

ORDINANCE NO. 2019-07-01

An ordinance relating to land use and zoning regulations under Chapters 35.63 and 36.70A RCW for medical marijuana and marijuana related facilities in Clark County Code (Title 40).

WHEREAS, the voters of Washington approved Initiative Measure No. 692 (I-692) on November 3, 1998 (codified as Chapter 69.51A RCW) which allowed the use of cannabis(marijuana) for medical purposes and created an affirmative defense for qualifying patients with a terminal or debilitating illness to the charge of possession of cannabis; and

WHEREAS, regardless of state law, marijuana remains a federally controlled substance, and its possession, distribution and use is illegal under the Controlled Substances Act, 21 U.S.C§812(c); and

WHEREAS, the Growth Management Act, Chapter 36.70A RCW, requires Clark County to regulate land use and development within the County's jurisdiction; and

WHEREAS, the 2011 Washington Legislature passed ESSSB 5073, amending I-692, which in part, allows the establishment of collective gardens for the production, process, transport and delivery of medical marijuana; and

WHEREAS, the then Board of County Commissioners (Board) adopted a moratorium on the acceptance of any land use applications for medical marijuana collective gardens with Res. 2011-07-04, 2011-08-07, and 2012-07-01; and

WHEREAS, the Board adopted Ord. 2013-07-08 that established zoning for medical marijuana collective gardens and also established a ban on such facilities until such time that marijuana is no longer listed as a federally-controlled substance in accordance with 21 U.S.C. §812(c); and

WHEREAS, on November 6, 2012, the voters of Washington approved Initiative Measure No. 502 (I-502) (codified in Chapter 69.50 RCW), which legalized the production, processing, and retail sales of recreational marijuana, and provided a framework under which marijuana producers, processors, and retailers can become licensed by the Washington State Liquor Cannabis Board (LCB); and

WHEREAS, the LCB issued marijuana license applications for marijuana production, processing, and retail facilities; and

WHEREAS, the Clark County Council (Council) adopted a moratorium on the acceptance of any land use applications for I-502 facilities with Res. 2013-08-04, 2013-10-06, and 2014-02-17; and

WHEREAS, on January 16, 2014, the Washington Attorney General issued an opinion that I-502 does not preempt local governments from adopting moratoria or complete bans on the establishment or operation of recreational marijuana facilities that I-502 otherwise authorizes; and

WHEREAS, Council adopted Ord. 2014-05-07, which established zoning for I-502 facilities and also established a ban on such facilities until such time that marijuana is no longer listed as a federally-controlled substance in accordance with 21 U.S.C. §812(c); and

WHEREAS, the 2015 Washington Legislature enacted the Cannabis Patient Protection Act on April 24, 2015 (ESSSB 5052), revising state law concerning medical and recreational marijuana in Chapters 69.50 and 69.51A RCW; and

WHEREAS, the LCB, through its rulemaking process to establish corresponding administrative procedures and standards, has increased the number of retail marijuana stores and established a new class of use, the marijuana cooperative; and

1 WHEREAS, Council held a duly noticed, public work session on April 3, 2019 to hear from local
2 experts on the topics of marijuana and public health, public safety, substance abuse and addiction treatment;
3 and
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5 WHEREAS, Council held a duly noticed, public work session on and May 1, 2019 to review the
6 legislative history of marijuana in the county; and
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8 WHEREAS, Council directed staff to draft code amendments to address the needs raised in the work
9 sessions above; and
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11 WHEREAS, the notice of intent to adopt this set of amendments pursuant to RCW 36.70A.106 were
12 received by the State Department of Commerce on May 15, 2019; and
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14 WHEREAS, SEPA determinations of non-significance were published on May 22, 2019 and no
15 comments were received; and
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17 WHEREAS, the Clark County Planning Commission held a work session on May 16, 2019 to
18 review the staff recommendation on the proposed code amendments; and
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20 WHEREAS, the Planning Commission held a duly noticed public hearing on June 6, 2019 at which it
21 considered and deliberated on the staff proposal for the code amendments, and adopted a recommendation
22 to the Council regarding the proposed amendments; and
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24 WHEREAS, the Council held a work session on June 26, 2019 to review the Planning
25 Commission recommendation; and
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27 WHEREAS, Council, at its duly noticed public hearing on July 2, 2019, took public testimony and
28 considered all comments presented to the Council, and the recommendations of the Planning Commission
29 and staff; and
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31 WHEREAS, this ordinance does not address the legality under federal law of the conduct
32 associated with the possession, production, processing, and retailing of marijuana or medical marijuana;
33 and
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35 WHEREAS, the Council finds that adoption of these code amendments will further the public
36 health, safety and welfare; now, therefore,
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38 **BE IT HEREBY ORDERED, RESOLVED AND DECREED BY THE CLARK COUNTY**
39 **COUNCIL, CLARK COUNTY, STATE OF WASHINGTON, as follows:**
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41 **Section 1. Findings.** The recitals above are incorporated into this ordinance as findings.
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43 **Section 2. Amendatory.** Sec. 2 of Ord. 2014-05-07 and codified as CCC 40.260.115, and most recently
44 amended by Sec. 11 (Exhibit 9) of Ord. 2017-07-04, are each hereby amended as follows:
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46 **40.260.115 Marijuana Facilities**
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48 **A. Purpose.**
49

50 The purpose of this section is to implement Chapter 69.50 RCW, the Washington Uniform Controlled
51 Substances Act, and Chapter 314-55 WAC, which address the producing, processing, and retailing of
52 marijuana. This section addresses the facilities for such uses by establishing criteria to adequately
53 separate such facilities from schools, community centers, parks, licensed daycare facilities, and other
54 such facilities, and to establish minimum performance standards to address public health and safety
55 impacts from such facilities.
56

57 (Amended: Ord. 2017-07-04)

B. Applicability.

1. This section shall apply to all unincorporated areas of the county.
2. The location restrictions and special standards in this section apply to any facility that:
 - a. Is a producer of marijuana as defined in WAC 314-55-075;
 - b. Is a processor of marijuana as defined in WAC 314-55-077; or
 - c. Is a retailer of marijuana as defined in WAC 314-55-079.
3. This section does not pertain in any respect to medical marijuana ~~collective gardens~~ cooperatives as defined in WAC 314-55-410.
- ~~4. Recreational marijuana-related permits will not be approved until such time that marijuana is no longer listed as a federally controlled substance in accordance with 21 U.S.C. 812(c).~~

(Amended: Ord. 2017-07-04)

C. Definitions. For purposes of this section, the following definitions shall apply:

Marijuana	<p>"Marijuana" means all of the <u>plant cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include:</u></p> <p><u>(1) The mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination; or</u></p> <p><u>(2) Industrial hemp as defined in RCW 15.120.010.</u></p> <p><u>(Source: RCW 69.50.101(2)(x))</u></p>
Marijuana processor	<p>"Marijuana processor" means a facility licensed by the Washington <u>State Liquor Control and Cannabis Board</u> to transform marijuana into usable marijuana and marijuana-infused products, package and label usable marijuana and marijuana-infused products for sale in retail outlets, and sell usable marijuana and marijuana-infused products at wholesale to marijuana retailers. Processors are classified as follows:</p> <ul style="list-style-type: none">• Processor I: a facility limited to drying, curing, trimming, and packaging; and• Processor II: a facility that extracts concentrates, infuses products, or involves mechanical and/or chemical processing in addition to drying, curing, trimming, and packaging.
Marijuana producer	<p>"Marijuana producer" means a facility licensed by the Washington <u>State Liquor Control and Cannabis Board</u> for the growing and sale at wholesale of marijuana to marijuana processors and other marijuana producers.</p>
Marijuana retailer	<p>"Marijuana retailer" means a facility licensed by the Washington <u>State Liquor Control and Cannabis Board</u> for the sale to consumers of usable marijuana and marijuana-infused products.</p>
Medical marijuana cooperative	<p>"Medical marijuana cooperative" means a <u>group of qualifying patients or designated providers who may form a cooperative and share responsibility for acquiring and supplying the resources needed to produce and process marijuana only for the medical use of members of the cooperative.</u></p>
Substance use disorder treatment program	<p>"Substance use disorder treatment program" means a <u>program for persons with a substance use disorder provided by a treatment program licensed or certified by the department as meeting standards adopted pursuant to RCW 71.24.025.</u></p>

(Amended: Ord. 2017-07-04)

