



## Legislation Text

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**File #:** 2024-0387, **Version:** 2

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Clerk 02/25/2025

AN ORDINANCE relating to wineries, breweries, distilleries, and remote tasting rooms; amending Ordinance 1888, Article III, Section 5, as amended, and K.C.C. 6.01.150, Ordinance 19030, Section 13, and K.C.C. 21A.06.996, Ordinance 19881, Section 211, and K.C.C. 21A.xx.xxx, Ordinance 10870, Section 336, as amended, and K.C.C. 21A.08.070, Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080, Ordinance 10870, Section 336, as amended, and K.C.C. 21A.08.090, Ordinance 19881, Section 177, and K.C.C. 21A.xx.xxx, Ordinance 10870, Section 407, as amended, and K.C.C. 21A.18.030, Ordinance 10870, Section 536, as amended, and K.C.C. 21A.30.080, Ordinance 15606, Section 20, as amended, and K.C.C. 21A.30.085, Ordinance 10870, Section 537, as amended, and K.C.C. 21A.30.090, Ordinance 10870, Section 547, as amended, and K.C.C. 21A.32.100, Ordinance 10870, Section 548, as amended, and K.C.C. 21A.32.110, Ordinance 10870, Section 549, as amended, and K.C.C. 21A.32.120, and Ordinance 13623, Section 37, as amended, and K.C.C. 23.32.010, adding a new section to K.C.C. chapter 21A.06, repealing Ordinance 19030, Section 3, Ordinance 19030, Section 4, and K.C.C. 6.74.010, Ordinance 19030, Section 5, and K.C.C. 6.74.020, Ordinance 19030, Section 6, and K.C.C. 6.74.030, Ordinance 19030, Section 7, and K.C.C. 6.74.040, Ordinance 19030, Section 8, and K.C.C. 6.74.050, Ordinance 19030, Section 9, and K.C.C. 6.74.060,

Ordinance 19030, Section 10, and K.C.C. 6.74.070, Ordinance 19030, Section 11, and K.C.C. 6.74.080, Ordinance 19030, Section 14, and K.C.C. 21A.06.1427A, Ordinance 19030, Section 15, and K.C.C. 21A.06.1427B, Ordinance 19030, Section 16, and K.C.C. 21A.06.1427C, Ordinance 19030, Section 28, Ordinance 19030, Section 29, and K.C.C. 21A.55.110, and Ordinance 19030, Section 32, prescribing penalties, and establishing an effective date.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

**SECTION 1. Findings:**

A. Ordinance 19030 established updated regulations for winery, brewery, distillery facilities and remote tasting rooms in unincorporated King County.

B. After a lengthy litigation process, on September 19, 2024, the Washington state Supreme Court, in a 5-4 decision, published an opinion reinstating a January 2022 order from the Growth Management Hearings Board that invalidated Ordinance 19030, Sections 12 through 29, Section 31, and Map Amendments 1 and 2.

C. Ordinance 19030 created a licensing system to assist with enforcement, which the Growth Management Hearings Board left in place. While the Board's litigation was pending at the Court of Appeals, the King County Hearing Examiner considered several preemption-based challenges to the licensing provisions. Although the Hearing Examiner determined that he was unable to resolve the core constitutional issues because it was beyond his jurisdiction, he engaged in a lengthy analysis of applicable authorities. The Hearing Examiner concluded that a local license for alcohol-related sales, distribution and premises '...sounds like the local power the State explicitly withdrew in RCW 66.08.120.'

D. This ordinance amends the provisions adopted by Ordinance 19030. Where provisions adopted by Ordinance 19030 are unchanged, they are not included in this ordinance, and the council's intent is that they remain in effect.

E. The council finds that this ordinance complies with the decision of the Washington state Supreme

Court, as well as potential preemption issues with the licensing system.

SECTION 2. Ordinance 1888, Article III, Section 5, as amended, and K.C.C. 6.01.150 are hereby amended to read as follows:

A. The office of the hearing examiner is designated to hear appeals by parties aggrieved by actions of the director pursuant to any business license ordinance. For appeals under K.C.C. chapter 6.65 the office of the hearing examiner is designated to hear such appeals unless a different party is designated by the director. The examiner may adopt reasonable rules or regulations for conducting its business. Copies of all rules and regulations adopted by the examiner shall be delivered to the director, who shall make them freely accessible to the public. All decisions and findings of the examiner shall be rendered to the appellant in writing, with a copy to the director.

B. For-hire transportation appeals under K.C.C. chapter 6.64 (~~and adult beverage businesses appeals under K.C.C. chapter 6.74~~) shall be filed in accordance with K.C.C. 20.22.080 and the hearing process conducted in accordance with K.C.C. chapter 20.22. Appeals under K.C.C. chapter 6.65 shall be filed in accordance with K.C.C. 6.65.450 and the hearing process conducted in accordance with that same section. Subsections C. through H. of this section do not apply to this subsection B.

C. Any person entitled to service under K.C.C. 6.01.130 may appeal any notice and order or any action of the director by filing at the office of the director within seven days from the date of service of such order, a written appeal containing;

1. A heading in the words: "Before the Office of the Hearing Examiner";
2. A caption reading: "Appeal of ....." giving the names of all appellants participating in the appeal;
3. A brief statement setting forth the legal interest of each of the appellants in the business or entertainment involved in the notice and order;
4. A brief statement in concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant;

5. A brief statement in concise language of the relief sought, and the reasons why it is claimed the protested order or action should be reversed, modified, or otherwise set aside;

6. The signatures of all parties named as appellants, and their official mailing addresses; and

7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

D. As soon as practicable after receiving the written appeal, the examiner shall fix a date, time, and place for the hearing of the appeal. The date shall be neither less than ten days nor more than sixty days from the date the appeal was filed with the director. Written notice of the time and place of the hearing shall be given at least ten days before the date of the hearing to each appellant by the examiner either by causing a copy of the notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the appellant's address shown on the appeal.

E. At the hearing the appellant shall be entitled to appear in person, ~~((and))~~ be represented by counsel, and offer such evidence as is pertinent and material to the action of the director.

F. Only those matters or issues specifically raised by the appellant in the written notice of appeal shall be considered in the hearing of the appeal.

G. Failure of any person to file an appeal in accordance with this section shall constitute a waiver of the person's right to an administrative hearing and adjudication of the notice and order, or any portion thereof.

H. Enforcement of any notice and order of the director shall be stayed during the pendency of an appeal therefrom that is properly and timely filed.

SECTION 3. Ordinance 19030, Section 13, and K.C.C. 21A.06.996 are hereby amended to read as follows:

Remote tasting room: A small facility licensed by the Washington state Liquor and Cannabis Board and limited to the following non-retail liquor licenses: an off-site tasting room license for a distillery licensed as a Distillery or Craft Distillery; a Tasting Room - Additional Location for a winery licensed as a Domestic

Winery; or a Microbrewery, including, but not limited to, a Microbrewery operating in accordance with an off-site tavern license subject to the retail sale limitations for a Microbrewery in WAC 314-20-015(1). "Remote tasting room" does not include any additional privileges allowed for such licenses or approvals or any use that would require a license under chapter 314-02 WAC, except as specifically set forth in this chapter.

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

Winery, brewery, or distillery: as defined in RCW 66.04.010.

SECTION 5. Ordinance 10870, Section 336, as amended, and K.C.C. 21A.08.070 are hereby amended to read as follows:

A. Retail land uses.

| SI C# | SPECIFIC LAND USE                                     | A        | F   | M | RA       | UR  | R-1 | R-4 - R-8    | R-12 - R-48 | NB  | CB  | RB  | O   | I   |
|-------|---|----------|-----|---|----------|-----|-----|--------------|-------------|-----|-----|-----|-----|-----|
| *     | Building Materials and Hardware Stores                |          | P23 |   |          |     |     |              |             | P2  | P   | P   |     |     |
| *     | Retail Nursery, Garden Center, and Farm Supply Stores | P1 C1    |     |   | P1 C1    |     |     |              |             | P18 | P   | P   |     |     |
| *     | Forest Products Sales                                 | P3 and 4 | P4  |   | P3 and 4 |     |     |              |             |     |     | P   |     |     |
| *     | Department and Variety Stores                         |          |     |   |          |     |     | P30 C14a C31 | P14 P32     | P5  | P   | P   |     |     |
| 54    | Food Stores   |          |     |   | C17      |     |     | P30 C15a C31 | P15 P32     | P18 | P   | P   | C   | P6  |
| *     | Agricultural Product Sales (28)                       |          |     |   |          |     |     |              | P25         | P25 | P25 | P25 | P25 | P25 |
| *     | Farmers Market  | P24      | P24 |   | P24      | P24 | P24 | P24          | P24         | P24 | P24 | P24 | P24 | P24 |
| *     | Motor Vehicle and Boat Dealers                        |          |     |   |          |     |     |              |             |     |     | P8  |     | P   |
| 553   | Auto Supply Stores                                    |          |     |   |          |     |     |              |             |     | P9  | P9  |     | P   |
| 554   | Gasoline Service Stations                             |          |     |   |          |     |     |              |             | P   | P   | P   |     | P   |
| 56    | Apparel and Accessory Stores                          |          |     |   |          |     |     |              |             |     | P   | P   |     |     |

|     |  |  |  |  |            |            |            |                |             |            |         |         |            |            |
|-----|--|--|--|--|------------|------------|------------|----------------|-------------|------------|---------|---------|------------|------------|
| *   | Furniture and Home Furnishings Stores          |  |  |  |            |            |            |                |             | P          | P       |         |            |            |
| 58  | Eating and Drinking Places                     |  |  |  | P21 C19    |            | P20        | P20 P30 C16C31 | P20 P16 P32 | P10        | P       | P       | P          | P          |
| *   | Remote Tasting Room                            |  |  |  | ((P13))    |            |            |                |             |            | P7      | P7      |            |            |
| *   | Drug Stores                                    |  |  |  |            |            |            | P30C15 C31     | P15 P32     | P18        | P       | P       | C          |            |
| *   | Cannabis retailer                              |  |  |  |            |            |            |                |             |            | P26 C27 | P26 C27 |            |            |
| 592 | Liquor Stores                                  |  |  |  |            |            |            |                |             |            | P       | P       |            |            |
| 593 | Used Goods: Antiques/ Secondhand Shops         |  |  |  |            |            |            |                |             |            | P       | P       |            |            |
| *   | Sporting Goods and Related Stores              |  |  |  | P22 and 29 | P22 and 29 | P22 and 29 | P22 and 29     | P22 and 29  | P22 and 29 | P29     | P29     | P22 and 29 | P22 and 29 |
| *   | Book, Stationery, Video, and Art Supply Stores |  |  |  |            |            |            | P30 C15a C31   | P15 P32     | P18        | P       | P       |            |            |
| *   | Jewelry Stores                                 |  |  |  |            |            |            |                |             |            | P       | P       |            |            |
| *   | Monuments, Tombstones, and Gravestones         |  |  |  |            |            |            |                |             |            |         | P       |            |            |
| *   | Hobby, Toy, Game Shops                         |  |  |  |            |            |            |                |             | P18        | P       | P       |            |            |
| *   | Photographic and Electronic Shops              |  |  |  |            |            |            |                |             | P18        | P       | P       |            |            |
| *   | Fabric Shops                                   |  |  |  |            |            |            |                |             |            | P       | P       |            |            |
| 598 | Fuel Dealers                                   |  |  |  |            |            |            |                |             |            | C11     | P       |            | P          |
| *   | Florist Shops                                  |  |  |  |            |            |            | P30 C15a C31   | P15 P32     | P18        | P       | P       | P          |            |
| *   | Personal Medical Supply Stores                 |  |  |  |            |            |            |                |             |            | P       | P       |            |            |
| *   | Pet Shops                                      |  |  |  |            |            |            |                |             | P18        | P       | P       |            |            |
| *   | Bulk Retail                                    |  |  |  |            |            |            |                |             |            | P       | P       |            |            |
| *   | Auction Houses                                 |  |  |  |            |            |            |                |             |            |         | P12     |            | P          |
| *   | Livestock Sales (28)                           |  |  |  |            |            |            |                |             |            |         |         |            | P          |

B. Development conditions.

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

hundred square feet, unless located in a building designated as historic resource under K.C.C. chapter 20.62.

With a conditional use permit, covered sales areas of up to five thousand 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 allowed if no off-site glare is generated.

2.a. Only hardware stores; and

b. In rural neighborhood commercial centers, limited to fifteen thousand square feet of gross floor area.

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 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. Off-street parking is limited to a maximum of one space per fifty square feet of tasting and retail areas.

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

9. Only the sale of new or reconditioned automobile supplies is allowed.

10. Excluding SIC Industry 5813-Drinking Places.

11. No outside storage of fuel trucks and equipment.

12. Excluding vehicle and livestock auctions.

13. ~~((Allowed as part of the demonstration project authorized by K.C.C. 21A.55.110))~~ Repealed.

14.a. Outside of the urban area, 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. Outside of the urban area, limited to a maximum of five thousand square feet of gross floor area and subject to K.C.C. 21A.12.230; and

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

16.a. Excluding SIC Industry No. 5813-Drinking Places, and limited to a maximum of five thousand square feet of gross floor area, and subject to K.C.C. 21A.12.230, except as provided in subsection B.20. of this section; and

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

17. Only within a former grange hall incorporated under chapter 24.28 RCW and listed in the National Register of Historic Places or designated as a King County landmark subject to K.C.C. chapter 21A.32 and if the parcel is located within one thousand feet of a rural neighborhood commercial center as designated by the King County Comprehensive Plan.

