1050 d. The floor area devoted to all processing shall not exceed three thousand five  
1051 hundred square feet, unless located in a building designated as historic resource under  
1052 K.C.C. chapter 20.62;

1053 e. Structures and areas used for processing shall maintain a minimum distance  
1054 of seventy-five feet from property lines adjoining rural area and residential zones, unless  
1055 located in a building designated as historic resource under K.C.C. chapter 20.62;

1056 f. Sixty percent or more of the products processed must be grown in the Puget  
1057 Sound counties. At the time of the initial application, the applicant shall submit a  
1058 projection of the source of products to be produced; and

1059 g. Tasting of products produced on site may be provided in accordance with  
1060 state law. The area devoted to tasting shall be included in the floor area limitation in  
1061 subsection B.3.c. of this section.

1062 4. Limited to rough milling and planing of products grown on-site with portable  
1063 equipment.

1064 5. Limited to SIC Industry Group No. 242-Sawmills and SIC Industry No.  
1065 2431-Millwork. For RA zoned sites, if using lumber or timber grown off-site, the  
1066 minimum site area is four and one-half acres.

1067 6. Limited to uses found in SIC Industry No. 2434-Wood Kitchen Cabinets and  
1068 No. 2431-Millwork, (excluding planing mills).

1069 7. Limited to photocopying and printing services offered to the general public.

1070 8. Only within enclosed buildings, and as an accessory use to retail sales.

1071 9. Only within enclosed buildings.

1072 10. Limited to boat building of craft not exceeding forty-eight feet in length.

1073 11. For I-zoned sites located outside the urban growth area designated by the  
1074 King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C.  
1075 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for  
1076 rural industrial uses as set forth in K.C.C. chapter 21A.12.

1077 12.a. Limited to wineries, SIC Industry No. 2082-Malt Beverages and SIC  
1078 Industry No. 2085-Distilled and Blended Liquors;

1079 b.(1) Except as provided in subsection B.12.b.(2) of this section, the floor area  
1080 of structures for wineries, breweries and distilleries and any accessory uses shall not  
1081 exceed a total of eight thousand square feet. The floor area may be increased by up to an  
1082 additional eight thousand square feet of underground storage that is constructed  
1083 completely below natural grade, not including required exits and access points, if the  
1084 underground storage is at least one foot below the surface and is not visible above  
1085 ground; and

1086 (2) On Vashon-Maury Island, the total floor area of structures for wineries,  
1087 breweries and distilleries and any accessory uses may not exceed six thousand square  
1088 feet, including underground storage;

1089 c. Wineries, breweries and distilleries shall comply with Washington state  
1090 Department of Ecology and King County board of health regulations for water usage and  
1091 wastewater disposal. Wineries, breweries and distilleries using water from exempt wells  
1092 shall install a water meter;

1093 d. Off-street parking is limited to one hundred and fifty percent of the

1094 minimum requirement for wineries, breweries or distilleries specified in K.C.C.

1095 21A.18.030;

1096 e. Structures and areas used for processing shall be set back a minimum  
1097 distance of seventy-five feet from property lines adjacent to rural area and residential  
1098 zones, unless the processing is located in a building designated as historic resource under  
1099 K.C.C. chapter 20.62;

1100 f. The minimum site area is four and one-half acres. If the total floor area of  
1101 structures for wineries, breweries and distilleries and any accessory uses exceed six  
1102 thousand square feet, including underground storage:

1103 (1) the minimum site area is ten acres; and

1104 (2) a minimum of two and one-half acres of the site shall be used for the  
1105 growing of agricultural products;

1106 g. The facility shall be limited to processing agricultural products and sixty  
1107 percent or more of the products processed must be grown in the Puget Sound counties.

1108 At the time of the initial application, the applicant shall submit a projection of the source  
1109 of products to be processed; and

1110 h. Tasting of products produced on site may be provided in accordance with  
1111 state law. The area devoted to tasting shall be included in the floor area limitation in  
1112 subsection B.12.b. of this section.

1113 13. Only on the same lot or same group of lots under common ownership or  
1114 documented legal control, which includes, but is not limited to, fee simple ownership, a  
1115 long-term lease or an easement:

1116 a. as accessory to a primary forestry use and at a scale appropriate to process



1117 the organic waste generated on the site; or

1118           b. as a continuation of a sawmill or lumber manufacturing use only for that  
1119 period to complete delivery of products or projects under contract at the end of the  
1120 sawmill or lumber manufacturing activity.

1121           14. Only on the same lot or same group of lots under common ownership or  
1122 documented legal control, which includes, but is not limited to, fee simple ownership, a  
1123 long-term lease or an easement:

1124           a. as accessory to a primary mineral use; or

1125           b. as a continuation of a mineral processing use only for that period to  
1126 complete delivery of products or projects under contract at the end of mineral extraction.

1127           15. Continuation of a materials processing facility after reclamation in  
1128 accordance with an approved reclamation plan.

1129           16. Only a site that is ten acres or greater and that does not use local access  
1130 streets that abut lots developed for residential use.

1131           17.a. Limited to wineries, SIC Industry No. 2082-Malt Beverages and SIC  
1132 Industry No. 2085-Distilled and Blended Liquors;

1133           b. The floor area devoted to all processing shall not exceed three thousand five  
1134 hundred square feet, unless located in a building designated as historic resource under  
1135 K.C.C. chapter 20.62;

1136           c. Structures and areas used for processing shall maintain a minimum distance  
1137 of seventy-five feet from property lines adjoining rural area and residential zones, unless  
1138 located in a building designated as historic resource under K.C.C. chapter 20.62; and

1139           d. Tasting of products produced on site may be provided in accordance with

1140 state law. The area devoted to tasting shall be included in the floor area limitation in  
1141 subsection B.18.b. of this section.

1142 18. Limited to:

1143 a. SIC Industry Group No. 242-Sawmills and SIC Industry No. 2431-  
1144 Millwork, as follows:

1145 (1) If using lumber or timber grown off-site, the minimum site area is four  
1146 and one-half acres;

1147 (2) The facility shall be limited to an annual production of no more than one  
1148 hundred fifty thousand board feet;

1149 (3) Structures housing equipment used in the operation shall be located at  
1150 least one-hundred feet from adjacent properties with residential or rural area zoning;

1151 (4) Deliveries and customer visits shall be limited to the hours of 8:00 a.m. to  
1152 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

1153 (6) In the RA zone, the facility's driveway shall have adequate entering sight  
1154 distance required by the 2007 King County Road Design and Construction Standards. An  
1155 adequate turn around shall be provided on-site to prevent vehicles from backing out on to  
1156 the roadway that the driveway accesses; and

1157 (7) Outside lighting is limited to avoid off-site glare; and

1158 b. SIC Industry No. 2411-Logging.

1159 19. Limited to manufacture of custom made wood furniture or cabinets.

1160 20.a. Only allowed on lots of at least four and one-half acres;

1161 b. Only as an accessory use to a Washington state Liquor Control Board

1162 licensed marijuana production facility on the same lot; ~~((and))~~

- 1163 c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;
- 1164 d. Only with documentation that the operator has applied for a Puget Sound  
1165 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1166 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1167 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1168 are imported onto the site; and
- 1169 e. Accessory marijuana processing uses allowed under this section are subject  
1170 to all limitations applicable to marijuana production uses under K.C.C. 21A.08.090.
- 1171 21.a. Only in the CB and RB zones located outside the urban growth area;
- 1172 b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;
- 1173 c. Only with documentation that the operator has applied for a Puget Sound  
1174 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1175 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1176 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1177 are imported onto the site;
- 1178 d. Per lot, the aggregated total gross floor area devoted to the use of, and in  
1179 support of, processing marijuana together with any separately authorized production of  
1180 marijuana shall be limited to a maximum of two thousand square feet; and
- 1181 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
1182 every marijuana-related entity occupying space in addition to the two-thousand-square-  
1183 foot threshold area on that lot shall obtain a conditional use permit as set forth in  
1184 subsection B.22. of this section.
- 1185 22.a. Only in the CB and RB zones located outside the urban growth area;

1186           b. Per lot, the aggregated total gross floor area devoted to the use of, and in  
1187 support of, processing marijuana together with any separately authorized production of  
1188 marijuana shall be limited to a maximum of thirty thousand square feet;

1189           c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.; and

1190           d. Only with documentation that the operator has applied for a Puget Sound  
1191 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1192 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1193 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1194 are imported onto the site.

1195           23.a. Only in the CB and RB zones located inside the urban growth area;

1196           b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1197           c. Only with documentation that the operator has applied for a Puget Sound  
1198 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1199 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1200 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1201 are imported onto the site;

1202           d. Per lot, the aggregated total gross floor area devoted to the use of, and in  
1203 support of, processing marijuana together with any separately authorized production of  
1204 marijuana shall be limited to a maximum of two thousand square feet; and

1205           e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
1206 every marijuana-related entity occupying space in addition to the two-thousand-square-  
1207 foot threshold area on that lot shall obtain a conditional use permit as set forth in  
1208 subsection B.24. of this section.

