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| Drafted by: | Karen Wolf, Lisa Verner |
| Sponsors: | |
| Attachments: | A. 2016 King County Comprehensive Plan B. Land Use and Zoning Amendments C. Capital Facilities D. Housing E. Transportation F. Transportation Needs Report G. Regional Needs Trail Report H. Growth Targets and Urban Growth Area I. Summary of Public Outreach for Development of the 2016 KCCP Update J. Skyway-West Hill Action Plan |

1 ..Title

2 AN ORDINANCE relating to comprehensive planning and
3 permitting; amending Ordinance 8421, Section 3, as
4 amended, and K.C.C. 14.56.020, Ordinance 8421, Section
5 4, as amended, and K.C.C. 14.56.030, and Ordinance
6 13147, Section 19, amended, and K.C.C. 20.18.030,
7 Ordinance 10870, Section 330, as amended, and K.C.C.
8 21A.08.030, Ordinance 10870, Section 332, as amended,
9 and K.C.C. 21A.08.050, Ordinance 10870, Section 333, as
10 amended, and K.C.C. 21A.08.060, Ordinance 10870,
11 Section 334, as amended, and K.C.C. 21A.08.070,
12 Ordinance 10870, Section 335, as amended, and K.C.C.
13 21A.08.080, Ordinance 10870, Section 336, as amended,
14 and K.C.C. 21A.08.090, Ordinance 10870, Section 337, as
15 amended, and K.C.C. 21A.08.100, Ordinance 13274,
16 Section 4, as amended, and K.C.C. 21A.37.020, Ordinance

13733, Section 10, as amended, and K.C.C. 21A.37.110,
adding new sections to K.C.C. chapter 21A.06, adding new
sections to K.C.C. chapter 21A.42, decodifying K.C.C.
20.54.010 and repealing Ordinance 8421, Section 2, and
K.C.C. 14.56.010, Ordinance 3064, Section 2, and K.C.C.
20.54.020, Ordinance 3064, Section 3, as amended, and
K.C.C. 20.54.030, Ordinance 3064, Section 4, as amended,
and K.C.C. 20.54.040, Ordinance 3064, Section 5, and
K.C.C. 20.54.050, Ordinance 3064, Section 6, as amended,
and K.C.C. 20.54.060, Ordinance 3064, Section 7, as
amended, and K.C.C. 20.54.070, Ordinance 3064, Section
8, as amended, and K.C.C. 20.54.080, Ordinance 3064,
Section 9, as amended, and K.C.C. 20.54.090, Ordinance
3064, Section 10, as amended, and K.C.C. 20.54.100,
Ordinance 3064, Section 11, as amended, and K.C.C.
20.54.110, Ordinance 3064, Section 12, and K.C.C.
20.54.120, Ordinance 3064, Section 13, and K.C.C.
20.54.130 and Ordinance 7889, Section 4, as amended, and
K.C.C. 26.08.010

..Body

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings: For the purposes of effective land use planning and
regulation, the King County council makes the following legislative findings:

40 A. King County adopted the King County Comprehensive Plan 2012 to meet the
41 requirements of the Washington State Growth Management Act ("the GMA");

42 B. The 2012 King County Comprehensive Plan, adopted by King County
43 Ordinance 17485, satisfied the GMA requirement for the county to update its
44 comprehensive plan by June 30, 2015;

45 C. In 2013 and 2014, King County adopted narrow amendments to the King
46 County Comprehensive Plan 2012;

47 D. The King County Code authorizes a review of the Comprehensive Plan and
48 allows substantive amendments to the Comprehensive Plan once every four years. The
49 King County Comprehensive Plan 2016 amendments are the fifth major review of the
50 Comprehensive Plan;

51 E. The GMA requires that King County adopt development regulations to be
52 consistent with and implement the Comprehensive Plan;

53 F. The changes to zoning contained in this ordinance are needed to maintain
54 conformity with the King County Comprehensive Plan, as required by the GMA. As such,
55 they bear a substantial relationship to, and are necessary for, the public health, safety and
56 general welfare of King County and its residents; and

57 G. King County engages in a comprehensive review of its Comprehensive Plan
58 and development regulations every four years. This ordinance constitutes the conclusion of
59 the county's review process. The 2016 King County Comprehensive Plan and King
60 County's development are intended to satisfy the requirements of the GMA.

61 SECTION 2. A. King County completed its fifth comprehensive four-cycle review
62 of the Comprehensive Plan in 2016. As a result of the review, King County amended the

King Comprehensive Plan 2012 through passage of the King County Comprehensive Plan 2016.

B. The amendments to the King County Comprehensive Plan 2012 contained in Attachments A, B, C, D, E, F, G, H, I and J to this ordinance are hereby adopted as amendments to the King County Comprehensive Plan 2012.

C. Attachments A and B to this ordinance amend policies, text and maps of the Comprehensive Plan and amend the Comprehensive Plan Land Use Zoning. The land use and zoning amendments contained in Attachments A and B to this ordinance are hereby adopted as the official land use and zoning controls for those portions of unincorporated King County defined in Attachments A and B to this ordinance.

D. Attachment C to this ordinance contains Technical Appendix A (Capital Facilities).

E. Attachment D to this ordinance contains Technical Appendix B (Housing).

F. Attachment E to this ordinance contains Technical Appendix C (Transportation).

G. Attachment F to this ordinance contains Technical Appendix C.1 (Transportation Needs Report).

H. Attachment G to this ordinance contains Technical Appendix C.2 (Regional Trails Needs Report).

I. Attachment H. to this ordinance contains Technical Appendix D (Growth Targets and Urban Growth Area).

J. Attachment I to this report contains Technical Appendix R (Summary of Public Outreach for Development of the 2016 KCCP Update.)

86 K. Attachment J to this ordinance contains the Skyway-West Hill Action Plan.

87 SECTION 3. Ordinance 8421, Section 2, and K.C.C. 14.56.010 are each hereby
88 repealed.

89 SECTION 4. Ordinance 8421, Section 3, as amended, and K.C.C. 14.56.020 are
90 each hereby amended to read as follows:

91 There is established a (~~((non-motorized vehicle))~~) nonmotorized transportation
92 program ((to meet the following goals and objectives:

93 ~~A. To identify and document the needs of non-motorized transportation in King~~
94 ~~County, including bicyclists, equestrians, pedestrians, and special populations;~~

95 ~~B. To determine ways that the existing county transportation network, including~~
96 ~~transit, can be made more responsive to the needs of non-motorized users)).~~ The program

97 shall consist of the nonmotorized policies in the King County Comprehensive Plan and
98 the respective functional plans of the responsible county agencies, nonmotorized project
99 needs contained in agency capital improvement programs and operational activities that:

100 A. Identify and document the nonmotorized transportation needs in the county
101 for bicyclists, pedestrians, equestrians and special populations such as school children or
102 people with limited mobility and wheelchair users;

103 B. Determine ways that nonmotorized transportation can be integrated into the
104 current and future county transportation network and services, including transit;

105 C. (~~((To i))~~) Inform and educate the public on issues relating to ((non-motorized))
106 nonmotorized transportation, including compliance with traffic laws; and

107 D. (~~((To institute the consideration of non-motorized transportation in all related~~
108 ~~county-funded))~~) Consider nonmotorized transportation safety and other needs in all

related county programs, and ~~((to))~~ encourage the same consideration on an interlocal and regional basis~~((;~~

~~E. To improve non-motorized transport users and motorists compliance with traffic laws; and~~

~~F. To guide development of a county functional plan for non-motorized transportation, to implement the adopted policies established in the county comprehensive plan, the county transportation plan, and current programs within county government)).~~

SECTION 5. Ordinance 8421, Section 4, as amended, and K.C.C. 14.56.030 are each hereby amended to read as follows:

The department of transportation shall ~~((carry out the following duties and responsibilities))~~:

A. Implement the ~~((non-motorized vehicle))~~ nonmotorized transportation program in coordination with other county departments;

B. Provide support to any ad hoc ~~((non-motorized))~~ nonmotorized transportation advisory committee; and

C. Work with ~~((governmental agencies))~~ other jurisdictions and nongovernmental organizations to identify, develop and promote programs that encourage the use of ~~((non-motorized))~~ nonmotorized modes of transportation.

SECTION 6. Ordinance 13147, Section 19, amended, and K.C.C. 20.18.030 are hereby amended to read as follows:

A. The King County Comprehensive Plan shall be amended in accordance with this chapter, which, in compliance with RCW 36.70A.130(2), establishes a public

participation program whereby amendments are considered by the council no more frequently than once a year as part of the amendment cycle established in this chapter, except that the council may consider amendments more frequently to address:

1. Emergencies;
2. An appeal of the plan filed with the Central Puget Sound Growth Management Hearings Board or with the court;
3. The initial adoption of a subarea plan, which may amend the urban growth area boundary only to redesignate land within a joint planning area;
4. An amendment of the capital facilities element of the Comprehensive Plan that occurs in conjunction with the adoption of the county budget under K.C.C. 4A.100.010; or
5. The adoption or amendment of a shoreline master program under chapter 90.58 RCW.

B. Every year the Comprehensive Plan may be amended to address technical updates and corrections, and to consider amendments that do not require substantive changes to policy language, changes to the priority areas map, or changes to the urban growth area boundary, except as permitted in subsection B.5, 10. and 12. of this section. This review may be referred to as the annual cycle. The Comprehensive Plan, including subarea plans, may be amended in the annual cycle only to consider the following:

1. Technical amendments to policy, text, maps or shoreline designations;
2. The annual capital improvement plan;
3. The transportation needs report;
4. School capital facility plans;

154 5. ~~((A mining site conversion demonstration project. The demonstration project~~
155 ~~shall evaluate and address:~~

156 a. ~~potential options for the use of a reclaimed mine site, including the feasibility~~
157 ~~of residential use and/or long-term forestry on the demonstration project site;~~

158 b. ~~the impacts to carbon sequestration as a result of reforestation, and for~~
159 ~~residential use, the impacts to carbon sequestration when implementing modified standards~~
160 ~~for lot clustering or transfer of development rights;~~

161 c. ~~the need for a site design that compatibly integrates any proposed residential~~
162 ~~development on the demonstration project site with uses occurring on the adjacent rural or~~
163 ~~forest production district lands, especially if the proposed residential development utilizes~~
164 ~~modified standards for lot clustering and/or transfer of development rights;~~

165 d. ~~the levels and standards for reclamation of mining sites that are appropriate to~~
166 ~~their use either for long-term forestry and/or for residential development; and~~

167 e. ~~the need to ensure that the demonstration project provides an overall public~~
168 ~~benefit by providing permanent protection, as designated park or open space, of lands in the~~
169 ~~vicinity of the demonstration project site that form the headwaters of critical, high-valued~~
170 ~~habitat areas; or that remove the development potential from nonconforming legal parcels~~
171 ~~in the forest production district; or that provide linkages with other forest production~~
172 ~~district lands;~~

173 6.)) Changes required by existing Comprehensive Plan policies;

174 ~~((7.))~~ 6. Changes to the technical appendices and any amendments required
175 thereby;

176 ~~((8.))~~ 7. Comprehensive updates of subarea plans initiated by motion;

177 ~~((9-))~~ 8. Changes required by amendments to the countywide planning policies or
178 state law;

179 ~~((10-))~~ 9. Redesignation proposals under the four-to-one program as provided for
180 in this chapter;

181 ~~((11-))~~ 10. Amendments necessary for the conservation of threatened and
182 endangered species; ~~((and))~~

183 ~~((12-))~~ 11. Site-specific ~~((comprehensive))~~ land use map amendments that do not
184 require substantive change to comprehensive plan policy language and that do not alter the
185 urban growth area boundary, except to correct mapping errors ;

186 12. Amendments resulting from subarea studies required by comprehensive plan
187 policy that do not require substantive change to comprehensive plan policy language and
188 that do not alter the urban growth area boundary, except to correct mapping errors; and

189 13. Changes required to implement-a study regarding the provision of
190 wastewater services to a Rural Town. Such amendments shall be limited to policy
191 amendments and adjustment to the boundaries of the Rural Town as needed to implement
192 the preferred option identified in the study.