18. In rural neighborhood commercial centers, limited to fifteen thousand square feet of gross floor area.

19. Only as:

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

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

five hundred square feet.

20. Only as:

- a. an accessory use to a recreation or multiuse park; or
- b. an accessory use to a park and limited to a total floor area of one thousand five hundred square

feet.

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

22. Only as an accessory use to:

- a. a large active recreation and multiuse park in the urban area; or
- b. a park, or a recreation or multiuse park in the RA zones, and limited to a total floor area of seven

hundred fifty square feet.

23. Only as accessory to SIC Industry Group 242-Sawmills and SIC Industry 2431-Millwork and:

- a. limited to lumber milled on-site; and
- b. the covered sales area is limited to two thousand square feet. The covered sales area does not

include covered areas used to display only milled lumber.

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

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

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

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

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

- b. Notwithstanding subsection B.26.a. of this section, the maximum aggregated total gross floor area

devoted to, and in support of, the retail sale of cannabis may be increased to up to three thousand square feet if the retail outlet devotes at least five hundred square feet to the sale, and the support of the sale, of medical cannabis, and the operator maintains a current medical cannabis endorsement issued by the Washington state Liquor and Cannabis Board.

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

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

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

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

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

(4) if a business license application was not submitted or more than one business license application was submitted, then the director shall determine compliance based on the totality of the circumstances,

including, but not limited to, the date that a retail cannabis license application was submitted to the Washington state Liquor and Cannabis Board identifying the lot at issue, the date that the applicant entered into a lease or purchased the lot at issue for the purpose of retail cannabis use, and any other facts illustrating the timing of substantial investment in establishing a licensed retail cannabis use at the proposed location.

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

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

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

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

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

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

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

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

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

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

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

except:

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

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

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

29. Businesses selling firearms that have a storefront, have hours during which it is open for business, and post advertisements or signs observable to passersby that firearms are available for sale shall be located at least five hundred feet or more from any elementary, middle/junior high, and secondary or high school properties. Businesses selling firearms in existence before June 30, 2020, shall be considered nonconforming and may remain in their current location, subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses.

30. In the urban area, subject to the following:

a. Limited to a maximum of one thousand square feet of gross floor area;

b. Drive-throughs are prohibited, except for detached buildings for eating and drinking places that do not exceed two hundred square feet and are located at an intersection with an arterial;

c. Amplified noise is prohibited;

d. The maximum on-site parking ratio shall be two spaces per one thousand square feet and required parking shall not be located between the building and the street; and

e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

31. In the urban area, subject to the following:

a. Limited to a maximum of two thousand five hundred square feet of gross floor area;

b. Drive-throughs are prohibited, except for detached buildings for eating and drinking places that do not exceed two hundred square feet and are located at an intersection with an arterial;

c. Amplified noise is prohibited;

d. The maximum on-site parking ratio shall be two spaces per one thousand square feet and required parking shall not be located between the building and the street; and

e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

32. In the urban area, subject to the following:

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

b. Drive-throughs are prohibited, except for detached buildings for eating and drinking places that do not exceed two hundred square feet and are located at an intersection with an arterial;

c. Amplified noise is prohibited;

d. The maximum on-site parking ratio shall be two spaces per one thousand square feet and required parking shall not be located between the building and the street; and

e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

**SECTION 6.** Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080 are hereby amended

to read as follows:

**A. Manufacturing land uses.**

| SIC # | SPECIFIC LAND USE                       | A      | F      | M       | RA       | UR | R-1 | R-4 - R-8 | R-12 - R-48 | NB      | CB      | RB   | O | I (11) |
|-------|---|--------|--------|---------|----------|----|-----|-----------|-------------|---------|---------|------|---|--------|
| 20    | Food and Kindred Products (28)          |        |        |         |          |    |     |           |             | P2      | P2      | P2 C |   | P2 C   |
| ((*   | Winery/Brewery /Distillery Facility I   |        |        |         | P32      |    |     |           |             |         |         |      |   |        |
| *     | Winery/Brewery /Distillery Facility II  | P3     |        |         | P3 C30   |    |     |           |             | P17     | P17     | P29  |   | P31    |
|       | Winery/Brewery /Distillery Facility III | C12    |        |         | C12      |    |     |           |             | C29     | C29     | C29  |   | C31))  |
| *     | Winery/ Brewery /Distillery             |        |        |         |          |    |     |           |             | P17 C29 | P17 C29 | P29  |   | P31    |
| *     | Materials Processing Facility           |        | P13 C  | P14 C15 | P16 C    |    |     |           |             |         |         |      |   | P      |
| 22    | Textile Mill Products                   |        |        |         |          |    |     |           |             |         |         |      |   | C      |
| 23    | Apparel and other Textile Products      |        |        |         |          |    |     |           |             |         |         | C    |   | P      |
| 24    | Wood Products, except furniture         | P4 P18 | P4 P18 |         | P4 P18 C | P4 |     |           |             |         |         | C6   |   | P      |

|        |  |     |     |  |     |  |  |  |    |    |         |         |   |         |
|--------|--|-----|-----|--|-----|--|--|--|----|----|---------|---------|---|---------|
| 25     | Furniture and Fixtures                     |     | P19 |  | P19 |  |  |  |    |    |         | C       |   | P       |
| 26     | Paper and Allied Products                  |     |     |  |     |  |  |  |    |    |         |         |   | C       |
| 27     | Printing and Publishing                    |     |     |  |     |  |  |  | P7 | P7 | P7 C    | P7 C    |   | P       |
| *      | Cannabis Processor I                       | P20 |     |  | P27 |  |  |  |    |    | P21 C22 | P21 C22 |   | P25 C26 |
| *      | Cannabis Processor II                      |     |     |  |     |  |  |  |    |    | P23 C24 | P23 C24 |   | P25 C26 |
| 28     | Chemicals and Allied Products              |     |     |  |     |  |  |  |    |    |         |         |   | C       |
| *      | Petroleum Refining and Related Industries  |     |     |  |     |  |  |  |    |    |         |         |   | C       |
| 30     | Rubber and Misc. Plastics Products         |     |     |  |     |  |  |  |    |    |         |         |   | C       |
| 31     | Leather and Leather Goods                  |     |     |  |     |  |  |  |    |    |         | C       |   | P33 C   |
| 32     | Stone, Clay, Glass, and Concrete Products  |     |     |  |     |  |  |  |    | P9 | 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       |
| 371    | Motor Vehicles and Motor Vehicle Equipment |     |     |  |     |  |  |  |    |    |         |         |   | C       |
| 374    | Railroad Equipment                         |     |     |  |     |  |  |  |    |    |         |         |   | C       |
| 375    | Motorecycles, Bicycles, and Parts          |     |     |  |     |  |  |  |    |    |         |         |   | P34 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       |
| *      | Aircraft, Ship, and Boat Building          |     |     |  |     |  |  |  |    |    |         |         |   | P10 C   |
| 7534   | Tire Retreading                            |     |     |  |     |  |  |  |    |    |         | C       |   | P       |
| 781-82 | Movie Production/Distribution              |     |     |  |     |  |  |  |    |    |         | P       |   | P       |

B. Development conditions.

1. Repealed.

2. Except slaughterhouses.

3. ~~((a. 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;~~

~~b. Only allowed on lots of at least two and one half acres, except that this requirement shall not apply on Vashon-Maury Island to winery, brewery, or distillery business locations in use and licensed to produce by the Washington state Liquor and Cannabis Board before January 1, 2019, and that in the RA zone, for sites that contain a building designated as historic resource under K.C.C. chapter 20.62, only allowed on lots of at least two acres;~~

~~c. The aggregated floor area of structures and areas for winery, brewery, distillery facility uses shall not exceed three thousand five hundred square feet, unless located in whole or in part in a structure designated as historic resource under K.C.C. chapter 20.62, in which case the aggregated floor area of structures and areas devoted to winery, brewery, distillery facility uses shall not exceed seven thousand square feet in the RA zone and five thousand square feet in the A zone. Decks that are not occupied and not open to the public are excluded from the calculation for maximum aggregated floor area;~~

~~d. Structures and parking areas for winery, brewery, distillery facility uses shall maintain a minimum distance of seventy five feet from interior property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62, except that on Vashon-Maury Island this setback requirement shall not apply to structures and parking areas in use on December 4, 2019, by existing winery, brewery or distillery business locations licensed to produce by the Washington state Liquor and Cannabis Board before January 1, 2019;~~

~~e. In the A zone, sixty percent or more of the products processed must be grown on-site. At the time of the initial application under K.C.C. chapter 6.74, the applicant shall submit a projection of the source of products to be produced;~~

~~f. At least two stages of production of wine, beer, cider or distilled spirits, such as crushing,~~

~~fermenting, distilling, barrel or tank aging, or finishing, as authorized by the Washington state Liquor and Cannabis Board production license, shall occur on-site. At least one of the stages of production occurring on-site shall include crushing, fermenting or distilling;~~

~~g. In the A zone, structures and area for non-agricultural winery, brewery, distillery facility uses shall be located on portions of agricultural lands that are unsuitable for 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. No more than one acre of agricultural land may be converted to a nonagricultural accessory use;~~

~~h. Tasting and retail sales of products produced on-site may occur only as accessory to the primary winery, brewery, distillery production use and may be provided in accordance with state law. The area devoted to on-site tasting or retail sales shall be limited to no more than thirty percent of the aggregated floor area and shall be included in the aggregated floor area limitation in subsection B.3.c. of this section. The limitation on tasting and retail sales of products produced on-site shall not apply on Vashon-Maury Island to winery, brewery, or distillery business locations in use and licensed to produce by the Washington state Liquor and Cannabis Board before January 1, 2019, or on sites in the RA zone that contain a building designated as historic resource under K.C.C. chapter 20.62. Incidental retail sales of merchandise related to the products produced on-site is allowed subject to the restrictions described in this subsection B.3. Hours of operation for on-site tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;~~

~~i. Access to the site shall be directly to and from an arterial roadway, except that this requirement shall not apply on Vashon-Maury Island to winery, brewery, distillery facility business locations in use and licensed to produce by the Washington state Liquor and Cannabis Board before January 1, 2019;~~

~~j. Off-street parking is limited to a maximum of one hundred fifty percent of the minimum required~~

for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

k. ~~The business operator shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;~~

l. ~~Events may be allowed with an approved temporary use permit under K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.; and~~

m. ~~The impervious surface associated with the winery, brewery, distillery facility use shall not exceed twenty five percent of the site, or the maximum impervious surface for the applicable zone as established by this title, whichever is less)) Repealed.~~

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

5. Repealed.

6. Limited to uses found in SIC Industry 2434-Wood Kitchen Cabinets and 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 area, 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 in K.C.C. 21A.14.280, as recodified by ~~((this ordinance))~~ Ordinance 19881.

12. ~~((a. 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;~~

b. ~~The aggregated floor area of structures and areas for winery, brewery, distillery facility uses shall not exceed a total of eight thousand square feet. Decks that are not occupied and not open to the public are excluded from the calculation for maximum aggregated floor area;~~

~~e. Only allowed on lots of at least four and one-half acres. If the aggregated floor area of structures for winery, brewery, distillery uses exceeds six thousand square feet, the minimum site area shall be ten acres;~~

~~d. 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, and must connect to an existing Group A water system. The definitions and limits of Group A water systems are described in K.C.C. 13.24.007, and provision of water service is described in K.C.C. 13.24.138, 13.24.140 and 13.24.142;~~

~~e. Structures and parking areas for winery, brewery distillery facility uses shall maintain a minimum distance of seventy five feet from interior 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. In the A Zone, sixty percent or more of the products processed must be grown on-site. At the time of the initial application under K.C.C. chapter 6.74, the applicant shall submit a projection of the source of products to be processed;~~

~~g. At least two stages of production of wine, beer, cider or distilled spirits, such as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the Washington state Liquor and Cannabis Board production license, shall occur on-site. At least one of the stages of on-site production shall include crushing, fermenting or distilling;~~

~~h. In the A zone, structures and areas for non-agricultural winery, brewery, distillery facility uses shall be located on portions of agricultural lands that are unsuitable for 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. No more than one acre of agricultural land may be converted to a nonagricultural accessory use;~~

~~i. Tasting and retail sales of products produced on-site may occur only as accessory to the primary winery, brewery, distillery production use and may be provided in accordance with state law. The area devoted to on-site tasting or retail sales shall be limited to no more than thirty percent of the aggregated floor area and~~

~~shall be included in the aggregated floor area limitation in subsection B.12.b. and c. of this section. Incidental retail sales of merchandise related to the products produced on-site is allowed subject to the restrictions described in this subsection. Hours of operation for on-site tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;~~

~~j. Access to the site shall be directly to and from an arterial roadway;~~

~~k. Off-street parking maximums shall be determined through the conditional use permit process, and should not be more than one hundred fifty percent of the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;~~

~~l. The business operator shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;~~

~~m. Events may be allowed with an approved temporary use permit under K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.; and~~

~~n. The impervious surface associated with the winery, brewery, distillery facility use shall not exceed twenty-five percent of the site, or the maximum impervious surface for the applicable zone in accordance with this title, whichever is less)) Repealed.~~

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, and:

a. does not include retail sales of processed materials, and

b.(1) as accessory to a primary forestry use and at a scale appropriate to process the organic waste generated on the site; or

(2) 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, and:

a. does not include retail sales of processed materials; and

b.(1) as accessory to a primary mineral use and may only process materials generated from on-site or properties within three miles of the site; or

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

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

16. Only a site that is ten acres or greater and in accordance with the following:

a. the site does not use local access streets that abut lots developed for residential use;

b. the materials processing use meets the requirements of K.C.C. 21A.12.220 and K.C.C. chapter 21A.16;

c. the materials processing use obtains and maintains an operational grading permit;

d. storage of fill material, as defined in K.C.C. chapter 16.82, does not exceed three thousand cubic yards;

e. processed fill material, as defined in K.C.C. chapter 16.82, are primarily from the rural area and natural resource lands; and

f. Does not include retail sales of processed materials.