- 1209           24.a. Only in the CB and RB zones located inside the urban growth area;
- 1210           b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;
- 1211           c. Only with documentation that the operator has applied for a Puget Sound
- 1212 Clean Air Agency Notice of Construction Permit. All department permits issued to either
- 1213 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
- 1214 Clean Air Agency Notice of Construction Permit be approved before marijuana products
- 1215 are imported onto the site; and
- 1216           d. Per lot, the aggregated total gross floor area devoted to the use of, and in
- 1217 support of, processing marijuana together with any separately authorized production of
- 1218 marijuana shall be limited to a maximum of thirty thousand square feet.
- 1219           25.a. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;
- 1220           b. Only with documentation that the operator has applied for a Puget Sound
- 1221 Clean Air Agency Notice of Construction Permit. All department permits issued to either
- 1222 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
- 1223 Clean Air Agency Notice of Construction Permit be approved before marijuana products
- 1224 are imported onto the site; and
- 1225           c. Per lot, limited to a maximum aggregate total of two thousand square feet of
- 1226 gross floor area devoted to, and in support of, the processing of marijuana together with
- 1227 any separately authorized production of marijuana.
- 1228           26.a. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;
- 1229           b. Only with documentation that the operator has applied for a Puget Sound
- 1230 Clean Air Agency Notice of Construction Permit. All department permits issued to either
- 1231 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1232 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1233 are imported onto the site; and

1234 c. Per lot, limited to a maximum aggregate total of thirty thousand square feet  
1235 of gross floor area devoted to, and in support of, the processing of marijuana together  
1236 with any separately authorized production of marijuana.

1237 27.a. Marijuana processors in all RA zoned areas except for Vashon-Maury  
1238 Island, that do not require a conditional use permit issued by King County, that receive a  
1239 Washington state Liquor and Cannabis Board license business prior to October 1, 2016,  
1240 and that King County did not object to within the Washington state Liquor and Cannabis  
1241 Board marijuana license application process, shall be considered nonconforming as to  
1242 subsection B.27.e. of this section, subject to the provisions of K.C.C. 21A.32.020 through  
1243 21A.32.075 for nonconforming uses;

1244 b. Only with a lighting plan that complies with K.C.C. 21A.12.220.G.;

1245 c. Only with documentation that the operator has applied for a Puget Sound  
1246 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1247 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1248 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1249 are imported onto the site;

1250 d. Only allowed on lots of at least four and on-half acres on Vashon-Maury  
1251 Island;

1252 e. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,  
1253 except on Vashon-Maury Island;

1254 f. Only as an accessory use to a Washington state Liquor Cannabis Board



*	<u>Agricultural Activities</u>	<u>P24</u> C	<u>P24</u> C		<u>P24</u> C	<u>P24</u> C						
*	<u>Agricultural Support Services</u>	<u>P25</u> C	<u>P25</u> C		<u>P26</u> C	<u>P26</u> C	<u>P26</u> C		<u>P27</u> C28	<u>P27</u> 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										
<b>FORESTRY:</b>												
08	Growing & Harvesting Forest Production	P	P	P7	P	P	P					P
*	Forest Research		P		P	P					P2	P
<b>FISH AND WILDLIFE MANAGEMENT:</b>												
0921	Hatchery/Fish Preserve (1)	P	P		P	P	C					P
0273	Aquaculture (1)	P	P		P	P	C					P
*	Wildlife Shelters	P	P		P	P						
<b>MINERAL:</b>												
10,12,14	Mineral Extraction and Processing		P9 C	P C1 1								
2951, 3271, 3273	Asphalt/Concrete Mixtures and Block		P8 C1 1	P8 C1 1								P
<b>ACCESSORY USES:</b>												
*	Resource Accessory Uses	P3 P23	P4	P5	P3	P3						P4



*	((Temporary)) Farm Worker Housing	P14	((P 14) )	P14															
<b>((GENERAL CROSS REFERENCES:</b>		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.))																	

- 1263 B. Development conditions.
- 1264 1. May be further subject to K.C.C. chapter 21A.25.
- 1265 2. Only forest research conducted within an enclosed building.
- 1266 3. ((Accessory dwelling units)) Farm residences in accordance with K.C.C.
- 1267 21A.08.030.
- 1268 4. Excluding housing for agricultural workers.
- 1269 5. Limited to either maintenance or storage facilities, or both, in conjunction
- 1270 with mineral extraction or processing operation.
- 1271 6. Allowed in accordance with K.C.C. chapter 21A.30.
- 1272 7. Only in conjunction with a mineral extraction site plan approved in
- 1273 accordance with K.C.C. chapter 21A.22.
- 1274 8. Only on the same lot or same group of lots under common ownership or
- 1275 documented legal control, which includes, but is not limited to, fee simple ownership, a
- 1276 long-term lease or an easement:
- 1277 a. as accessory to a primary mineral extraction use;
- 1278 b. as a continuation of a mineral processing only for that period to complete
- 1279 delivery of products or projects under contract at the end of a mineral extraction; or
- 1280 c. for a public works project under a temporary grading permit issued in

1281 accordance with K.C.C. 16.82.152.

1282 9. Limited to mineral extraction and processing:

1283 a. on a lot or group of lots under common ownership or documented legal  
1284 control, which includes but is not limited to, fee simple ownership, a long-term lease or  
1285 an easement;

1286 b. that are located greater than one-quarter mile from an established residence;  
1287 and

1288 c. that do not use local access streets that abut lots developed for residential  
1289 use.

1290 10. Agriculture training facilities are allowed only as an accessory to existing  
1291 agricultural uses and are subject to the following conditions:

1292 a. The impervious surface associated with the agriculture training facilities  
1293 shall comprise not more than ten percent of the allowable impervious surface permitted  
1294 under K.C.C. 21A.12.040;

1295 b. New or the expansion of existing structures, or other site improvements,  
1296 shall not be located on class 1, 2 or 3 soils;

1297 c. The director may require reuse of surplus structures to the maximum extent  
1298 practical;

1299 d. The director may require the clustering of new structures with existing  
1300 structures;

1301 e. New structures or other site improvements shall be set back a minimum  
1302 distance of seventy-five feet from property lines adjoining rural area and residential  
1303 zones;

1304 f. Bulk and design of structures shall be compatible with the architectural style  
1305 of the surrounding agricultural community;

1306 g. New sewers shall not be extended to the site;

1307 h. Traffic generated shall not impede the safe and efficient movement of  
1308 agricultural vehicles, nor shall it require capacity improvements to rural roads;

1309 i. Agriculture training facilities may be used to provide educational services to  
1310 the surrounding rural/agricultural community or for community events. Property owners  
1311 may be required to obtain a temporary use permit for community events in accordance  
1312 with K.C.C. chapter 21A.32;

1313 j. Use of lodging and food service facilities shall be limited only to activities  
1314 conducted in conjunction with training and education programs or community events  
1315 held on site;

1316 k. Incidental uses, such as office and storage, shall be limited to those that  
1317 directly support education and training activities or farm operations; and

1318 l. The King County agriculture commission shall be notified of and have an  
1319 opportunity to comment upon all proposed agriculture training facilities during the permit  
1320 process in accordance with K.C.C. chapter 21A.40.

1321 11. Continuation of mineral processing and asphalt/concrete mixtures and block  
1322 uses after reclamation in accordance with an approved reclamation plan.

1323 12.a. Activities at the camp shall be limited to agriculture and agriculture-  
1324 oriented activities. In addition, activities that place minimal stress on the site's  
1325 agricultural resources or activities that are compatible with agriculture are permitted.

1326 (1) passive recreation;

1327 (2) training of individuals who will work at the camp;

1328 (3) special events for families of the campers; and

1329 (4) agriculture education for youth.

1330 b. Outside the camp center, as provided for in subsection B.12.e. of this

1331 section, camp activities shall not preclude the use of the site for agriculture and

1332 agricultural related activities, such as the processing of local food to create value-added

1333 products and the refrigeration and storage of local agricultural products. The camp shall

1334 be managed to coexist with agriculture and agricultural activities both onsite and in the

1335 surrounding area.

1336 c. A farm plan shall be required for commercial agricultural production to

1337 ensure adherence to best management practices and soil conservation.

1338 d.(1) The minimum site area shall be five hundred acres. Unless the property

1339 owner has sold or transferred the development rights as provided in subsection B.12.c.(3)

1340 of this section, a minimum of five hundred acres of the site must be owned by a single

1341 individual, corporation, partnership or other legal entity and must remain under the

1342 ownership of a single individual, corporation, partnership or other legal entity for the

1343 duration of the operation of the camp.