D. Location Standards.

1. Subject to Section 40.260.115(D)(1)(d), marijuana facilities as defined in Section 40.260.115(C) may be sited as follows:
 - a. Marijuana production facilities may be allowed on legal parcels of at least ~~ten (10)~~ five (5) acres in size zoned AG-20 and FR-40, and on legal conforming parcels zoned IL_r and IH_r and ~~IR~~.
 - b. Marijuana processing facilities may be allowed on legal parcels as follows:
 - (1) Processor I facilities, on legal conforming parcels zoned IL, IH, ~~IR~~_r and BP;
 - (2) Processor I facilities, on parcels of at least ~~ten (10)~~ five (5) acres in size zoned AG-20 and FR-40, but only as accessory to licensed production facilities; and
 - (3) Processor II facilities, on parcels zoned IH, IL, ~~IR~~_r and BP.
 - c. Marijuana retailing facilities may be allowed on legal conforming parcels zoned GC_r and CC_r and ~~CR-2~~.
 - d. No production or processing facilities are allowed within one thousand (1,000) feet of the perimeter of the grounds of the following entities. The distance shall be measured as the shortest straight line distance from the property line of the proposed building/business location to the property line of the entities listed below pursuant to WAC 314-55-050:
 - (1) Elementary or secondary school;
 - (2) Public playground;
 - (3) Recreation center or facility, including the Clark County Events Center;
 - (4) Child care center;
 - (5) Public park;
 - (6) Public transit center;
 - (7) Library;
 - (8) Any game arcade where admission is not restricted to persons aged twenty-one (21) or older; ~~or~~
 - (9) Churches and religious facilities; or
 - (10) Substance use disorder treatment facilities.
 - e. Except as limited by WAC 314-55-050(11)(a), no retail facilities are allowed within five hundred (500) feet of the perimeter of the grounds of the following entities. The distance shall be measured as the shortest straight line distance from the property line of the proposed building/business location to the property line of the entities listed below pursuant to WAC 314-55-050:
 - (3) Recreation center or facility, including the Clark County Events Center;
 - (4) Child care center;
 - (5) Public park;
 - (6) Public transit center;
 - (7) Library;
 - (8) Any game arcade where admission is not restricted to persons aged twenty-one (21) or older; ~~or~~
 - (9) Churches and religious facilities; or
 - (10) Substance use disorder treatment facilities.
2. Where allowed, production and processing facilities may co-locate on the same parcel, if they otherwise meet the requirements of Chapter 314-55 WAC and this section.

(Amended: Ord. 2016-06-12; Ord. 2017-07-04)

E. Development Standards.

1. The requirements of Chapter 314-55 WAC are considered minimum standards for the purposes of this section.
2. Any facilities as described in Section 40.260.115(B)(2) shall be located entirely within an enclosed and secure structure with an engineered foundation, and shall be constructed in compliance with Titles 14 (Buildings and Structures), 15 (Fire Prevention), and 24 (Public Health).

3. ~~There shall be no on-site display or sale of paraphernalia used for the consumption of cannabis.~~
Marijuana plants, products, and paraphernalia shall not be visible from outside the building in which the marijuana business is located.

4. Cannabis plants shall not be visible from the public right-of-way or any public place.

54. Signs.

- a. In accordance with RCW ~~69.50.357(3)~~ 69.50.369, licensed marijuana retailers shall not display any signage in a window, on a door, or on the outside of the premises of a retail outlet that is visible to the general public from a public right-of-way, other than ~~two~~ a single signs no larger than twelve (12) square feet each identifying the retail outlet by the licensee's business or trade name.
- b. No signs for production and processing facilities are allowed.
- c. Signs shall be subject to applicable sections in Chapter 40.310 and Appendix F Section 8.4.

65. Hours of operation for retailing facilities shall be between 8:00 a.m. and ~~8:00~~ 11:00 p.m.

~~76.~~ Measures shall be implemented to prevent adverse health and safety effects to nearby residents from odors, noise, noxious gases, light, smoke and security.

- a. Odors. Facilities shall not create odors or smoke that is objectionable to residents or employees of adjacent properties.
- b. Lighting. All lights used for security shall be shielded or positioned to prevent glare impacts to nearby properties.
- c. Noise. Maximum noise levels of WAC 173-60-040 shall not be exceeded.
- d. Security. Security measures shall include, at a minimum, the requirements of WAC 314-55-083 and Title 14.
- e. Waste Disposal. Waste materials generated from any facility must be disposed of in accordance with the plan filed as part of the license application.

F. Approval Process.

Applications for production, processing, and retailing facilities shall be considered using a Type II process pursuant to Section 40.510.020.

G. Enforcement.

Violations of this chapter shall be subject to enforcement action as contained in Title 32, Enforcement.

(Added: Ord. 2014-05-07)

Section 3. Amendatory. Sec. 1 (Ex. A) of Ord. 2003-11-01 and codified as CCC 40.100.070, and most recently amended by Sec. 7 of Ord. 2019-05-07, are each hereby amended as follows:

40.100.070 Definitions

Unless the context clearly requires otherwise, the definitions in this section shall apply to terms in this title. In addition to definitions provided below, there are chapter-specific or section-specific definitions in the following sections:

- Section 40.240.040, Columbia River Gorge National Scenic Area Districts;
- Section 40.250.010, Airport Environs Overlay Districts (AE-1, AE-2);
- Section 40.250.030, Historic Preservation;
- Section 40.260.050, Bed and Breakfast Establishments;
- Section 40.260.100, Home Businesses;
- Section 40.260.250, Wireless Communications Facilities;
- Section 40.310.010, Sign Standards;

- Section 40.386.010, Stormwater and Erosion Control;
- Section 40.410.010, Critical Aquifer Recharge Areas (CARAs);
- Section 40.420.010, Flood Hazard Areas;
- Section 40.430.010, Geologic Hazard Areas;
- Chapter 40.460, Shoreline Master Program;
- Section 40.560.030, Amendments Docket;
- Chapter 40.570, State Environmental Policy Act (SEPA); and
- Section 40.610.020, Development Impact Fees.

(Amended: Ord. 2009-06-01; Ord. 2012-07-16; Ord. 2015-11-24; Ord. 2017-07-04; Ord. 2018-01-09; Ord. 2018-01-17)

Club	"Club" means an association of persons (whether or not incorporated), religious or otherwise, for a common purpose, but not including groups which are organized primarily to render a service carried on as a business for profit.
Collective garden	"Collective garden" means a facility established by qualifying marijuana patients sharing responsibility for acquiring and supplying the resources required to produce, process, transport, or deliver cannabis for medical use, in accordance with RCW 69.51A.085. (Amended: Ord. 2013-07-08; Ord. 2014-11-02)
Collector	"Collector" means any urban or rural collector as defined in Tables 40.350.030-2 and 40.350.030-3. This term is used to differentiate collectors from arterials, commercial/industrial, and access roads. (Amended: Ord. 2012-05-14)

Section 4. Amendatory. Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.210.010, and most recently amended by Sec. 2 of Ord. 2019-03-05, are each hereby amended as follows:

40.210.010 Forest, Agriculture and Agricultural-Wildlife Districts (FR-80, FR-40, AG-20, AG-WL)

A. Purpose.

1. Forest 80 District. The purpose of the Forest 80 district is to maintain and enhance resource-based industries, encourage the conservation of productive forest lands and discourage incompatible uses consistent with the Forest I policies of the comprehensive plan. The Forest 80 district applies to lands which have been designated as Forest Tier 1 on the comprehensive plan. Nothing in this chapter shall be construed in a manner inconsistent with the Washington Forest Practices Act.
2. Forest 40 District. The purpose of the Forest 40 district is to encourage the conservation of lands which have the physical characteristics that are capable of management for the long-term production of commercially significant forest products and other natural resources, such as minerals.
3. Agriculture 20 District. The purpose of the Agriculture 20 district is to encourage the conservation of lands which have the growing capacity, productivity, soil composition, and surrounding land use to have long-term commercial significance for agriculture and associated resource production.
4. Agricultural-Wildlife. The purpose of the AG-WL district is to encourage the preservation of agricultural and wildlife use on land which is suited for agricultural production, and to protect agricultural areas that are highly valuable seasonal wildlife habitat from incompatible uses. The district provides for activities which can be considered accessory only to agricultural, game, or wildlife habitat management, or recreational uses. Nothing in this chapter shall be construed to restrict normal agricultural practices.

(Amended: Ord. 2018-01-09; Ord. 2018-10-02)

B. Uses.

The uses set out in Table 40.210.010-1 are examples of uses allowable in the various resource zone districts. The appropriate review authority is mandatory.

- "P" – Uses allowed subject to approval of applicable permits.
- "R/A" – Uses permitted upon review and approval as set forth in Section 40.520.020.
- "C" – Conditional uses which may be permitted subject to the approval of a conditional use permit as set forth in Section 40.520.030.
- "X" – Uses specifically prohibited.