17.a. The aggregated floor area of structures and areas for a winery, brewery, or distillery (~~(facility uses)~~) shall not exceed three thousand five hundred square feet, unless located in whole or in part in a structure designated as historic resource under K.C.C. chapter 20.62, in which case the aggregated floor area of structures and areas devoted to a winery, brewery, or distillery (~~(facility uses)~~) shall not exceed five thousand square feet. Decks that are not occupied and not open to the public are excluded from the calculation for maximum aggregated floor area;

b. Structures and parking areas for a winery, brewery, or distillery ((facility uses)) shall maintain a minimum distance of seventy-five feet from interior property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

c. Tasting and retail sale of products produced on-site, and merchandise related to the products produced on-site, may be provided in accordance with state law. The area devoted to on-site tasting or retail sales shall be included in the aggregated floor area limitation in subsection B.17.a. of this section;

d. Off-street parking for the tasting and retail areas shall be limited to a maximum of one space per fifty square feet of tasting and retail areas; and

e. ~~((The business operator shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74; and~~

f.)) Events may be allowed with an approved temporary use permit under K.C.C. chapter 21A.32.

18. Limited to:

a. SIC Industry Group 242-Sawmills and SIC Industry 2431-Millwork, as follows:

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

(2) In the A and RA zones:

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

(b) Structures housing equipment used in the operation shall be located at least one-hundred feet from adjacent properties with R, UR, and RA zoning;

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

(d) In the RA zone, the facility's driveway shall have adequate entering sight distance required by the 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

- (e) Outside lighting is limited to avoid off-site glare; and
- b. SIC Industry 2411-Logging.
- 19. Limited to manufacture of custom made wood furniture or cabinets.
- 20.a. Only allowed on lots of at least four and one-half acres;
  - b. Only as an accessory use to a Washington state Liquor and Cannabis Board licensed cannabis production facility on the same lot;
  - c. With a lighting plan, only if required by K.C.C. 21A.12.220.A.2.;
  - d. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either cannabis producers or cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before cannabis products are imported onto the site; and
  - e. Accessory cannabis processing uses allowed under this section are subject to all limitations applicable to cannabis production uses under K.C.C. 21A.08.090.
- 21.a. Only in the CB and RB zones located outside the urban area;
  - b. With a lighting plan, only if required by K.C.C. 21A.12.220.A.2.;
  - c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either cannabis producers or cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before cannabis products are imported onto the site;
  - d. Per lot, the aggregated total gross floor area devoted to the use of, and in support of, processing cannabis together with any separately authorized production of cannabis shall be limited to a maximum of two thousand square feet; and
  - e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and every cannabis-related entity occupying space in addition to the two-thousand-square-foot threshold area on that lot shall obtain a

conditional use permit as required in subsection B.22. of this section.

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

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

c. With a lighting plan, only if required by K.C.C. 21A.12.220.A.2.; and

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

23.a. Only in the CB and RB zones located inside the urban area, except the White Center unincorporated activity center;

b. With a lighting plan, only if required by K.C.C. 21A.12.220.A.2.;

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

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

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

24.a. Only in the CB and RB zones located inside the urban area, except the White Center

unincorporated activity center;

b. With a lighting plan, only if required by K.C.C. 21A.12.220.A.2.;

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

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

25.a. With a lighting plan, only if required by K.C.C. 21A.12.220.A.2.;

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

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

26.a. With a lighting plan, only if required by K.C.C. 21A.12.220.A.2.;

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

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

cannabis.

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

b. Only with a lighting plan that complies with K.C.C. 21A.12.220.A.2.;

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

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

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

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

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

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

29.a. Tasting and retail sales of products produced on-site, and merchandise related to the products produced on-site, may be provided in accordance with state law;

b. Structures and parking areas for winery, brewery, distillery facility uses shall maintain a minimum

distance of seventy-five feet from interior property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

c. For a winery, brewery, or distillery ((facility uses)) that does not require a conditional use permit, off-street parking for the tasting and retail areas shall be limited to a maximum of one space per fifty square feet of tasting and retail areas. For a winery, brewery, or distillery ((facility uses)) that ((do)) requires a conditional use permit, off-street parking maximums shall be determined through the conditional use permit process, and off-street parking for the tasting and retail areas should be limited to a maximum of one space per fifty square feet of tasting and retail areas; and

d. ~~((The business operator shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74; and~~

e.)) Events may be allowed with an approved temporary use permit under K.C.C. chapter 21A.32.

30.((a. Only allowed on lots of at least two and one-half acres;

b. ~~The aggregated floor area of structures and areas for winery, brewery, distillery facility uses shall not exceed three thousand five hundred square feet, unless located in whole or in part in a structure designated as historic resource under K.C.C. chapter 20.62, in which case the aggregated floor area of structures and areas devoted to winery, brewery, distillery facility uses shall not exceed five thousand square feet. Decks that are not occupied and not open to the public are excluded from the calculation for maximum aggregated floor area;~~

c. ~~Structures and parking areas for winery, brewery, distillery facility uses shall maintain a minimum distance of seventy-five feet from interior property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;~~

d. ~~Tasting and retail sales of products produced on-site may only occur as accessory to the primary winery, brewery, distillery production use and may be provided in accordance with state law. The area devoted to on-site tasting or retail sales shall be limited to no more than thirty percent of the aggregated floor area and shall be included in the aggregated floor area limitation in subsection B.30.b. of this section. Incidental retail~~

~~sales of merchandise related to the products produced on-site is allowed subject to the restrictions described in this subsection. Hours of operation for on-site tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;~~

~~e. Access to the site shall be directly to and from a public roadway;~~

~~f. Off-street parking is limited to a maximum of one hundred fifty percent of the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;~~

~~g. The business operator shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;~~

~~h. Events may be allowed with an approved temporary use permit under K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.;~~

~~i. At least two stages of production of wine, beer, cider or distilled spirits, such as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the Washington state Liquor and Cannabis Board production license, shall occur on-site. At least one of the stages of production occurring on-site shall include crushing, fermenting or distilling; and~~

~~j. The impervious surface associated with the winery, brewery, distillery facility use shall not exceed twenty five percent of the site, or the maximum impervious surface for the applicable zone in accordance with this title, whichever is less)) Repealed.~~

~~31.a. Limited to ((businesses with non-retail brewery and distillery production licenses from the Washington state Liquor and Cannabis board)) brewery or distillery uses. Wineries and remote tasting rooms for wineries shall not be allowed;~~

~~b. Tasting and retail sale of products produced on-site and merchandise related to the products produced on-site may be provided in accordance with state law. The area devoted to on-site tasting or retail sales shall not exceed one thousand five hundred square feet;~~

c. Structures and parking areas for a brewery ~~((and))~~ or distillery ~~((facility uses))~~ shall maintain a minimum distance of seventy-five feet from interior property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

d. ~~((For brewery and distillery facility uses that do not require a conditional use permit, or))~~ Off-street parking for the tasting and retail areas shall be limited to a maximum of one space per fifty square feet of tasting and retail areas. ~~((For brewery and distillery facility uses that do require a conditional use permit, off-street parking maximums shall be determined through the conditional use permit process, and off-street parking for the tasting and retail areas should be limited to a maximum of one space per fifty square feet of tasting and retail areas));~~ and

e. ~~((The business operator shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74; and~~

f.) Events may be allowed with an approved temporary use permit under K.C.C. chapter 21A.32.

32.~~((a. The aggregated floor area of structures and areas for winery, brewery, distillery facility uses shall not exceed one thousand five hundred square feet;~~

b. ~~Structures and parking areas for winery, brewery, distillery facility uses shall maintain a minimum distance of seventy-five feet from interior property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;~~

e. ~~One on-site parking stall shall be allowed for the winery, brewery, distillery facility I use;~~

d. ~~The business operator shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;~~

e. ~~At least two stages of production of wine, beer, cider or distilled spirits, such as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the Washington state Liquor and Cannabis Board production license, shall occur on-site. At least one of the stages of production occurring on-site shall include crushing, fermenting or distilling;~~

- f. ~~No product tasting or retail sales shall be allowed on-site;~~
- g. ~~Events may be allowed in accordance with K.C.C. 21A.32.120.B.6; and~~
- h. ~~The impervious surface associated with the winery, brewery, distillery facility use shall not exceed twenty five percent of the site or the maximum impervious surface for the applicable zone in accordance with this title, whichever is less)) Repealed.~~

33. Except leather tanning and finishing.

34. Except gasoline powered motorcycles.

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

A. Resource land uses.

| SIC# | SPECIFIC LAND USE                        | A    | F   | M   | RA  | UR  | R-1 | R-4 - R-8 | R-12 - R-48 | NB  | CB  | RB  | O   | I   |
|------|--|------|-----|-----|-----|-----|-----|-----------|-------------|-----|-----|-----|-----|-----|
| 12   | Coal Mining                              |      |     |     |     |     |     |           |             |     |     |     |     |     |
| 13   | Oil and Gas Extraction                   |      |     |     |     |     |     |           |             |     |     |     |     |     |
| *    | Anaerobic Digester                       | P13  | C   | C   |     | P13 | C31 | C31       | C31         | C31 | C31 | C   | C   | C   |
|      | <b>AGRICULTURE:</b>                      |      |     |     |     |     |     |           |             |     |     |     |     |     |
| 01   | Growing and Harvesting Crops             | P    | P   |     | P   | P   | P   | P         | P30         | P30 | P30 | P30 | P30 | P   |
| 02   | Raising Livestock and Small Animals (6)  | P    | P   |     | P   | P   |     |           |             |     |     |     |     | P   |
| *    | Stable                                   | P32  | C   |     | P32 | P32 | P32 | P32       |             |     |     |     |     |     |
| *    | Agricultural Activities                  | P24  | C   | P24 | C   | P24 | P24 | P30       | P30         | P30 | P30 | P30 | P30 |     |
| *    | Agricultural Support Services            | P25  | C   | P25 | C   | P26 | P26 | P26       | P26         |     | P27 | P27 |     |     |
| *    | Cannabis producer                        | P15  | C22 |     | P16 |     |     |           |             |     |     | P18 | P18 | P20 |
| *    | Agriculture Training Facility            | C10  |     |     |     |     |     |           |             |     |     |     |     |     |
| *    | Agriculture-related Special Needs Camp   | P12  |     |     |     |     |     |           |             |     |     |     |     |     |
| *    | Temporary Farm Worker Housing            | P14a |     |     | P14 |     |     |           |             |     |     |     |     |     |
|      | <b>FORESTRY:</b>                         |      |     |     |     |     |     |           |             |     |     |     |     |     |
| 08   | Growing and Harvesting Forest Production | P    | P   | P7  | P   | P   | P   | P         |             |     |     |     |     | P   |
| *    | Forest Research                          |      | P   |     | P   | P   |     |           |             |     |     |     | P2  | P   |

|                  |                                      |                  |           |           |           |           |   |   |  |  |  |  |  |           |
|------------------|--------------------------------------|------------------|-----------|-----------|-----------|-----------|---|---|--|--|--|--|--|-----------|
|                  | <b>FISH AND WILDLIFE MANAGEMENT:</b> |                  |           |           |           |           |   |   |  |  |  |  |  |           |
| 0921             | Hatchery/Fish Preserve (1)           | P                | P         |           | P         | P         | C | C |  |  |  |  |  | P         |
| 0273             | Aquaculture (1)                      | P                | P         |           | P         | P         | C | C |  |  |  |  |  | P         |
| *                | Wildlife Shelters                    | P                | P         |           | P         | P         |   |   |  |  |  |  |  |           |
|                  | <b>MINERAL:</b>                      |                  |           |           |           |           |   |   |  |  |  |  |  |           |
| 10, 14           | Mineral Extraction and Processing    |                  | P9 C      | P         |           |           |   |   |  |  |  |  |  |           |
| 2951, 3271, 3273 | Asphalt/Concrete Mixtures and Block  |                  | P8 C11    | P8 C11    |           |           |   |   |  |  |  |  |  | P         |
|                  | <b>ACCESSORY USES:</b>               |                  |           |           |           |           |   |   |  |  |  |  |  |           |
| *                | Resource Accessory Uses              | P3<br>P23<br>P29 | P4<br>P29 | P5<br>P29 | P3<br>P29 | P3<br>P29 |   |   |  |  |  |  |  | P4<br>P29 |
| *                | Permanent Farm Worker Housing        | P14b             |           |           | P14<br>b  |           |   |   |  |  |  |  |  |           |

B. Development conditions.

1. May be further subject to K.C.C. chapter 21A.25.
2. Only forest research conducted within an enclosed building.
3. Farm residences 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. 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; or
  - 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.