1344 (2) Nothing in subsection B.12.d.(1) of this section prohibits the property

1345 owner from selling or transferring the development rights for a portion or all of the site to

1346 the King County farmland preservation program or, if the development rights are

1347 extinguished as part of the sale or transfer, to a nonprofit entity approved by the director;

1348 e. The impervious surface associated with the camp shall comprise not more

1349 than ten percent of the allowable impervious surface permitted under K.C.C. 21A.12.040;

1350 f. Structures for living quarters, dining facilities, medical facilities and other  
1351 nonagricultural camp activities shall be located in a camp center. The camp center shall  
1352 be no more than fifty acres and shall depicted on a site plan. New structures for  
1353 nonagricultural camp activities shall be clustered with existing structures;

1354 g. To the extent practicable, existing structures shall be reused. The applicant  
1355 shall demonstrate to the director that a new structure for nonagricultural camp activities  
1356 cannot be practicably accommodated within an existing structure on the site, though  
1357 cabins for campers shall be permitted only if they do not already exist on site;

1358 h. Camp facilities may be used to provide agricultural educational services to  
1359 the surrounding rural and agricultural community or for community events. If required  
1360 by K.C.C. chapter 21A.32, the property owner shall obtain a temporary use permit for  
1361 community events;

1362 i. Lodging and food service facilities shall only be used for activities related to  
1363 the camp or for agricultural education programs or community events held on site;

1364 j. Incidental uses, such as office and storage, shall be limited to those that  
1365 directly support camp activities, farm operations or agricultural education programs;

1366 k. New nonagricultural camp structures and site improvements shall maintain a  
1367 minimum set-back of seventy-five feet from property lines adjoining rural area and  
1368 residential zones;

1369 l. Except for legal nonconforming structures existing as of January 1, 2007,  
1370 camp facilities, such as a medical station, food service hall and activity rooms, shall be of  
1371 a scale to serve overnight camp users;

1372 m. Landscaping equivalent to a type III landscaping screen, as provided for in

1373 K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures  
1374 and site improvements located within two hundred feet of an adjacent rural area and  
1375 residential zoned property not associated with the camp;

1376 n. New sewers shall not be extended to the site;

1377 o. The total number of persons staying overnight shall not exceed three  
1378 hundred;

1379 p. The length of stay for any individual overnight camper, not including camp  
1380 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

1381 q. Traffic generated by camp activities shall not impede the safe and efficient  
1382 movement of agricultural vehicles nor shall it require capacity improvements to rural  
1383 roads;

1384 r. If the site is adjacent to an arterial roadway, access to the site shall be  
1385 directly onto the arterial unless the county road engineer determines that direct access is  
1386 unsafe;

1387 s. If direct access to the site is via local access streets, transportation  
1388 management measures shall be used to minimize adverse traffic impacts;

1389 t. Camp recreational activities shall not involve the use of motor vehicles  
1390 unless the motor vehicles are part of an agricultural activity or are being used for the  
1391 transportation of campers, camp personnel or the families of campers. Camp personnel  
1392 may use motor vehicles for the operation and maintenance of the facility. Client-specific  
1393 motorized personal mobility devices are allowed; and

1394 u. Lights to illuminate the camp or its structures shall be arranged to reflect the  
1395 light away from any adjacent property.

1396           13. Limited to digester receiving plant and animal and other organic waste from  
1397 agricultural activities, and including electrical generation, as follows:

1398           a. the digester must be included as part of a Washington state Department of  
1399 Agriculture approved dairy nutrient plan;

1400           b. the digester must process at least seventy percent livestock manure or other  
1401 agricultural organic material from farms in the vicinity, by volume;

1402           c. imported organic waste-derived material, such as food processing waste,  
1403 may be processed in the digester for the purpose of increasing methane gas production for  
1404 beneficial use, but not shall exceed thirty percent of volume processed by the digester;

1405 and

1406           d. the use must be accessory to an operating dairy or livestock operation.

1407           14. Farm worker housing. Either:

1408           a. Temporary farm worker housing subject to the following conditions:

1409           ~~((a-))~~ (1) The housing must be licensed by the Washington state Department  
1410 of Health under chapter 70.114A RCW and chapter 246-358 WAC;

1411           ~~((b-))~~ (2) Water supply and sewage disposal systems must be approved by the  
1412 Seattle King County department of health;

1413           ~~((c-))~~ (3) To the maximum extent practical, the housing should be located on  
1414 nonfarmable areas that are already disturbed and should not be located in the floodplain  
1415 or in a critical area or critical area buffer; and

1416           ~~((d-))~~ (4) The property owner shall file with the department of executive  
1417 services, records and licensing services division, a notice approved by the department  
1418 identifying the housing as ~~((the))~~ temporary farm worker housing ~~((as accessory))~~ and

1419 that the housing shall ~~((only))~~ be occupied only by agricultural employees and their  
1420 families while employed by the owner or operator or on a nearby farm. The notice shall  
1421 run with the land~~((;))~~; or

1422 b. Housing for agricultural employees who are employed by the owner or  
1423 operator of the farm year-round as follows:

1424 (1) Not more than:

1425 (a) one agricultural employee dwelling unit on a site less than twenty acres;

1426 (b) two agricultural employee dwelling units on a site of at least twenty  
1427 acres and less than fifty acres;

1428 (c) three agricultural employee dwelling units on a site of at least fifty acres  
1429 and less than one-hundred acres; and

1430 (d) four agricultural employee dwelling units on a site of at least one-  
1431 hundred acres, and one additional agricultural employee dwelling unit for each additional  
1432 one hundred acres thereafter;

1433 (2) If the primary use of the site changes to a nonagricultural use, all  
1434 agricultural employee dwelling units shall be removed;

1435 (3) The applicant shall file with the department of executive services, records  
1436 and licensing services division, a notice approved by the department that identifies the  
1437 agricultural employee dwelling units as accessory and that the dwelling units shall only  
1438 be occupied by agricultural employees who are employed by the owner or operator year-  
1439 round. The notice shall run with the land. The applicant shall submit to the department  
1440 proof that the notice was filed with the department of executive services, records and  
1441 licensing services division, before the department approves any permit for the



1442 construction of agricultural employee dwelling units;

1443           (4) An agricultural employee dwelling unit shall not exceed a floor area of  
1444 one thousand square feet and may be occupied by no more than eight unrelated  
1445 agricultural employees;

1446           (5) To the maximum extent practical, the housing should be located on  
1447 nonfarmable areas that are already disturbed;

1448           (6) One off-street parking space shall be provided for each agricultural  
1449 employee dwelling unit; and

1450           (7) The agricultural employee dwelling units shall be constructed in  
1451 compliance with K.C.C. Title 16.

1452           15. Marijuana production by marijuana producers licensed by the Washington  
1453 state Liquor and Cannabis Board is subject to the following standards:

1454           a. Only allowed on lots of at least four and one-half acres;

1455           b. With a lighting plan, only if required by and that complies with K.C.C.  
1456 21A.12.220.G.;

1457           c. Only with documentation that the operator has applied for a Puget Sound  
1458 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1459 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1460 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1461 are imported onto the site;

1462           d. Production is limited to outdoor, indoor within marijuana greenhouses, and  
1463 within structures that are nondwelling unit structures that exist as of October 1, 2013,  
1464 subject to the size limitations in subsection B.15.e. of this section;

1465 e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
1466 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
1467 aggregated total of two thousand square feet and shall be located within a fenced area or  
1468 marijuana greenhouse that is no more than ten percent larger than that combined area, or  
1469 may occur in nondwelling unit structures that exist as of October 1, 2013;

1470 f. Outdoor production area fencing as required by the Washington state Liquor  
1471 and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall  
1472 maintain a minimum street setback of fifty feet and a minimum interior setback of thirty  
1473 feet; and

1474 g. If the two-thousand-square-foot-per-lot threshold of plant canopy combined  
1475 with area used for processing under K.C.C. 21A.08.080 is exceeded, each and every  
1476 marijuana-related entity occupying space in addition to the two-thousand-square-foot  
1477 threshold area on that lot shall obtain a conditional use permit as set forth in subsection  
1478 B.22. of this section.