Where there are special use standards or restrictions for a listed use, the applicable code section(s) in Chapter 40.260, Special Uses and Standards, or other applicable chapter is noted in the "Special Standards" column.

Table 40.210.010-1. Uses					
	FR-80	FR-40	AG-20	AG-WL	Special Standards
1. Residential.					
a. Single-family dwellings and accessory buildings	P ¹	P ¹	P ¹	P	40.260.010
b. Rural accessory dwelling unit	P	P	P	P	40.260.022
c. Guest house	C ²	C ²	C ²	C ²	40.260.010
d. Family day care centers	P	P	P	P	40.260.160
e. Adult family homes	P	P	P	P	40.260.190
f. Home business – Type I	P	P	P	P	40.260.100
g. Home business – Type II	R/A	R/A	R/A	R/A	40.260.100
h. Bed and breakfast establishments (up to 2 guest bedrooms)	R/A	R/A	R/A	R/A	40.260.050
i. Bed and breakfast establishments (3 or more guest bedrooms)	C	C	C	C	40.260.050
j. Garage sales	P	P	P	P	40.260.090
k. Temporary dwellings	P	P	P	X	40.260.210
2. Services, Business.					
a. Commercial nurseries predominantly marketing locally produced plants and associated landscaping materials	R/A	R/A	R/A	C	
b. Roadside farm stand	P	P	P	P	40.260.025
c. Agricultural market	P	P	P	X	40.260.025
d. Commercial kennels on a parcel or parcels 5 acres or more	R/A	R/A	R/A	X	40.260.110
e. Private kennels	P	P	P	P	40.260.110
f. Animal boarding and day use facilities	P	P	P	X	40.260.040
3. Services, Amusement.¹⁰					
a. Public recreation, scenic and park use ¹⁰	P	P	P	C ³	
b. Public interpretive/educational uses ¹⁰	P	P	P	P	
c. Dispersed recreation and recreational facilities such as primitive campsites, trails, trailheads, snowparks and warming huts ¹⁰	P	P	P	X	
d. Public recreation accessways, trails, viewpoints, and associated parking ¹⁰	P	P	P	P	
e. Regional recreational facilities designed and developed through a public master planning process ¹⁰	P	P	P	P	
f. Private recreation facilities, including retreats, but excluding such intensive uses as country clubs and golf courses	C	C	C	C ³	
g. Country club and golf courses	X	X	C	X	
h. Equestrian facility	P	P	P	X	40.260.040
i. Equestrian events center	C	C	C	X	
j. Circuses, carnivals or amusement rides	R/A	R/A	R/A	R/A	
4. Services, General.					

Table 40.210.010-1. Uses

	FR-80	FR-40	AG-20	AG-WL	Special Standards
a. Event facilities < 5,000 sq. ft.	X	C	C	X	
b. Tasting room and event facilities in conjunction with a winery	P	P	P	X	40.260.245
5. Services, Membership Organization.					
a. Churches	X	C	C	X	
6. Services, Educational. ¹⁰					
a. Public and private elementary and middle schools serving a student population primarily outside of urban growth boundaries	C	C	C	X	40.260.160
7. Public Service and Facilities. ¹⁰					
a. Ambulance dispatch facilities ¹⁰	C	C	C	C	40.260.030
b. Government facilities ¹⁰	C ⁴	C ⁴	C ⁴	C ⁵	
c. Public corrections facilities ¹⁰	C	C	C	X	
8. Resource Activities.					
a. Agricultural	P ⁶	P ⁶	P ⁶	P	
b. The growing, harvesting and transport of timber, forest products and associated management activities in accordance with the Washington Forest Practices Act of 1974 as amended, and regulations adopted pursuant thereto	P	P	P	X	
c. Wildlife game management	P	P	P	P	
d. Plant nurseries	P	P	P	P	
e. Removal, harvesting, wholesaling and retailing of vegetation from forest lands including but not limited to fuel wood, Christmas trees, salal, berries, ferns, greenery, mistletoe, herbs and mushrooms	P	P	P	C	Chapter 40.440
f. Silviculture	P	P	P	C	40.260.080
g. Aggregate extraction and processing for the purposes of construction and maintenance of a timber or agricultural management road system	P ⁷	P ⁷	P ⁷	X	40.250.022
h. Exploration for rock, gravel, oil, gas, mineral and geothermal resources	P	P	P	X	40.250.022
i. Extraction of oil, gas and geothermal resources, in accordance with all applicable local, state and federal regulations	R/A	R/A	R/A	X	40.250.022
j. Commercial uses supporting resource uses	P ⁸	P ⁸	P ⁸	X	
k. Accessory buildings	P	P	P	P	40.260.010
l. Housing for temporary workers	P	P	P	P	40.260.105
m. Sawmills greater than ten thousand (10,000) board feet per day, and other products from wood residues, drying kilns and equipment	C	C	C	X	
n. Forestry, environmental and natural resource research and facilities	P	P	P	C	
o. The processing of oil, gas and geothermal resources	C	C	C	X	
p. Heliports, helipads and helispots used in conjunction with the resource activity	P	C	C	X	40.260.170
9. Other.					
a. Signs	P	P	P	P	Chapter 40.310
b. Utilities, structures and uses including but not limited to utility substations, pump stations, wells, watershed intake facilities, gas and water transmission lines	P	P	P	C	40.260.240
c. Wireless communications facilities	P/C ⁹	P/C ⁹	P/C ⁹	P/C ⁹	40.260.250
d. Dams for flood control and hydroelectric generating facilities	C	C	C	C	
e. Solid waste handling and disposal sites	C	C	C	C	40.260.200
f. Private use landing strips for aircraft	C	C	C	X	40.260.170
g. New cemeteries and mausoleums, crematoria, columbaria, and mortuaries within cemeteries; provided, that no crematorium is within two hundred (200) feet of a lot in a residential district	X	X	X	C	
h. Expansion of existing cemeteries	P	P	P	P	

Table 40.210.010-1. Uses

	FR-80	FR-40	AG-20	AG-WL	Special Standards
i. Temporary uses	P	P	P	P	40.260.220
j. Electric vehicle infrastructure	P	P	P	P	40.260.075
k. Medical marijuana collective gardens cooperative	X	X	X	X	40.260.115
l. Marijuana related production facilities	X	XP	XP	X	40.260.115
m. Marijuana processor 1 facilities	X	X	P	X	40.260.115
n. Marijuana processor 2 facilities	X	X	X	X	40.260.115
o. Marijuana retailer facilities	X	X	X	X	40.260.115

¹ One (1) single-family dwelling on legal lot or legal nonconforming lot of record.

² One (1) guesthouse in conjunction with a single-family dwelling or home.

³ Public, where no public master planning process has been completed, or private outdoor recreational facilities requiring limited physical improvements which are oriented to the appreciation, protection, study or enjoyment of the fragile resources of this area. In addition to those findings as specified by Section 40.520.030 (Conditional Use Permits), such uses shall be approved only upon the applicant establishing both of the following:

- There will be no significant environmental impact, especially as it relates to wildlife, resulting from the proposed use; and
- The subject site cannot be put to any reasonable economic use which is provided for in this section.

⁴ Government facilities necessary to serve the area outside urban growth boundaries, including fire stations, ambulance dispatch facilities and storage yards, warehouses, or similar uses.

⁵ Limited to fire stations only.

⁶ Agriculture including: floriculture, horticulture, general farming, dairy, the raising, feeding and sale or production of poultry, livestock, furbearing animals, and honeybees including feedlot operations, animal sales yards, Christmas trees, nursery stock and floral vegetation and other agricultural activities and structures accessory to farming or animal husbandry.

⁷ Additional surface mining and associated activities subject to zone change to add the surface mining overlay district, Section 40.250.022.

⁸ Commercial uses supporting resource uses, such as packing, first stage processing and processing which provides value added to resource products. Chippers, pole yards, log sorting and storage, temporary structures for debarking, accessory uses including but not limited to scaling and weigh operations, temporary crew quarters, storage and maintenance facilities, disposal areas, saw mills producing ten thousand (10,000) board feet per day or less, and other uses involved in the harvesting of forest products.

⁹ See Table 40.260.250-1.

¹⁰ Once a property has been developed as a public facility, a docket is required to change the comprehensive plan designation from the current zone to the Public Facilities zone.

