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**File created:** 12/16/2013      **In control:** Metropolitan King County Council

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**Enactment date:**      **Enactment #:** 17725

**Title:** AN ORDINANCE relating to zoning; amending Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080 and Ordinance 10870, Section 336, as amended, and K.C.C. 21A.08.090; and declaring an emergency.

**Sponsors:** Larry Gossett

**Indexes:** Zoning

**Code sections:**

**Attachments:** 1. Ordinance 17725.pdf, 2. 17725 Amendment 12-16-13.pdf, 3. 17710 and 17725 -- 2013-0472 and 2013-0524 Notice of Adoption a.pdf

Date	Ver.	Action By	Action	Result
12/16/2013	1	Metropolitan King County Council	Passed as Amended	Pass

AN ORDINANCE relating to zoning; amending Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080 and Ordinance 10870, Section 336, as amended, and K.C.C. 21A.08.090; and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

**SECTION 1. Findings:** Ordinance 17710 contains a technical drafting error due to a later amendment not reflecting the modifications a previous amendment made to the same section of that ordinance. To correct this error before the effective date of Ordinance 17710 and enact the regulations that were intended by the council to take effect, it is necessary to enact this ordinance as an emergency ordinance.

**SECTION 2.** Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080 are each hereby amended to read as follows:

A. Manufacturing land uses.

KEY	RESOURCE			RUR AL	RESIDENTIAL				COMMERCIAL/INDUSTRIAL							
	A	F	M	R	U	R	U	R	N	B	C	B	R	B	O	I
P-Permitted Use																
C-Conditional Use																
S-Special Use	Z															

SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (11)
20	Food and Kindred Products	P1 C1	P1		P1 C1	P1			P2	P2	P2 C		P2 C
*2082 /2085	Winery/Brewery /Distillery	P3 C12			P3 C12	P3			P18	P18	P		P
*	Materials Processing Facility	P13	P14 C	P15 C16	P17 C								P
22	Textile Mill Products												C
23	Apparel and other Textile Products										C		P
24	Wood Products, except furniture	P4 P19	P4 P19 C5		P4 P19 C5	P4					C6		P
25	Furniture and Fixtures		P20		P20						C		P
26	Paper and Allied Products												C
27	Printing and Publishing								P7	P7	P7 C	P7 C	P
*	Recreational marijuana Processor I	P21			P21					P22 C23	P22 C23		
*	Recreational marijuana Processor II									P24 C25	P24 C25		P26
28	Chemicals and Allied Products												C
2911	Petroleum Refining and Related Industries												C
30	Rubber and Misc. Plastics Products												C
31	Leather and Leather Goods										C		P
32	Stone, Clay, Glass and Concrete Products									P6	P9		P

33	Primary Metal Industries											C
34	Fabricated Metal Products											P
35	Industrial and Commercial Machinery											P
351-55	Heavy Machinery and Equipment											C
357	Computer and Office Equipment								C	C		P
36	Electronic and other Electric Equipment								C			P
374	Railroad Equipment											C
376	Guided Missile and Space Vehicle Parts											C
379	Miscellaneous Transportation Vehicles											C
38	Measuring and Controlling Instruments								C	C		P
39	Miscellaneous Light Manufacturing								C			P
*	Motor Vehicle and Bicycle Manufacturing											C
*	Aircraft, Ship and Boat Building											P10 C
7534	Tire Retreading								C			P
781-82	Movie Production/Distribution								P			P

**GENERAL CROSS REFERENCES** Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see K.C.C. chapters 21A.30 through 21A.38; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (\*)Definition of this specific land use, see K.C.C. chapter 21A.06

B. Development conditions.

- 1.a. Excluding wineries and SIC Industry No. 2082-Malt Beverages;
- b. In the A zone, only allowed on sites where the primary use is SIC industry Group No. 01-Growing Harvesting Crops or No. 02-Raising Livestock and Small Animals;

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

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

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

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

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

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

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

h. Tasting of products produced on site may be provided. 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;

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

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

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

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

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

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

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

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

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

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

9. Only within enclosed buildings.

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

11. For I-zoned sites located outside the urban growth area designated by the King County

Comprehensive Plan, uses shown as a conditional use in the table of K.C.C. 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for rural industrial uses as set forth in K.C.C. chapter 21A.12.