1479 16. Marijuana production by marijuana producers licensed by the Washington  
1480 state Liquor and Cannabis Board is subject to the following standards:

1481 a. Marijuana producers in all RA zoned areas except for Vashon-Maury Island,  
1482 that do not require a conditional use permit issued by King County, that receive a  
1483 Washington state Liquor and Cannabis Board license business prior to October 1, 2016,  
1484 and that King County did not object to within the Washington state Liquor and Cannabis  
1485 Board marijuana license application process, shall be considered nonconforming as to  
1486 subsection B.16.d. and h. of this section, subject to the provisions of K.C.C. 21A.32.020  
1487 through 21A.32.075 for nonconforming uses;

1488           b. In all rural area zones, only with a lighting plan that complies with K.C.C.  
1489 21A.12.220.G.;

1490           c. Only allowed on lots of at least four and one-half acres on Vashon-Maury  
1491 Island;

1492           d. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,  
1493 except on Vashon-Maury Island;

1494           e. Only with documentation that the operator has applied for a Puget Sound  
1495 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1496 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1497 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1498 are imported onto the site;

1499           f. Production is limited to outdoor, indoor within marijuana greenhouses, and  
1500 within nondwelling unit structures that exist as of October 1, 2013, subject to the size  
1501 limitations in subsection B.16.g. of this section; and

1502           g. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
1503 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
1504 aggregated total of two thousand square feet and shall be located within a fenced area or  
1505 marijuana greenhouse, that is no more than ten percent larger than that combined area, or  
1506 may occur in nondwelling unit structures that exist as of October 1, 2013;

1507           h. Outdoor production area fencing as required by the Washington state Liquor  
1508 and Cannabis Board and marijuana greenhouses shall maintain a minimum street setback  
1509 of fifty feet and a minimum interior setback of one hundred feet; and a minimum setback  
1510 of one hundred fifty feet from any existing residence; and

1511           i. If the two-thousand-square-foot-per-lot threshold of plant canopy within  
1512 fenced areas or marijuana greenhouses is exceeded, each and every marijuana-related  
1513 entity occupying space in addition to the two-thousand-square-foot threshold area on that  
1514 lot shall obtain a conditional use permit as set forth in subsection B.17. of this section.

1515           17. Marijuana production by marijuana producers licensed by the Washington  
1516 state Liquor and Cannabis Board is subject to the following standards:

1517           a. Only allowed on lots of at least four and one-half acres on Vashon-Maury  
1518 Island;

1519           b. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,  
1520 except on Vashon-Maury Island;

1521           c. In all rural area zones, only with a lighting plan that complies with K.C.C.  
1522 21A.12.220.G.;

1523           d. Only with documentation that the operator has applied for a Puget Sound  
1524 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1525 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1526 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1527 are imported onto the site;

1528           e. Production is limited to outdoor and indoor within marijuana greenhouses  
1529 subject to the size limitations in subsection B.17.f. of this section;

1530           f. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
1531 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
1532 aggregated total of thirty thousand square feet and shall be located within a fenced area or  
1533 marijuana greenhouse that is no more than ten percent larger than that combined area;

1534 and

1535 g. Outdoor production area fencing as required by the Washington state Liquor  
1536 and Cannabis Board, and marijuana greenhouses shall maintain a minimum street setback  
1537 of fifty feet and a minimum interior setback of one hundred feet, and a minimum setback  
1538 of one hundred fifty feet from any existing residence.

1539 18.a. Production is limited to indoor only;

1540 b. With a lighting plan only as required by and that complies with K.C.C.

1541 21A.12.220.G.;

1542 c. Only with documentation that the operator has applied for a Puget Sound  
1543 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1544 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1545 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1546 are imported onto the site; and

1547 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
1548 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
1549 aggregated total of two thousand square feet and shall be located within a building or  
1550 tenant space that is no more than ten percent larger than the plant canopy and separately  
1551 authorized processing area; and

1552 c. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
1553 every marijuana-related entity occupying space in addition to the two-thousand-square  
1554 foot threshold area on that parcel shall obtain a conditional use permit as set forth in  
1555 subsection B.19. of this section.

1556 19.a. Production is limited to indoor only;

1557 b. With a lighting plan only as required by and that complies with K.C.C.

1558 21A.12.220.G.;

1559 c. Only with documentation that the operator has applied for a Puget Sound  
1560 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1561 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1562 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1563 are imported onto the site; and

1564 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
1565 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
1566 aggregated total of thirty thousand square feet and shall be located within a building or  
1567 tenant space that is no more than ten percent larger than the plant canopy and separately  
1568 authorized processing area.

1569 20.a. Production is limited to indoor only;

1570 b. With a lighting plan only as required by and that complies with K.C.C.

1571 21A.12.220.G.;

1572 c. Only with documentation that the operator has applied for a Puget Sound  
1573 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1574 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1575 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1576 are imported onto the site;

1577 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
1578 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
1579 aggregated total of two thousand square feet and shall be located within a building or

1580 tenant space that is no more than ten percent larger than the plant canopy and separately  
1581 authorized processing area; and

1582 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
1583 every marijuana-related entity occupying space in addition to the two-thousand-square-  
1584 foot threshold area on that lot shall obtain a conditional use permit as set forth in  
1585 subsection B.21. of this section.

1586 21.a. Production is limited to indoor only;

1587 b. With a lighting plan only as required by and that complies with K.C.C.  
1588 21A.12.220.G.;

1589 c. Only with documentation that the operator has applied for a Puget Sound  
1590 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1591 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1592 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1593 are imported onto the site; and

1594 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
1595 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
1596 aggregated total of thirty thousand square feet and shall be located within a building or  
1597 tenant space that is no more than ten percent larger than the plant canopy and separately  
1598 authorized processing area.

1599 22. Marijuana production by marijuana producers licensed by the Washington  
1600 state Liquor and Cannabis Board is subject to the following standards:

1601 a. With a lighting plan only as required by and that complies with K.C.C.  
1602 21A.12.220.G.;

- 1603           b. Only allowed on lots of at least four and one-half acres;
- 1604           c. Only with documentation that the operator has applied for a Puget Sound  
1605 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1606 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1607 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1608 are imported onto the site;
- 1609           d. Production is limited to outdoor, indoor within marijuana greenhouses, and  
1610 within structures that are nondwelling unit structures that exist as of October 1, 2013,  
1611 subject to the size limitations in subsection B.22. e. and f. of this section;
- 1612           e. On lots less than ten acres, per lot, the plant canopy, as defined in WAC  
1613 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall  
1614 be limited to a maximum aggregated total of five thousand square feet and shall be  
1615 located within a fenced area or marijuana greenhouse that is no more than ten percent  
1616 larger than that combined area, or may occur in nondwelling unit structures that exist as  
1617 of October 1, 2013;
- 1618           f. On lots ten acres or more, per lot, the plant canopy, as defined in WAC 314-  
1619 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be  
1620 limited to a maximum aggregated total of ten thousand square feet, and shall be located  
1621 within a fenced area or marijuana greenhouse that is no more than ten percent larger than  
1622 that combined area, or may occur in nondwelling unit structures that exist as of October  
1623 1, 2013; and
- 1624           g. Outdoor production area fencing as required by the Washington state Liquor  
1625 and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall



1626 maintain a minimum street setback of fifty feet and a minimum interior setback of one  
1627 hundred feet, and a minimum setback of one hundred fifty feet from any existing  
1628 residence.

1629 23. The storage and processing of non-manufactured source separated organic  
1630 waste that originates from agricultural operations and that does not originate from the  
1631 site, if:

1632 a. agricultural is the primary use of the site;

1633 b. the storage and processing are in accordance with best management practices  
1634 included in an approved farm plan; and

1635 c. except for areas used for manure storage, the areas used for storage and  
1636 processing do not exceed three acres and ten percent of the site.

1637 24.a. For activities relating to the processing of crops or livestock for  
1638 commercial purposes, including associated activities such as warehousing, storage,  
1639 including refrigeration, and other similar activities and excluding wineries, SIC Industry  
1640 No. 2085 - Distilled and Blended Liquors and SIC Industry No. 2082 - Malt Beverages:

1641 (1) limited to agricultural products and sixty percent or more of the products  
1642 processed must be grown in the Puget Sound counties. At the time of initial application,  
1643 the applicant shall submit a projection of the source of products to be produced;

1644 (2) in the RA and UR zones, only allowed on sites of at least four and one-  
1645 half acres;

1646 (3) (a) as a permitted use, the floor area devoted to all processing shall not  
1647 exceed two thousand square feet, unless located in a building designated as an historic  
1648 resource under K.C.C. chapter 20.62. The agricultural technical review committee, as

1649 established in section 15 of this ordinance, may review and approve an increase in the  
1650 processing floor area as follows: up to three thousand five hundred square feet of floor  
1651 area may be devoted to all processing in the RA zones or on farms less than thirty-five  
1652 acres located in the A zones or up to seven thousand square feet on farms greater than  
1653 thirty-five acres in the A zone; and

1654 (b) as a permitted use, the floor area devoted to all warehousing,  
1655 refrigeration, storage or other similar activities shall not exceed two thousand square feet,  
1656 unless located in a building designated as historic resource under K.C.C. chapter 20.62.