193 C. Every fourth year beginning in 2000, the county shall complete a
194 comprehensive review of the Comprehensive Plan in order to update it as appropriate and
195 to ensure continued compliance with the GMA. This review may provide for a cumulative
196 analysis of the twenty-year plan based upon official population growth forecasts,
197 benchmarks and other relevant data in order to consider substantive changes to policy
198 language and changes to the urban growth area ("UGA"). This comprehensive review shall
199 begin one year in advance of the transmittal and may be referred to as the four-year cycle.

200 The urban growth area boundaries shall be reviewed in the context of the four-year cycle
201 and in accordance with countywide planning policy ((FW))G-1 and RCW 36.70A.130. If
202 the county determines that the purposes of the Comprehensive Plan are not being achieved
203 as evidenced by official population growth forecasts, benchmarks, trends and other relevant
204 data, substantive changes to the Comprehensive Plan may also be considered on even
205 calendar years. This determination shall be authorized by motion. The motion shall
206 specify the scope of the even-year amendment, and identify that the resources necessary to
207 accomplish the work are available. An analysis of the motion's fiscal impact shall be
208 provided to the council before to adoption. The executive shall determine if additional
209 funds are necessary to complete the even-year amendment, and may transmit an ordinance
210 requesting the appropriation of supplemental funds.

211 D. The executive shall seek public comment on the comprehensive plan and any
212 proposed comprehensive plan amendments in accordance with the procedures in K.C.C.
213 20.18.160 before making a recommendation, in addition to conducting the public review
214 and comment procedures required by SEPA. The public shall be afforded at least one
215 official opportunity to record public comment before to the transmittal of a
216 recommendation by the executive to the council. County-sponsored councils and
217 commissions may submit written position statements that shall be considered by the
218 executive before transmittal and by the council before adoption, if they are received in a
219 timely manner. The executive's recommendations for changes to policies, text and maps
220 shall include the elements listed in Comprehensive Plan policy RP-307 and analysis of their
221 financial costs and public benefits, any of which may be included in environmental review
222 documents. Proposed amendments to the Comprehensive Plan shall be accompanied by

any development regulations or amendments to development regulations, including area zoning, necessary to implement the proposed amendments.

SECTION 7. K.C.C. 20.54.010 is each hereby decodified.

SECTION 8. Ordinance 3064, Section 2, and K.C.C. 20.54.020 are each hereby repealed.

SECTION 9. Ordinance 3064, Section 3, as amended, and K.C.C. 20.54.030 are each hereby repealed.

SECTION 10. Ordinance 3064, Section 4, as amended, and K.C.C. 20.54.040 are each hereby repealed.

SECTION 11. Ordinance 3064, Section 5, and K.C.C. 20.54.050 are each hereby repealed.

SECTION 12. Ordinance 3064, Section 6, as amended, and K.C.C. 20.54.060 are each hereby repealed.

SECTION 13. Ordinance 3064, Section 7, as amended, and K.C.C. 20.54.070 are each hereby repealed.

SECTION 14. Ordinance 3064, Section 8, as amended, and K.C.C. 20.54.080 are each hereby repealed.

SECTION 15. Ordinance 3064, Section 9, as amended, and K.C.C. 20.54.090 are each hereby repealed.

SECTION 16. Ordinance 3064, Section 10, as amended, and K.C.C. 20.54.100 are each hereby repealed.

SECTION 17. Ordinance 3064, Section 11, as amended, and K.C.C. 20.54.110 are each hereby repealed.

246 SECTION 18. Ordinance 3064, Section 12, and K.C.C. 20.54.120 are each
247 hereby repealed.

248 SECTION 19. Ordinance 3064, Section 13, and K.C.C. 20.54.130 are each
249 hereby repealed.

250 NEW SECTION. SECTION 20. There is hereby added to K.C.C. chapter
251 21A.06 a new section to read as follows:

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

254 NEW SECTION. SECTION 21. There is hereby added to K.C.C. chapter
255 21A.06 a new section to read as follows:

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

258 A. Tilling, discing, planting, seeding, fertilization, composting and other soil
259 amendments and harvesting;

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

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

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

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

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

271 NEW SECTION. SECTION 22. There is hereby added to K.C.C. chapter
272 21A.06 a new section to read as follows:

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

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

275 B. Livestock and livestock products;

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

278 D. Feed or forage for livestock;

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

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

282 NEW SECTION. SECTION 23. There is hereby added to K.C.C. chapter
283 21A.06 a new section to read as follows:

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

287 NEW SECTION. SECTION 24. There is hereby added to K.C.C. chapter
288 21A.06 a new section to read as follows:

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

291 NEW SECTION. SECTION 25. There is hereby added to K.C.C. chapter
 292 21A.06 a new section to read as follows:

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

295 SECTION 26. Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030
 296 are each hereby amended to read as follows:

297 A. Residential land uses.

| KEY | | RESOURCE | | | R U R A L | RESIDENTIAL | | | COMMERCIAL/INDUSTRIAL | | | | |
|-------------------|------------------------|----------|----|---|-----------------------|-------------|-------|--------|-----------------------|-----|-----|----|---|
| P-Permitted Use | | A | F | M | R | * R | U | R | N B | C B | R B | O | I |
| C-Conditional Use | | G | O | I | U | U E | R | E | E U | O U | E U | F | N |
| S-Special Use | | Z | R | N | R | R S | B | S | I S | M S | G S | F | D |
| | | O | I | E | E | B E | A | I | G I | M I | I I | I | U |
| | | N | C | S | R | A R | N | D | H N | U N | O N | C | S |
| | | E | U | T | A | N V | | E | B E | N E | N E | E | T |
| | | | L | | A | E | | N | O S | I S | A S | | R |
| | | | T | | R | | | T | R S | T S | L S | | I |
| | | | U | | E | | | A | H | Y | | | A |
| | | | R | | A | | | L | O | | | | L |
| | | | E | | | | | | D | | | | |
| SIC # | SPECIFIC LAND USE | A | F | M | RA | UR | R1-8 | R12-48 | NB | CB | RB | O | I |
| | DWELLING UNITS, TYPES: | | | | | | | | | | | | |
| * | Single Detached | P C12 | P2 | | P C12 | P C12 | P C12 | P C12 | P15 | | | | |
| * | Townhouse | | | | C4 | C4 | P11 | P | P3 | P3 | P3 | P3 | |

| | | | | | | | | | | | | |
|---|-----------------------------------|-----------------------|-----------------------|--|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| | | | | | | C12 | | | | | | |
| * | Apartment | | | | C4 | C4 | P5 C5 | P | P3 | P3 | P3 | P3 |
| * | Mobile Home Park | | | | S13 | | C8 | P | | | | |
| * | Cottage Housing | | | | | | P15 | | | | | |
| | GROUP RESIDENCES: | | | | | | | | | | | |
| * | 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 |
| | ACCESSORY USES: | | | | | | | | | | | |
| * | Residential Accessory Uses | P7 ((P17)) | P7 | | P7 | P7 | P7 | P7 | P7 | P7 | P7 | P7 |
| * | Home Occupation | ((P18)) <u>P17</u> | ((P18)) <u>P17</u> | | ((P18)) <u>P17</u> | ((P18)) <u>P17</u> | ((P18)) <u>P17</u> | ((P18)) <u>P17</u> | ((P18)) <u>P17</u> | ((P18)) <u>P17</u> | ((P18)) <u>P17</u> | ((P18)) <u>P17</u> |
| * | Home Industry | C | | | C | C | C | | | | | |
| | TEMPORARY LODGING: | | | | | | | | | | | |
| 7011 | Hotel/Motel (1) | | | | | | | | | P | P | P |
| * | Bed and Breakfast Guesthouse | P9 | | | P9 | P9 | P9 | P9 | P9 | P10 | P10 | |
| 7041 | Organization Hotel/Lodging Houses | | | | | | | | | | P | |
| GENERAL CROSS Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; REFERENCES: 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. | | | | | | | | | | | | |

298

B. Development conditions.

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1. Except bed and breakfast guesthouses.

300

2. In the forest production district, the following conditions apply:

301 a. Site disturbance associated with development of any new residence shall be
302 limited to three acres. Site disturbance shall mean all land alterations including, but not
303 limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage
304 disposal systems and driveways. Additional site disturbance for agriculture, including
305 raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be
306 approved only if a farm management plan is prepared in accordance with K.C.C. chapter
307 21A.30. Animal densities shall be based on the area devoted to animal care and not the
308 total area of the lot;

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

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

314 3. Only as part of a mixed use development subject to the conditions of K.C.C.
315 chapter 21A.14, except that in the NB zone on properties with a land use designation of
316 commercial outside of center (CO) in the urban areas, stand-alone townhouse
317 developments are permitted subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060 and
318 21A.14.180.

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

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

(1) At least fifty percent of the site is constrained by unbuildable critical areas. For purposes of this subsection B.5.a.(1), unbuildable critical areas includes wetlands, aquatic areas and slopes forty percent or steeper and associated buffers; and

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

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

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

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

7.a. Accessory dwelling units:

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

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

(a) an urban lot that is less than five thousand square feet in area;

(b) except as otherwise provided in subsection B.7.a.(5) of this section, a rural lot that is less than the minimum lot size; or

(c) a lot containing more than one primary dwelling;

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

(4)(a) Except as otherwise provided in subsection B.7.a.(5) of this section, one of the dwelling units shall not exceed one thousand square feet of heated floor area except when one of the dwelling units is wholly contained within a basement or attic; and

(b) When the primary and accessory dwelling units are located in the same building, or in multiple buildings connected by a breezeway or other structure, only one entrance may be located on each street;

(5) On a site zoned RA:

(a) If one transferable development right is purchased from the rural area under K.C.C. chapter 21A.37, the smaller of the dwelling units is permitted a maximum floor area up to one thousand five hundred square feet; and

(b) If one transferable development right is purchased from the rural area under K.C.C. chapter 21A.37, a detached accessory dwelling unit is allowed on an RA-5 zoned lot that is at least two and one-half acres and less than three and three-quarters acres;

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

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

(8) An applicant seeking to build an accessory dwelling unit shall file a notice approved by the department of executive services, records and licensing services division, that identifies the dwelling unit as accessory. The notice shall run with the land. The applicant shall submit proof that the notice was filed before the department shall approve any permit for the construction of the accessory dwelling unit. The required contents and form of the notice shall be set forth in administrative rules. If an accessory dwelling unit in a detached building in the rural zone is subsequently converted to a primary unit on a separate lot, neither the original lot nor the new lot may have an

366 additional detached accessory dwelling unit constructed unless the lot is at least twice the
367 minimum lot area required in the zone; and

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

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

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

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

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

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

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

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

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

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

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

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

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

14.a. Limited to domestic violence shelter facilities.