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

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

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

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

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

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

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

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

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

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

h. Tasting of products produced on site may be provided. The area devoted to tasting shall be included in the floor area limitation in subsection B.12.b<sub>2</sub> of this section.

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

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

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

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

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

a. as accessory to a primary mineral use; or

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

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

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

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

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

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

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

19. Limited to:

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

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

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

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

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

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

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

b. SIC Industry No. 2411-Logging.

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



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

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

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

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 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.23. of this section.

23.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.

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

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

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

SECTION 3. Ordinance 10870, Section 336, as amended, and K.C.C. 21A.08.090 are each hereby amended to read as follows:

A. Resource land uses.

KEY		RESOUR	UR	RESID	COMM						
		A	R	UR	UR						
P-Permitted Use		F	M	R	UR						
C-Conditional Use		O	I	U	RE						
S-Special Use	Z	R	R	N	ES						
	O	I	E	E	AE						
	N	C	S	R	NR						
	E	U	T	A	V						
	L	L	A		E						
	T		R		T						
	U		E		I						
	R		A		A						
	E				L						
					O						
					D						
SIC#	SPECIFIC LAND USE	A	F	M	R	UR	UR	N	ES	UR	UR
	AGRICULTURE:										
01	Growing and Harvest Crops	P	P	P	P	P					P
02	Raising Livestock and Small Animals	P	P	P	P	P6					P
*	Recreational marijuana producer	P1		P16						FP	P20
				C17						C	

*	Agriculture Training Facility	C1																	
*	Agriculture-related special needs camp	P1																	
*	Agricultural Anaerobic Digester	P1																	
	<b>FORESTRY:</b>																		
08	Growing & Harvesting Forest Production	P	P	P7	P	P													P
*	Forest Research		P	P		P													FP
	<b>FISH AND WILDLIFE MANAGEMENT:</b>																		
0921	Hatchery/Fish Preservation (1)	P	P	P		P	C												P
0273	Aquaculture (1)	P	P	P		P	C												P
*	Wildlife Shelters	P	P	P		P													
	<b>MINERAL:</b>																		
10,12,14	Mineral Extraction and Processing		P9	P	C														
2951, 3271,	Asphalt/Concrete Mixtures and Block		P8	P8															P
	<b>ACCESSORY USES:</b>																		
*	Resource Accessory Use	UP3	P4	P5	P3														P4
*	Temporary Farm Worker Housing	P1	P1		P14														
<b>GENERAL CROSS REFERENCE:</b>		Land Use Table Instructions, see K.C.C. Application and Review Procedures, see																	

**B. Development conditions.**

1. May be further subject to K.C.C. Title 25, Shoreline Management.
2. Only forest research conducted within an enclosed building.
3. Accessory dwelling units in accordance with K.C.C. 21A.08.030.
4. Excluding housing for agricultural workers.
5. Limited to either maintenance or storage facilities, or both, in conjunction with mineral extraction or processing operation.
6. Large livestock allowed in accordance with K.C.C. chapter 21A.30.
7. Only in conjunction with a mineral extraction site plan approved in accordance with K.C.C. chapter 21A.22.
8. 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 extraction use;
- b. as a continuation of a mineral processing only for that period to complete delivery of products or projects under contract at the end of a mineral extraction; or
- c. for a public works project under a temporary grading permit issued in accordance with K.C.C.

16.82.152.

9. Limited to mineral extraction and processing:

- a. on a lot or group of lots under common ownership or documented legal control, which includes but is not limited to, fee simple ownership, a long-term lease or an easement;
- b. that are located greater than one-quarter mile from an established residence; and
- c. that do not use local access streets that abut lots developed for residential use.