1657 The agricultural technical review committee, as established in section 15 of this  
1658 ordinance, may review and approve an increase of up to three thousand five hundred  
1659 square feet of floor area devoted to all warehousing, storage, including refrigeration, or  
1660 other similar activities in the RA zones or on farms less than thirty-five acres located in  
1661 the A zones or up to seven thousand square feet on farms greater than thirty-five acres in  
1662 the A zone;

1663 (4) in the A zone, structures and areas used for processing, warehousing,  
1664 refrigeration, storage and other similar activities shall be located on portions of  
1665 agricultural lands that are unsuitable for other agricultural purposes, such as areas within  
1666 the already developed portion of such agricultural lands that are not available for direct  
1667 agricultural production, or areas without prime agricultural soils; and

1668 (5) structures and areas used for processing, warehousing, storage, including  
1669 refrigeration, and other similar activities shall maintain a minimum distance of seventy-  
1670 five feet from property lines adjoining rural area and residential zones, unless located in a  
1671 building designated as historic resource under K.C.C. chapter 20.62.

- 1672            b. For activities relating to the retail sale of agricultural products, except  
1673 livestock:
- 1674            (1) sales shall be limited to agricultural products and locally made arts and  
1675 crafts;
- 1676            (2) in the RA and UR zones, only allowed on sites at least four and one-half  
1677 acres;
- 1678            (3) as a permitted use, the covered sales area shall not exceed two thousand  
1679 square feet, unless located in a building designated as a historic resource under K.C.C.  
1680 chapter 20.62. The agricultural technical review committee, as established in section 15  
1681 of this ordinance, may review and approve an increase of up to three thousand five  
1682 hundred square feet of covered sales area;
- 1683            (4) forty percent or more of the gross sales of agricultural product sold  
1684 through the store must be sold by the producers of primary agricultural products;
- 1685            (5) sixty percent or more of the gross sales of agricultural products sold  
1686 through the store shall be derived from products grown or produced in the Puget Sound  
1687 counties. At the time of the initial application, the applicant shall submit a reasonable  
1688 projection of the source of product sales;
- 1689            (6) tasting of products, in accordance with applicable health regulations, is  
1690 allowed;
- 1691            (7) storage areas for agricultural products may be included in a farm store  
1692 structure or in any accessory building; and
- 1693            (8) outside lighting is permitted if there is no off-site glare.
- 1694            c. Retail sales of livestock is permitted only as accessory to raising livestock.

1695 d. Farm operations, including equipment repair and related facilities, except  
1696 that:

1697 (1) the repair of tools and machinery is limited to those necessary for the  
1698 operation of a farm or forest;

1699 (2) in the RA and UR zones, only allowed on sites of at least four and one-  
1700 half acres ;

1701 (3) the size of the total repair use is limited to one percent of the farm size in  
1702 the A zone, and up to one percent of the site size in other zones, up to a maximum of five  
1703 thousand square feet unless located within an existing farm structure, including but not  
1704 limited to barns, existing as of December 31, 2003; and

1705 (4) Equipment repair shall not be permitted in the Forest zone.

1706 e. The agricultural technical review committee, as established in section 15 of  
1707 this ordinance, may review and approve reductions of minimum site sizes in the rural and  
1708 residential zones and minimum setbacks from rural and residential zones.

1709 25. The department may review and approve establishment of agricultural  
1710 support services in accordance with the code compliance review process in section 15 of  
1711 this ordinance only if:

1712 a. project is sited on lands that are unsuitable for direct agricultural production  
1713 based on size, soil conditions or other factors and cannot be returned to productivity by  
1714 drainage maintenance, and

1715 b. the proposed use is allowed under any Farmland Preservation Program  
1716 conservation easement and zoning development standards.

1717 26. The agricultural technical review committee, as established in section 15 of

1718 this ordinance, may review and approve establishment of agricultural support services

1719 only if the project site:

1720 a. adjoins or is within six hundred sixty feet of the agricultural production

1721 district,

1722 b. has direct vehicular access to the agricultural production district

1723 c. except for farmworker housing, does not use local access streets that abut

1724 lots developed for residential use; and

1725 b. has a minimum lot size of four and one-half acres.

1726 27. The agricultural technical review committee, as established in section 15 of

1727 this ordinance, may review and approve establishment of agricultural support services

1728 only if the project site:

1729 a. is outside the urban growth area,

1730 b. adjoins or is within six hundred sixty feet of the agricultural production

1731 district,

1732 c. has direct vehicular access to the agricultural production district,

1733 d. except for farmworker housing, does not use local access streets that abut

1734 lots developed for residential use; and

1735 e. has a minimum lot size of four and one-half acres.

1736 28. Only allowed on properties that are outside the urban growth area.

1737 SECTION 8. Ordinance 10870, Section 337, as amended, and K.C.C.

1738 21A.08.100 are each hereby amended to read as follows:

1739 A. Regional land uses.

<del>(KEY)</del> P = Permitted	RESOURCE	R U	RESIDENTIAL	COMMERCIAL/INDUSTRIAL
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Use C = Conditional Use S = Special Use					RA								
((P-Permitted Use C-Conditional Use S-Special Use))		((Z	F	M	R	U R	U	R	N B	C B	R B	O	I
		E))			L								
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	((P2S) ) 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

Ordinance 18626

*	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	P
7948	Racetrack				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
*	Zoo Animal Breeding Facility	P16	P16		P16								
<b>((GENERAL CROSS REFERENCES:</b>		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.)

- 1740 B. Development conditions.
- 1741 1. Except technical institutions. See vocational schools on general services land
- 1742 use table, K.C.C. 21A.08.050.
- 1743 2. Except arboretum. See K.C.C. 21A.08.040, recreation/cultural land use table.
- 1744 3. Except weapons armories and outdoor shooting ranges.
- 1745 4. Except outdoor shooting range.
- 1746 5. Only in conjunction with an existing or proposed school.
- 1747 6.a. Limited to no more than three satellite dish antennae.
- 1748 b. Limited to one satellite dish antenna.
- 1749 c. Limited to tower consolidations.
- 1750 7. Limited to landing field for aircraft involved in forestry or agricultural
- 1751 practices or for emergency landing sites.
- 1752 8. Except racing of motorized vehicles.
- 1753 9. Limited to wildlife exhibit.
- 1754 10. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.
- 1755 11. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
- 1756 21A.32.
- 1757 12. Limited to cogeneration facilities for on-site use only.
- 1758 13. Excluding impoundment of water using a dam.
- 1759 14. Limited to facilities that comply with the following:
- 1760 a. Any new diversion structure shall not:
- 1761 (1) exceed a height of eight feet as measured from the streambed; or



1762           (2) impound more than three surface acres of water at the normal maximum  
1763 surface level;

1764           b. There shall be no active storage;

1765           c. The maximum water surface area at any existing dam or diversion shall not  
1766 be increased;

1767           d. An exceedance flow of no greater than fifty percent in mainstream reach  
1768 shall be maintained;

1769           e. Any transmission line shall be limited to a:

1770                 (1) right-of-way of five miles or less; and

1771                 (2) capacity of two hundred thirty KV or less;

1772           f. Any new, permanent access road shall be limited to five miles or less; and

1773           g. The facility shall only be located above any portion of the stream used by  
1774 anadromous fish.

1775           15. For I-zoned sites located outside the urban growth area designated by the  
1776 King County Comprehensive Plan, uses shown as a conditional or special use in K.C.C.  
1777 21A.08.100.A, except for waste water treatment facilities and racetracks, shall be  
1778 prohibited. All other uses, including waste water treatment facilities, shall be subject to  
1779 the provisions for rural industrial uses in K.C.C. chapter 21A.12.

1780           16. The operator of such a facility shall provide verification to the department of  
1781 natural resources and parks or its successor organization that the facility meets or exceeds  
1782 the standards of the Animal and Plant Health Inspection Service of the United States  
1783 Department of Agriculture and the accreditation guidelines of the American Zoo and  
1784 Aquarium Association.

1785           17. The following provisions of the table apply only to major communication  
1786 facilities. Minor communication facilities shall be reviewed in accordance with the  
1787 processes and standard outlined in K.C.C. chapter 21A.27.

1788           18. Only for facilities related to resource-based research.

1789           19. Limited to work release facilities associated with natural resource-based  
1790 activities.

1791           20. Limited to projects which do not require or result in an expansion of sewer  
1792 service outside the urban growth area, unless a finding is made that no cost-effective  
1793 alternative technologies are feasible, in which case a tightline sewer sized only to meet  
1794 the needs of the school bus base and serving only the school bus base may be used.  
1795 Renovation, expansion, modernization or reconstruction of a school bus base is permitted  
1796 but shall not require or result in an expansion of sewer service outside the urban growth  
1797 area, unless a finding is made that no cost-effective alternative technologies are feasible,  
1798 in which case a tightline sewer sized only to meet the needs of the school bus base.