(Amended: Ord. 2004-06-10; Ord. 2005-04-12; Ord. 2006-05-01; Ord. 2006-09-13; Ord. 2008-12-15; Ord. 2009-12-01; Ord. 2009-12-15; Ord. 2010-10-02; Ord. 2011-03-09; Ord. 2011-06-14; Ord. 2011-08-08; Ord. 2011-12-09; Ord. 2012-02-03; Ord. 2012-06-02; Ord. 2012-07-03; Ord. 2012-12-23; Ord. 2013-07-08; Ord. 2014-01-08; Ord. 2014-05-07; Ord. 2014-11-02; Ord. 2016-09-04; Ord. 2018-01-09; Ord. 2018-10-02; Ord. 2019-03-05)

Section 5. Amendatory. Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.210.020, and most recently amended by Sec. 3 of Ord. 2019-03-05, are each hereby amended as follows:

40.210.020 Rural Districts (R-20, R-10, R-5)

A. Purpose.

The rural districts are intended to provide lands for residential living in the rural area. Natural resource activities such as farming and forestry are allowed and encouraged in conjunction with the residential uses in the area. These areas are subject to normal and accepted forestry and farming practices.

(Amended: Ord. 2018-01-09)

B. Uses.

The uses set out in Table 40.210.020-1 are examples of uses allowable in the various rural zone districts. The appropriate review authority is mandatory.

- "P" – Uses allowed subject to approval of applicable permits.
- "R/A" – Uses permitted upon review and approval as set forth in Section 40.520.020.
- "C" – Conditional uses which may be permitted subject to the approval of a conditional use permit as set forth in Section 40.520.030.

- "X" – Uses specifically prohibited.

Where there are special use standards or restrictions for a listed use, the applicable code section(s) in Chapter 40.260, Special Uses and Standards, or other applicable chapter is noted in the "Special Standards" column.

Table 40.210.020-1. Uses

	R-20	R-10	R-5	Special Standards
1. Residential.				
a. Single-family dwellings and accessory buildings, including 1 guest house	P	P	P	40.260.010
b. Rural accessory dwelling unit	P	P	P	40.260.022
c. Family day care centers	P	P	P	40.260.160
d. Adult family homes	P	P	P	40.260.190
e. Home business – Type I	P	P	P	40.260.100
f. Home business – Type II	R/A	R/A	R/A	40.260.100
g. Bed and breakfast establishments (up to 2 guest bedrooms)	R/A	R/A	R/A	40.260.050
h. Bed and breakfast establishments (3 or more guest bedrooms)	C	C	C	40.260.050
i. Country inns of historic significance	C	C	C	
j. Garage sales	P	P	P	40.260.090
k. Residential care homes	C	C	C	40.260.180
l. Temporary dwellings	P	P	P	40.260.210
m. Staffed residential homes	C	C	C	40.260.205
2. Services, Business.				
a. Commercial nurseries predominantly marketing locally produced plants and associated landscaping materials	R/A	R/A	R/A	
b. Roadside farm stand	P	P	P	40.260.025
c. Agricultural market	P	P	P	40.260.025
d. Veterinary clinics	C	C	C	
e. Commercial kennels on a parcel or parcels 5 acres or more	R/A	R/A	R/A	40.260.110
f. Private kennels	P	P	P	40.260.110
g. Animal boarding and day use facilities	P	P	P	40.260.040
3. Services, Amusement.				
a. Publicly owned recreational facilities, services, parks and playgrounds ⁴	P	P	P	40.260.157
b. Private recreation facilities, such as country clubs and golf courses, including such intensive commercial recreational uses as golf driving range, race track, amusement park, paintball facilities, or gun club	C	C	C	
c. Golf courses	C	C	C	
d. Equestrian facility on parcels less than 5 acres	C	C	C	40.260.040
e. Equestrian facility on parcels 5 acres or greater	P	P	P	40.260.040
f. Equestrian events center	C	C	C	40.260.040
g. Outdoor public entertainments, amusements and assemblies	R/A	R/A	R/A	Chapter 5.32
h. Tasting room and event facilities in conjunction with a winery	P	P	P	40.260.245
4. Services, Membership Organization.				
a. Churches	C	C	C	
5. Services, Educational.⁴				
a. Public or private schools, but not including business, dancing or technical schools ⁴	C	C	C	40.260.160
6. Public Service and Facilities.⁴				
a. Ambulance dispatch facilities ⁴	C	C	C	40.260.030
b. Government facilities ⁴	C ¹	C ¹	C ¹	
7. Resource Activities.				

Table 40.210.020-1. Uses

	R-20	R-10	R-5	Special Standards
a. Agricultural and forestry, including any accessory buildings and activities	P	P	P	40.260.080
b. Silviculture	P	P	P	40.260.080
c. Commercial uses supporting agricultural and forestry resource uses	P ²	P ²	P ²	
d. Housing for temporary workers	P	P	P	40.260.105
8. Other.				
a. Private use landing strips for aircraft and heliports	C	C	C	40.260.170
b. Solid waste handling and disposal sites	C	C	C	40.260.200
c. Utilities, structures and uses including but not limited to utility substations, pump stations, wells, watershed intake facilities, gas and water transmission lines	P	P	P	40.260.240
d. Wireless communications facilities	P/C ³	P/C ³	P/C ³	40.260.250
e. Cemeteries and mausoleums, crematoria, columbaria, and mortuaries within cemeteries; provided, that no crematoria is within two hundred (200) feet of a lot in a residential district.	C	C	C	
f. Temporary uses	P	P	P	40.260.220
g. Electric vehicle infrastructure	P	P	P	40.260.075
h. Medical marijuana collective gardens cooperative	X	X	X	40.260.115
i. Marijuana related facilities	X	X	X	40.260.115
i. <u>Marijuana production facilities</u>	X	X	X	40.260.115
j. <u>Marijuana processor 1 facilities</u>	X	X	X	40.260.115
k. <u>Marijuana processor 2 facilities</u>	X	X	X	40.260.115
l. <u>Marijuana retailer facilities</u>	X	X	X	40.260.115

¹ Government facilities necessary to serve the area outside urban growth boundaries, including fire stations, ambulance dispatch facilities and storage yards, warehouses, or similar uses.

² Commercial uses supporting agricultural and forestry resource uses, such as packing, first stage processing and processing which provides value added to resource products.

³ See Table 40.260.250-1.

⁴ Once a property has been developed as a public facility, a docket is required to change the comprehensive plan designation from the current zone to the Public Facilities zone.

(Amended: Ord. 2003-12-15; Ord. 2005-04-12; Ord. 2007-06-05; Ord. 2010-08-06; Ord. 2010-10-02; Ord. 2011-03-09; Ord. 2011-06-14; Ord. 2011-08-08; Ord. 2011-12-09; Ord. 2012-02-03; Ord. 2012-02-08; Ord. 2012-06-02; Ord. 2012-12-23; Ord. 2013-07-08; Ord. 2014-05-07; Ord. 2014-11-02; Ord. 2016-06-12; Ord. 2018-01-09; Ord. 2019-03-05)

Section 6. Amendatory. Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.210.030, and most recently amended by Sec. 3 of Ord. 2019-03-05, are each hereby amended as follows:

40.210.030 Rural Center Residential Districts (RC-2.5, RC-1)

A. Purpose.

The rural center residential zones are to provide lands for residential living in the rural centers at densities consistent with the comprehensive plan. These districts are only permitted in the designated rural centers. Natural resource activities such as farming and forestry are allowed to occur as small-scale activities in conjunction with the residential uses in the area. These areas are subject to normal and accepted forestry and farming practices.

(Amended: Ord. 2018-01-09)

B. Location Criteria.

These zoning districts are only permitted within the designated rural centers adopted as part of the Clark County comprehensive plan in areas with a comprehensive plan designation of rural center residential.

(Amended: Ord. 2018-01-09)

C. Uses.

The uses set out in Table 40.210.030-1 are examples of uses allowable in rural center residential zone districts. The appropriate review authority is mandatory.

- "P" – Uses allowed subject to approval of applicable permits.
- "R/A" – Uses permitted upon review and approval as set forth in Section 40.520.020.
- "C" – Conditional uses which may be permitted subject to the approval of a conditional use permit as set forth in Section 40.520.030.
- "X" – Uses specifically prohibited.

Where there are special use standards or restrictions for a listed use, the applicable code section(s) in Chapter 40.260, Special Uses and Standards, or other applicable chapter is noted in the "Special Standards" column.