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

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

a. developments no larger than one acre;

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

c. All units must be cottage housing units with no less than three units and no more than sixteen units, provided that if the site contains an existing home that is not being demolished, the existing house is not required to comply with the height limitation in K.C.C. 21A.12.020.B.25. or the floor area and footprint limits in K.C.C. 21A.14.025.B.; and

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

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

- 411 a. The lot must have legally existed before March 1, 2005;
- 412 b. The lot has a Comprehensive Plan land use designation of Rural
- 413 Neighborhood Commercial Center or Rural Area; and
- 414 c. The standards of this title for the RA-5 zone shall apply.
- 415 17. ~~((Housing for agricultural employees who are employed by the owner or~~
- 416 ~~operator of the site year round as follows:~~
- 417 ~~a. Not more than:~~
- 418 ~~(1) One agricultural employee dwelling unit on a site under twenty acres;~~
- 419 ~~(2) Two agricultural employee dwelling units on a site between twenty acres~~
- 420 ~~and fifty acres;~~
- 421 ~~(3) Three agricultural employee dwelling units on a site greater than fifty~~
- 422 ~~acres and less than one hundred acres; and~~
- 423 ~~(4) On sites one hundred acres and larger one additional agricultural~~
- 424 ~~employee dwelling unit for each additional one hundred acres;~~
- 425 ~~b. The primary use of the site shall be agricultural in SIC Industry Group No.~~
- 426 ~~01 Growing and Harvesting Crops or SIC Industry Group No. 02 Raising Livestock and~~
- 427 ~~Small Animals. If the primary use of the site changes to a nonagricultural use, all~~
- 428 ~~agricultural employee dwelling units shall be removed;~~
- 429 ~~c. The applicant shall file with the department of executive services, records~~
- 430 ~~and licensing services division, a notice approved by the department that identifies the~~
- 431 ~~agricultural employee dwelling units as accessory and that the dwelling units shall only~~
- 432 ~~be occupied by agricultural employees who are employed by the owner or operator year-~~
- 433 ~~round. The notice shall run with the land. The applicant shall submit to the department~~

434 ~~proof that the notice was filed with the department of executive services, records and~~
 435 ~~licensing services division, before the department approves any permit for the~~
 436 ~~construction of agricultural employee dwelling units;~~

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

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

442 ~~f. The agricultural employee dwelling units shall be constructed in compliance~~
 443 ~~with K.C.C. Title 16.~~

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

445 SECTION 27. Ordinance 10870, Section 332, as amended, and K.C.C. 21A.08.050
 446 are each hereby amended to read as follows:

447 A. General services land uses.

| KEY | Z O N E | RESOURCE | | | R U R A L | RESIDENTIAL | | | | COMMERCIAL/INDUSTRIAL | | | | | | | |
|-------------------|------------------|----------|---|---|-----------------------|-------------|---|---|---|-----------------------|---|---|---|---|---|---|---|
| P-Permitted Use | | A | F | M | R | U | R | U | R | N | B | C | B | R | B | O | I |
| C-Conditional Use | | G | O | I | U | R | E | R | E | E | U | O | U | E | U | F | N |
| S-Special Use | | R | R | N | R | B | S | B | S | I | S | M | S | G | S | F | D |
| | | I | E | E | A | A | E | A | I | G | I | M | I | I | I | I | U |
| | | C | S | R | L | N | R | N | D | H | N | U | N | O | N | C | S |
| | | U | T | A | | | V | | E | B | E | N | E | N | E | E | T |
| | | L | | L | A | | E | | N | O | S | I | S | A | S | | R |
| | | T | | | R | | | | T | R | S | T | S | L | S | | I |
| | | U | | | E | | | | I | H | | Y | | | | | A |
| | R | | | A | | | | A | O | | | | | | | L | |
| E | | | | | | | L | O | | | | | | | | | |

| | | | | | | | | | D | | | | |
|------|---------------------------------------|------------|---|---|-------------------------|--------------|-----------------------|-----------------------|---------|-----|--------|-----|--------|
| SIC# | SPECIFIC LAND USE | A | F | M | RA | UR | R1-8 | R12-48 | N B | CB | RB | O | I |
| | PERSONAL SERVICES: | | | | | | | | | | | | |
| 72 | General Personal Service | | | | | | C25 ((C37)) C36 | C25 ((C37)) C36 | P | P | P | P3 | P 3 |
| 7216 | Drycleaning Plants | | | | | | | | | | | | P |
| 7218 | Industrial Launderers | | | | | | | | | | | | P |
| 7261 | Funeral Home/Crematory | | | | | C4 | C4 | C4 | | P | P | | |
| * | Cemetery, Columbarium or Mausoleum | | | | P24 C5 and 31 | P24 C5 | P24 C5 | P24 C5 | P2 4 | P24 | P24 C5 | P24 | |
| * | Day Care I | P6 | | | P6 | P6 | P6 | P | P | P | P | P7 | P 7 |
| * | Day Care II | | | | P8 C | P8 C | P8 C | P8 C | P | P | P | P7 | P 7 |
| 074 | Veterinary Clinic | P9 | | | P9 C10 and 31 | P9 C10 | | | P1 0 | P10 | P10 | | P |
| 753 | Automotive Repair (1) | | | | | | | | P1 1 | P | P | | P |
| 754 | Automotive Service | | | | | | | | P1 1 | P | P | | P |
| 76 | Miscellaneous Repair | ((P33) | | | P32 ((P33)) | P32 | P32 | P32 | P3 2 | 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 P34 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 | P2 2 | P22 | P | P21 | P |
| * | Dog training facility | ((C3 4)) C33 | | | ((C34)) C33 | ((C34)) C33 | | | P | P | P | | P |
| | HEALTH SERVICES: | | | | | | | | | | | | |
| 801-04 | Office/Outpatient Clinic | | | | P12 C 13a | P12 C13a | P12 C13a ((C37)) C36 | P12 C13a ((C37)) C36 | P | P | P | P | P |
| 805 | Nursing and Personal Care Facilities | | | | | | | C | | P | P | | |
| 806 | Hospital | | | | | | C13a | C13a | | P | P | C | |
| 807 | Medical/Dental Lab | | | | | | | | | P | P | P | P |
| 808-09 | Miscellaneous Health | | | | | | | | | P | P | P | |
| | EDUCATION SERVICES: | | | | | | | | | | | | |
| * | Elementary School | | | | P38 P39 ((P40)) | P | P | P | | P16 ((P40)) P39 | P16 ((P40)) P39 | P16 ((P40)) P39 | |
| * | Middle/Junior High School | | | | ((P40 C39)) P39 C38 and 31 | P | P | P | | P16 ((C40)) C39 | P16 ((C40)) C39 | P16 ((C40)) C39 | |
| * | Secondary or High School | | | | ((C39)) C38 and 31 ((C41)) C40 and 31 | P26 | P26 | P26 | | P16 C15 | P16 C15 | P16 | |
| * | Vocational School | | | | | P13a C | P13a C | P13a C | | | P15 | P17 | P |
| * | Specialized Instruction | | P18 | | P19 | P19 C20 | P19 C20 | P19 C20 | P | P | P | P17 | ((|

| | | | | | | | | | | | | | |
|---|-------------------------------------|--|--|--|---------------|----------|----------|----------|---------|-----|-----|-----|-------------------------|
| | School | | | | C20 and 31 | | | | | | | | P 38) P 37 |
| * | School District Support Facility | | | | | P23 C | P23 C | P23 C | C1 5 | P15 | P15 | P15 | P 15 |
| GENERAL CROSS Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; REFERENCES: 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. | | | | | | | | | | | | | |

- 448 B. Development conditions.
- 449 1. Except SIC Industry No. 7534-Tire Retreading, see manufacturing permitted
- 450 use table.
- 451 2. Except SIC Industry Group Nos.:
- 452 a. 835-Day Care Services, and
- 453 b. Community residential facilities.
- 454 3. Limited to SIC Industry Group and Industry Nos.:
- 455 a. 723-Beauty Shops;
- 456 b. 724-Barber Shops;
- 457 c. 725-Shoe Repair Shops and Shoeshine Parlors;
- 458 d. 7212-Garment Pressing and Agents for Laundries and Drycleaners; and
- 459 e. 217-Carpet and Upholstery Cleaning.
- 460 4. Only as accessory to a cemetery, and prohibited from the UR zone only if the
- 461 property is located within a designated unincorporated Rural Town.
- 462 5. Structures shall maintain a minimum distance of one hundred feet from
- 463 property lines adjoining rural area and residential zones.

464 6. Only as accessory to residential use, and:

465 a. Outdoor play areas shall be completely enclosed by a solid wall or fence,

466 with no openings except for gates, and have a minimum height of six feet; and

467 b. Outdoor play equipment shall maintain a minimum distance of twenty feet

468 from property lines adjoining rural area and residential zones.

469 7. Permitted as an accessory use. See commercial/industrial accessory, K.C.C.

470 21A.08.060.A.

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

472 or an accessory use to a school, church, park, sport club or public housing administered

473 by a public agency, and:

474 a. Outdoor play areas shall be completely enclosed by a solid wall or fence,

475 with no openings except for gates and have a minimum height of six feet;

476 b. Outdoor play equipment shall maintain a minimum distance of twenty feet

477 from property lines adjoining rural area and residential zones;

478 c. Direct access to a developed arterial street shall be required in any

479 residential zone; and

480 d. Hours of operation may be restricted to assure compatibility with

481 surrounding development.

482 9. As a home occupation only, but the square footage limitations in K.C.C.

483 chapter 21A.30 for home occupations apply only to the office space for the veterinary

484 clinic, and:

485 a. Boarding or overnight stay of animals is allowed only on sites of five acres

486 or more;

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

488 c. The portion of the building or structure in which animals are kept or treated

489 shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be

490 surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with

491 concrete or other impervious material; and

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

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

494 b. The portion of the building or structure in which animals are kept or treated

495 shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be

496 surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with

497 concrete or other impervious material; and

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

499 11. The repair work or service shall only be performed in an enclosed building,

500 and no outdoor storage of materials. SIC Industry No. 7532-Top, Body, and Upholstery

501 Repair Shops and Paint Shops is not allowed.

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

503 Before filing an application with the department, the applicant shall hold a community

504 meeting in accordance with K.C.C. 20.20.035.

505 13.a. Except as otherwise provided in subsection B.13.b. of this (~~(sub)~~)section,

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

507 b. Allowed for a social service agency on a site in the NB zone that serves

508 transitional or low-income housing located within three hundred feet of the site on which

509 the social service agency is located.

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

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

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

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

17. All instruction must be within an enclosed structure.

18. Limited to resource management education programs.

19. Only as accessory to residential use, and:

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

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

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

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

20. Subject to the following:

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

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

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

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

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

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

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

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

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

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

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

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

21. Limited to:

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

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

(1) the site is five acres or greater;

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

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

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

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

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

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

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

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

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

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

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

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

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

595 28. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
596 21A.32 or as a joint use of an existing public school facility.

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

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

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

32. Limited to repair of sports and recreation equipment:

- a. as accessory to a recreation or multiuse park in the urban growth area; or
- b. as accessory to a park and limited to a total floor area of seven hundred fifty square feet.

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

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

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

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

34.)) Subject to the following:

a. the lot is at least five acres;

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

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

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

625 (~~(35-)~~) 34. Limited to animal rescue shelters and provided that:

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

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

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

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

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

635 (~~(36-)~~) 35. Limited to kennel-free dog boarding and daycare facilities, and:

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

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

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

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

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

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

647 (~~(37.))~~ 36. Not permitted in R-1 and subject to the additional requirements in
648 K.C.C. 21A.12.250.

649 (~~(38.))~~ 37. Driver training is limited to driver training schools licensed under
650 chapter 46.82 RCW.

651 (~~(39.))~~ 38. A school may be located outside of the urban growth area only if
652 allowed under King County Comprehensive Plan policies.

653 (~~(40.))~~ 39. Only as a reuse of an existing public school.

654 (~~(41.))~~ 40. A high school may be allowed as a reuse of an existing public school if
655 allowed under King County Comprehensive Plan policies.

656 (~~(42.))~~ 41. Commercial kennels and commercial catteries in the A zone are
657 subject to the following:

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

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

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

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

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

668 (4) Obedience training classes are not allowed except as provided in subsection
669 (~~(B.34.))~~ B.33. of this section.

670 ((43-)) 42. Commercial kennels and commercial catteries are subject to K.C.C.

671 21A.30.020.