1799           21. Only in conformance with the King County Site Development Plan Report,  
1800 through modifications to the plan of up to ten percent are allowed for the following:

- 1801           a. building square footage;
- 1802           b. landscaping;
- 1803           c. parking;
- 1804           d. building height; or
- 1805           e. impervious surface.

1806           22. A special use permit shall be required for any modification or expansion of  
1807 the King County fairgrounds facility that is not in conformance with the King County

1808 Site Development Plan Report or that exceeds the allowed modifications to the plan  
1809 identified in subsection B.21, of this section.

1810 23. The facility shall be primarily devoted to rural public infrastructure  
1811 maintenance and is subject to the following conditions:

1812 a. The minimum site area shall be ten acres, unless:

1813 (1) the facility is a reuse of a public agency yard; or

1814 (2) the site is separated from a county park by a street or utility right-of-way;

1815 b. Type 1 landscaping as provided in K.C.C. chapter 21A.16 shall be provided  
1816 between any stockpiling or grinding operations and adjacent residential zoned property;

1817 c. Type 2 landscaping as provided in K.C.C. chapter 21A.16 shall be provided  
1818 between any office and parking lots and adjacent residential zoned property;

1819 d. Access to the site does not use local access streets that abut residential zoned  
1820 property, unless the facility is a reuse of a public agency yard;

1821 e. Structural setbacks from property lines shall be as follows:

1822 (1) Buildings, structures and stockpiles used in the processing of materials  
1823 shall be no closer than:

1824 (a) one hundred feet from any residential zoned properties, except that the  
1825 setback may be reduced to fifty feet when the grade where the building or structures are  
1826 proposed is fifty feet or greater below the grade of the residential zoned property;

1827 (b) fifty feet from any other zoned property, except when adjacent to a  
1828 mineral extraction or materials processing site;

1829 (c) the greater of fifty feet from the edge of any public street or the setback  
1830 from residential zoned property on the far side of the street; and

1831           (2) Offices, scale facilities, equipment storage buildings and stockpiles shall  
1832 not be closer than fifty feet from any property line except when adjacent to M or F zoned  
1833 property or when a reuse of an existing building. Facilities necessary to control access to  
1834 the site, when demonstrated to have no practical alternative, may be located closer to the  
1835 property line;

1836           f. On-site clearing, grading or excavation, excluding that necessary for  
1837 required access, roadway or storm drainage facility construction, shall not be permitted  
1838 within fifty feet of any property line except along any portion of the perimeter adjacent to  
1839 M or F zoned property. If native vegetation is restored, temporary disturbance resulting  
1840 from construction of noise attenuation features located closer than fifty feet shall be  
1841 permitted; and

1842           g. Sand and gravel extraction shall be limited to forty thousand yards per year.

1843           24. The following accessory uses to a motor race track operation are allowed if  
1844 approved as part of the special use permit:

1845           a. motocross;

1846           b. autocross;

1847           c. skidpad;

1848           d. garage;

1849           e. driving school; and

1850           f. fire station.

1851           (~~25. Only as an accessory use of an agricultural anaerobic digester.~~)

1852           NEW SECTION. SECTION 9. There is hereby added to K.C.C. chapter 21A.06

1853 a new section to read as follows:

1854 Agriculture: the use of land for commercial purposes for either the raising of  
1855 crops or livestock or the production of agricultural products, or both.

1856 NEW SECTION. SECTION 10. There is hereby added to K.C.C. chapter  
1857 21A.06 a new section to read as follows:

1858 Agricultural activities: those agricultural uses and practices that pertain directly  
1859 to the commercial production of agricultural products, including, but not limited to:

1860 A. Tilling, discing, planting, seeding, fertilization, composting and other soil  
1861 amendments and harvesting;

1862 B. Grazing, animal mortality management and on-site animal waste storage,  
1863 disposal and processing;

1864 C. Soil conservation practices including dust control, rotating and changing  
1865 agricultural crops and allowing agricultural lands to lie fallow under local, state or federal  
1866 conservation programs;

1867 D. Maintenance of farm and stock ponds, agricultural drainage, irrigation systems  
1868 canals and flood control facilities;

1869 E. Normal maintenance, operation and repair of existing serviceable equipment,  
1870 structures, facilities or improved areas, including, but not limited to, fencing, farm access  
1871 roads and parking; and

1872 F. Processing, promotion, sale, storage, packaging and distribution.

1873 NEW SECTION. SECTION 11. There is hereby added to K.C.C. chapter  
1874 21A.06 a new section to read as follows:

1875 Agricultural products: products that include, but are not limited to:

1876 A. Horticultural, viticultural, floricultural and apiary products;

1877 B. Livestock and livestock products;

1878 C. Animal products including, but not limited to, upland finfish, dairy products,  
1879 meat, poultry and eggs;

1880 D. Feed or forage for livestock;

1881 E. Christmas trees, hybrid cottonwood and similar hardwood trees grown as  
1882 crops and harvested within twenty years of planting; and

1883 F. Turf, sod, seed and related products.

1884 NEW SECTION. SECTION 12. There is hereby added to K.C.C. chapter  
1885 21A.06 a new section to read as follows:

1886 Agricultural support services: any agricultural activity that is directly related to  
1887 agriculture and directly dependent upon agriculture for its existence but is undertaken on  
1888 lands that are not predominately in agricultural use.

1889 NEW SECTION. SECTION 13. There is hereby added to K.C.C. chapter 21A.06  
1890 a new section to read as follows:

1891 Farm: the land, buildings equipment and infrastructure used in the raising and  
1892 production of agricultural products for commercial sales.

1893 NEW SECTION. SECTION 14. There is hereby added to K.C.C. chapter  
1894 21A.06 a new section to read as follows:

1895 Farm residence: a single detached dwelling unit that serves as the primary  
1896 residence for a farm.

1897 NEW SECTION. SECTION 15. There is hereby added to K.C.C. chapter  
1898 21A.42 a new section to read as follows:

1899 A. There is hereby established an agricultural technical review committee

1900 consisting of representatives of the departments of permitting and environmental review,  
1901 natural resources and parks and public health and the King Conservation District.

1902 B. The agricultural technical review committee is authorized to review proposals  
1903 to expand or modify agricultural activities and to site agricultural support services, as  
1904 identified in K.C.C. 21A.08.090, and to make a recommendation to the director, or  
1905 designee. The agricultural technical review committee's recommendation will be based  
1906 on the applicant's submission of a business plan that establishes satisfaction of the  
1907 relevant criteria set forth in this section.

1908 C. The director, or the director's designee, shall sit on the committee and shall  
1909 make a final decision on proposals to expand or modify agricultural activities or to site  
1910 agricultural support services. This decision shall be a Type 1 decision under K.C.C.  
1911 chapter 20.20. The Director's decision will require the property owner to sign and record  
1912 on title, at the owner's sole expense, a covenant in a form acceptable to the County which  
1913 informs subsequent owners of the conditions and limitations under which the use must be  
1914 maintained.

1915 D. The director, after a recommendation from the agricultural technical review  
1916 committee established by this section, may modify development standards for  
1917 agricultural activities as identified in K.C.C. 21A.08.090, subject to the following criteria.  
1918 The proposed modification or expansion must:

1919 1. Be located on existing impervious surface or lands not otherwise suitable for  
1920 direct agricultural production based upon soil conditions or other factors and cannot be  
1921 returned to productivity by drainage maintenance;

1922 2. Be allowed under any Farmland Preservation Program conservation easement

1923 and zoning development standards;

1924           3. Be supported by adequate utilities, parking, internal circulation and other  
1925 infrastructure;

1926           4. Not interfere with neighborhood circulation or interfere with existing or  
1927 permitted development or use on neighboring properties;

1928           5. Be designed in a manner that is compatible with the character and appearance  
1929 of existing or proposed development in the vicinity of the subject property;

1930           6. Not be in conflict with the health and safety of the community and is such  
1931 that pedestrian and vehicular traffic associated with the use must not be hazardous or  
1932 conflict with existing and anticipated traffic in the neighborhood;

1933           7. Be supported by adequate public facilities or services and must not adversely  
1934 affect public services to the surrounding area; and

1935           8. Not be in conflict with the policies of the Comprehensive Plan or the basic  
1936 purposes of K.C.C. Title 21A.

1937           E. Siting of agricultural support services as provided in K.C.C. 21A.08.090 may  
1938 be authorized by the director, after a recommendation from the agricultural technical  
1939 review committee established by this section, subject to the following criteria. The  
1940 proposed use must:

1941           1.a. Be limited to processing, warehousing and storage, including refrigeration,  
1942 retail sales and other similar support services of locally produced agricultural products.