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 maximum impervious surface allowed under Ordinance 19881, ~~((s))Section 227 ((of this ordinance))~~);
- 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 new structures to be sited near existing structures;
- e. New structures or other site improvements shall be set back a minimum distance of seventy-five feet from property lines adjoining RA, UR, and R 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 allowed.

- (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 on-site 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.(2) of this section, a minimum of five

hundred acres of the site shall be owned by a single individual, corporation, partnership, or other legal entity and shall 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 maximum impervious surface allowed under Ordinance 19881, ~~((s))Section 227 ((of this ordinance))~~;

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 sited near 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 allowed 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 RA, UR, and R 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 RA, UR, and R 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, animal, or other organic waste from agricultural activities, and

including electrical generation, as follows:

- a. the digester shall be included as part of a Washington state Department of Agriculture approved dairy nutrient plan;
- b. the digester shall 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 shall not exceed thirty percent of volume processed by the digester; and
- d. the use shall be accessory to an operating dairy or livestock operation.

14. Farm worker housing. Either:

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

(1) The housing shall be licensed by the Washington state Department of Health under chapter 70.114A RCW and chapter 246-358 WAC, unless it falls below the threshold for licensing in WAC 246-358-025;

(2) Water supply and sewage disposal systems are subject to approval by public health - Seattle & King County;

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

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

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

- (1) Not more than:
  - (a) one agricultural employee dwelling unit on a site less than twenty acres;
  - (b) two agricultural employee dwelling units on a site of at least twenty acres and less than fifty acres;
  - (c) three agricultural employee dwelling units on a site of at least fifty acres and less than one-hundred acres; and
  - (d) four agricultural employee dwelling units on a site of at least one-hundred acres, and one additional agricultural employee dwelling unit for each additional one hundred acres thereafter;
- (2) If the primary use of the site changes to a nonagricultural use, all agricultural employee dwelling units shall be removed;
- (3) The applicant shall file with the department of executive services, records and licensing services division, a notice approved by the department that identifies the agricultural employee dwelling units as accessory and that the dwelling units shall only be occupied by agricultural employees who are employed by the owner or operator year-round. The notice shall run with the land. The applicant shall submit to the department proof that the notice was filed with the department of executive services, records and licensing services division, before the department approves any permit for the construction of agricultural employee dwelling units;
- (4) An agricultural employee dwelling unit shall not exceed a floor area of one thousand square feet and may be occupied by no more than eight unrelated agricultural employees;
- (5) To the maximum extent practical, the housing should be located on nonfarmable areas that are already disturbed;
- (6) One off-street parking space shall be provided for each agricultural employee dwelling unit; and
- (7) The agricultural employee dwelling units shall be constructed in compliance with K.C.C. Title

16.

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

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

b. With a lighting plan, only if required by and that complies with K.C.C. 21A.12.220.A.2.;

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

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

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

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

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

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

- a. Cannabis producers in all RA zoned areas except for Vashon-Maury Island, that do not require a conditional use permit issued by King County, that receive a Washington state Liquor and Cannabis Board license business before October 1, 2016, and that King County did not object to within the Washington state Liquor and Cannabis Board cannabis license application process, shall be considered nonconforming as to subsection B.16.d. and h. of this section, subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses;
- b. In RA zones, only with a lighting plan that complies with K.C.C. 21A.12.220.A.2.;
- c. Only allowed on lots of at least four and one-half acres on Vashon-Maury Island;
- d. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres, except on Vashon-Maury Island;
- e. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either cannabis producers or cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before cannabis products are imported onto the site;
- f. Production is limited to outdoor, indoor within cannabis greenhouses, and within nondwelling unit structures that exist as of October 1, 2013, subject to the size limitations in subsection B.16.g. of this section; and
- g. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum aggregated total of two thousand square feet and shall be located within a fenced area or cannabis greenhouse, that is no more than ten percent larger than that combined area, or may occur in nondwelling unit structures that exist as of October 1, 2013;
- h. Outdoor production area fencing as required by the Washington state Liquor and Cannabis Board and cannabis greenhouses shall maintain a minimum street setback of fifty feet and a minimum interior setback of one hundred feet; and a minimum setback of one hundred fifty feet from any existing residence; and

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

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

- a. Only allowed on lots of at least four and one-half acres on Vashon-Maury Island;
- b. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres, except on Vashon-Maury Island;
- c. In RA zones, only with a lighting plan that complies with K.C.C. 21A.12.220.A.2.;
- d. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either cannabis producers or cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before cannabis products are imported onto the site;
- e. Production is limited to outdoor and indoor within cannabis greenhouses subject to the size limitations in subsection B.17.f. of this section;
- f. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum aggregated total of thirty thousand square feet and shall be located within a fenced area or cannabis greenhouse that is no more than ten percent larger than that combined area; and
- g. Outdoor production area fencing as required by the Washington state Liquor and Cannabis Board, and cannabis greenhouses shall maintain a minimum street setback of fifty feet and a minimum interior setback of one hundred feet, and a minimum setback of one hundred fifty feet from any existing residence.

18.a. Production is not allowed in the White Center unincorporated activity center;

- b. Production is limited to indoor only;
- c. With a lighting plan only as required by and that complies with K.C.C. 21A.12.220.A.2.;
- d. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either cannabis producers or cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before cannabis products are imported onto the site; and
- e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum aggregated total of two thousand square feet and shall be located within a building or tenant space that is no more than ten percent larger than the plant canopy and separately authorized processing area; and
- f. If the two-thousand-square-foot-per-lot threshold is exceeded, each and every cannabis-related entity occupying space in addition to the two-thousand-square foot threshold area on that parcel shall obtain a conditional use permit as required in subsection B.19. of this section.

19.a. Production is not allowed in the White Center unincorporated activity center;

- b. Production is limited to indoor only;
- c. With a lighting plan only as required by and that complies with K.C.C. 21A.12.220.A.2.;
- d. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either cannabis producers or cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before cannabis products are imported onto the site; and
- e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum aggregated total of thirty thousand square feet and shall be located within a building or tenant space that is no more than ten percent larger than the plant canopy and separately authorized processing area.

20.a. Production is limited to indoor only;

b. With a lighting plan only as required by and that complies with K.C.C. 21A.12.220.A.2.;

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

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

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

21.a. Production is limited to indoor only;

b. With a lighting plan only as required by and that complies with K.C.C. 21A.12.220.A.2.;

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

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

22. Cannabis production by cannabis producers licensed by the Washington state Liquor and Cannabis

Board is subject to the following standards:

- a. With a lighting plan only as required by and that complies with K.C.C. 21A.12.220.A.2.;
- b. Only allowed on lots of at least four and one-half acres;
- c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either cannabis producers or cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before cannabis products are imported onto the site;
- d. Production is limited to outdoor, indoor within cannabis greenhouses, and within structures that are nondwelling unit structures that exist as of October 1, 2013, subject to the size limitations in subsection B.22. e. and f. of this section;
- e. On lots less than ten acres, per lot, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum aggregated total of five thousand square feet and shall be located within a fenced area or cannabis greenhouse that is no more than ten percent larger than that combined area, or may occur in nondwelling unit structures that exist as of October 1, 2013;
- f. On lots ten acres or more, per lot, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum aggregated total of ten thousand square feet, and shall be located within a fenced area or cannabis greenhouse that is no more than ten percent larger than that combined area, or may occur in nondwelling unit structures that exist as of October 1, 2013; and
- g. Outdoor production area fencing as required by the Washington state Liquor and Cannabis Board, cannabis greenhouses and nondwelling unit structures shall maintain a minimum street setback of fifty feet and a minimum interior setback of one hundred feet, and a minimum setback of one hundred fifty feet from any existing residence.

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

- a. agricultural is the primary use of the site;
- b. the storage and processing are in accordance with best management practices included in an approved farm plan; and
- c. except for areas used for manure storage, the areas used for storage and processing do not exceed three acres and ten percent of the site.

24.a. For activities relating to the processing of crops or livestock for commercial purposes, including associated activities such as warehousing, storage, including refrigeration, and other similar activities and excluding winery, brewery, distillery (~~(facility I, II, III)~~), and remote tasting room uses:

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

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

(3)(a) as a permitted use, the floor area devoted to all processing shall not exceed two thousand square feet, unless located in a building designated as an historic resource under K.C.C. chapter 20.62. The agricultural technical review committee, as established in K.C.C. 21A.42.300, may review and approve an increase in the processing floor area as follows: up to three thousand five hundred square feet of floor area may be devoted to all processing in the RA zones or on farms less than thirty-five acres located in the A zones or up to seven thousand square feet on farms greater than thirty-five acres in the A zone; and

(b) as a permitted use, the floor area devoted to all warehousing, refrigeration, storage, or other similar activities shall not exceed two thousand square feet, unless located in a building designated as historic resource under K.C.C. chapter 20.62. The agricultural technical review committee, as established in K.C.C. 21A.42.300, may review and approve an increase of up to three thousand five hundred square feet of floor area

devoted to all warehousing, storage, including refrigeration, or other similar activities in the RA zones or on farms less than thirty-five acres located in the A zones or up to seven thousand square feet on farms greater than thirty-five acres in the A zone;

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

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

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

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

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

(3) as a permitted use, the covered sales area shall not exceed three thousand five hundred square feet, unless located in a building designated as a historic resource under K.C.C. chapter 20.62. The agricultural technical review committee, as established in K.C.C. 21A.42.300, may review and approve an increase of up to five thousand square feet of covered sales area;

(4) forty percent or more of the gross sales of agricultural product sold through the store shall be sold by the producers of primary agricultural products;

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

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

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

accessory building; and

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

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

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

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

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

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

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

e. The agricultural technical review committee, as established in K.C.C. 21A.42.300, may review and approve reductions of minimum site sizes in the RA, UR, and R zones and minimum setbacks from RA, UR, and R zones.

25. The department may review and approve establishment of agricultural support services in accordance with the code compliance review process in K.C.C. 21A.42.300 only if:

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

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

26. The agricultural technical review committee, as established in K.C.C. 21A.42.300, may review and approve establishment of agricultural support services only if the project site:

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

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

c. except for farm worker housing, does not use local access streets that abut lots developed for residential use; and

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

27. The agricultural technical review committee, as established in K.C.C. 21A.42.300, may review and approve establishment of agricultural support services only if the project site:

a. is outside the urban area;

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

c. has direct vehicular access to the agricultural production district;

d. except for farm worker housing, does not use local access streets that abut lots developed for residential use; and

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

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

29. Battery energy storage systems are considered a resource accessory use when the total system capacity is two megawatts or less, and:

a. the system provides electricity for on-site use only, with "on-site use" including net metering as well as charging of vehicles on-site or in the right-of-way immediately adjacent to the site; or

b. the system is intended primarily for on-site use, but also participates in load sharing or another grid-connected electricity-sharing arrangement.

30.a. Permitted as a primary use or an accessory use, except in accordance with subsection B.30.g. of this section;

b. A sufficient water supply shall be available to support cultivation practices on-site;

c. The site shall be designed and maintained to prevent water and fertilizer runoff onto adjacent properties;

d. Compost materials shall be stored at least twenty feet from interior lot lines and in a manner that

minimizes odors and is not visible from adjacent properties;

e. Raising livestock and small animals, animal mortality management, and on-site animal waste storage, disposal, and processing is not allowed;

f. In the R-1 through R-48 zones:

(1) The total lot area devoted to the use shall not exceed four thousand square feet.

(2) Structures used for agricultural activities:

(a) shall not exceed one thousand square feet in gross floor area per lot;

(b) shall not exceed twelve feet in height, including any pitched roof;

(c) shall be limited to raised garden beds, greenhouses, hoop houses, storage sheds, cold frames, and rain barrel systems; and

(d) are also subject to the development standards that would apply to an accessory structure in the zone, if the use is accessory;

(3) Only mechanical equipment designed for household use may be used;

(4) Retail sales and all other public use shall begin no earlier than 8:00 a.m. and end by 7:00 p.m.;

(5) Commercial deliveries and pickups are limited to one per day. On-site sales are not considered commercial pickups;

(6) No more than two motor vehicles dedicated to the use shall be stored on-site, each with a gross vehicle weight of ten thousand pounds or less; and

(7) One identification sign is allowed, not exceeding one-hundred square inches in area; and

g. A conditional use permit is required on properties twenty acres or more in size in the R-1 zone, or to exceed the limitations of subsection B.30.f. of this section in the R-1 through R-48 zones. Conditional use permits shall not be granted for properties with an urban separator land use designation.

31. Digester shall be limited to processing of waste generated on-site only.

32. Covered riding arenas are subject to K.C.C. 21A.30.030 and shall not exceed twenty thousand

square feet. Stabling areas, whether attached or detached, shall not be counted in this calculation.

SECTION 8. Ordinance 19881, Section 177, and K.C.C. 21A.xx.xxx are hereby amended to read as follows:

A.1. The required number of off-street parking spaces shall be provided in accordance with the table in this section. If a parking standard for a use is not specified in this chapter, the Director shall establish the minimum parking requirement.

2. Off-street parking ratios shall be based on the usable or net floor area, exclusive of nonoccupied areas. For the purposes of calculating parking, "nonoccupied areas" include, but are not limited to, building maintenance areas, storage areas, closets, or restrooms.