672 SECTION 28. Ordinance 10870, Section 333, as amended, and K.C.C. 21A.08.060

673 are each hereby amended to read as follows:

674 A Government/business services land uses.

| KEY | | Z O N E | RESOURCE | | | R U R A L | RESIDENTIAL | | | COMMERCIAL/INDUSTRIAL | | | | |
|-------------------|---------------------------------|------------------|----------|---|---|-----------------------|----------------|--------------------|--------------------|-----------------------|-----|-----|---|----------------------|
| P-Permitted Use | | | A | F | M | R | U R | U | R | N B | C B | R B | O | I |
| C-Conditional Use | | | G | O | I | U | R E | R | E | E U | O U | E U | F | N |
| S-Special Use | | | R | R | N | R | B S | B | S | I S | M S | G S | F | D |
| | | | I | E | E | A | A E | A | I | G I | M I | I I | I | U |
| | | | C | S | R | L | N R | N | D | H N | U N | O N | C | S |
| | | | U | T | A | | V | | E | B E | N E | N E | E | T |
| | | | L | | L | A | E | | N | O S | I S | A S | | R |
| | | | T | | | R | | | T | R S | T S | L S | | I |
| | | | U | | | E | | | I | H | Y | | | A |
| | | | R | | | A | | | A | O | | | | L |
| | | | E | | | | | | L | O | | | | |
| | | | | | | | | | D | | | | | |
| SIC# | SPECIFIC LAND USE | | A | F | M | RA | UR | R1- 8 | R12- 48 | NB | CB | RB | O | I (((30)) 29) |
| | GOVERNMENT SERVICES: | | | | | | | | | | | | | |
| * | Public agency or utility office | | | | | P3 C5 | P3 C5 | P3 C | P3 C | P | P | P | P | ((P16) P15 |
| * | Public agency or utility yard | | | | | ((P2 7)) P26 | ((P27)) P26 | ((P2 7)) P26 | ((P2 7)) P26 | | | P | | P |
| * | Public agency archives | | | | | | | | | | | P | P | P |
| 921 | Court | | | | | | | | | | P4 | P | P | |

[illegible]

| | | | | | | | | | | | | |
|--|--------------------------------------|--|--|---|---------------------------|---------------------------|---------------------------|---------------------------|------------------------|---------------------------|-----------------------------|----------------------------|
| 472 | Passenger Transportation Service | | | | | | | | P | P | P | |
| 48 | Communication Offices | | | | | | | | | P | P | P |
| 482 | Telegraph and other Communications | | | | | | | | P | P | P | P |
| * | General Business Service | | | | | | | P | P | P | P | ((P16)) <u>P15</u> |
| * | Professional Office | | | | | | | P | P | P | P | ((P16)) <u>P15</u> |
| 7312 | Outdoor Advertising Service | | | | | | | | | P | ((P17)) <u>P16</u> | P |
| 735 | Miscellaneous Equipment Rental | | | | | | | | ((P17)) <u>P16</u> | P | ((P17)) <u>P16</u> | P |
| 751 | Automotive Rental and Leasing | | | | | | | | P | P | | P |
| 752 | Automotive Parking | | | | | | | ((P20)) <u>P19a</u> | ((P20)) <u>P19b</u> | ((P2 4)) <u>P20</u> | ((P20))) <u>P19a</u> | P |
| * | Off-Street Required Parking Lot | | | | ((P3 2)) <u>P31</u> | ((P32)) <u>P31</u> | ((P3 2)) <u>P31</u> | ((P3 2)) <u>P31</u> | ((P32)) <u>P31</u> | ((P32)) <u>P31</u> | ((P3 2)) <u>P31</u> | ((P32))) <u>P31</u> |
| 7941 | Professional Sport Teams/Promoters | | | | | | | | | P | P | |
| 873 | Research, Development and Testing | | | | | | | | | P2 | P2 | P2 |
| * | Heavy Equipment and Truck Repair | | | | | | | | | | | P |
| | ACCESSORY USES: | | | | | | | | | | | |
| * | Commercial/Industrial Accessory Uses | | | P | ((P2 2)) <u>P21</u> | | | ((P22)) <u>P21</u> | ((P22)) <u>P21</u> | P | P | P |
| * | Helistop | | | | ((C23)) <u>C22</u> | ((C2 3)) <u>C22</u> | ((C2 3)) <u>C22</u> | ((C23)) <u>C22</u> | ((C23)) <u>C23</u> | ((C2 4)) <u>C23</u> | ((C2 3)) <u>C22</u> | ((C24)) <u>C23</u> |
| GENERAL Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; | | | | | | | | | | | | |
| CROSS Development Standards, see chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; | | | | | | | | | | | | |

| |
|--|
| REFERENCES: 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. |
|--|

675 B. Development conditions.

676 1. Except self-service storage.

677 2. Except SIC Industry No. 8732-Commercial Economic, Sociological, and
678 Educational Research, see general business service/office.

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

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

683 4. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
684 21A.32.

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

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

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

694 c. No outdoor storage; and

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

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

698 a. holding cells;

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

700 c. long-term storage of stolen properties.

701 8. Private stormwater management facilities serving development proposals

702 located on commercial/industrial zoned lands shall also be located on

703 commercial/industrial lands, unless participating in an approved shared facility drainage

704 plan. Such facilities serving development within an area designated urban in the King

705 County Comprehensive Plan shall only be located in the urban area.

706 9. No outdoor storage of materials.

707 10. Limited to office uses.

708 11. Limited to self-service household moving truck or trailer rental accessory to

709 a gasoline service station.

710 12. Limited to self-service household moving truck or trailer rental accessory to

711 a gasoline service station and SIC Industry No. 4215-Courier Services, except by air.

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

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

714 a. The gross floor area in self service storage shall not exceed the total gross

715 floor area of the apartment dwellings on the site;

716 b. All outdoor lights shall be deflected, shaded and focused away from all

717 adjoining property;

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

- 719 d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or
720 similar equipment;
- 721 e. No outdoor storage or storage of flammable liquids, highly combustible or
722 explosive materials or hazardous chemicals;
- 723 f. No residential occupancy of the storage units;
- 724 g. No business activity other than the rental of storage units; and
- 725 h. A resident director shall be required on the site and shall be responsible for
726 maintaining the operation of the facility in conformance with the conditions of approval.
- 727 i. Before filing an application with the department, the applicant shall hold a
728 community meeting in accordance with K.C.C. 20.20.035.

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

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

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

738 ~~16.))~~ Only as an accessory use to another permitted use.

739 ~~((17.))~~ 16. No outdoor storage.

740 ~~((18.))~~ 17. Only as an accessory use to a public agency or utility yard, or to a
741 transfer station.

742 ~~((19.))~~ 18. Limited to new commuter parking lots designed for thirty or fewer
743 parking spaces or commuter parking lots located on existing parking lots for churches,
744 schools, or other permitted nonresidential uses that have excess capacity available during
745 commuting; provided that the new or existing lot is adjacent to a designated arterial that
746 has been improved to a standard acceptable to the department of transportation;

747 ~~((20.))~~ 19.a. No tow-in lots for damaged, abandoned or otherwise impounded
748 vehicles~~((,))~~; and

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

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

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

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

754 ~~((21.))~~ 20. No dismantling or salvage of damaged, abandoned or otherwise
755 impounded vehicles.

756 ~~((22.))~~ 21. Storage limited to accessory storage of commodities sold at retail on
757 the premises or materials used in the fabrication of commodities sold on the premises.

758 ~~((23.))~~ 22. Limited to emergency medical evacuation sites in conjunction with
759 police, fire or health service facility. Helistops are prohibited from the UR zone only if
760 the property is located within a designated unincorporated Rural Town.

761 ~~((24.))~~ 23. Allowed as accessory to an allowed use.

762 ~~((25.))~~ 24. Limited to private road ambulance services with no outside storage
763 of vehicles.

764 ~~((26.))~~ 25. Limited to two acres or less.

765 ((27)) 26.a. Utility yards only on sites with utility district offices; or
766 b. Public agency yards are limited to material storage for road maintenance
767 facilities.

768 ((28)) 27. Limited to bulk gas storage tanks that pipe to individual residences
769 but excluding liquefied natural gas storage tanks.

770 ((29)) 28. Excluding bulk gas storage tanks.

771 ((30)) 29. For I-zoned sites located outside the urban growth area designated by
772 the King County Comprehensive Plan, uses shall be subject to the provisions for rural
773 industrial uses in K.C.C. chapter 21A.12.

774 ((31)) 30. Vactor waste treatment, storage and disposal shall be limited to liquid
775 materials. Materials shall be disposed of directly into a sewer system, or shall be stored
776 in tanks (or other covered structures), as well as enclosed buildings.

777 ((32)) 31. Subject to the following:

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

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

782 c.(1) Except as provided in subsection ((~~B.32.c.(2)~~)) B.31.c.(2) of this
783 subsection, off-street required parking must be located on a lot that would permit, either
784 outright or through a land use permit approval process, the land use the off-street parking
785 will serve.

786 (2) For a social service agency allowed under K.C.C. 21A.08.050B.13.b. to
787 be located on a site in the NB zone, off-street required parking may be located on a site

within three hundred feet of the social service agency, regardless of zoning classification of the site on which the parking is located.

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

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

~~((35.))~~ 33. Allowed as a primary or accessory use to an allowed industrial-zoned land use.

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

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

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

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

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

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

817 37)) 34. Use shall be limited to the NB zone on parcels outside of the Urban
818 Growth Area, Rural Towns and Rural Neighborhoods and the building floor area devoted
819 to such use shall not exceed ten thousand square feet.

820 SECTION 29. Ordinance 10870, Section 334, as amended, and K.C.C. 21A.08.070
821 are each hereby amended to read as follows:

822 A. Retail land uses.

| KEY | | RESOURCE | | | R U R A L | RESIDENTIAL | | | | COMMERCIAL/INDUSTRIAL | | | | | | | | |
|----------------------|--|----------|---|---|-----------------------|-------------|---|---|---|-----------------------|---|---|---|---|---|---|---|---|
| P-Permitted Use | | A | F | M | R | U | R | U | R | N | B | C | B | R | B | O | I | |
| C-Conditional Use | | G | O | I | U | R | E | R | E | E | U | O | U | E | U | F | N | |
| S-Special Use | | R | R | N | R | B | S | B | S | I | S | M | S | G | S | F | D | |
| | | O | I | E | E | A | A | E | A | I | G | I | M | I | I | I | 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 D | | | | |
| SIC# | SPECIFIC LAND USE | A | F | M | RA | UR | R1-8 | R12- 48 | NB | CB | RB | O | I (30) | |
| * | Building Materials and Hardware Stores | | ((P23) <u>P20</u> | | | | | | 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) <u>C13a</u> | ((P14) <u>P13</u> | P5 | P | P | | | |
| 54 | Food Stores | | | | | | ((C15a) <u>C14a</u> | ((P15) <u>P14</u> | P | P | P | C | P6 | |
| * | Agricultural Product Sales | ((P7 €7)) | P4 | | P3 ((P7 €7)) | P3 | P3 | ((P25) <u>P22</u> | ((P25) <u>P22</u> | ((P25) <u>P22</u> | ((P25) <u>P22</u> | ((P25) <u>P22</u> | ((P25) <u>P22</u> | |
| * | Farmers Market | ((P24) <u>P21</u> | ((P24) <u>P21</u> | | ((P24) <u>P21</u> | ((P24) <u>P21</u> | ((P24) <u>P21</u> | ((P24) <u>P21</u> | ((P24) <u>P21</u> | ((P24) <u>P21</u> | ((P24) <u>P21</u> | ((P24) <u>P21</u> | ((P24) <u>P21</u> | |
| * | Motor Vehicle and Boat Dealers | | | | | | | | | | ((P8) <u>P7</u> | | P | |
| 553 | Auto Supply Stores | | | | | | | | | ((P9) <u>P8</u> | ((P9) <u>P8</u> | | P | |