1943 Sixty percent or more of the products must be grown or raised in the agricultural  
1944 production district. At the time of initial application, the applicant shall submit a  
1945 projection of the source of products to be produced;



1946           b. Be limited to farmworker housing to support agricultural operations located  
1947 in the agricultural production district; or

1948           c. Be limited to farm operations, including equipment repair, and other similar  
1949 services primarily supporting agricultural operations located in the agricultural  
1950 production district. Sixty percent or more of the services business must be to support  
1951 agricultural operations in the agricultural production district. At the time of initial  
1952 application, the applicant shall submit a projection of the source of products to be  
1953 produced;

1954           2. Meet the setback and size limitation in K.C.C. 21A.08.090.B.24. for  
1955 structures and areas used for agricultural support services, including walls, fences and  
1956 screening vegetation, and not interfere with neighborhood circulation or interfere with  
1957 existing or permitted development or use on neighboring properties;

1958           3. Be designed in a manner which is compatible with the character and  
1959 appearance of existing, or proposed development in the vicinity of the subject property,  
1960 and provide sufficient screening vegetation;

1961           4. Not be in conflict with the health and safety of the community and must be  
1962 such that pedestrian and vehicular traffic associated with the use will not be hazardous or  
1963 conflict with existing and anticipated traffic in the neighborhood;

1964           5. Be supported by adequate public facilities or services, will not adversely  
1965 affect public services to the surrounding area and shall not depend on urban services; and

1966           6. Not be in conflict with the policies of the Comprehensive Plan or the basic  
1967 purposes of K.C.C. Title 21A.

1968           SECTION 16. Ordinance 12196, Section 9, as amended, and K.C.C. 20.20.020,

1969 are each hereby amended to read as follows:

1970           A. Land use permit decisions are classified into four types, based on who makes  
1971 the decision, whether public notice is required, whether a public hearing is required  
1972 before a decision is made and whether administrative appeals are provided. The types of  
1973 land use decisions are listed in subsection E. of this section.

1974           1. Type 1 decisions are made by the director, or his or her designee, ("director")  
1975 of the department of permitting and environmental review ("department"). Type 1  
1976 decisions are nonappealable administrative decisions.

1977           2. Type 2 decisions are made by the director. Type 2 decisions are discretionary  
1978 decisions that are subject to administrative appeal.

1979           3. Type 3 decisions are quasi-judicial decisions made by the hearing examiner  
1980 following an open record hearing. Type 3 decisions may be appealed to the county  
1981 council, based on the record established by the hearing examiner.

1982           4. Type 4 decisions are quasi-judicial decisions made by the council based on  
1983 the record established by the hearing examiner.

1984           B. Except as provided in K.C.C. 20.44.120A.7. and 25.32.080 or unless  
1985 otherwise agreed to by the applicant, all Type 2, 3 and 4 decisions included in  
1986 consolidated permit applications that would require more than one type of land use  
1987 decision process may be processed and decided together, including any administrative  
1988 appeals, using the highest-numbered land use decision type applicable to the project  
1989 application.

1990           C. Certain development proposals are subject to additional procedural  
1991 requirements beyond the standard procedures established in this chapter.

1992 D. Land use permits that are categorically exempt from review under SEPA do  
 1993 not require a threshold determination (determination of nonsignificance ["DNS"] or  
 1994 determination of significance ["DS"]). For all other projects, the SEPA review  
 1995 procedures in K.C.C. chapter 20.44 are supplemental to the procedures in this chapter.

1996 E. Land use decision types are classified as follow:

TYPE 1	(Decision by director, no administrative appeal)	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
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		<p>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 21,2</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 permit<sup>3</sup>; 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</p>	<p>Preliminary plat; plat alterations; preliminary plat revisions.</p>

	examiner, appealable to county council on the record)	
TYPE 41,4	(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.

1997 <sup>1</sup> See K.C.C. 20.44.120.C. for provisions governing procedural and substantive SEPA  
 1998 appeals and appeals of Type 3 and 4 decisions to the council.

1999 <sup>2</sup> When an application for a Type 2 decision is combined with other permits requiring  
 2000 Type 3 or 4 land use decisions under this chapter, the examiner, not the director, makes  
 2001 the decision.

2002 <sup>3</sup> A shoreline permit, including a shoreline variance or conditional use, is appealable to  
 2003 the state Shorelines Hearings Board and not to the hearing examiner.

2004 <sup>4</sup> Approvals that are consistent with the Comprehensive Plan may be considered by the  
 2005 council at any time. Zone reclassifications that are not consistent with the  
 2006 Comprehensive Plan require a site-specific land use map amendment and the council's  
 2007 hearing and consideration shall be scheduled with the amendment to the Comprehensive  
 2008 Plan under K.C.C. 20.18.040 and 20.18.060.

2009 F. The definitions in K.C.C. 21A.45.020 apply to this section.

2010            SECTION 17. Ordinance 10870, Section 388, as amended, and K.C.C.

2011    21A.16.030 are each hereby amended to read as follows:

2012            To facilitate the application of this chapter, the land uses of K.C.C. chapter

2013    21A.08 have been grouped in the following manner:

2014            A. Residential development refers to those uses listed in K.C.C. 21A.08.030,

2015    except those uses listed under Accessory uses, and:

2016            1. Attached/group residences refers to:

2017            a. townhouses, except as provided in subsection A.2.a. of this section;

2018            b. apartments and detached dwelling units developed on common property at a

2019    density of twelve or more units per acre;

2020            c. senior citizen assisted housing;

2021            d. temporary lodging;

2022            e. group residences other than Type I community residential facilities;

2023            f. mobile home parks; and

2024            2. Single-family development refers to:

2025            a. residential subdivisions and short subdivisions, including attached and

2026    detached dwelling units on individually platted or short platted lots;

2027            b. any detached dwelling units located on a lot including cottage housing units;

2028    and

2029            c. Type I community residential facilities;

2030            B. Commercial development refers to those uses in:

2031            1. K.C.C. 21A.08.040 as amusement/entertainment uses, except golf facilities;

2032            2. K.C.C. 21A.08.050 except recycling centers, health and educational services,

2033 daycare I, churches, synagogues and temples, and miscellaneous repair as allowed in the  
2034 A and RA zones; and

2035 3. K.C.C. 21A.08.070, except forest product sales and agricultural product sales  
2036 as allowed in the A, F and RA zones and building, hardware and garden materials as  
2037 allowed in the A zones;

2038 C. Industrial development refers to those uses listed in:

2039 1. K.C.C. 21A.08.050 as recycling center;

2040 2. K.C.C. 21A.08.060, except government services and farm product  
2041 warehousing, refrigeration and storage as allowed in the A zones;

2042 3. K.C.C. 21A.08.080, except food and kindred products as allowed in the A  
2043 and F zones; and

2044 4. K.C.C. 21A.08.090 as mineral extraction and processing;

2045 D. Institutional development refers to those uses listed in:

2046 1. K.C.C. 21A.08.040 as cultural uses, except arboretums;

2047 2. K.C.C. 21A.08.050 as churches, synagogues and temples, health services and  
2048 education services except specialized instruction schools permitted as an accessory use;

2049 and

2050 3. K.C.C. 21A.08.060 as government services;

2051 E. Utility development refers to those uses listed in K.C.C. 21A.08.060 as utility  
2052 facilities; and

2053 F. Uses in K.C.C. chapter 21A.08 that are not listed in subsections A. through E.

2054 of this section shall not be subject to landscaping and tree retention requirements except

2055 as specified in any applicable review of a conditional use or special use permits, or

2056 reviews conducted in accordance with section 15 of this ordinance.

2057 SECTION 18. The following are each hereby repealed:

2058 A. Ordinance 3064, Section 1, as amended, and K.C.C. 20.54.010;

2059 B. Ordinance 3064, Section 2, and K.C.C. 20.54.020;

2060 C. Ordinance 3064, Section 3, as amended, and K.C.C. 20.54.030;

2061 D. Ordinance 3064, Section 4, as amended, and K.C.C. 20.54.040;

2062 E. Ordinance 3064, Section 5, and K.C.C. 20.54.050;

2063 F. Ordinance 3064, Section 6, as amended, and K.C.C. 20.54.060;

2064 G. Ordinance 3064, Section 7, as amended, and K.C.C. 20.54.070;

2065 H. Ordinance 3064, Section 8, as amended, and K.C.C. 20.54.080;

2066 I. Ordinance 3064, Section 9, as amended, and K.C.C. 20.54.090;

2067 J. Ordinance 3064, Section 10, as amended, and K.C.C. 20.54.100;

2068 K. Ordinance 3064, Section 11, as amended, and K.C.C. 20.54.110;

2069 L. Ordinance 3064, Section 12, and K.C.C. 20.54.120; and

2070 M. Ordinance 3064, Section 13, and K.C.C. 20.54.130.

2071 SECTION 19. Ordinance 4461, Section 1, as amended, and K.C.C. 20.22.060 are

2072 each hereby amended to read as follows:

2073 The examiner shall issue recommendations, in the following cases:

2074 A. Proposals for establishment or modification of cable system rates under

2075 K.C.C. 6.27A.140;

2076 B. Vacation of county roads under K.C.C. chapter 14.40;

2077 C. All Type 4 decisions under K.C.C. chapter 20.20;

2078 D. Applications for public benefit rating system assessed valuation on open space



2079 land and current use assessment on timber lands under K.C.C. chapter 20.36, except as  
2080 provided in K.C.C. 20.36.090;

2081 E. ~~((Applications for agricultural land variances under K.C.C. 20.54.090,~~  
2082 ~~applications for rezones or subdivisions under K.C.C. 20.54.100.A., appeals of~~  
2083 ~~designations of agricultural land of county significance under K.C.C. 20.54.100.C. and~~  
2084 ~~applications to revise the boundaries of agricultural lands of county significance under~~  
2085 ~~K.C.C. 20.54.110.C.;~~

2086 F.)) Appeals of decisions to designate or reject a nomination for designation for a  
2087 landmark or issuing or denying a certificate of appropriateness under K.C.C. chapter  
2088 20.62;

2089 ~~((G.))~~F. Creation of a lake or beach management district and a special assessment  
2090 roll under chapter 36.61 RCW; and

2091 ~~((H.))~~ G. Other applications or appeals that are prescribed by ordinance.

2092 SECTION 20. Ordinance 6949, Section 10, as amended, and K.C.C. 20.44.080  
2093 are each hereby amended to read as follows:

2094 A. The procedures and standards of WAC 197-11-650 through 197-11-660  
2095 regarding substantive authority and mitigation, and WAC 197-11-158, regarding reliance  
2096 on existing plans, laws and regulations, are adopted.

2097 B. For the purposes of RCW 43.21C.060 and WAC 197-11-660, the following  
2098 policies, plans, rules and regulations, and all amendments thereto, are designated as  
2099 potential bases for the exercise of King County's substantive authority under SEPA,  
2100 subject to RCW 43.21C.240 and subsection C of this section:

2101 1. The policies of the state Environmental Policy Act, RCW 43.21C.020.

2102           2. As specified in K.C.C. chapter 20.12, the King County Comprehensive Plan,  
2103 its addenda and revisions and community and subarea plans and housing report, and as  
2104 specified in K.C.C. chapter 20.14, surface water management program basin plans.

2105           3. The King County Zoning Code, as adopted in K.C.C. Title 21A.

2106           4. The King County Agricultural Lands Policy, as adopted in ((~~K.C.C. chapter~~  
2107 ~~20.54 and~~) K.C.C. Title 26.

2108           5. The King County Landmarks Preservation Code, as adopted in K.C.C.  
2109 chapter 20.62.

2110           6. The King County Shoreline Management Master Plan, as adopted in K.C.C.  
2111 Title 25.

2112           7. The King County Surface Water Runoff Policy, as adopted in K.C.C. chapter  
2113 9.04, including the Covington Master Drainage Plan, as adopted in K.C.C. chapter 20.14.

2114           8. The King County Road Standards, as adopted in K.C.C. chapter 14.42.

2115           9. The Comprehensive Plan for Transportation adopted by Resolution No. 6617  
2116 of the council of the Municipality of Metropolitan Seattle and readopted and ratified by  
2117 the county council in K.C.C. 28.01.030.

2118           10. The Comprehensive Sewerage Disposal Plan adopted by Resolution No. 23  
2119 of the council of the Municipality of Metropolitan Seattle and readopted and ratified by  
2120 the county council in K.C.C. 28.01.030.

2121           11. The rules and regulations for construction and use of local sewage facilities  
2122 set forth in K.C.C. chapters 28.81 through 28.84.

2123           12. The rules and regulations on the consistency of sewer projects with local  
2124 land use plans and policies set forth in Ordinance 11034, as amended.

2125           13. The rules and regulations for the disposal of industrial waste into the  
2126 sewerage system set forth in Ordinance 11034, as amended.

2127           14. The Duwamish Clean Water Plan adopted by the council of the Municipality  
2128 of Metropolitan Seattle and readopted and ratified by the county council by Ordinance  
2129 11032, Section 28, as amended.

2130           15. The Washington Department of Ecology's Best Management Practices for  
2131 the Use of Municipal Sludge.

2132           C. Within the urban growth area, substantive SEPA authority to condition or  
2133 deny new development proposals or other actions shall be used only in cases where  
2134 specific adverse environmental impacts are not addressed by regulations as set forth  
2135 below or unusual circumstances exist. In cases where the county has adopted the  
2136 following regulations to systematically avoid or mitigate adverse impacts, those standards  
2137 and regulations will normally constitute adequate mitigation of the impacts of new  
2138 development: K.C.C. chapter 9.04, Surface Water Runoff Policy, K.C.C. chapter 9.08,  
2139 Surface Water Management Program, K.C.C. chapter 9.12, Water Quality, K.C.C.  
2140 chapter 14.42, King County Road Standards, K.C.C. chapter 16.82, Clearing and  
2141 Grading, K.C.C. chapter 21A.12, Development Standards - Density and Dimensions,  
2142 K.C.C. chapter 21A.14, Development Standards - Design Requirements, K.C.C. chapter  
2143 21A.16, Development Standards - Landscaping and Water Use, K.C.C. chapter 21A.18,  
2144 Development Standards - Parking and Circulation, K.C.C. chapter 21A.20, Development  
2145 Standards - Signs, K.C.C. chapter 21A.22, Development Standards - Mineral Extraction,  
2146 K.C.C. chapter 21A.24, Critical Areas, K.C.C. chapter 21A.26, Development Standards -  
2147 Communication Facilities, K.C.C. chapter 21A.28, Development Standards - Adequacy

2148 of Public Facilities and Services. Unusual circumstances related to a site or to a proposal,  
2149 as well as environmental impacts not mitigated by the regulations listed in this  
2150 subsection, will be subject to site-specific or project-specific SEPA mitigation.

2151 This subsection shall not apply if the county's development regulations cited in  
2152 this subsection are amended after April 22, 1996, unless the amending ordinance contains  
2153 a finding, supported by documentation, that the requirements for environmental analysis,  
2154 protections and mitigation measures in this chapter, provide adequate analysis of and  
2155 mitigation for the specific adverse environmental impacts to which the requirements  
2156 apply.

2157 D. Outside the urban growth area, in the course of project review, including any  
2158 required environmental analysis, the responsible official may determine that requirements  
2159 for environmental analysis, protection and mitigation measures in the county's  
2160 development regulations or comprehensive plans adopted under chapter 36.70A RCW  
2161 and in other applicable local, state or federal laws and rules provide adequate analysis  
2162 and mitigation for specific adverse environmental impacts of the project, if the following  
2163 criteria are met:

2164 1. In the course of project review, the responsible official shall identify and  
2165 consider the specific probable adverse environmental impacts of the proposed action and  
2166 then make a determination whether these specific impacts are adequately addressed by  
2167 the development regulations. If they are not, the responsible official shall apply  
2168 mitigation consistent with the applicable requirements of the comprehensive plan,  
2169 subarea plan element of the comprehensive plan or other local, state or federal rules or  
2170 laws; and

2171           2. The responsible official bases or conditions its approval on compliance with  
2172 these requirements or mitigation measures.

2173           E. Any decision to approve, deny or approve with conditions pursuant to RCW  
2174 43.21C.060 shall be contained in the responsible official's decision document. The  
2175 written decision shall contain facts and conclusions based on the proposal's specific  
2176 adverse environmental impacts, or lack thereof, as identified in an environmental  
2177 checklist, EIS, threshold determination, other environmental document including an  
2178 executive department's staff report and recommendation to a decision maker, or findings  
2179 made pursuant to a public hearing authorized or required by law or ordinance. The  
2180 decision document shall state the specific plan, policy or regulation that supports the  
2181 SEPA decision and, if mitigation beyond existing development regulations is required,  
2182 the specific adverse environmental impacts and the reasons why additional mitigation is  
2183 needed to comply with SEPA.

2184           F. This chapter shall not be construed as a limitation on the authority of King  
2185 County to approve, deny or condition a proposal for reasons based upon other statutes,  
2186 ordinances or regulations.

2187           SECTION 21. Severability. If any provision of this ordinance or its

2188 application to any person or circumstance is held invalid, the remainder of the ordinance  
2189 or the application of the provision to other persons or circumstances is not affected.  
2190

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



J. Joseph McDermott, Chair



KING COUNTY CLERK

2017 DEC 21 PM 3:53

RECEIVED

ATTEST:



Melani Pedroza, Clerk of the Council

APPROVED this 21<sup>st</sup> day of DECEMBER, 2017



Dow Constantine, County Executive

Attachments: None