3. If the calculation for determining the number of off-street parking spaces results in a fraction, the number of off-street parking spaces shall be rounded to the nearest whole number with fractions of 0.50 or greater rounded up and fractions below 0.50 rounded down.

| <b>LAND USE</b>  | <b>White Center<br/>Unincorporated<br/>Activity Center</b> | <b>Within 1/2 Mile<br/>Walkshed or High-<br/>Capacity of Frequent<br/>Transit Stop as<br/>Mapped by the Metro<br/>Transit Department</b> | <b>Other Areas of<br/>North Highline</b> |
|--|--|--|--|
| <b>RESIDENTIAL (K.C.C. 21A.08.030.A.):</b>               |  |  |  |
| Inclusionary housing development (K.C.C. chapter 21A.48) | No minimum required  | 0.5 per dwelling unit  | 0.8 per dwelling unit                    |
| Single detached residence                                | No minimum required  | 1.0 per dwelling unit  | 2.0 per dwelling unit                    |
| Duplex, houseplex, or townhouse                          | No minimum required  | 1.0 per dwelling unit  | 1.5 per dwelling unit                    |
| Apartment:   |  |  |  |
| Studio units   | No minimum required  | 0.7 per dwelling unit  | 1.2 per dwelling unit                    |
| One or more bedroom units                                | No minimum required  | 1.0 per dwelling unit  | 1.5 per dwelling unit                    |
| Manufactured home community                              | No minimum required  | 1.0 per dwelling unit  | 2.0 per dwelling unit                    |
| Cottage housing  | No minimum required  | 0.8 per dwelling unit  | 1 per dwelling unit                      |

|  |  |  |   |
|--|--|--|---|
| Congregate residence   | No minimum required  | 0.3 per dwelling or sleeping units   | 1 per two bedrooms  |
| Senior assisted housing  | No minimum required  | 1.0 per 4 dwelling or sleeping units   | 1 per 2 dwelling or sleeping units  |
| <b>RECREATIONAL AND CULTURAL (K.C.C. 21A.08.040.A.):</b>   |  |  |   |
| Recreation use, if not otherwise specified   | (director)   | (director)   | (director)  |
| Cultural uses, if not otherwise specified  | 1 per 400 square feet  | 1 per 300 square feet  | 1 per 300 square feet   |
| Golf course facility   | 3 per hole, plus 1 per 400 square feet of club house facilities  | 3 per hole, plus 1 per 300 square feet of club house facilities  | 3 per hole, plus 1 per 300 square feet of club house facilities   |
| Golf driving range   | .75 per tee  | 1 per tee  | 1 per tee   |
| Tennis club  | 3 per tennis court plus 1 per 500 square feet of clubhouse facility  | 4 per tennis court plus 1 per 500 square feet of clubhouse facility  | 4 per tennis court plus 1 per 300 square feet of clubhouse facility   |
| Theater  | 1 per 5 fixed seats  | 1 per 4 fixed seats  | 1 per 3 fixed seats   |
| Bowling center   | 3 per lane   | 4 per lane   | 5 per lane  |
| Paintball range  | (director)   | (director)   | (director)  |
| Conference center  | Greater of 1 per 5 fixed seats plus 1 per 75 square feet used for assembly purposes without fixed seats, or 1 per lodging room | Greater of 1 per 3 fixed seats plus 1 per 60 square feet used for assembly purposes without fixed seats, or 1 per lodging room | Greater of 1 per 3 fixed seats plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per lodging bedroom, whichever results in the greater number of spaces. |
| <b>HEALTH CARE SERVICES AND RESIDENTIAL CARE SERVICES (((subsection A. of) Ordinance 19881, ((s)Section 162.A. ((of this ordinance))):</b> |  |  |   |
| Health care and residential care services, if not otherwise specified  | 1 per 400 square feet of office, labs, examination, or patient room  | 1 per 300 square feet of office, labs, examination, or patient room  | 1 per 300 square feet of office, labs, examination, or patient room   |
| Hospital   | 1 per bed  | 1 per bed  | 1 per bed   |
| Nursing and personal care facility   | 1 per 4 beds   | 1 per 4 beds   | 1 per 4 beds  |
| Adult family home  | 2 per home   | 2 per home   | 2 per home  |
| Community residential facilities   | 1 per 3 bedrooms   | 1 per 2 bedrooms   | 1 per 2 bedrooms  |

|  |  |  |  |
|--|--|--|--|
| Permanent supportive housing   | 1 per 2 employees plus 1 per 20 dwelling units               | 1 per 2 employees plus 1 per 20 dwelling units               | 1 per 2 employees plus 1 per 20 dwelling units               |
| Recuperative housing   | 1 per 2 employees plus 1 per 10 sleeping unit                | 1 per 2 employees plus 1 per 10 sleeping unit                | 1 per 2 employees plus 1 per 10 sleeping unit                |
| Emergency supportive housing   | 1 per 2 employees plus 1 per 20 sleeping unit                | 1 per 2 employees plus 1 per 20 sleeping unit                | 1 per 2 employees plus 1 per 20 sleeping unit                |
| Microshelter villages  | 1 per 2 employees plus 1 per 20 microshelters                | 1 per 2 employees plus 1 per 20 microshelters                | 1 per 2 employees plus 1 per 20 microshelters                |
| <b>PERSONAL SERVICE AND TEMPORARY LODGING (K.C.C. 21A.08.050.A.):</b>  |  |  |  |
| Personal service and temporary lodging uses, if not otherwise specified  | No minimum required  | 1 per 400 square feet  | 1 per 300 square feet  |
| Specialized instruction Schools  | 1 per classroom, plus 1 per 3 students                       | 1 per classroom, plus 1 per 2 students                       | 1 per classroom, plus 1 per 2 students                       |
| Funeral home/crematory   | 1 per 65 square feet of chapel area                          | 1 per 50 square feet of chapel area                          | 1 per 50 square feet of chapel area                          |
| Daycare I  | 2 per facility   | 2 per facility   | 2 per facility   |
| Daycare II   | 1.5 per facility, plus 1 space for each 25 children          | 2 per facility, plus 1 space for each 20 children            | 2 per facility, plus 1 space for each 20 children            |
| Religious facility   | 1 per 100 square feet of gross floor area                    | 1 per 75 square feet of gross floor area                     | 1 per 60 square feet of gross floor area                     |
| Veterinary clinic  | 1 per 400 square feet of office, labs, and examination rooms | 1 per 300 square feet of office, labs, and examination rooms | 1 per 300 square feet of office, labs, and examination rooms |
| Artist studios   | 0.7 per 1,000 square feet of area used for studios           | 0.8 per 1,000 square feet of area used for studios           | 0.9 per 1,000 square feet of area used for studios           |
| Hotel/motel  | 0.8 per room   | 0.9 per room   | 1 per room   |
| Bed and breakfast guesthouse   | 1 per guest room   | 1 per guest room, plus 1 per facility                        | 1 per guest room, plus 2 per facility                        |
| Organizational hotel/lodging   | 0.8 per room   | 0.9 per room   | 1 per room   |
| <b>GOVERNMENT AND EDUCATION (<del>((subsection A. of))</del> Ordinance 19881, <del>((s))</del> Section 164.A. <del>((of this ordinance))</del>):</b> |  |  |  |
| Government uses, if not otherwise specified  | 1 per 400 square feet  | 1 per 300 square feet  | 1 per 300 square feet  |

|  |  |  |  |
|--|--|--|--|
| Public agency or utility yard                      | 1 per 400 square feet of offices, plus 0.7 per 1,000 square feet of indoor storage or repair areas | 1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas | 1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas |
| Public agency archives                             | 0.7 per 1,000 square feet of storage area, plus 1 per 60 square feet of waiting/reviewing areas    | 0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas    | 0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas    |
| Court  | 2 per courtroom, plus 1 per 60 square feet of fixed seat or assembly areas                         | 3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas                         | 3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas                         |
| Police facility                                    | (director)   | (director)   | (director)   |
| Fire facility                                      | (director)   | (director)   | (director)   |
| Elementary schools                                 | 1 per classroom, plus 1 per 60 students  | 1 per classroom, plus 1 per 50 students  | 1 per classroom, plus 1 per 50 students  |
| Middle/junior high schools                         | 1 per classroom, plus 1 per 60 students  | 1 per classroom, plus 1 per 50 students  | 1 per classroom, plus 1 per 50 students  |
| Secondary or high schools                          | 1 per classroom, plus 1 per 12 students  | 1 per classroom, plus 1 per 10 students  | 1 per classroom, plus 1 per 10 students  |
| Secondary or high schools with stadiums            | Greater of 1 per classroom plus 1 per 12 students, or 1 per 4 fixed seats in stadium               | Greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium               | Greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium               |
| Vocational schools                                 | 1 per classroom, plus 1 per 7 students   | 1 per classroom, plus 1 per 5 students   | 1 per classroom, plus 1 per 5 students   |
| <b>BUSINESS SERVICES (K.C.C. 21A.08.060.A.):</b>   |  |  |  |
| Business services uses, if not otherwise specified | 1 per 400 square feet  | 1 per 350 square feet  | 1 per 300 square feet  |
| Self-service storage                               | 1 per 5,500 square feet of storage area, plus 1 for any resident manager's unit                    | 1 per 4,500 square feet of storage area, plus 1 for any resident manager's unit                    | 1 per 3,500 square feet of storage area, plus 2 for any resident manager's unit                    |
| Outdoor advertising services                       | 1 per 400 square feet of office, plus 0.7 per 1,000 square feet of storage area                    | 1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area                    | 1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area                    |
| Office   | 1 per 400 square feet  | 1 per 350 square feet  | 1 per 300 square feet  |

|   |  |  |  |
|---|--|--|--|
| Construction and trade                                  | 1 per 1,000 square feet of office, plus 1 per 3,000 square feet of storage area        | 1 per 750 square feet of office, plus 1 per 3,000 square feet of storage area          | 1 per 500 square feet of office, plus 1 per 3,000 square feet of storage area          |
| Warehousing and wholesale trade                         | 1 per 400 square feet of office, plus 0.5 per 1,000 square feet of storage area        | 1 per 300 square feet of office, plus 0.6 per 1,000 square feet of storage area        | 1 per 300 square feet of office, plus 0.7 per 1,000 square feet of storage area        |
| Heavy equipment repair                                  | 1 per 400 square feet of office, plus 0.7 per 1,000 square feet of indoor repair areas | 1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair areas | 1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair areas |
| <b>RETAIL (K.C.C. 21A.08.070.A.):</b>                   |  |  |  |
| Retail uses, if not otherwise specified                 | No minimum required  | 1 per 500 square feet  | 1 per 300 square feet  |
| Food stores (retail area 1,000 sf or larger)            | 3 plus 1 per 700 square feet   | 3 plus 1 per 500 square feet   | 3 plus 1 per 350 square feet   |
| Food stores (retail area less than 1,000 sf)            | No minimum required  | No minimum required  | 1 per 100 square feet in dining or lounge areas  |
| Restaurants (dining or lounge areas 1,000 sf or larger) | No minimum required  | 1 per 300 square feet in dining or lounge areas  | 1 per 100 square feet in dining or lounge areas  |
| Restaurants (dining or lounge areas less than 1,000 sf) | No minimum required  | No minimum required  | 1 per 100 square feet in dining or lounge areas  |
| Remote tasting rooms                                    | No minimum required  | 1 per 400 square feet of tasting and retail areas                                      | 1 per 300 square feet of tasting and retail areas                                      |
| Gasoline service stations                               | 3 per facility, plus .75 per service bay   | 3 per facility, plus 1 per service bay   | 3 per facility, plus 1 per service bay   |
| <b>MANUFACTURING (K.C.C. 21A.08.080.A.):</b>            |  |  |  |
| Manufacturing uses, if not specified elsewhere          | 0.5 per 1,000 square feet  | 0.7 per 1,000 square feet  | 0.9 per 1,000 square feet  |
| Winery/brewery/distillery ((facility II and III))       | 0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting and retail areas      | 0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting and retail areas      | 0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting and retail areas      |
| <b>RESOURCES (K.C.C. 21A.08.090.A.):</b>                |  |  |  |
| Resource uses   | ((director)  | ((director)  | ((director)  |

|   |            |            |            |
|---|------------|------------|------------|
| <b>REGIONAL<br/>(K.C.C.<br/>21A.08.100.A.):</b> |            |            |            |
| Regional uses                                   | (director) | (director) | (director) |

B. Off-street parking shall comply with the requirements in K.C.C. chapter 21A.18.

SECTION 9. Ordinance 19881, Section 211, and K.C.C. 21A.xx.xxx are hereby amended to read as follows:

A. The allowed uses in K.C.C. chapter 21A.08 shall apply, except as provided in this section.

B. Formula businesses are prohibited in the Vashon Rural Town, except that formula businesses classified as general business service, food stores, or building materials and hardware stores are allowed as noted in this section.