| | | | | | | | | | | | | | |
|-----|---|--------------------------|--|--------------------------|--|----------------|--|--|----------------|--|--|--------------------------|--------------------------|
| 554 | Gasoline Service Stations | | | | | | | | P | P | P | | P |
| 56 | Apparel and Accessory Stores | | | | | | | | | P | P | | |
| * | Furniture and Home Furnishings Stores | | | | | | | | | P | P | | |
| 58 | Eating and Drinking Places | | | | ((P24 €49)) <u>P18</u> <u>C16</u> | | ((P20 €46)) <u>P17</u> <u>C15</u> | ((P20 €46)) <u>P17</u> <u>C15</u> | ((P10) P9 | P | P | P | P |
| * | Drug Stores | | | | | | ((C15)) <u>C14</u> | ((P15) <u>P14</u> | P | P | P | C | |
| * | Recreational marijuana retailer | | | | | | | | | ((P26 €27)) <u>P23</u> <u>C24</u> | ((P26 €27)) <u>P23</u> <u>C24</u> | | |
| 592 | Liquor Stores | ((P13) <u>P12</u> | | | ((P13) <u>P12</u> | ((P13) P12 | | | ((P13) P12 | P | P | | |
| 593 | Used Goods: Antiques/ Secondhand Shops | | | | | | | | | P | P | | |
| * | Sporting Goods and Related Stores | | | ((P22) <u>P19</u> | ((P22) <u>P19</u> | ((P22) P19 | ((P22) <u>P19</u> | ((P22) <u>P19</u> | ((P22) P19 | P | P | ((P22) <u>P19</u> | ((P22) <u>P19</u> |
| * | Book, Stationery, Video and Art Supply Stores | | | | | | ((C15a) C14a | ((P15) <u>P14</u> | P | P | P | | |

| | | | | | | | | | | | | | |
|--|--|------------|------------|--|------------|------------|-----------------------|--------------------|---|-----------------|-----------------|---|---|
| * | Jewelry Stores | | | | | | | | | P | P | | |
| * | Monuments , Tombstones , and Gravestone s | | | | | | | | | | P | | |
| * | Hobby, Toy, Game Shops | | | | | | | | P | P | P | | |
| * | Photographi c and Electronic Shops | | | | | | | | P | P | P | | |
| * | Fabric Shops | | | | | | | | | P | P | | |
| 598 | Fuel Dealers | | | | | | | | | ((C14)) C10 | P | | P |
| * | Florist Shops | | | | | | ((C15) a)) C14a | ((P15)) P14 | P | P | P | P | |
| * | Personal Medical Supply Stores | | | | | | | | | P | P | | |
| * | Pet Shops | | | | | | | | P | P | P | | |
| * | Bulk Retail | | | | | | | | | P | P | | |
| * | Auction Houses | | | | | | | | | | ((P12)) P11 | | P |
| * | Livestock Sales | ((P17) | ((P17) | | ((P17) | ((P17) | ((P17 and 18)) | | | | | | P |
| GENERAL Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; CROSS Development Standards, see K.C.C. chapters 21A.12 through 21A.30; REFERENCES: 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. | | | | | | | | | | | | | |

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

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

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

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

2. Only hardware stores.

3.a. Limited to products grown on site.

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

4. No permanent structures or signs.

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

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

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

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

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

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

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

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

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

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

((9.)) 8. Only the sale of new or reconditioned automobile supplies is permitted.

((10.)) 9. Excluding SIC Industry No. 5813-Drinking Places.

((11.)) 10. No outside storage of fuel trucks and equipment.

((12.)) 11. Excluding vehicle and livestock auctions.

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

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

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

~~((15.))~~ 14.a. Not permitted in R-1 and limited to a maximum of five thousand square feet of gross floor area and subject to K.C.C. 21A.12.230; and

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

~~((16.))~~ 15.a. Not permitted in R-1 and excluding SIC Industry No. 5813-Drinking Places, and limited to a maximum of five thousand square feet of gross floor area and subject to K.C.C. 21A.12.230, except as provided in subsection ~~((B.20.))~~ B.17. of this section; and

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

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

~~18. Limited to the R-1 zone.~~

~~19.))~~ 16. Only as:

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

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

~~((20.))~~ 17. Only as:

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

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

892 (~~((21.))~~) 18. Accessory to a park, limited to a total floor area of seven hundred
893 fifty square feet.

894 (~~((22.))~~) 19. Only as an accessory use to:

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

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

898 (~~((23.))~~) 20. Only as accessory to SIC Industry Group No. 242-Sawmills and SIC
899 Industry No. 2431-Millwork and;

900 a. limited to lumber milled on site; and

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

903 (~~((24.))~~) 21. Requires at least five farmers selling their own products at each
904 market and the annual value of sales by farmers should exceed the annual sales value of
905 nonfarmer vendors.

906 (~~((25.))~~) 22. Limited to sites located within the urban growth area and:

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

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

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

913 ((26.)) 23. Per parcel, limited to a maximum aggregated total of two thousand
 914 square feet of gross floor area devoted to, and in support of, the retail sale of marijuana.

915 ((27.)) 24. Per parcel, limited to a maximum aggregated total of five thousand
 916 square feet gross floor area devoted to, and in support of, the retail sale of marijuana.

917 SECTION 30. Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080
 918 are each hereby amended to read as follows:

919 A. Manufacturing land uses.

| KEY | | Z |
|-----|--|---|
|-----|--|---|

| | | | | | | | | | | | | | |
|--|---|-----|--|--|-----|--|--|----|--------|--------|-----|--------|---|
| 26 | Paper and Allied Products | | | | | | | | | | | | C |
| 27 | Printing and Publishing | | | | | | | P7 | P7 | P7C | P7C | P | |
| * | Recreational marijuana Processor I | P20 | | | P20 | | | | P21C22 | P21C22 | | | |
| * | Recreational marijuana Processor II | | | | | | | | P23C24 | P23C24 | | P25C26 | |
| 28 | Chemicals and Allied Products | | | | | | | | | | | C | |
| 2911 | Petroleum Refining and Related Industries | | | | | | | | | | | C | |
| 30 | Rubber and Misc. Plastics Products | | | | | | | | | | | C | |
| 31 | Leather and Leather Goods | | | | | | | | | C | | P | |
| 32 | Stone, Clay, Glass and Concrete Products | | | | | | | | P6 | P9 | | P | |
| 33 | Primary Metal Industries | | | | | | | | | | | C | |
| 34 | Fabricated Metal Products | | | | | | | | | | | P | |
| 35 | Industrial and Commercial Machinery | | | | | | | | | | | P | |
| 351-55 | Heavy Machinery and Equipment | | | | | | | | | | | C | |
| 357 | Computer and Office Equipment | | | | | | | | | C | C | P | |
| 36 | Electronic and other Electric Equipment | | | | | | | | | C | | P | |
| 374 | Railroad Equipment | | | | | | | | | | | C | |
| 376 | Guided Missile and Space Vehicle Parts | | | | | | | | | | | C | |
| 379 | Miscellaneous Transportation Vehicles | | | | | | | | | | | C | |
| 38 | Measuring and Controlling Instruments | | | | | | | | | C | C | P | |
| 39 | Miscellaneous Light Manufacturing | | | | | | | | | C | | P | |
| * | Motor Vehicle and Bicycle Manufacturing | | | | | | | | | | | C | |
| * | Aircraft, Ship and Boat Building | | | | | | | | | | | P10C | |
| 7534 | Tire Retreading | | | | | | | | | C | | P | |
| 781-82 | Movie Production/Distribution | | | | | | | | | P | | P | |
| GENERAL CROSS Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; | | | | | | | | | | | | | |
| REFERENCES: 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 | | | | | | | | | | | | | |

920

B. Development conditions.

921

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

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

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

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

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

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

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

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

g. In the A zone, structures used for processing shall be located on portions of agricultural lands that are unsuitable for other agricultural purposes, such as areas within

the already developed portion of such agricultural lands that are not available for direct agricultural production, or areas without prime agricultural soils; and

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

2. Except slaughterhouses.

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

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

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

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

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

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

968 (~~(g-)~~) f. Tasting of products produced on site may be provided in accordance
969 with state law. The area devoted to tasting shall be included in the floor area limitation in
970 subsection (~~(B.3.c-)~~) B.3.b. of this section.

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

973 5. Limited to SIC Industry Group No. 242-Sawmills and SIC Industry No.
974 2431-Millwork. For RA zoned sites, if using lumber or timber grown off-site, the
975 minimum site area is four and one-half acres.

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

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

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

980 9. Only within enclosed buildings.

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

982 11. For I-zoned sites located outside the urban growth area designated by the
983 King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C.
984 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for
985 rural industrial uses as set forth in K.C.C. chapter 21A.12.

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

988 b.(1) Except as provided in subsection B.12.b.(2) of this section, the floor area
989 of structures for wineries, breweries and distilleries and any accessory uses shall not
990 exceed a total of eight thousand square feet. The floor area may be increased by up to an

additional eight thousand square feet of underground storage that is constructed completely below natural grade, not including required exits and access points, if the underground storage is at least one foot below the surface and is not visible above ground; and

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

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

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

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

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

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

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

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

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

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

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

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

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

a. as accessory to a primary mineral use; or

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

1036 15. Continuation of a materials processing facility after reclamation in
1037 accordance with an approved reclamation plan.

1038 16. Only a site that is ten acres or greater and that does not use local access
1039 streets that abut lots developed for residential use.

1040 17.a. Limited to wineries, SIC Industry No. 2082-Malt Beverages and SIC
1041 Industry No. 2085-Distilled and Blended Liquors;

1042 b. The floor area devoted to all processing shall not exceed three thousand five
1043 hundred square feet, unless located in a building designated as historic resource under
1044 K.C.C. chapter 20.62;

1045 c. Structures and areas used for processing shall maintain a minimum distance
1046 of seventy-five feet from property lines adjoining rural area and residential zones, unless
1047 located in a building designated as historic resource under K.C.C. chapter 20.62; and

1048 d. Tasting of products produced on site may be provided in accordance with
1049 state law. The area devoted to tasting shall be included in the floor area limitation in
1050 subsection B.18.b. of this section.

1051 18. Limited to:

1052 a. SIC Industry Group No. 242-Sawmills and SIC Industry No. 2431-
1053 Millwork, as follows:

1054 (1) If using lumber or timber grown off-site, the minimum site area is four
1055 and one-half acres;

1056 (2) The facility shall be limited to an annual production of no more than one
1057 hundred fifty thousand board feet;

1058 (3) Structures housing equipment used in the operation shall be located at
1059 least one-hundred feet from adjacent properties with residential or rural area zoning;

1060 (4) Deliveries and customer visits shall be limited to the hours of 8:00 a.m. to
1061 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

1062 (6) In the RA zone, the facility's driveway shall have adequate entering sight
1063 distance required by the 2007 King County Road Design and Construction Standards. An
1064 adequate turn around shall be provided on-site to prevent vehicles from backing out on to
1065 the roadway that the driveway accesses; and

1066 (7) Outside lighting is limited to avoid off-site glare; and

1067 b. SIC Industry No. 2411-Logging.

1068 19. Limited to manufacture of custom made wood furniture or cabinets.

1069 20.a. Only allowed on lots of at least four and one-half acres;

1070 b. Only as an accessory use to a Washington state Liquor Control Board
1071 licensed marijuana production facility on the same lot; and

1072 c. Accessory marijuana processing uses allowed under this section are subject
1073 to all limitations applicable to marijuana production uses under K.C.C. 21A.08.090.

1074 21.a. Only in the CB and RB zones located outside the urban growth area; and

1075 b. Per parcel, the aggregated total gross floor area devoted to the use of, and in
1076 support of, processing marijuana together with any separately authorized production of
1077 marijuana shall be limited to a maximum of two thousand square feet; and

1078 c. If the two thousand square foot per parcel threshold is exceeded, each and
1079 every marijuana-related entity occupying space in addition to the two thousand square

foot threshold area on that parcel shall obtain a conditional use permit as set forth in subsection B.23. of this section.

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

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

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

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

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

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

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

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

1101 26. Per parcel, limited to a maximum aggregate total of thirty thousand square
1102 feet of gross floor area devoted to, and in support of, the processing of marijuana together
1103 with any separately authorized production of marijuana.