Table 40.210.030-1. Uses			
	RC-1	RC-2.5	Special Standards
1. Residential.			
a. Single-family dwellings and accessory buildings, including 1 guest house	P	P	40.260.010
b. Rural accessory dwelling unit	P	P	40.260.022
c. Family day care centers	P	P	40.260.160
d. Adult family homes	P	P	40.260.190
e. Home business – Type I	P	P	40.260.100
f. Home business – Type II	R/A	R/A	40.260.100
g. Bed and breakfast establishments (up to 2 guest bedrooms)	P	P	40.260.050
h. Bed and breakfast establishments (3 or more guest bedrooms)	P	P	40.260.050
i. Country inns of historic significance	C	C	
j. Garage sales	P	P	40.260.090
k. Residential care homes	C	C	40.260.180
l. Temporary dwellings	P	P	40.260.210
m. Staffed residential homes	C	C	40.260.205
n. Residential care facilities (on parcels 2.5 acres or greater)	C	C	40.260.180
2. Services, Business.			
a. Commercial nurseries predominantly marketing locally produced plants and associated landscaping materials	P	P	
b. Roadside farm stand	P	P	40.260.025
c. Agricultural market	P	P	40.260.025
d. Veterinary clinics	C	C	
e. Commercial kennels on a parcel or parcels 5 acres or more	R/A	R/A	40.260.110
f. Private kennels	P	P	40.260.110
g. Animal boarding and day use facilities	P	P	40.260.040
h. Dental and medical offices	C	C	
3. Services, Amusement.			
a. Publicly owned recreational facilities, services, parks and playgrounds ³	P	P	40.260.157
b. Parks ³	P	P	40.260.157
c. Private recreation facilities, such as country clubs and golf courses, including such intensive commercial recreational uses as golf driving range, race	C	C	

Table 40.210.030-1. Uses

	RC-1	RC-2.5	Special Standards
track, amusement park, paintball facilities, or gun club			
d. Golf courses	X	X	
e. Equestrian facility on parcels less than 5 acres	C	C	40.260.040
f. Equestrian facility on parcels 5 acres or greater	P	P	40.260.040
g. Equestrian events center	C	C	40.260.040
h. Outdoor public entertainments, amusements and assemblies	R/A	R/A	Chapter 5.32
4. Services, Membership Organization.			
a. Churches	C	C	
5. Services, Educational. ³			
a. Public or private schools, but not including business, dancing or technical schools ³	C	C	40.260.160
6. Public Service and Facilities. ³			
a. Ambulance dispatch facilities ³	C	C	40.260.030
b. Government facilities ³	C ¹	C ¹	
7. Resource Activities.			
a. Agricultural and forestry, including any accessory buildings and activities	P	P	40.260.080
b. Silviculture	P	P	40.260.080
8. Other.			
a. Utilities, structures and uses including but not limited to utility substations, pump stations, wells, watershed intake facilities, gas and water transmission lines	P	P	40.260.240
b. Solid waste handling and disposal sites	C	C	40.260.200
c. Wireless communications facilities	P/C ²	P/C ²	40.260.250
d. Cemeteries and mausoleums, crematoria, columbaria, and mortuaries within cemeteries; provided, that no crematoria is within two hundred (200) feet of a lot in a residential district	X	X	
e. Temporary uses	P	P	40.260.220
f. Electric vehicle infrastructure	P	P	40.260.075
g. Medical marijuana-collective gardens cooperative	X	X	40.260.115
h. Marijuana-related facilities	X	X	40.260.115
h. Marijuana production facilities	X	X	40.260.115
i. Marijuana processor 1 facilities	X	X	40.260.115
j. Marijuana processor 2 facilities	X	X	40.260.115
k. Marijuana retailer facilities	X	X	40.260.115

¹ Government facilities necessary to serve the area outside urban growth boundaries, including fire stations, ambulance dispatch facilities and storage yards, warehouses, or similar uses.

² See Table 40.260.250-1.

³ Once a property has been developed as a public facility, a docket is required to change the comprehensive plan designation from the current zone to the Public Facilities zone.

(Amended: Ord. 2003-12-15; Ord. 2005-04-12; Ord. 2007-06-05; Ord. 2011-03-09; Ord. 2011-06-14; Ord. 2011-08-08; Ord. 2011-12-09; Ord. 2012-02-03; Ord. 2012-02-08; Ord. 2012-06-02; Ord. 2012-07-03; Ord. 2013-07-08; Ord. 2014-05-07; Ord. 2014-11-02; Ord. 2016-03-11; Ord. 2016-06-12; Ord. 2018-01-09; Ord. 2019-03-05)

Section 7. Amendatory. Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.210.050, and most recently amended by Sec. 21 of Ord. 2018-01-09, are each hereby amended as follows:

40.210.050 Rural Commercial Districts (CR-1, CR-2)

A. Purpose.

The CR-1 and CR-2 districts are intended to provide for the location of businesses and services that are sized to serve the rural community. These commercial areas are located in areas designated as rural commercial on the comprehensive plan map either within rural centers (CR-2) or in other areas of existing commercial activity in the rural area outside rural centers (CR-1). They should be designed to complement and support the rural environment without creating land use conflicts.

(Amended: Ord. 2018-01-09)

B. Uses.

The uses set out in Table 40.210.050-1 are examples of uses allowable in the various zone districts. The appropriate review authority is mandatory.

- "P" – Uses allowed subject to approval of applicable permits.
- "R/A" – Uses permitted upon review and approval as set forth in Section 40.520.020.
- "C" – Conditional uses which may be permitted subject to the approval of a conditional use permit as set forth in Section 40.520.030.
- "X" – Uses specifically prohibited.

Where there are special use standards or restrictions for a listed use, the applicable code section(s) in Chapter 40.260, Special Uses and Standards, or other applicable chapter is noted in the "Special Standards" column.

	CR-1	CR-2	Special Standards
1. Residential Uses. Residential uses are only permitted in commercial zones when integrated with the predominant use of the site as commercial and occupying less than fifty percent (50%) of the floor area of the project. The residential uses must be constructed following or in conjunction with the commercial aspects of the proposal.			
a. Medium density (integrated multifamily/commercial or mixed use structure not to exceed 22 residential units per acre)	X	X	
b. High density (integrated multifamily/commercial or mixed use structure not to exceed 43 residential units per acre)	X	X	
c. Existing residences without any increase in density	P	P	
d. Home business – Type I	P	P	40.260.100
e. Home business – Type II	R/A	R/A	40.260.100
f. Bed and breakfast establishments (up to 2 guest bedrooms)	R/A ¹	P	40.260.050
g. Bed and breakfast establishments (3 or more guest bedrooms)	C ¹	C ¹	40.260.050
h. Temporary dwellings	P	P	40.260.210
i. One (1) single-family residence in conjunction with a use permitted outright or by conditional use	P	P	
j. Assisted living facilities	P	P	40.260.190
k. Adult family homes (in existing single-family dwellings or duplexes only)	P	P	40.260.190
2. Retail Sales – Food.			
a. Markets in excess of 25,000 square feet gross floor area	X	X	
b. Markets – 5,000 to 25,000 square feet of gross floor area	C ¹	P	
c. Markets – < 5,000 square feet of gross floor area	P	P	
d. Bakery – primarily retail outlet (> 10,000 square feet of gross floor area)	X	X	
e. Bakery – primarily retail outlet (< 10,000 square feet of gross floor area)	P	P	
3. Retail Sales – General.			
a. General retailer (over 200,000 square feet gross floor area)	X	X	
b. General retailer (100,000 – 200,000 square feet)	X	X	
c. General retailer (25,000 – 100,000 square feet gross floor area)	X	X	
d. General retailer (under 25,000 square feet gross floor area)	X	P	