C. In the CB zone of the Vashon Rural Town, the allowed uses in K.C.C. chapter 21A.08 are replaced with the uses in this subsection. Where one or more development conditions is identified in a land use table in K.C.C. chapter 21A.08 for a specific use in the CB zone, they shall also apply to the following uses:

1. Residential land uses:

a. as a permitted use:

- (1) townhouses;
- (2) apartments;
- (3) senior assisted housing; and
- (4) home occupations under K.C.C. chapter 21A.30;

2. Recreational and cultural land uses:

a. as a permitted use:

- (1) park;
- (2) theater;
- (3) bowling center;

- (4) library;
- (5) museum;
- (6) arboretum; and
- (7) conference center;
- b. as a conditional use:
  - (1) community center;
- 3. Health care services and residential care services land uses:
  - a. as a permitted use:
    - (1) doctor's office/outpatient clinic;
    - (2) medical or dental lab;
    - (3) social services;
    - (4) nursing and personal care facilities;
    - (5) hospital; and
    - (6) community residential facility I and II;
- 4. Personal services and temporary lodging land uses:
  - a. as a permitted use:
    - (1) beauty and barber shops;
    - (2) shoe repair shops;
    - (3) laundry, cleaning, and garment services;
    - (4) drycleaners and garment pressing;
    - (5) carpet and upholstery cleaning;
    - (6) sports club;
    - (7) specialized instruction school;
    - (8) funeral home/crematory;

- (9) daycare I;
- (10) daycare II;
- (11) automotive repair;
- (12) miscellaneous repair;
- (13) religious facility;
- (14) veterinary clinic;
- (15) commercial kennel;
- (16) interim recycling facility;
- (17) hotel/motel;
- (18) bed and breakfast guesthouse;
- (19) industrial launderers;
- (20) drycleaning plants; and
- (21) theatrical production services;

5. Government and education land uses:

a. as a permitted use:

- (1) public agency or utility office;
- (2) police facility;
- (3) utility facility;
- (4) private stormwater management facility;
- (5) commuter parking lot; and
- (6) secondary or high school;

6. Business services land uses:

a. as a permitted use:

- (1) individual transportation and taxi;

- (2) trucking and courier service;
- (3) self-service storage;
- (4) passenger transportation service;
- (5) telegraph and other communications (excluding towers);
- (6) general business service;
- (7) professional office;
- (8) miscellaneous equipment rental;
- (9) automotive parking; and
- (10) commercial/industrial accessory uses (administrative offices, employee exercise and food service facilities, storage of agricultural raw materials or products manufactured on-site, owner/caretaker residence, grounds maintenance);

7. Retail land uses:

a. as a permitted use:

- (1) building materials and hardware stores;
- (2) retail nursery, garden center, and farm supply stores;
- (3) department and variety stores;
- (4) food stores;
- (5) farmers market;
- (6) auto supply stores;
- (7) apparel and accessory stores;
- (8) furniture and home furnishings stores;
- (9) eating and drinking places;
- (10) remote tasting rooms;
- (11) drug stores;

- (12) liquor stores;
- (13) used goods: antiques/secondhand shops;
- (14) sporting goods and related stores;
- (15) book, stationery, video, and art supply stores;
- (16) jewelry stores;
- (17) hobby, toy, game shops;
- (18) photographic and electronic shops;
- (19) photographic and electronic shops;
- (20) fabric shops;
- (21) florist shops;
- (22) personal medical supply stores;
- (23) pet shops; and
- (24) cannabis retailer;

8. Manufacturing land uses:

a. as a permitted use:

- (1) cannabis processor I;
- (2) printing and publishing; and
- (3) winery/brewery/distillery; and

9. Regional land uses:

a. as a permitted use:

- (1) wastewater treatment facility.

D. In the I zone of the Vashon Rural Town, the allowed uses in K.C.C. chapter 21A.08 are replaced with the uses in this subsection. Where one or more development conditions is identified in a land use table in K.C.C. chapter 21A.08 for a specific use in the I zone, they shall also apply to the following uses.

1. Recreational and cultural land uses:
  - a. as a permitted use:
    - (1) Park;
    - (2) Trails;
    - (3) Campgrounds;
    - (4) Theater;
    - (5) Bowling Center;
    - (6) Amusement and recreation services; and
    - (7) Museum;
2. Health care services and residential care services land uses:
  - a. as a permitted use:
    - (1) doctor's office/outpatient clinic; and
    - (2) medical or dental lab;
3. Personal services and temporary lodging land uses:
  - a. as a permitted use:
    - (1) specialized instruction school;
    - (2) beauty and barber shops;
    - (3) shoe repair shops;
    - (4) laundry, cleaning and garment services;
    - (5) drycleaners and garment pressing;
    - (6) carpet and upholstery cleaning;
    - (7) daycare I;
    - (8) daycare II;
    - (9) veterinary clinic, subject to K.C.C. 21A.08.050.B.10.;

- (10) automotive repair;
- (11) automotive service;
- (12) miscellaneous repair;
- (13) animal specialty services;
- (14) dog training facilities;
- (15) artist studios; and
- (16) interim recycling facility;

4. Government and education land uses:

a. as a permitted use:

- (1) public agency or utility office;
- (2) public agency or utility yard;
- (3) public agency archives;
- (4) police facility;
- (5) fire facility;
- (6) utility facility;
- (7) commuter parking lot;
- (8) private stormwater management facility;
- (9) vector waste receiving facility;
- (10) vocational school; and
- (11) school district support facility;

5. Business services land uses:

a. as a permitted use:

- (1) individual transportation and taxi;
- (2) self-service storage;

- (3) farm product warehousing, refrigeration, and storage;
  - (4) communication offices;
  - (5) telegraph and other communications;
  - (6) general business service;
  - (7) professional office;
  - (8) outdoor advertising service;
  - (9) automotive rental and leasing;
  - (10) automotive parking;
  - (11) off-street required parking lot;
  - (12) construction and trade;
  - (13) warehousing and wholesale trade;
  - (14) log storage;
  - (15) transportation service;
  - (16) trucking and courier service;
  - (17) freight and cargo service;
  - (18) miscellaneous equipment rental;
  - (19) research, development, and testing;
  - (20) heavy equipment and truck repair;
  - (21) commercial/industrial accessory uses (administrative offices, employee exercise and food service facilities, storage of agricultural raw materials or products manufactured on-site, owner/caretaker residence, grounds maintenance); and
  - (22) helistop, as a conditional use;
6. Retail land uses:

a. as a permitted use:

- (1) food stores;
- (2) agricultural product sales;
- (3) farmers market;
- (4) motor vehicles and boat dealers;
- (5) auto supply stores;
- (6) gasoline service stations;
- (7) eating and drinking places;
- (8) sporting goods and related stores;
- (9) fuel dealers;
- (10) auction houses; and
- (11) livestock sales;

7. Manufacturing land uses:

a. as a permitted use:

- (1) food and kindred products;
- (2) winery/brewery/distillery (~~facility II;~~)
- (3) (~~winery/brewery/distillery facility III;~~
- (4)) materials processing facility;
- ~~((5))~~ (4) textile mill products;
- ~~((6))~~ (5) apparel and other textile products;
- ~~((7))~~ (6) wood products, except furniture;
- ~~((8))~~ (7) furniture and fixtures;
- ~~((9))~~ (8) paper and allied products, limited to ten thousand square feet;

- ~~((10))~~ (9) printing and publishing;
- ~~((11))~~ (10) cannabis processor ii;
- ~~((12))~~ (11) leather and leather goods, limited to ten thousand square feet;;
- ~~((13))~~ (12) stone, clay, glass, and concrete products, limited to ten thousand square feet;
- ~~((14))~~ (13) fabricated metal products;
- ~~((15))~~ (14) industrial and commercial machinery;
- ~~((16))~~ (15) computer and office equipment;
- ~~((17))~~ (16) electronic and other electric equipment;
- ~~((18))~~ (17) measuring and controlling instruments;
- ~~((19))~~ (18) miscellaneous light manufacturing; and
- ~~((20))~~ (17) aircraft, ship, and boat building, limited to small boats under 30 feet length;

8. Resource land uses:

a. as a permitted use:

- (1) growing and harvesting crops;
- (b) raising livestock and small animals, excluding feed lots and auctions;
- (c) cannabis producer;
- (d) growing and harvesting forest production;
- (e) forest research;
- (f) hatchery/fish preserve;
- (g) aquaculture; and
- (h) resource accessory uses;

9. Regional land uses:

a. as a permitted use:

- (1) public agency animal control facility;

- (2) public agency training facility;
- (3) renewable energy generation facility;
- (4) communication facility;
- (5) municipal water production;
- (6) airport/heliport, limited to heliports only;
- (7) rural public infrastructure maintenance facility;
- (8) transit bus base;
- (9) transit comfort facility;
- (10) school bus base; and
- (11) fairground.

2. Uses shall not require substantial investments in infrastructure, such as water, sewers, or transportation, or facilities that generate substantial volumes of heavy gross-weight truck trips.

3. Developments shall maintain rural character through site and building design, buffering, and compatible commercial and industrial uses as follows:

- a. All uses occurring outside an enclosed building shall be screened from adjoining residential uses in RA zones;
- b. The landscaping standards in K.C.C. chapter 21A.16 are modified as follows:
  - (1) Twenty-foot-wide Type II landscaping shall be provided along exterior streets;
  - (2) Twenty-foot-wide Type I landscaping shall be provided along property lines adjacent to RA or R zoned areas; and
  - (3) Fifteen-foot-wide Type II landscaping shall be provided along lines adjacent to nonresidential zoned areas;
- c. Outdoor lighting shall be focused downward and configured to minimize intrusion of light into surrounding RA or R-zoned areas;

d. Refuse collection, recycling, and loading or delivery areas shall be located at least one hundred feet from RA, UR, and R zones and screened with a solid view-obscuring barrier;

e. Off-street parking shall be no less than one space for every one thousand square feet of floor area and no greater than one space for every five hundred square feet of floor area;

f. Sign are allowed as follows:

(1) Signs shall not exceed an area of sixty-four square feet per sign;

(2) Pole signs are prohibited; and

(3) Signs shall not be internally illuminated; and

g. The director shall approve building design, materials, and color. Buildings shall be designed and use accent materials such as wood and brick, nonreflective glass, and muted colors to be compatible with rural character.

SECTION 10. Ordinance 10870, Section 407, as amended, and K.C.C. 21A.18.030 are hereby amended to read as follows:

A.1. The required number of off-street parking spaces shall be provided in accordance with this title. If a parking ratio is not specified in K.C.C. chapters 21A.xx, 21A.xx, 21A.xx, 21A.xx, 21A.xx, or 21A.xx (the chapters created by Ordinance 19881, ((s))Sections 170, 195, 203, 209, 217, and 224 ((of this ordinance))), special district overlay, or property-specific development conditions, parking shall be provided using the table in subsection A.4. of this section.

2. Off-street parking ratios shall be based on the usable or net floor area, exclusive of nonoccupied areas. For the purposes of this section, "nonoccupied areas" include, but are not limited to, building maintenance areas, storage areas, closets, or restrooms.

3. If the calculation for determining the number of off-street parking spaces results in a fraction, the number of off-street parking spaces shall be rounded to the nearest whole number with fractions of 0.50 or greater rounded up and fractions below 0.50 rounded down.

4. Minimum Required Parking Spaces.

| LAND USE  | MINIMUM PARKING SPACES REQUIRED   |
|---|---|
| <b>RESIDENTIAL (K.C.C. 21A.08.030.A.):</b>  |   |
| Any residential use within a 1/2 mile walkshed of a high-capacity or frequent transit stop as mapped by the Metro Transit Department          | 1.2 per dwelling unit or the minimum required for the use, whichever is lower |
| Inclusionary housing (K.C.C. chapter 21A.48)  | Per K.C.C. 21A.48.050   |
| Single detached residence/Townhouse   | 2.0 per dwelling unit   |
| Duplex or Houseplex   | 1.5 per dwelling unit   |
| Apartment:  |   |
| Studio units  | 1.2 per dwelling unit   |
| One bedroom units   | 1.5 per dwelling unit   |
| Two bedroom units   | 1.7 per dwelling unit   |
| Three bedroom units or larger   | 2.0 per dwelling unit   |
| Manufactured home community   | 2.0 per dwelling unit   |
| Senior assisted housing   | 1 per 2 dwelling or sleeping units  |
| Congregate residence  | 1 per 2 dwelling or sleeping units  |
| Cottage housing   | 1 per dwelling unit   |
| <b>HEALTH CARE SERVICES AND RESIDENTIAL CARE SERVICES (((subsection A. of) Ordinance 19881, ((s))Section 162 .A. ((of this ordinance)))):</b> |   |
| Health care and residential care services, if not otherwise specified   | 1 per 300 square feet of office, labs, examination or patient room            |
| Hospital  | 1 per bed   |
| Nursing and personal care facility  | 1 per 4 beds  |
| Adult family home   | 2 per home  |
| Community residential facilities  | 1 per 2 bedrooms  |
| Permanent supportive housing  | 1 per 2 employees plus 1 per 20 dwelling units                                |
| Recuperative housing  | 1 per 2 employees plus 1 per 10 sleeping unit                                 |
| Emergency supportive housing  | 1 per 2 employees plus 1 per 20 sleeping unit                                 |
| Microshelter villages   | 1 per 2 employees plus 1 per 20 microshelters                                 |
| <b>RECREATIONAL AND CULTURAL (K.C.C. 21A.08.040.A.):</b>  |   |
| Recreational and cultural uses, if not otherwise specified  | 1 per 300 square feet   |
| Bowling center  | 5 per lane  |