1106 A. Resource land uses.

| | | | | | | | | | | | | | |
|---|--|------------------|-----------|-----------|-----|----|---|--|--|--|--|----|----|
| | FORESTRY: | | | | | | | | | | | | |
| 08 | Growing & Harvesting Forest Production | P | P | P7 | P | P | P | | | | | | P |
| * | Forest Research | | P | | P | P | | | | | | P2 | P |
| | FISH AND WILDLIFE MANAGEMENT: | | | | | | | | | | | | |
| 0921 | Hatchery/Fish Preserve (1) | P | P | | P | P | C | | | | | | P |
| 0273 | Aquaculture (1) | P | P | | P | P | C | | | | | | P |
| * | Wildlife Shelters | P | P | | P | P | | | | | | | |
| | MINERAL: | | | | | | | | | | | | |
| 10,12,14 | Mineral Extraction and Processing | | P9 C | P C11 | | | | | | | | | |
| 2951, 3271, 3273 | Asphalt/Concrete Mixtures and Block | | P8 C11 | P8 C11 | | | | | | | | | P |
| | ACCESSORY USES: | | | | | | | | | | | | |
| * | Resource Accessory Uses | P3 P23 P27 | P4 | P5 | P3 | P3 | | | | | | | P4 |
| * | Temporary Farm Worker Housing | P14 | P14 | | P14 | | | | | | | | |
| GENERAL CROSS Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; REFERENCES: 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. | | | | | | | | | | | | | |

1107

B. Development conditions.

1108

1. May be further subject to K.C.C. chapter 21A.25.

1109

2. Only forest research conducted within an enclosed building.

1110

3. ((~~Accessory dwelling units~~)) Farm houses: in accordance with K.C.C.

1111

21A.08.030.

1112

4. Excluding housing for agricultural workers.

1113

5. Limited to either maintenance or storage facilities, or both, in conjunction

1114

with mineral extraction or processing operation.

1115

6. Allowed in accordance with K.C.C. chapter 21A.30.

1116

7. Only in conjunction with a mineral extraction site plan approved in

1117

accordance with K.C.C. chapter 21A.22.

1118 8. Only on the same lot or same group of lots under common ownership or
1119 documented legal control, which includes, but is not limited to, fee simple ownership, a
1120 long-term lease or an easement:

1121 a. as accessory to a primary mineral extraction use;

1122 b. as a continuation of a mineral processing only for that period to complete
1123 delivery of products or projects under contract at the end of a mineral extraction; or

1124 c. for a public works project under a temporary grading permit issued in
1125 accordance with K.C.C. 16.82.152.

1126 9. Limited to mineral extraction and processing:

1127 a. on a lot or group of lots under common ownership or documented legal
1128 control, which includes but is not limited to, fee simple ownership, a long-term lease or
1129 an easement;

1130 b. that are located greater than one-quarter mile from an established residence;

1131 and

1132 c. that do not use local access streets that abut lots developed for residential
1133 use.

1134 10. Agriculture training facilities are allowed only as an accessory to existing
1135 agricultural uses and are subject to the following conditions:

1136 a. The impervious surface associated with the agriculture training facilities
1137 shall comprise not more than ten percent of the allowable impervious surface permitted
1138 under K.C.C. 21A.12.040;

1139 b. New or the expansion of existing structures, or other site improvements,
1140 shall not be located on class 1, 2 or 3 soils;

1141 c. The director may require reuse of surplus structures to the maximum extent
1142 practical;

1143 d. The director may require the clustering of new structures with existing
1144 structures;

1145 e. New structures or other site improvements shall be set back a minimum
1146 distance of seventy-five feet from property lines adjoining rural area and residential
1147 zones;

1148 f. Bulk and design of structures shall be compatible with the architectural style
1149 of the surrounding agricultural community;

1150 g. New sewers shall not be extended to the site;

1151 h. Traffic generated shall not impede the safe and efficient movement of
1152 agricultural vehicles, nor shall it require capacity improvements to rural roads;

1153 i. Agriculture training facilities may be used to provide educational services to
1154 the surrounding rural/agricultural community or for community events. Property owners
1155 may be required to obtain a temporary use permit for community events in accordance
1156 with K.C.C. chapter 21A.32;

1157 j. Use of lodging and food service facilities shall be limited only to activities
1158 conducted in conjunction with training and education programs or community events
1159 held on site;

1160 k. Incidental uses, such as office and storage, shall be limited to those that
1161 directly support education and training activities or farm operations; and

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

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

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

(1) passive recreation;

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

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

(4) agriculture education for youth.

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

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

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

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

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

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

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

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

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

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

1208 j. Incidental uses, such as office and storage, shall be limited to those that
1209 directly support camp activities, farm operations or agricultural education programs;

1210 k. New nonagricultural camp structures and site improvements shall maintain a
1211 minimum set-back of seventy-five feet from property lines adjoining rural area and
1212 residential zones;

1213 l. Except for legal nonconforming structures existing as of January 1, 2007,
1214 camp facilities, such as a medical station, food service hall and activity rooms, shall be of
1215 a scale to serve overnight camp users;

1216 m. Landscaping equivalent to a type III landscaping screen, as provided for in
1217 K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures
1218 and site improvements located within two hundred feet of an adjacent rural area and
1219 residential zoned property not associated with the camp;

1220 n. New sewers shall not be extended to the site;

1221 o. The total number of persons staying overnight shall not exceed three
1222 hundred;

1223 p. The length of stay for any individual overnight camper, not including camp
1224 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

1225 q. Traffic generated by camp activities shall not impede the safe and efficient
1226 movement of agricultural vehicles nor shall it require capacity improvements to rural
1227 roads;

1228 r. If the site is adjacent to an arterial roadway, access to the site shall be
1229 directly onto the arterial unless the county road engineer determines that direct access is
1230 unsafe;

1231 s. If direct access to the site is via local access streets, transportation
1232 management measures shall be used to minimize adverse traffic impacts;
1233 t. Camp recreational activities shall not involve the use of motor vehicles
1234 unless the motor vehicles are part of an agricultural activity or are being used for the
1235 transportation of campers, camp personnel or the families of campers. Camp personnel
1236 may use motor vehicles for the operation and maintenance of the facility. Client-specific
1237 motorized personal mobility devices are allowed; and
1238 u. Lights to illuminate the camp or its structures shall be arranged to reflect the
1239 light away from any adjacent property.

1240 13. Limited to digester receiving plant and animal and other organic waste from
1241 agricultural activities, and including electrical generation, as follows:

1242 a. the digester must be included as part of a Washington state Department of
1243 Agriculture approved dairy nutrient plan;

1244 b. the digester must process at least seventy percent livestock manure or other
1245 agricultural organic material from farms in the vicinity, by volume;

1246 c. imported organic waste-derived material, such as food processing waste,
1247 may be processed in the digester for the purpose of increasing methane gas production for
1248 beneficial use, but not shall exceed thirty percent of volume processed by the digester;
1249 and

1250 d. the use must be accessory to an operating dairy or livestock operation.

1251 14. Farm worker housing. Either:

1252 a. Temporary farm worker housing subject to the following conditions:

1253 ~~((a-))~~ (1) The housing must be licensed by the Washington state Department
1254 of Health under chapter 70.114A RCW and chapter 246-358 WAC;

1255 ~~((b-))~~ (2) Water supply and sewage disposal systems must be approved by the
1256 Seattle King County department of health;

1257 ~~((c-))~~ (3) To the maximum extent practical, the housing should be located on
1258 nonfarmable areas that are already disturbed and should not be located in the floodplain
1259 or in a critical area or critical area buffer; and

1260 ~~((d-))~~ (4) The property owner shall file with the department of executive
1261 services, records and licensing services division, a notice approved by the department
1262 identifying the housing as ~~((the))~~ temporary farm worker housing ~~((as accessory))~~ and
1263 that the housing shall ~~((only))~~ be occupied only by agricultural employees and their
1264 families while employed by the owner or operator or on a nearby farm. The notice shall
1265 run with the land~~((;))~~; or

1266 b. Housing for agricultural employees who are employed by the owner or
1267 operator of the farm year-round as follows:

1268 (1) Not more than:

1269 (a) one agricultural employee dwelling unit on a site under twenty acres;

1270 (b) two agricultural employee dwelling units on a site between twenty acres
1271 and fifty acres;

1272 - (c) three agricultural employee dwelling units on a site greater than fifty
1273 acres and less than one-hundred acres; and

1274 (d) four agricultural employee dwelling units on sites one-hundred acres and
1275 larger and one additional agricultural employee dwelling unit for each additional one
1276 hundred acres thereafter;

1277 (2) If the primary use of the site changes to a nonagricultural use, all
1278 agricultural employee dwelling units shall be removed;

1279 (3) The applicant shall file with the department of executive services, records
1280 and licensing services division, a notice approved by the department that identifies the
1281 agricultural employee dwelling units as accessory and that the dwelling units shall only
1282 be occupied by agricultural employees who are employed by the owner or operator year-
1283 round. The notice shall run with the land. The applicant shall submit to the department
1284 proof that the notice was filed with the department of executive services, records and
1285 licensing services division, before the department approves any permit for the
1286 construction of agricultural employee dwelling units;

1287 (4) An agricultural employee dwelling unit shall not exceed a floor area of
1288 one thousand square feet and may be occupied by no more than eight unrelated
1289 agricultural employees;

1290 (5) To the maximum extent practical, the housing should be located on
1291 nonfarmable areas that are already disturbed;

1292 (6) One off-street parking space shall be provided for each agricultural
1293 employee dwelling unit; and

1294 (7) The agricultural employee dwelling units shall be constructed in
1295 compliance with K.C.C. Title 16.

1296 15. Marijuana production by marijuana producers licensed by the Washington
1297 state Liquor Control Board is subject to the following standards:

1298 a. Production is limited to outdoor, indoor within marijuana greenhouses, and
1299 within structures that are nondwelling unit structures that exist as of October 1, 2013,
1300 subject to the size limitations in subsection B.15.b. of this section;

1301 b. Per parcel, the plant canopy, as defined in WAC 314-55-010, combined with
1302 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
1303 aggregated total of two thousand square feet and shall be located within a fenced area or
1304 marijuana greenhouse that is no more than ten percent larger than that combined area, or
1305 may occur in nondwelling unit structures that exist as of October 1, 2013; and

1306 c. Outdoor production area fencing as required by the Washington state Liquor
1307 Control Board and marijuana greenhouses shall maintain a minimum street setback of
1308 fifty feet and a minimum interior setback of thirty feet.

1309 16. Marijuana production by marijuana producers licensed by the Washington
1310 state Liquor Control Board is subject to the following standards:

1311 a. Production is limited to outdoor, indoor within marijuana greenhouses, and
1312 within nondwelling unit structures that exist as of October 1, 2013, subject to the size
1313 limitations in subsection B.16.b. of this section;

1314 b. Per parcel, the plant canopy, as defined in WAC 314-55-010, combined with
1315 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
1316 aggregated total of two thousand square feet and shall be located within a fenced area or
1317 marijuana greenhouse, that is no more than ten percent larger than that combined area, or
1318 may occur in nondwelling unit structures that exist as of October 1, 2013;

1319 c. Only allowed on lots of at least four and one-half acres; and
1320 d. Outdoor production area fencing as required by the Washington state Liquor
1321 Control Board and marijuana greenhouses shall maintain a minimum street setback of
1322 fifty feet and a minimum interior setback of thirty feet; and
1323 e. If the two thousand square foot per parcel threshold of plant canopy within
1324 fenced areas or marijuana greenhouses is exceeded, each and every marijuana-related
1325 entity occupying space in addition to the two thousand square foot threshold area on that
1326 parcel shall obtain a conditional use permit as set forth in subsection B.17. of this section.

1327 17. Marijuana production by marijuana producers licensed by the Washington
1328 state Liquor Control Board is subject to the following standards:

1329 a. Production is limited to outdoor and indoor within marijuana greenhouses
1330 subject to the size limitations in subsection B.17.b. of this section;

1331 b. Per parcel, the plant canopy, as defined in WAC 314-55-010, combined with
1332 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
1333 aggregated total of thirty thousand square feet and shall be located within a fenced area or
1334 marijuana greenhouse that is no more than ten percent larger than that combined area;
1335 and

1336 c. Only allowed on lots of at least four and one-half acres.