Table 40.210.050-1. Uses

	CR-1	CR-2	Special Standards
e. Single purpose/specialty retailers (less than 10,000 square feet gross floor area)	P	P	
f. Single purpose/specialty retailers (10,000 – 25,000 square feet gross floor area)	X	C ¹	
g. Single purpose/specialty retailers (greater than 25,000 square feet gross floor area)	X	X	
h. Yard and garden supplies, including nurseries	P	P	
4. Retail Sales – Restaurants, Drinking Places.			
a. Restaurants, with associated drinking places, alcoholic beverages	C ¹	P	
b. Drinking places, alcoholic beverages (with or without entertainment)	C ¹	C ¹	
5. Retail Sales and Services – Automotive and Related.			
a. Motor vehicle dealers, new and used, including auto, truck trailer, boat, recreational vehicles and equipment	X	C ¹	
b. Quick vehicle servicing	X	C ¹	
c. Filling station	C ¹	C ¹	
d. Motorcycles	X	C ¹	
e. Manufactured home sales	X	X	
f. Car washes	X	C ¹	
g. Vehicle rental or repair including auto, truck trailer, boat, and recreational vehicles			
(1) Located entirely within an enclosed building	C ¹	C ¹	
(2) Including outside storage or repair	X	C ¹	
h. Commercial off-street parking facilities	X	X	
i. Vehicle towing and storage services	X	C ¹	
j. Transportation terminals			
(1) Freight	X	C ¹	
(2) People	P	P	
k. Electric vehicle infrastructure	P	P	40.260.075
6. Retail Sales – Building Material and Farm Equipment.			
a. Lumber and other building materials stores and yards, with only incidental cutting and planning of products sold	C ¹	C ¹	
b. Heating and plumbing equipment, including incidental fabrication (operated entirely within an enclosed building)	X	C ¹	
c. Hardware, home repair and supply stores (over 100,000 square feet gross floor area)	X	X	
d. Hardware, home repair and supply stores (25,000 to 100,000 square feet gross floor area)	X	X	
e. Hardware, home repair and supply stores (under 25,000 square feet gross floor area)	X	P	
f. Farm equipment and implement dealer	P	P	
g. Hay, grain, and feed stores	P	P	
7. Retail Sales – Products. (Finished product retailers with primary fabrication or assembly on site. Within an entirely enclosed building.)			
a. Uses of < 5,000 square feet gross floor area	C ¹	C ¹	
b. Uses of 5,000 – 25,000 square feet gross floor area	X	C ¹	
c. Uses of 25,000 square feet gross floor area or greater	X	X	
8. Services – Personal.			
a. Self-service laundries, dry cleaning, including pressing, alteration, garment and accessory repair, excluding industrial cleaning services	C ¹	P	
b. Barber and beauty shops	P	P	

Table 40.210.050-1. Uses

	CR-1	CR-2	Special Standards
c. Clothing rental establishments	X	X	
d. Mortuaries	C ¹	C ¹	
9. Services – General.			
a. Duplicating, addressing, blueprinting, photocopying, mailing, and stenographic services (< 2,500 square feet)	P	P	
b. Duplicating, addressing, blueprinting, photocopying, mailing, and stenographic services (> 2,500 square feet)	X	X	
c. Office equipment and home appliance rental, service and repair agencies	X	C ¹	
d. Printing, publishing and lithographic shops	X	C ¹	
e. Services to buildings (including dwellings), cleaning and exterminating	X	X	
f. Moving and storage	X	X	
g. Mini-storage warehouse	X	X	
(1) Accessory caretaker, security or manager residence when incorporated as an integral part of the mini-storage warehouse	X	X	
h. Auction barns	C ¹	C ¹	
i. Branch banks	C ¹	P	
j. Event facilities (< 10,000 square feet)	X	P	
k. Event facilities (10,000 to 50,000 square feet)	X	X	
l. Event facilities (> 50,000 square feet)	X	X	
m. RV storage	X	X	
n. Security and patrol services (< 10,000 square feet)	X	P	
o. Commercial kennels on a parcel or parcels 5 acres or more	R/A	R/A	40.260.110
p. Private kennels	P	P	40.260.110
q. Animal boarding and day use facilities	P	P	40.260.040
r. Equestrian facility on parcels less than 5 acres	C	C	40.260.040
s. Equestrian facility on parcels 5 acres or greater	P	P	40.260.040
t. Equestrian events center	C	C	40.260.040
10. Services – Lodging Places.			
a. Hotels/motels	X	X	
b. Recreational vehicle parks and campgrounds	X	C ¹	
11. Services – Medical and Health.			
a. Hospitals	X	X	
b. Outpatient clinics	X	C ¹	
c. Medical laboratories	X	X	
d. Sanitaria, convalescent and rest homes	X	X	
e. Orthopedic equipment and supplies, rental, sales and services	X	X	
f. Animal hospitals and veterinary clinics			
(1) Outside animal activities	C ¹	C ¹	
(2) Inside animal activities only	C ¹	C ¹	
g. Ambulance services ¹	P	P	
h. Residential care homes	C ¹	C ¹	
i. Residential and congregate care facilities	X	X	
j. Opiate substitution treatment facilities	X	X	40.260.165
12. Services – Professional Office.			
a. Professional offices (< 10,000 square feet gross floor area)	C ¹	P	
b. Professional offices (> 10,000 square feet gross floor area)	X	C ¹	
c. Artists/photographic studios	C ¹	C ¹	
13. Services – Amusement.			
a. Amusement centers	X	X	

Table 40.210.050-1. Uses

	CR-1	CR-2	Special Standards
b. Bowling alleys, billiard and pool parlors, and video arcades	X	X	
c. Skating rinks, ice and/or roller	X	X	
d. Indoor paintball facilities	X	X	
e. Outdoor paintball facilities	X	X	
f. Theaters, indoor	X	X	
g. Drive-in theaters, stadium and arena facilities	X	X	
h. Athletic, health and racket clubs (< 5,000 square feet of gross floor area)	P	P	
i. Athletic, health and racket clubs (< 10,000 and > 5,000 square feet of gross floor area)	X	X	
j. Athletic, health and racket clubs (> 10,000 square feet of gross floor area)	X	X	
k. Circuses, carnivals, or amusement rides	R/A ¹	R/A ¹	
14. Services – Educational. ¹			
a. Nursery schools, preschools	C	C	40.260.160
b. Day care facilities consistent with Chapter 388-73 WAC	P	P	40.260.160
c. Libraries (< 2,500 square feet gross floor area) ¹	P	P	
d. Libraries (> 2,500 square feet gross floor area) ¹	X	C	
e. Vocational schools	X	X	
f. Automobile driving schools (< 5,000 square feet)	P	P	
g. Artistic studios and schools including but not limited to dance, music and martial arts (< 5,000 square feet)	P	P	
h. Artistic studios and schools including but not limited to dance, music and martial arts (> 5,000 square feet)	X	X	
i. Public parks, parkways, recreation facilities, trails and related facilities ¹	P	P	
j. Parks ¹	P	P	40.260.157
k. Public/private educational institutions ¹	C ¹	C ¹	
l. Outdoor team sports fields	P	X	
15. Services – Membership Organizations.			
a. Business, professional and religious (not including churches)	X	X	
b. Civic, social, fraternal, charitable, labor and political (< 5,000 square feet)	P	P	
c. Civic, social, fraternal, charitable, labor and political (> 5,000 square feet)	C ¹	C ¹	
d. Churches	C ¹	C ¹	
16. Distribution Facilities. (In conjunction with a permitted use, all activities, except vehicle storage, located entirely within an enclosed building)			
a. Distribution facilities of less than 25,000 square feet gross floor area	X	X	
b. Distribution facilities of between 25,000 and 50,000 square feet gross floor area	X	X	
17. Public Services and Facilities. ¹			
a. Buildings entirely dedicated to public services, such as City Hall, police and fire substations ⁷	C ¹	C ¹	
b. Sewer, water and utility transmission lines	P	P	40.260.240
c. Wireless communications facilities	P/C ⁶	P/C ⁶	40.260.250
d. Zoos, museums, historic and cultural exhibits and the like	C ¹	C ¹	
e. U.S. Post Offices ¹	P	P	
f. Public transit facilities including park and ride facilities ¹	P	P	
18. Resource Activities.			
a. Agriculture	P	P	40.260.040
b. Silviculture	P	P	40.260.080
c. Roadside farm stand	P	P	40.260.025
d. Agricultural market	P	P	40.260.025

Table 40.210.050-1. Uses

	CR-1	CR-2	Special Standards
19. Accessory Uses and Activities.			
a. On-site hazardous waste treatment and storage facilities, subject to state siting criteria (RCW 70.105.210)	P	P	
b. Drive-through, drive-in or drive-up facilities	P	R/A ¹	
c. Open air activities			
(1) Open air display of plants and produce in conjunction with a permitted use ²	P	P	
(2) Open air storage of materials ³	X	X	
(3) Open air work activities such as restaurants, portable walk-up vendors such as espresso carts, flower stands and food stands, plant nurseries and other uses generally conducted outside in conjunction with a permitted commercial use, unless otherwise prohibited by this title ⁴	P	P	
(4) Open air storage of company vehicles, such as cars and light duty trucks, in conjunction with a permitted use	P ⁵	P ⁵	
20. Other Uses.			
a. Temporary uses	P	P	40.260.220
b. Private use heliports	X	X	40.260.170
c. Solid waste handling and disposal sites	C ¹	C ¹	40.260.200
d. Medical marijuana—collective gardens cooperative	X	X	40.260.115
e. Marijuana production facilities	X	X	40.260.115
f. Marijuana processor 1 facilities	X	X	40.260.115
g. Marijuana processor 2 facilities	X	X	40.260.115
h. Marijuana-related retailer facilities	X	X	40.260.115
i. Contractors' offices, storage buildings, and storage yards	P	P	40.320.010(D)

¹ In addition to the requirements of Sections 40.520.020 or 40.520.030, the applicant shall submit detailed information that permits the review authority to make findings that:

- The proposed use will support the natural resource activities and/or the needs of the rural community;
- The proposed use is limited in size to serve primarily the surrounding rural community and does not require or create the need for urban levels of service for water, sewer and transportation; and
- The proposed use is primarily for convenience and service needs necessary to support natural resource activities and/or the rural community and will not cause adverse impacts on surrounding natural resource activities.