|   |   |
|---|---|
| Golf course   | 3 per hole, plus 1 per 300 square feet of club house facilities   |
| Tennis Club   | 4 per tennis court plus 1 per 300 square feet of clubhouse facility   |
| Golf driving range  | 1 per tee   |
| Park/playfield/paintball  | (director)  |
| Theater   | 1 per 3 fixed seats   |
| Conference center   | Greater of 1 per 3 fixed seats plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per hotel room. |
| <b>PERSONAL SERVICES AND TEMPORARY LODGING (K.C.C. 21A.08.050.A.):</b>  |   |
| Personal services and temporary lodging, if not otherwise specified   | 1 per 300 square feet   |
| Specialized instruction schools   | 1 per classroom, plus 1 per 2 students  |
| Funeral home/Crematory  | 1 per 50 square feet of chapel area   |
| Daycare I   | 2 per facility  |
| Daycare II  | 2 per facility, plus 1 space for each 20 children   |
| Religious facility  | 1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes             |
| Veterinary clinic   | 1 per 300 square feet of office, labs, and examination rooms  |
| Hotel/motel   | 1 per room  |
| Organizational hotel/lodging  | 1 per room  |
| Bed and breakfast guesthouse  | 1 per guest room, plus 2 per facility   |
| <b>GOVERNMENT AND EDUCATION (<del>(subsection A. of)</del> Ordinance, <del>((s))</del>Section 164.A. <del>((of this ordinance))</del>):</b> |   |
| Government uses, if not otherwise specified   | 1 per 300 square feet   |
| Public agency yard  | 1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas                            |
| Public agency archives  | 0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas                               |
| Courts  | 3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas  |
| Police facility   | (director)  |
| Fire facility   | (director)  |
| Elementary schools  | 1 per classroom, plus 1 per 50 students   |
| Middle/junior high schools  | 1 per classroom, plus 1 per 50 students   |
| Secondary or high schools   | 1 per classroom, plus 1 per 10 students   |

|   |  |
|---|--|
| Secondary or high schools with stadiums                 | Greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium   |
| Vocational schools                                      | 1 per classroom, plus 1 per 5 students   |
| Artist Studios  | 0.9 per 1,000 square feet of area used for studios                                     |
| <b>BUSINESS SERVICES (K.C.C. 21A.08.060.A.):</b>        |  |
| Business services uses, if not otherwise specified      | 1 per 300 square feet  |
| Construction and trade                                  | 1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area          |
| Warehousing and storage                                 | 1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area        |
| Self-service storage                                    | 1 per 3,500 square feet of storage area, plus 2 for any resident director's unit       |
| Outdoor advertising services                            | 1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area        |
| Heavy equipment repair                                  | 1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair areas |
| Office  | 1 per 300 square feet  |
| <b>RETAIL (K.C.C. 21A.08.070.A.):</b>                   |  |
| Retail uses, if not otherwise specified                 | 1 per 300 square feet  |
| Food stores, less than 15,000 square feet               | 3 plus 1 per 350 square feet   |
| Gasoline service stations without grocery               | 3 per facility, plus 1 per service bay   |
| Gasoline service stations with grocery, no service bays | 1 per facility, plus 1 per 300 square feet of store                                    |
| Restaurants   | 1 per 75 square feet in dining or lounge areas   |
| Remote tasting rooms                                    | 1 per 300 square feet of tasting and retail areas                                      |
| Wholesale trade uses                                    | 0.9 per 1000 square feet   |
| <b>MANUFACTURING (K.C.C. 21A.08.080.A.):</b>            |  |
| Manufacturing uses                                      | 0.9 per 1,000 square feet  |
| Winery/Brewery/Distillery (( Facility II and III))      | 0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting and retail areas      |
| <b>RESOURCES (K.C.C. 21A.08.090.A.):</b>                |  |
| Resource uses   | (director)   |
| <b>REGIONAL (K.C.C. 21A.08.100.A.):</b>                 |  |
| Regional uses   | (director)   |

B. An applicant may request a modification of the minimum required number of parking spaces by demonstrating that parking demand can be met with a reduced parking requirement. In such cases, the director may approve a reduction of up to fifty percent of the minimum required number of spaces.

C. When the county has received a shell building permit application, off-street parking requirements shall be based on the possible tenant improvements or uses authorized by the zoning classification and compatible with the limitations of the shell permit. When the range of possible uses result in different parking requirements, the director will establish the amount of parking based on a likely range of uses.

D. Where other provisions of this code stipulate maximum parking allowed or reduced minimum parking requirements, those provisions shall apply.

E.1. In any development required to provide six or more parking spaces, bicycle parking shall be provided. Bicycle parking shall be bike racks or locker-type parking facilities unless otherwise specified.

2. At least one bicycle parking space for every twelve required parking spaces except as follows:

a. The director may reduce bicycle parking facilities for patrons when it is demonstrated that bicycle activity will not occur at that location.

b. The director may require additional spaces when it is determined that the use or its location will generate a high volume of bicycle activity. Such a determination will include, but not be limited to, the following uses:

- (1) Park/playfield;
- (2) Marina;
- (3) Library/museum/arboretum;
- (4) Elementary/secondary school;
- (5) Sports club; or
- (6) Retail business (when located along a developed bicycle trail or designated bicycle route).

3. Bicycle parking for patrons shall be located within 100 feet of the building entrance and shall be

designed to allow either a bicycle frame or wheels to be locked to a structure attached to the pavement.

4. All bicycle parking and storage shall be located in safe, visible, and well-lit areas that do not impede pedestrian or vehicle traffic flow.

5. When more than ten people are employed on-site, enclosed locker-type parking facilities for employees shall be provided. The director shall allocate the required number of parking spaces between bike rack parking and enclosed locker-type parking facilities.

6. One indoor bicycle storage space shall be provided for every two dwelling units in townhouses and apartments, unless individual garages are provided for every unit. The director may reduce the number of bicycle parking spaces if indoor storage facilities are available to all residents.

SECTION 11. Ordinance 10870, Section 536, as amended, and K.C.C. 21A.30.080 are hereby amended to read as follows:

In the R, UR, NB, CB, and RB zones, residents of a dwelling unit may conduct one or more home occupations as accessory activities, as follows:

A. The total floor area of the dwelling unit devoted to all home occupations shall not exceed twenty percent of the floor area of the dwelling unit;

B. Areas within garages and storage buildings shall not be considered part of the dwelling unit and may be used for activities associated with the home occupation;

C. All the activities of the home occupation or occupations shall be conducted indoors, except for those related to growing or storing of plants used by the home occupation or occupations;

D. The dwelling unit shall be the primary residence of the owner of the home occupation business. A home occupation or occupations is not limited in the number of employees that remain off-site. No more than one nonresident employee shall be allowed to work on-site for the home occupation or occupations;

E. The following uses, by the nature of their operation or investment, tend to increase beyond the limits allowed for home occupations. Therefore, the following shall not be allowed as home occupations:

1. Automobile, truck, and heavy equipment repair;
  2. Auto body work or painting;
  3. Parking and storage of heavy equipment;
  4. Storage of building materials for use on other properties;
  5. Hotels, motels, or organizational lodging;
  6. Dry cleaning;
  7. Towing services;
  8. Trucking, storage, or self service, except for parking or storage of one commercial vehicle used in home occupation;
  9. Veterinary clinic;
  10. Recreational cannabis processor, recreational cannabis producer, or recreational cannabis retailer;
- and
11. Winery, brewery, distillery ((~~facility I, II and III~~)), and remote tasting room(~~(, except that home occupation adult beverage businesses operating under an active Washington state Liquor and Cannabis Board production license issued for their current location before December 31, 2019, and where King County did not object to the location during the Washington state Liquor and Cannabis Board license application process, shall be considered legally nonconforming and allowed to remain in their current location subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is in compliance with this section as of December 31, 2019. Such nonconforming businesses shall remain subject to all other requirements of this section and other applicable state and local regulations. The resident operator of a nonconforming winery, brewery or distillery home occupation shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74)) uses;~~
- F. In addition to required parking for the dwelling unit, on-site parking is provided as follows:
1. One stall for each nonresident employed by the home occupations; and
  2. One stall for patrons when services are rendered on-site;

G. Sales are limited to:

1. Mail order sales;
2. Telephone, Internet, or other electronic commerce sales with off-site delivery; and
3. Items accessory to a service provided to patrons who receive services on the premises;

H. On-site services to patrons are arranged by appointment;

I. The home occupation or occupations use or store a vehicle for pickup of materials used by the home occupation or occupations or the distribution of products from the site, only if:

1. No more than one such a vehicle is allowed; and
2. The vehicle is not stored within any required setback areas of the lot or on adjacent streets; and
3. The vehicle does not exceed an equivalent licensed gross vehicle weight of one ton;

J. The home occupation or occupations do not:

1. Use electrical or mechanical equipment that results in a change to the occupancy type of the structure or structures used for the home occupation or occupations; or
2. Cause visual or audible interference in radio receivers, television receivers, or electronic equipment located off-premises, or cause fluctuations in line voltage off-premises;

K. There shall be no exterior evidence of a home occupation, other than growing or storing of plants under subsection C. of this section or an allowed sign, that would cause the premises to differ from its residential character. Exterior evidence includes, but is not limited to, lighting and the generation or emission of noise, fumes, or vibrations as determined by using normal senses from any lot line or on average increase vehicular traffic by more than four additional vehicles at any given time;

L. Customer visits and deliveries shall be limited to 8:00 a.m. to 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends; and

M. Uses not allowed as home occupations may be allowed as a home industry under K.C.C.

21A.30.090.

SECTION 12. Ordinance 15606, Section 20, as amended, and K.C.C. 21A.30.085 are hereby amended to read as follows:

In the A, F, and RA zones, residents of a dwelling unit may conduct one or more home occupations as accessory activities, as follows:

A. The total floor area of the dwelling unit devoted to all home occupations shall not exceed twenty percent of the dwelling unit;

B. Areas within garages and storage buildings shall not be considered part of the dwelling unit and may be used for activities associated with the home occupation;

C. Total outdoor area of all home occupations shall be as follows:

1. For any lot less than one acre: Four hundred forty square feet; and

2. For lots one acre or greater: One percent of the area of the lot, up to a maximum of five thousand square feet;

D. Outdoor storage areas and parking areas related to home occupations shall be:

1. No less than twenty-five feet from any property line; and

2. Screened along the portions of such areas that can be seen from an adjacent parcel or roadway by

the:

a. planting of Type II landscape buffering; or

b. use of existing vegetation that meets or can be augmented with additional plantings to meet the intent of Type II landscaping;

E. The dwelling unit shall be the primary residence of the owner of the home occupation business. A home occupation or occupations is not limited in the number of employees that remain off-site. Regardless of the number of home occupations, the number of nonresident employees is limited to no more than three who work on-site at the same time;

F. In addition to required parking for the dwelling unit, on-site parking is provided as follows:

1. One space for each nonresident employed on-site; and
2. One space for patrons when services are rendered on-site;

G. Sales are limited to:

1. Mail order sales;
2. Telephone, Internet, or other electronic commerce sales with off-site delivery;
3. Items accessory to a service provided to patrons who receive services on the premises;
4. Items grown, produced, or fabricated on-site; and
5. On sites five acres or larger, items that support agriculture, equestrian, or forestry uses except for

the following:

- a. motor vehicles and parts (SIC Major Group 55);
- b. electronics and appliances (SIC Industry Groups and Industries 504, 506, 5731, 5734, 5722, and 5946); and
- c. building material and garden equipment and supplies (SIC Major Group 52);

H. The home occupation or occupations do not:

1. Use electrical or mechanical equipment that results in a change to the occupancy type of the structure or structures used for the home occupation or occupations;
2. Cause visual or audible interference in radio or television receivers, or electronic equipment located off-premises or fluctuations in line voltage off-premises; or
3. Increase average vehicular traffic by more than four additional vehicles at any given time;

I. Customer visits and deliveries shall be limited to 8:00 a.m. to 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

J. The following uses, by the nature of their operation or investment, tend to increase beyond the limits allowed for home occupations. Therefore, the following shall not be allowed as home occupations:

1. Hotels, motels, or organizational lodging;

2. Dry cleaning;
3. Automotive towing services, automotive wrecking services, and tow-in parking lots;
4. Recreational cannabis processor, recreational cannabis producer, or recreational cannabis retailer;

and

5. Winery, brewery, distillery ((~~facility I, II and III~~)), and remote tasting room(~~(s, except that home occupation adult beverage businesses operating under an active Washington state Liquor and Cannabis Board production license issued for their current location before December 31, 2019, and where King County did not object to the location during the Washington state Liquor and Cannabis Board license application process, shall be considered legally nonconforming and allowed to remain in their current location subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is in compliance with this section as of December 31, 2019. Such nonconforming businesses shall remain subject to all other requirements of this section and all applicable state and local regulations. The resident operator of a nonconforming home occupation winery, brewery or distillery shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74)) uses;~~

K. Uses not allowed as home occupation may be allowed as a home industry under K.C.C. chapter 21A.30; and

L. The home occupation or occupations may use or store vehicles, as follows:

1. The total number of vehicles for all home occupations shall be:
  - a. for any lot five acres or less: two;
  - b. for lots greater than five acres: three; and
  - c. for lots greater than ten acres: four;
2. The vehicles are not stored within any required setback areas of the lot or on adjacent streets; and
3. The parking area for the vehicles shall not be considered part of the outdoor storage area provided

for in subsection C. of this section.