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

- a. The impervious surface associated with the agriculture training facilities shall comprise not more than ten percent of the allowable impervious surface permitted under K.C.C. 21A.12.040;
- b. New or the expansion of existing structures, or other site improvements, shall not be located on class 1, 2 or 3 soils;
- c. The director may require reuse of surplus structures to the maximum extent practical;
- d. The director may require the clustering of new structures with existing structures;
- e. New structures or other site improvements shall be set back a minimum distance of seventy-five feet from property lines adjoining rural area and residential zones;
- f. Bulk and design of structures shall be compatible with the architectural style of the surrounding agricultural community;
- g. New sewers shall not be extended to the site;
- h. Traffic generated shall not impede the safe and efficient movement of agricultural vehicles, nor

shall it require capacity improvements to rural roads;

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

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

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

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

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

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

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

b. Outside the camp center, as provided for in subsection B.12.e<sub>2</sub> of this section, camp activities shall not preclude the use of the site for agriculture and agricultural related activities, such as the processing of local food to create value-added products and the refrigeration and storage of local agricultural products. The camp shall be managed to coexist with agriculture and agricultural activities both onsite and in the surrounding area.

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

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

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

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

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

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

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

- i. Lodging and food service facilities shall only be used for activities related to the camp or for agricultural education programs or community events held on site;
- j. Incidental uses, such as office and storage, shall be limited to those that directly support camp activities, farm operations or agricultural education programs;
- k. New nonagricultural camp structures and site improvements shall maintain a minimum set-back of seventy-five feet from property lines adjoining rural area and residential zones;
- l. Except for legal nonconforming structures existing as of January 1, 2007, camp facilities, such as a medical station, food service hall and activity rooms, shall be of a scale to serve overnight camp users;
- m. Landscaping equivalent to a type III landscaping screen, as provided for in K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures and site improvements located within two hundred feet of an adjacent rural area and residential zoned property not associated with the camp;
- n. New sewers shall not be extended to the site;
- o. The total number of persons staying overnight shall not exceed three hundred;
- p. The length of stay for any individual overnight camper, not including camp personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;
- q. Traffic generated by camp activities shall not impede the safe and efficient movement of agricultural vehicles nor shall it require capacity improvements to rural roads;
- r. If the site is adjacent to an arterial roadway, access to the site shall be directly onto the arterial unless the county road engineer determines that direct access is unsafe;
- s. If direct access to the site is via local access streets, transportation management measures shall be used to minimize adverse traffic impacts;
- t. Camp recreational activities shall not involve the use of motor vehicles unless the motor vehicles are part of an agricultural activity or are being used for the transportation of campers, camp personnel or the families of campers. Camp personnel may use motor vehicles for the operation and maintenance of the facility.

Client-specific motorized personal mobility devices are allowed; and

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

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

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

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

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

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

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

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

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

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

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



15. 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 two thousand square feet and shall be located within a fenced area or marijuana greenhouse that is no more than ten percent larger than that combined area, or may occur in nondwelling unit structures that exist as of October 1, 2013; 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.

16. 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 nondwelling unit structures that exist as of October 1, 2013, subject to the size limitations in subsection B.16.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 two thousand square feet and shall be located within a fenced area or marijuana greenhouse, that is no more than ten percent larger than that combined area, or may occur in nondwelling unit structures that exist as of October 1, 2013;

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

d. 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; and

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

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

a. Production is limited to outdoor and indoor within marijuana greenhouses subject to the size limitations in subsection B.17.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 thirty thousand square feet and shall be located within a fenced area or marijuana greenhouse that is no more than ten percent larger than that combined area; and

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

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

ii. 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; and

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

e.)) 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.~~((i))~~ Production is limited to indoor only; and

~~((ii))~~ 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.

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

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 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.

SECTION 4. The county council finds as a fact and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of public peace, health or safety or for the support of county government and its existing institutions.

SECTION 5. Effective date. This ordinance takes effect immediately upon the enactment of Ordinance 17710.