1337 18.a. Production is limited to indoor only; and

1338 b. Per parcel, the plant canopy, as defined in WAC 314-55-010, combined with
1339 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1340 aggregated total of two thousand square feet and shall be located within a building or

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

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

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

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

20.a. Production is limited to indoor only;

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

21.a. Production is limited to indoor only;

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

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

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

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

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

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

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

a. agricultural is the primary use of the site;

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

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

1386 24.a. For activities relating to the manufacturing or processing of crops or
1387 livestock for commercial purposes, including associated activities such as warehousing,
1388 storage, including refrigeration, and other similar activities and excluding wineries, SIC
1389 Industry No. 2085 – Distilled and Blended Liquors and SIC Industry No. 2082 – Malt
1390 Beverages:

1391 (1) in the RA and UR zones, only allowed on lots of at least four and one-half
1392 acres;

1393 (2) limited to agricultural products and sixty percent or more of the products
1394 processed must be grown in the Puget Sound counties. At the time of initial application,
1395 the applicant shall submit a projection of the source of products to be produced;

1396 (3) structures and areas used for processing, warehousing, storage, including
1397 refrigeration, and other similar activities shall maintain a minimum distance of seventy-
1398 five feet from property lines adjoining rural area and residential zones, unless located in a
1399 building designated as historic resource under K.C.C. chapter 20.62;

1400 (4) in the A zone, structures and areas used for processing, warehousing,
1401 refrigeration, storage and other similar activities shall be located on portions of
1402 agricultural lands that are unsuitable for other agricultural purposes, such as areas within
1403 the already developed portion of such agricultural lands that are not available for direct
1404 agricultural production, or areas without prime agricultural soils; and

1405 (5)(a) as a permitted use, the floor area devoted to all processing shall not
1406 exceed three thousand five hundred square feet, unless located in a building designated as
1407 an historic resource under K.C.C. chapter 20.62. The department may review and
1408 approve, in accordance with the code compliance review process in section 33 of this

ordinance, an increase in the processing floor area as follows: up to five thousand square feet of floor area may be devoted to all processing in the RA zones or on lots less than thirty-five acres located in the A zones or up to seven thousand square feet on lots greater than thirty-five acres in the A zone, unless located in a building designated as historic resource under K.C.C. chapter 20.62; and

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

The department may review and approve, in accordance with the code compliance process in section 33 of this ordinance, up to three thousand five hundred square feet of floor area devoted to all warehousing, storage, including refrigeration, or other similar activities in the RA zones or on lots less than thirty-five acres located in the A zones or up to seven thousand square feet on lots greater than thirty-five acres in the A zone, unless located in a building designated as historic resource under K.C.C. chapter 20.62.

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

(1) as a permitted use, the covered sales area shall not exceed two thousand square feet, unless located in a building designated as a historic resource under K.C.C. chapter 20.62. The department may review and approve, in accordance with the code compliance review process in section 33 of this ordinance, up to three thousand five hundred square feet of covered sales area;

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

1432 (3) forty percent or more of the gross sales of agricultural product sold
1433 through the store must be sold by the producers of primary agricultural products;

1434 (4) sixty percent or more of the gross sales of agricultural products sold
1435 through the store shall be derived from products grown or produced in the Puget Sound
1436 counties. At the time of the initial application, the applicant shall submit a reasonable
1437 projection of the source of product sales;

1438 (5) sales shall be limited to agricultural products and locally made arts and
1439 crafts;

1440 (6) tasting of products, in accordance with applicable health regulations, is
1441 allowed;

1442 (7) storage areas for agricultural products may be included in a farm store
1443 structure or in any accessory building; and

1444 (8) outside lighting is permitted if no off-site glare is allowed.

1445 c. Retail sales of livestock is permitted only as accessory to raising livestock.

1446 d. Farm operations, including equipment repair and related facilities, except
1447 that:

1448 (1) in the RA zones, only allowed on lots of at least four and one-half acres;

1449 (2) the repair of tools and machinery is limited to those necessary for the
1450 operation of a farm or forest; and

1451 (3) the size of the total repair use is limited to one percent of the lot size up to
1452 a maximum of five thousand square feet unless located within an existing farm structure,
1453 including but not limited to barns, existing as of December 31, 2003.

1454 e. Minimum lot sizes in the rural and residential zones and minimum setbacks
1455 from rural and residential properties may be reduced in accordance with the code
1456 compliance review process in section 33 of this ordinance.

1457 25. The department may review and approve establishment of an agricultural
1458 support facility in accordance with the code compliance review process in section 34 of
1459 this ordinance only if:

1460 a. project is sited on lands that are unsuitable for direct agricultural production
1461 based on size, soil conditions or other factors and cannot be returned to productivity by
1462 drainage maintenance, and

1463 b. the proposed use is allowed under FPP conservation easement and/or zoning
1464 development standards.

1465 26. The department may review and approve establishment of agricultural
1466 support services in accordance with the code compliance review process in section 34 of
1467 this ordinance only if:

1468 a. the project site is located on properties that adjoin or are within six hundred
1469 sixty feet of the agricultural production district, has direct vehicular access to the
1470 agricultural production district and, except for farmworker housing, does not use local
1471 access streets that abut lots developed for residential use; and

1472 b. Minimum lot size is four and one-half acres.

1473 27.a. Limited to wineries, SIC Industry No. 2082-Malt Beverages and SIC
1474 Industry No. 2085-Distilled and Blended Liquors;

1475 b. The floor area devoted to all processing shall not exceed three thousand five
 1476 hundred square feet, unless located in a building designated as historic resource under
 1477 K.C.C. chapter 20.62;

1478 c. Structures and areas used for processing shall maintain a minimum distance
 1479 of seventy-five feet from property lines adjoining rural area and residential zones, unless
 1480 located in a building designated as historic resource under K.C.C. chapter 20.62;

1481 d. Sixty percent or more of the products processed must be grown in the Puget
 1482 Sound counties. At the time of the initial application, the applicant shall submit a
 1483 projection of the source of products to be produced; and

1484 e. Tasting of products produced on site may be provided in accordance with
 1485 state law. The area devoted to tasting shall be included in the floor area limitation in
 1486 subsection B.3.c. of this section.

1487 SECTION 32. Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100
 1488 are each hereby amended to read as follows:

1489 A. Regional land uses.

| KEY | | RESOURCE | | | R U R A L | RESIDENTIAL | | | COMMERCIAL/INDUSTRIAL | | | | |
|-------------------|---|----------|---|---|-----------------------|-------------|---|---|-----------------------|-----|-----|---|---|
| P-Permitted Use | | A | F | M | R | U R | U | R | N B | C B | R B | O | I |
| C-Conditional Use | | G | O | I | U | R E | R | E | E U | O U | E U | F | N |
| S-Special Use | Z | R | R | N | R | B S | B | S | I S | M S | G S | F | D |
| | O | I | E | E | A | A E | A | I | G I | M I | I I | I | U |
| | N | C | S | R | L | N R | N | D | H N | U N | O N | C | S |
| | E | U | T | A | | V | | E | B E | N E | N E | E | T |
| | | L | | L | | E | | N | O S | I S | A S | | R |
| | | T | | | | | | T | R S | T S | L S | | I |
| | | U | | | | | | I | H | Y | | | A |

[illegible]

| | | | | | | | | | | | | | |
|---|--------------------------------|-----|-----|--|-------------------|-------------------|-----------------|-----------------|-----------------|-------------|-------------|-------------|-------------|
| * | Regional Motor Sports Facility | | | | | | | | | | | | P |
| * | County Fairgrounds Facility | | | | P21 S22 | | | | | | | | |
| * | Fairground | | | | | | | | | S | S | | S |
| 8422 | Zoo/Wildlife Exhibit(2) | | S9 | | S9 | S | S | S | | S | S | | |
| 7941 | Stadium/Arena | | | | | | | | | | S | | S |
| 8221- 8222 | College/University(1) | P10 | P10 | | P10 C11 S18 | P10 C11 S18 | P10 C11 S | P10 C11 S | P10 C11 S | P P P | P P P | P P P | P P P |
| * | Zoo Animal Breeding Facility | P16 | P16 | | P16 | | | | | | | | |
| GENERAL CROSS Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; REFERENCES: 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. | | | | | | | | | | | | | |

1490

B. Development conditions.

1491

1. Except technical institutions. See vocational schools on general services land

1492

use table, K.C.C. 21A.08.050.

1493

2. Except arboretum. See K.C.C. 21A.08.040, recreation/cultural land use table.

1494

3. Except weapons armories and outdoor shooting ranges.

1495

4. Except outdoor shooting range.

1496

5. Only in conjunction with an existing or proposed school.

1497

6.a. Limited to no more than three satellite dish ((~~antennae~~)) antennas.

1498

b. Limited to one satellite dish antenna.

1499

c. Limited to tower consolidations.

1500

7. Limited to landing field for aircraft involved in forestry or agricultural

1501

practices or for emergency landing sites.

1502

8. Except racing of motorized vehicles.

1503 9. Limited to wildlife exhibit.

1504 10. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.

1505 11. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter

1506 21A.32.

1507 12. Limited to cogeneration facilities for on-site use only.

1508 13. Excluding impoundment of water using a dam.

1509 14. Limited to facilities that comply with the following:

1510 a. Any new diversion structure shall not:

1511 (1) exceed a height of eight feet as measured from the streambed; or

1512 (2) impound more than three surface acres of water at the normal maximum

1513 surface level;

1514 b. There shall be no active storage;

1515 c. The maximum water surface area at any existing dam or diversion shall not

1516 be increased;

1517 d. An exceedance flow of no greater than fifty percent in mainstream reach

1518 shall be maintained;

1519 e. Any transmission line shall be limited to a:

1520 (1) right-of-way of five miles or less; and

1521 (2) capacity of two hundred thirty KV or less;

1522 f. Any new, permanent access road shall be limited to five miles or less; and

1523 g. The facility shall only be located above any portion of the stream used by

1524 anadromous fish.

1525 15. For I-zoned sites located outside the urban growth area designated by the
1526 King County Comprehensive Plan, uses shown as a conditional or special use in K.C.C.
1527 21A.08.100.A, except for waste water treatment facilities and racetracks, shall be
1528 prohibited. All other uses, including waste water treatment facilities, shall be subject to
1529 the provisions for rural industrial uses in K.C.C. chapter 21A.12.

1530 16. The operator of such a facility shall provide verification to the department of
1531 natural resources and parks or its successor organization that the facility meets or exceeds
1532 the standards of the Animal and Plant Health Inspection Service of the United States
1533 Department of Agriculture and the accreditation guidelines of the American Zoo and
1534 Aquarium Association.

1535 17. The following provisions of the table apply only to major communication
1536 facilities. Minor communication facilities shall be reviewed in accordance with the
1537 processes and standard outlined in K.C.C. chapter 21A.27.

1538 18. Only for facilities related to resource-based research.

1539 19. Limited to work release facilities associated with natural resource-based
1540 activities.

1541 20. Limited to projects which do not require or result in an expansion of sewer
1542 service outside the urban growth area, unless a finding is made that no cost-effective
1543 alternative technologies are feasible, in which case a tightline sewer sized only to meet
1544 the needs of the school bus base and serving only the school bus base may be used.
1545 Renovation, expansion, modernization or reconstruction of a school bus base is permitted
1546 but shall not require or result in an expansion of sewer service outside the urban growth

1547 area, unless a finding is made that no cost-effective alternative technologies are feasible,
1548 in which case a tightline sewer sized only to meet the needs of the school bus base.

1549 21. Only in conformance with the King County Site Development Plan Report,
1550 through modifications to the plan of up to ten percent are allowed for the following:

1551 a. building square footage;

1552 b. landscaping;

1553 c. parking;

1554 d. building height; or

1555 e. impervious surface.