² These areas must be identified and approved on the site plan.

³ Such areas must be located behind buildings or to the rear of the site and away from street frontages and fully screened with landscaping to the L-4 standard.

⁴ These uses are permitted to occupy up to ten percent (10%) of the total floor area of the development or building. Open air sale of vehicles and manufactured homes is not subject to this requirement, where permitted. This is not intended to prohibit temporary outside sales of a limited duration (less than two (2) weeks total per year) when in conjunction with a permitted use.

⁵ Vehicle storage areas shall be located behind buildings or to the rear of the site to the extent practicable. Landscaping standards in excess of site plan review standards may be required in order to properly screen adjoining residential lands.

⁶ See Table 40.260.250-1.

⁷ Once a property has been developed as a public facility, a docket is required to change the comprehensive plan designation from the current zone to the Public Facilities zone.

(Amended: Ord. 2011-02-13; Ord. 2011-06-14; Ord. 2011-08-08; Ord. 2011-12-09; Ord. 2012-02-03; Ord. 2012-06-02; Ord. 2013-07-08; Ord. 2014-05-07; Ord. 2014-11-02; Ord. 2016-06-12; Ord. 2018-01-09)

Section 8. Amendatory. Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.220.010, and most recently amended by Sec. 11 of Ord. 2018-10-02, are each hereby amended as follows:

40.220.010 Single-Family Residential Districts (R1-20, R1-10, R1-7.5, R1-6 and R1-5)

A. Purpose.

- The R1-20, R1-10 and R1-7.5 districts are intended to:
 - Recognize, maintain and protect established low-density residential areas.

- b. Establish higher densities where a full range of community services and facilities are present or will be present at the time of development.
 - c. Provide for additional related uses such as schools, parks and utility uses necessary to serve immediate residential areas.
2. The R1-6 and R1-5 districts are intended to provide for higher single and duplex densities where a full range of community services and facilities are present or will be present at the time of development.

(Amended: Ord. 2018-10-02)

B. Uses.

The uses set out in Table 40.220.010-1 are examples of uses allowable in single-family residential zone districts. The appropriate review authority is mandatory.

- "P" – Uses allowed subject to approval of applicable permits.
- "R/A" – Uses permitted upon review and approval as set forth in Section 40.520.020.
- "C" – Conditional uses which may be permitted subject to the approval of a conditional use permit as set forth in Section 40.520.030.
- "X" – Uses specifically prohibited.

Where there are special use standards or restrictions for a listed use, the applicable code section(s) in Chapter 40.260, Special Uses and Standards, or other applicable chapter is noted in the "Special Standards" column.

Table 40.220.010-1. Uses						
	R1-20	R1-10	R1-7.5	R1-6	R1-5	Special Standards
1. Residential.						
a. Single-family detached dwellings	P	P	P	P	P	
b. Accessory uses and structures normal to a residential environment	P	P	P	P	P	40.260.010
c. Accessory dwelling units	R/A	R/A	R/A	R/A	R/A	40.260.020
d. Duplex dwellings	X	X	X	P ¹	P ¹	
e. Family day care centers	P	P	P	P	P	40.260.160
f. Adult family homes	P	P	P	P	P	40.260.190
g. Home business – Type I	P	P	P	P	P	40.260.100
h. Home business – Type II	R/A	R/A	R/A	R/A	R/A	40.260.100
i. Bed and breakfast establishments (up to 2 guest bedrooms)	R/A	R/A	R/A	R/A	R/A	40.260.050
j. Bed and breakfast establishments (3 or more guest bedrooms)	C	C	C	C	C	40.260.050
k. Garage sales	P	P	P	P	P	40.260.090
l. Manufactured home parks	X	X	X	X	X	
m. Residential P.U.D.	R/A	R/A	R/A	R/A	R/A	40.520.080
n. Single-family attached dwelling units (townhouses)	R/A ²	R/A ²	R/A ²	R/A ²	R/A ²	40.260.155 40.520.080
o. Zero lot-line developments	X	X	R/A	R/A	R/A	40.260.260
p. Residential care homes and facilities	C	C	C	C	C	40.260.180
q. Temporary dwellings	P	P	P	P	P	40.260.210
r. Cottage housing	X	X	P	P	P	40.260.073
s. Staffed residential homes	C	C	C	C	C	40.260.205
2. Services, Business.						
a. Temporary modular tract sales and construction offices	P	P	P	P	P	

Table 40.220.010-1. Uses

	R1-20	R1-10	R1-7.5	R1-6	R1-5	Special Standards
b. Model homes	P	P	P	P	P	40.260.175
c. Roadside farm stand	P	P	P	P	P	40.260.025
d. Agricultural market	P	P	P	P	P	40.260.025
3. Services, Amusement.						
a. Private recreation facilities	C ³	C ³	C ³	C ³	C ³	
b. Circuses, carnivals or amusement rides	R/A	R/A	R/A	R/A	R/A	
4. Services, Membership Organization.						
a. Churches	C	C	C	C	C	40.260.070
5. Services, Educational. ¹						
a. Commercial day care centers ²	C	C	C	C	C	40.260.160
b. Grade K – 5 public and private schools, including preschools ⁷	P	P	P	P	P	40.260.160
c. Grade 6 – 12 public and private schools ²	C	C	C	C	C	
d. Business, dancing and technical schools ²	X	X	X	X	X	
e. Public park and public recreational facilities ²	P	P	P	P	P	40.260.157
f. Parks ²	P	P	P	P	P	40.260.157
6. Public Service and Facilities. ²						40.230.090
a. Ambulance dispatch facilities ²	C	C	C	C	C	40.260.030
b. Government facilities ²	C ⁴	C ⁴	C ⁴	C ⁴	C ⁴	
7. Resource Activities.						
a. Agricultural	P	P	P	P	P	40.260.040
b. Silviculture	P	P	P	P	P	40.260.080
8. Other.						
a. Cemeteries and mausoleums	C ⁵	C ⁵	C ⁵	C ⁵	C ⁵	
b. Utilities, other than wireless communications facilities	P	P	P	P	P	40.260.240
c. Solid waste handling and disposal sites	C	C	C	C	C	40.260.200
d. Wireless communications facilities	P/C ⁶	P/C ⁶	P/C ⁶	P/C ⁶	P/C ⁶	40.260.250
e. Temporary uses	P	P	P	P	P	40.260.220
f. Electric vehicle infrastructure	P	P	P	P	P	40.260.075
g. Medical marijuana collective gardens cooperative	X	X	X	X	X	40.260.115
h. Marijuana-related facilities	X	X	X	X	X	40.260.115
h. Marijuana production facilities	X	X	X	X	X	40.260.115
i. Marijuana processor 1 facilities	X	X	X	X	X	40.260.115
j. Marijuana processor 2 facilities	X	X	X	X	X	40.260.115
k. Marijuana retailer facilities	X	X	X	X	X	40.260.115

¹ Duplexes permitted on corner lots.² Attached single-family dwellings allowed in PUD development only.³ Including golf courses and country clubs, but not including such intensive recreation uses as a golf driving range (unless within a golf course), race track, amusement park or gun club.⁴ Not including storage or repair yards, warehouses, or similar uses.⁵ Including crematoria, columbaria, and mortuaries within cemeteries; provided, that no crematorium is within two hundred (200) feet of a lot in a residential district.⁶ See Table 40.260.250-1.⁷ Once a property has been developed as a public facility, a docket is required to change the comprehensive plan designation from the current zone to the Public Facilities zone.