SECTION 13. Ordinance 10870, Section 537, as amended, and K.C.C. 21A.30.090 are hereby

amended to read as follows:

A resident of a dwelling unit may establish a home industry as an accessory activity, as follows:

A. The site area is one acre or greater;

B. The area of the dwelling unit used for the home industry does not exceed fifty percent of the floor area of the dwelling unit;

C. Areas within attached garages and storage buildings shall not be considered part of the dwelling unit for purposes of calculating allowable home industry area but may be used for storage of goods associated with the home industry;

D. The dwelling unit shall be the primary residence of the owner of the home occupation business. No more than six nonresidents who work on-site at the time;

E. In addition to required parking for the dwelling unit, on-site parking is provided as follows:

1. One space for each nonresident employee of the home industry; and
2. One space for customer parking;

F. Additional customer parking shall be calculated for areas devoted to the home industry at the rate of one stall per:

1. One thousand square feet of building floor area; and
2. Two thousand square feet of outdoor work or storage area;

G. Sales are limited to items produced on-site, except for items collected, traded, and occasionally sold by hobbyists, such as coins, stamps, and antiques;

H. Ten feet of Type I landscaping are provided around portions of parking and outside storage areas that are otherwise visible from adjacent properties or public rights-of-way;

I. The department ensures compatibility of the home industry by:

1. Limiting the type and size of equipment used by the home industry to those that are compatible with the surrounding neighborhood;

2. Providing for setbacks or screening as needed to protect adjacent residential properties;
3. Specifying hours of operation;
4. Determining acceptable levels of outdoor lighting; and
5. Requiring sound level tests for activities determined to produce sound levels that may be in excess of those in K.C.C. chapter 12.88;

J. Recreational cannabis processors, recreational cannabis producers, and recreational cannabis retailers shall not be allowed as home industry; and

K. Winery, brewery, distillery ((~~facility I, II and III~~)), and remote tasting room uses shall not be allowed as home industry(~~(, except that home industry adult beverage businesses that have, in accordance with K.C.C. 20.20.070, a vested conditional use permit application before December 31, 2019, shall be considered legally nonconforming and allowed to remain in their current location subject to K.C.C. 21A.32.020 through 21A.32.075. Such nonconforming businesses remain subject to all other requirements of this section and all applicable state and local regulations. The resident operator of a nonconforming winery, brewery or distillery home industry shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74))~~)).

SECTION 14. Ordinance 10870, Section 547, as amended, and K.C.C. 21A.32.100 are hereby amended to read as follows:

Except as provided by K.C.C. 21A.32.110, a temporary use permit shall be required for any of the following:

- A. A use not otherwise permitted in the zone that can be made compatible for a period of up to sixty days a year; or
- B. The expansion of an established use that :
  1. Is otherwise allowed in the zone;
  2. Is not inconsistent with the original land use approval;
  3. Exceeds the scope of the original land use approval; and

4. Can be made compatible with the zone for a period of up to sixty days a year(~~(; or~~

C. ~~Events at a winery, brewery, distillery facility or remote tasting room that include one or more of the following activities:~~

~~1. Exceeds the permitted building occupancy;~~

~~2. Utilizes portable toilets;~~

~~3. Utilizes parking that exceeds the maximum number of spaces allowed by this title on-site or utilizes off-site parking;~~

~~4. Utilizes temporary stages;~~

~~5. Utilizes temporary tents or canopies that require a permit;~~

~~6. Requires traffic control for public rights-of-way; or~~

~~7. Extends beyond allowed hours of operation)).~~

SECTION 15. Ordinance 10870, Section 548, as amended, and K.C.C. 21A.32.110 are hereby amended to read as follows:

A. The following uses shall be exempt from requirements for a temporary use permit when located in the RB, CB, NB, O<sub>2</sub> or I zones for the time period specified below:

1. Uses not to exceed a total of thirty days each calendar year:

a. Christmas tree lots; and

b. Produce stands.

2. Uses not to exceed a total of fourteen days each calendar year:

a. Amusement rides, carnivals, or circuses;

b. Community festivals; and

c. Parking lot sales.

B. Any use not exceeding a cumulative total of two days each calendar year shall be exempt from requirements for a temporary use permit.

C. Any community event held in a park and not exceeding a period of seven days shall be exempt from requirements for a temporary use permit.

D. Christmas tree sales not exceeding a total of thirty days each calendar year when located on Rural Area (RA) zoned property with legally established non-residential uses shall be exempt from requirements for a temporary use permit.

~~((E.1. Events at a winery, brewery, distillery facility II or III shall not require a temporary use permit if:~~

~~a. The business is operating under an active Washington state Liquor and Cannabis Board production license issued for their current location before December 31, 2019, and where King County did not object to the location during the Washington state Liquor and Cannabis Board license application process;~~

~~b. The parcel is at least eight acres in size;~~

~~c. The structures used for the event maintain a setback of at least one hundred fifty feet from interior property lines;~~

~~d. The parcel is located in the RA zone;~~

~~e. The parcel has access directly from and to a principal arterial or state highway;~~

~~f. The event does not use amplified sound outdoors before 12:00 p.m. or after 8:00 p.m.~~

~~2. Events that meet the provisions in this subsection E. shall not be subject to the provisions of K.C.C. 21A.32.120, as long as the events occur no more frequently than an annual average of eight days per month.))~~

SECTION 16. Ordinance 10870, Section 549, as amended, and K.C.C. 21A.32.120 are hereby amended to read as follows:

Except as otherwise provided in this chapter or in K.C.C. chapter 21A.45, temporary use permits shall be limited in duration and frequency as follows:

A. The temporary use permit shall be effective for one year from the date of issuance and may be renewed annually as provided in subsection D. of this section;

B.~~((1-))~~ The temporary use shall not exceed a total of sixty days in any three-hundred-sixty-five-day

period. For a winery in the A or RA zones, the temporary use shall not exceed a total of two events per month and all parking for the events must be accommodated on site. This subsection B.~~((1-))~~ applies only to the days that the event or events actually take place~~((:~~

~~2. For a winery, brewery, distillery facility II and III in the A zone, the temporary use shall not exceed a total of two events per month and all event parking must be accommodated on-site or managed through a parking management plan approved by the director. This subsection B.2. applies only to the days that the event or events actually take place.~~

~~3. For a winery, brewery, distillery facility II and III in the RA zone, the temporary use shall not exceed a total of twenty four days in any three hundred sixty five day period and all event parking must be accommodated on-site or managed through a parking management plan approved by the director. This subsection B.3. applies only to the days that the event or events actually take place.~~

~~4. For a winery, brewery, distillery facility II in the A or RA zones, in addition to all other relevant facts, the department shall consider building occupancy and parking limitations during permit review, and shall condition the number of guests allowed for a temporary use based on those limitations. The department shall not authorize attendance of more than one hundred fifty guests.~~

~~5. For a winery, brewery, distillery facility III in the A or RA zones, in addition to all other relevant facts, the department shall consider building occupancy and parking limitations during permit review, and shall condition the number of guests allowed for a temporary use based on those limitations. The department shall not authorize attendance of more than two hundred fifty guests.~~

~~6. Events for any winery, brewery, distillery facility I in the RA zone, any nonconforming winery, brewery, distillery facility home occupation, or any nonconforming winery, brewery, distillery facility home industry shall be limited to two per year, and limited to a maximum of fifty guests. If the event complies with this subsection B.6., a temporary use permit is not required for a special event for a winery, brewery, distillery facility I in the RA zone, a nonconforming home occupation winery, brewery, distillery facility or a~~

~~nonconforming home industry winery, brewery, distillery facility.~~

7. ~~For a winery, brewery, distillery facility II and III in the RA zone, events exempted under K.C.C. 21A.32.110.E. from the requirement to obtain a temporary use permit shall not be subject to the provisions of this section));~~

C. The temporary use permit shall specify a date upon which the use shall be terminated and removed; and

D. A temporary use permit may be renewed annually for up to a total of five consecutive years as follows:

1. The applicant shall make a written request and pay the applicable permit extension fees for renewal of the temporary use permit at least seventy days before the end of the permit period;

2. The department must determine that the temporary use is being conducted in compliance with the conditions of the temporary use permit;

3. The department must determine that site conditions have not changed since the original temporary permit was issued; and

4. At least forty-five days before the end of the permit period, the department shall notify property owners within five hundred feet of the property boundaries that a temporary use permit extension has been requested and contact information to request additional information or to provide comments on the proposed extension.

SECTION 17. Ordinance 13623, Section 37, as amended, and K.C.C. 23.32.010 are hereby amended to read as follows:

A.1. Civil fines and civil penalties for civil code violations shall be imposed for remedial purposes and shall be assessed for each violation identified in a citation, notice and order, voluntary compliance agreement, or stop work order pursuant to the following schedule:

a. citations, except for winery, brewery, distillery, ~~((facility I, II and III))~~ and remote tasting room uses:

- (1) with no previous similar code violations \$100
  - (2) with no previous code violations of K.C.C. chapter 12.86 within the past twelve months \$125
  - (3) with one previous code violation of K.C.C. chapter 12.86 within the past twelve months \$250
  - (4) with one or more previous similar code violations, or with two previous code violations of K.C.C. chapter 12.86 within the past twelve months \$500
  - (5) with two or more previous violations of K.C.C. Title 10, or three or more previous code violations of K.C.C. chapter 12.86 within the past twelve months Double the rate of the previous penalty
  - b. citations for violations of winery, brewery, distillery, ~~((facility I, II and III))~~ and remote tasting room use zoning conditions, including but not limited to unapproved events;
    - (1) with no previous similar code violations within the past twelve months; \$500
    - (2) with one or more previous similar code violations within the past twelve months; \$1,000
  - c. violation of notice and orders and stop work orders:
    - (1) stop work order basic penalty \$500
    - (2) voluntary compliance agreement and notice and order basic penalty \$25
  - (3) additional initial penalties may be added in the following amounts for violations where there is:
    - (a) public health risk \$15
    - (b) environmental damage risk \$15
    - (c) damage to property risk \$15
    - (d) one previous similar code violation \$25
    - (e) two previous similar code violations \$50
    - (f) three or more previous similar code violations \$75
    - (g) economic benefit to person responsible for violation \$25
  - d. cleanup restitution payment: as specified in K.C.C. 23.02.140.
  - e. reinspection following the issuance of a notice and order, if the violation has not been abated in accordance with the notice and order:
    - (1) first reinspection, which shall occur no sooner than the day following the date compliance is required by the notice and order \$150
    - (2) second reinspection, which shall occur no sooner than fourteen days following the first reinspection \$300
    - (3) third reinspection, which shall occur no sooner than fourteen days following the second reinspection \$450
    - (4) reinspection after the third reinspection, which shall only be conducted immediately preceding an administrative or court ordered abatement or at the direction of the prosecuting attorney for the purpose of presenting evidence in the course of litigation or administrative hearing against the person responsible for code compliance \$450
2. For the purposes of this section, previous similar code violations that can serve as a basis for a

higher level of civil penalties include violations of the same chapter of the King County Code. Any citation, stop work order, or notice and order previously issued by the department shall not constitute a previous code violation for the purposes of this section if that stop work order or notice and order was appealed and subsequently reversed.

B. The penalties assessed pursuant to this section for any failure to comply with a notice and order or voluntary compliance agreement shall be assessed daily, according to the schedule in subsection A of this section, for the first thirty days following the date the notice and order or voluntary compliance agreement required the code violations to have been cured. If after thirty days the person responsible for code compliance has failed to satisfy the notice and order or voluntary compliance agreement, penalties shall be assessed daily at a rate of double the rate for the first thirty days. Penalties may be assessed daily until the person responsible for code compliance has fully complied with the notice and order.

C. Penalties based on violation of a stop work order shall be assessed, according to the schedule in subsection A. of this section, for each day the department determines that work or activity was done in violation of the stop work order.

D. Citations and cleanup restitution payments shall only be subject to a one-time civil penalty.

E. The director may suspend the imposition of additional civil penalties if the person responsible for code compliance has entered into a voluntary compliance agreement. If the person responsible for code compliance enters into a voluntary compliance agreement and cures the code violations, the director may also waive all or part of the accrued civil penalties in accordance with K.C.C. 23.32.050. Penalties shall begin to accrue again pursuant to the terms of the voluntary compliance agreement if any necessary permits applied for are denied, canceled, or not pursued, or if corrective action identified in the voluntary compliance agreement is not completed as specified.

F. The civil penalties in this section are in addition to, and not in lieu of, any penalties, sanctions, restitution, or fines provided for in any other provisions of law.

SECTION 18. Map Amendment #1 is hereby adopted, as shown in Attachment A to this ordinance.

SECTION 19. The following are hereby repealed:

- A. Ordinance 19030, Section 3;
- B. Ordinance 19030, Section 4, and K.C.C. 6.74.010;
- C. Ordinance 19030, Section 5, and K.C.C. 6.74.020;
- D. Ordinance 19030, Section 6, and K.C.C. 6.74.030;
- E. Ordinance 19030, Section 7, and K.C.C. 6.74.040;
- F. Ordinance 19030, Section 8, and K.C.C. 6.74.050;
- G. Ordinance 19030, Section 9, and K.C.C. 6.74.060;
- H. Ordinance 19030, Section 10, and K.C.C. 6.74.070;
- I. Ordinance 19030, Section 11, and K.C.C. 6.74.080;
- J. Ordinance 19030, Section 14, and K.C.C. 21A.06.1427A;
- K. Ordinance 19030, Section 15, and K.C.C. 21A.06.1427B;
- L. Ordinance 19030, Section 16, and K.C.C. 21A.06.1427C;
- M. Ordinance 19030, Section 28;
- N. Ordinance 19030, Section 29, and K.C.C. 21A.55.110; and
- O. Ordinance 19030, Section 32.

SECTION 20. This ordinance takes effect on the latter of the following dates:

A. Sixty-one days after the date of publication of notice of adoption of this ordinance, as provided in RCW 36.70A.290; or

B. If a petition for review challenging adoption of this ordinance is timely filed with the growth management hearings board, then thirty-one business days after issuance of the board's final order of compliance in accordance with RCW 30.70A.300.

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

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