1556 22. A special use permit shall be required for any modification or expansion of
1557 the King County fairgrounds facility that is not in conformance with the King County
1558 Site Development Plan Report or that exceeds the allowed modifications to the plan
1559 identified in subsection B.21. of this section.

1560 23. The facility shall be primarily devoted to rural public infrastructure
1561 maintenance and is subject to the following conditions:

1562 a. The minimum site area shall be ten acres, unless:

1563 (1) the facility is a reuse of a public agency yard; or

1564 (2) the site is separated from a county park by a street or utility right-of-way;

1565 b. Type 1 landscaping as provided in K.C.C. chapter 21A.16 shall be provided
1566 between any stockpiling or grinding operations and adjacent residential zoned property;

1567 c. Type 2 landscaping as provided in K.C.C. chapter 21A.16 shall be provided
1568 between any office and parking lots and adjacent residential zoned property;

1569 d. Access to the site does not use local access streets that abut residential zoned
1570 property, unless the facility is a reuse of a public agency yard;

1571 e. Structural setbacks from property lines shall be as follows:

1572 (1) Buildings, structures and stockpiles used in the processing of materials
1573 shall be no closer than:

1574 (a) one hundred feet from any residential zoned properties, except that the
1575 setback may be reduced to fifty feet when the grade where the building or structures are
1576 proposed is fifty feet or greater below the grade of the residential zoned property;

1577 (b) fifty feet from any other zoned property, except when adjacent to a
1578 mineral extraction or materials processing site;

1579 (c) the greater of fifty feet from the edge of any public street or the setback
1580 from residential zoned property on the far side of the street; and

1581 (2) Offices, scale facilities, equipment storage buildings and stockpiles shall
1582 not be closer than fifty feet from any property line except when adjacent to M or F zoned
1583 property or when a reuse of an existing building. Facilities necessary to control access to
1584 the site, when demonstrated to have no practical alternative, may be located closer to the
1585 property line;

1586 f. On-site clearing, grading or excavation, excluding that necessary for
1587 required access, roadway or storm drainage facility construction, shall not be permitted
1588 within fifty feet of any property line except along any portion of the perimeter adjacent to
1589 M or F zoned property. If native vegetation is restored, temporary disturbance resulting
1590 from construction of noise attenuation features located closer than fifty feet shall be
1591 permitted; and

1592 g. Sand and gravel extraction shall be limited to forty thousand yards per year.

1593 24. The following accessory uses to a motor race track operation are allowed if

1594 approved as part of the special use permit:

1595 a. motocross;

1596 b. autocross;

1597 c. skidpad;

1598 d. garage;

1599 e. driving school; and

1600 f. fire station.

1601 ~~((25. Only as an accessory use of an agricultural anaerobic digester.))~~

1602 SECTION 33. Ordinance 13274, Section 4, as amended, and K.C.C. 21A.37.020

1603 are hereby amended to read as follows:

1604 A. For the purpose of this chapter, "sending site" means the entire tax lot or lots

1605 qualified under subsection B. of this section. Sending sites may only be located within

1606 rural or resource lands or urban separator areas with R-1 zoning, as designated by the

1607 King County Comprehensive Plan, and shall meet the minimum lot area for construction

1608 requirements in K.C.C. 21A.12.100 for the zone in which the sending site is located.

1609 Except as provided in K.C.C. 21A.37.110.C., or for lands zoned RA that are managed by

1610 the Washington state Department of Natural Resources as state grant or state forest lands,

1611 land in public ownership may not be sending sites. If the sending site consists of more

1612 than one tax lot, the lots must be contiguous and the area of the combined lots must meet

1613 the minimum lot area for construction requirements in K.C.C. 21A.12.100 for the zone in

1614 which the sending site is located. For purposes of this section, lots divided by a street are

considered contiguous if the lots would share a common lot line if the street was removed; this provision may be waived by the interagency committee if the total acreage of a rural or resource sending site application exceeds one hundred acres. A sending site shall be maintained in a condition that is consistent with the criteria in this section under which the sending was qualified.

B. Qualification of a sending site shall demonstrate that the site contains a public benefit such that preservation of that benefit by transferring residential development rights to another site is in the public interest. A sending site must meet at least one of the following criteria:

1. Designation in the King County Comprehensive Plan or a functional plan as an agricultural production district or zoned A;

2. Designation in the King County Comprehensive Plan or a functional plan as forest production district or zoned F;

3. Designation in the King County Comprehensive Plan as rural residential, zoned RA-2.5, RA-5 or RA-10, and meeting the definition in RCW 84.34.020 of open space, farm and agricultural land, or timber land;

4. Designation in the King County Comprehensive Plan, or a functional plan as a proposed rural or resource area regional trail or rural or resource area open space site, through either:

a. designation of a specific site; or

b. identification of proposed rural or resource area regional trails or rural or resource area open space sites which meet adopted standards and criteria, and for rural or

1637 resource area open space sites, meet the definition of open space land, as defined in RCW
1638 84.34.020;

1639 5. Identification as habitat for federal listed endangered or threatened species in
1640 a written determination by the King County department of natural resources and parks,
1641 Washington state Department of Fish and Wildlife, United States Fish and Wildlife
1642 Services or a federally recognized tribe that the sending site is appropriate for
1643 preservation or acquisition; or

1644 6. Designation in the King County Comprehensive Plan as urban separator and
1645 zoned R-1.

1646 C. For the purposes of the TDR program, acquisition means obtaining fee simple
1647 rights in real property, or a less than a fee simple right in a form that preserves in
1648 perpetuity the public benefit supporting the designation or qualification of the property as
1649 a sending site.

1650 D. If a sending site has any outstanding code violations, the person responsible
1651 for code compliance should resolve these violations, including any required abatement,
1652 restoration, or payment of civil penalties, before a TDR sending site may be qualified by
1653 the interagency review committee created under K.C.C. 21A.37.070. However, the
1654 interagency may qualify and certify a TDR sending site with outstanding code violations
1655 if the person responsible for code compliance has made a good faith effort to resolve the
1656 violations and the proposal is in the public interest.

1657 E. For lots on which the entire lot or a portion of the lot has been cleared or
1658 graded in accordance with a Class II, III or IV special forest practice as defined in chapter
1659 76.09 RCW within the six years prior to application as a TDR sending site, the applicant

must provide an affidavit of compliance with the reforestation requirements of the Forest Practices Act, and any additional reforestation conditions of their forest practice permit. Lots on which the entire lot or a portion of the lot has been cleared or graded without any required forest practices or county authorization, shall be not qualified or certified as a TDR sending site for six years unless the six-year moratorium on development applications has been lifted or waived or the landowner has a reforestation plan approved by the state Department of Natural Resources and King County.

SECTION 34. Ordinance 13733, Section 10, as amended, and K.C.C. 21A.37.110 are hereby amended to read as follows:

A. The TDR bank may purchase development rights from qualified sending sites at prices not to exceed fair market value and to sell development rights at prices not less than fair market value. The TDR bank may accept donations of development rights from qualified TDR sending sites.

B. The TDR bank may purchase a conservation easement only if the property subject to the conservation easement is qualified as a sending site as evidenced by a TDR qualification report, the conservation easement restricts development of the sending site in the manner required by K.C.C. 21A.37.060 and the development rights generated by encumbering the sending site with the conservation easement are issued to the TDR bank at no additional cost.

C. ~~((If a conservation easement is acquired through a county park, open space, trail, agricultural, forestry or other natural resource acquisition program for a property that is qualified as a TDR sending site as evidenced by a TDR qualification report, any development rights generated by encumbering the sending site with the conservation~~

1683 ~~easement may be issued to the TDR bank so long as there is no additional cost for the~~
1684 ~~development rights.))~~ Any development rights, generated by encumbering property with
1685 a conservation easement, may be issued to the TDR bank if:

1686 1.a. The conservation easement is acquired through a county park, open space,
1687 trail, agricultural, forestry or other natural resource acquisition program for a property
1688 that is qualified as a TDR sending site as evidenced by a TDR qualification report; or

1689 b. the property is acquired by the county with the intent of conveying the
1690 property encumbered by a reserved conservation easement. The number of development
1691 rights generated by this reserved conservation easement shall be determined by the TDR
1692 qualification report; and

1693 2. Under either subsection C.1.a. or b. of this section, there will be no additional
1694 cost to the county for acquiring the development rights.

1695 D. The TDR bank may use funds to facilitate development rights transfers.
1696 These expenditures may include, but are not limited to, establishing and maintaining
1697 internet web pages, marketing TDR receiving sites, procuring title reports and appraisals
1698 and reimbursing the costs incurred by the department of natural resources and parks,
1699 water and land resources division, or its successor, for administering the TDR bank fund
1700 and executing development rights purchases and sales.

1701 E. The TDR bank fund may be used to cover the cost of providing staff support
1702 for identifying and qualifying sending and receiving sites, and the costs of providing staff
1703 support for the TDR interagency review committee.

1704 F. Upon approval of the TDR executive board, proceeds from the sale of TDR
1705 bank development rights shall be available for acquisition of additional development

rights and as amenity funds to facilitate interlocal TDR agreements with cities in King County. Amenity funds provided to a city from the sale of TDR bank development rights to that city are limited to one-third of the proceeds from the sale.

NEW SECTION. SECTION 35. There is hereby added to K.C.C. chapter 21A.42 a new section to read as follows:

Modifications and expansions of standards for agricultural activities as provided in K.C.C. 21A.08.090 may be authorized by the agricultural technical review team established by section 34 of this ordinance, subject to the following;

A. The proposed modification or expansion must be located on existing impervious surface or lands not otherwise suitable for direct agricultural production based upon soil conditions or other factors and cannot be returned to productivity by drainage maintenance;

B. The proposed modification or expansion must be allowed under Farmland Preservation Program conservation easement and/or zoning development standards;

C. The proposed modifications or expansion must be supported by adequate utilities, parking, internal circulation and other infrastructure;

D. The proposed modification or expansion must not interfere with neighborhood circulation or interfere with existing or permitted development or use on neighboring properties;

E. The proposed modification or expansion must be designed in a manner that is compatible with the character and appearance of existing, or proposed development in the vicinity of the subject property;

F. The proposed modification or expansion must not be in conflict with the health and safety of the community and is such that pedestrian and vehicular traffic associated

with the use must not be hazardous or conflict with existing and anticipated traffic in the neighborhood;

G. The proposed modification or expansion must be supported by adequate public facilities or services and must not adversely affect public services to the surrounding area; and

H. The expansion or modification must not be in conflict with the policies of the Comprehensive Plan or the basic purposes of K.C.C. Title 21A.

NEW SECTION. SECTION 36. There is hereby added to K.C.C. chapter 21A.42 a new section to read as follows:

The department shall establish an agricultural technical review committee consisting of representatives of the departments of permitting and environmental review, natural resources and parks and public health and the King Conservation District to review proposals to site agricultural support facilities allowed under K.C.C. 21A.08.090. The committee may authorize the siting of the facilities subject to the following:

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

B. Limited to farmworker housing to support agricultural operations located in the agricultural production district;

C. The use must be limited to farm operations, including equipment repair, and other similar services primarily supporting agricultural operations located in the

agricultural production district. Sixty percent or more of the services business must be to support agricultural operations in the agricultural production district. At the time of initial application, the applicant shall submit a projection of the source of products to be produced;

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

E. The proposed use must be designed in a manner which is compatible with the character and appearance of existing, or proposed development in the vicinity of the subject property;

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

G. The use must be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area; and

H. The use must not be in conflict with the policies of the Comprehensive Plan or the basic purposes of K.C.C. Title 21A.

SECTION 37. Ordinance 7889, Section 4, as amended, and K.C.C. 26.08.010 are each hereby repealed.

SECTION 38. Severability. If any provision of this ordinance its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision other persons or circumstances is not affected.