(Amended: Ord. 2004-06-11; Ord. 2004-09-02; Ord. 2005-04-12; Ord. 2007-06-05; Ord. 2009-06-01; Ord. 2010-08-06; Ord. 2011-06-14; Ord. 2011-08-08; Ord. 2011-12-09; Ord. 2012-02-03; Ord. 2012-02-08; Ord. 2012-06-02; Ord. 2012-12-23; Ord. 2013-07-08; Ord. 2014-05-07; Ord. 2014-11-02; Ord. 2016-06-12; Ord. 2018-10-02)

1 **Section 9. Amendatory.** Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.220.020, and
2 most recently amended by Sec. 12 of Ord. 2018-10-02, are each hereby amended as follows:
3

40.220.020 Residential and Office Residential Districts (R, OR)

A. Purpose.

1. The residential (R-12, R-18, R-22, R-30 and R-43) districts are intended to provide for medium and higher density residential development based upon consistency with the comprehensive plan and compatibility with surrounding land uses. The following factors will be considered in the application of one (1) of these districts to a particular site:
 - a. Properties designated urban medium density residential on the comprehensive plan should not exceed a density of R-22. Urban high density residential areas are appropriate for densities in the R-30 and R-43 districts.
 - b. Proximity to major streets and the available capacity of these streets, adequacy of public water and sewer, vehicular and pedestrian traffic circulation in the area, proximity to commercial services and proximity to public open space and recreation opportunities. Development within these districts will be reviewed to ensure compatibility with adjacent uses including such considerations as privacy, noise, lighting and design.
2. The office residential (OR-15, OR-18, OR-22, OR-30, OR-43) districts are intended to provide for residential and professional office development based upon consistency with the comprehensive plan and compatibility with adjacent land uses. It is intended that office developments within these districts will be of a higher standard in recognition of their residential setting. The following factors will be considered in the application of one (1) of these districts to a particular site:
 - a. Proximity to major streets and the available capacity of these streets;
 - b. Availability of public water and sewer;
 - c. Vehicular and pedestrian traffic circulation in the area;
 - d. Proximity to commercial services; and
 - e. Proximity to public open space and recreation opportunities.

Development within these districts will be reviewed to ensure compatibility with adjacent uses, including such considerations as privacy, noise, lighting and design.

(Amended: Ord. 2018-01-09; Ord. 2018-10-02)

B. Uses.

The uses set out in Table 40.220.020-1 are examples of uses allowable in residential and office residential zone districts. The appropriate review authority is mandatory.

- "P" – Uses allowed subject to approval of applicable permits.
- "R/A" – Uses permitted upon review and approval as set forth in Section 40.520.020.
- "C" – Conditional uses which may be permitted subject to the approval of a conditional use permit as set forth in Section 40.520.030.
- "X" – Uses specifically prohibited.

Where there are special use standards or restrictions for a listed use, the applicable code section(s) in Chapter 40.260, Special Uses and Standards, or other applicable chapter is noted in the "Special Standards" column.

Table 40.220.020-1. Uses											
	R-12	R-18	R-22	R-30	R-43	OR-15	OR-18	OR-22	OR-30	OR-43	Special Standards
1. Residential.											
a. Accessory uses and structures normal to a residential environment	P	P	P	P	P	P	P	P	P	P	40.260.010
b. Accessory dwelling units	R/A1	R/A1	R/A1	R/A1	R/A1	R/A1	R/A1	R/A1	R/A1	R/A1	40.260.020
c. Boarding houses	R/A	R/A	P	P	P	P	P	P	P	P	

Table 40.220.020-1. Uses

	R-12	R-18	R-22	R-30	R-43	OR-15	OR-18	OR-22	OR-30	OR-43	Special Standards
d. Duplex dwellings	P	P	P	P	P	P	P	P	P	P	
e. Multifamily dwellings	P	P	P	P	P	P	P	P	P	P	40.260.150
f. Existing residential use	P	P	P	P	P	P	P	P	P	P	
g. Family day care centers	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	40.260.160
h. Adult family homes	P	P	P	P	P	P	P	P	P	P	40.260.190
i. Home business – Type I	P	P	P	P	P	P	P	P	P	P	40.260.100
j. Home business – Type II	R/A	R/A	R/A	R/A	R/A	R/A	R/A	R/A	R/A	R/A	40.260.100
k. Bed and breakfast establishments (up to 2 guest bedrooms)	R/A	R/A	R/A	R/A	R/A	R/A	R/A	R/A	R/A	R/A	40.260.050
l. Bed and breakfast establishments (3 or more guest bedrooms)	C	C	C	C	C	C	C	C	C	C	40.260.050
m. Garage sales	P	P	P	P	P	P	P	P	P	P	40.260.090
n. Manufactured home parks	R/A	R/A	R/A	R/A	R/A	R/A	R/A	R/A	R/A	R/A	40.260.140
o. Residential P.U.D.	R/A	R/A	R/A	R/A	R/A	R/A	R/A	R/A	R/A	R/A	40.520.020 40.520.080
p. Assisted living facilities	P	P	P	P	P	P	P	P	P	P	40.260.190
q. Single-family attached dwelling units (townhouses)	R/A	R/A	R/A	R/A	R/A	R/A	R/A	R/A	R/A	R/A	40.260.155
r. Single-family detached dwellings	R/A	R/A	R/A	X	X	R/A	R/A	R/A	X	X	40.260.155
s. Residential care homes and facilities	C	C	C	C	C	C	C	C	C	C	40.260.180
t. Cottage housing	P	P	P	X	X	P	P	P	X	X	40.260.073
u. Staffed residential homes	C	C	C	C	C	C	C	C	C	C	40.260.205
2. Retail Sales – Restaurants, Drinking Places.											
a. Restaurants within a residential or office complex	X	X	X	X	X	C	C	C	P	P	
3. Service, Business.											
a. Mini-storage warehouse	X	X	X	X	X	C	C	C	C	C	
i. Accessory caretaker, security or manager residence when incorporated as an integral part of the mini-storage warehouse	X	X	X	X	X	C	C	C	C	C	
b. Temporary modular tract sales and construction offices	P	P	P	P	P	P	P	P	P	P	
c. Model homes	P	P	P	P	P	P	P	P	P	P	40.260.175
d. Roadside farm stand	P	P	P	P	P	P	P	P	P	P	40.260.025
e. Agricultural market	P	P	P	P	P	P	P	P	P	P	40.260.025
4. Services, Medical and Health.											
a. Congregate care facilities	C	C	C	C	C	C	C	C	C	C	
b. Nursing or convalescent homes	C	C	C	C	C	C	C	C	C	C	40.260.190
c. Hospitals	X	X	X	X	X	X	X	X	C	C	
d. Veterinary clinics	X	X	X	X	X	X	X	C	P	P	
5. Services, Professional Office.											
a. Business/Professional offices	X	X	X	X	X	P	P	P	P	P	
b. Medical/Dental clinics	X	X	X	X	X	P	P	P	P	P	
6. Services, Amusement.											
a. Private recreation facilities	C	C	C	C	C	C	C	C	C	C	
b. Circuses, carnivals, or amusement rides	R/A	R/A	R/A	R/A	R/A	R/A	R/A	R/A	R/A	R/A	
7. Services, Membership Organization.											
a. Churches	C	C	C	C	C	C	C	C	C	C	40.260.070

Table 40.220.020-1. Uses

	R-12	R-18	R-22	R-30	R-43	OR-15	OR-18	OR-22	OR-30	OR-43	Special Standards
b. Clubs, lodges and charitable institutions	C	C	C	C	C	C	C	C	C	C	40.260.070
8. Services, Educational. ⁴											
a. Commercial day care centers ⁴	C	C	C	C	C	C	C	C	C	C	40.260.160
b. Grade K through 5 public or private schools, including preschools ⁴	P	P	P	P	P	P	P	P	P	P	
c. Grade 6 through college, public or private schools ⁴	C	C	C	C	C	C	C	C	C	C	
d. Public park and public recreational facilities ⁴	P	P	P	P	P	P	P	P	P	P	40.260.157
e. Parks ⁴	P	P	P	P	P	P	P	P	P	P	40.260.157
f. Business, dancing and technical schools ⁴	X	X	X	X	X	P	P	P	P	P	
9. Public Service and Facilities. ⁴											40.230.090
a. Ambulance dispatch facilities ⁴	C	C	C	C	C	C	C	C	C	C	40.260.030
b. Governmental structures including fire stations, post offices, etc. ⁴	C	C	C	C	C	C	C	C	C	C	
10. Resource Activities.											
a. Agricultural	P	P	P	P	P	P	P	P	P	P	40.260.040
b. Silviculture	P	P	P	P	P	P	P	P	P	P	40.260.080
11. Other.											
a. Cemeteries and mausoleums	C	C	C	C	C	C	C	C	C	C	
b. Private use heliports	X	X	X	X	X	C	C	C	C	C	40.260.170
c. Utilities, other than wireless communications facilities	P	P	P	P	P	P	P	P	P	P	40.260.240
d. Solid waste handling and disposal sites	C	C	C	C	C	C	C	C	C	C	40.260.200
e. Wireless communications facilities	P/C3	P/C3	P/C3	P/C3	P/C3	P/C3	P/C3	P/C3	P/C3	P/C3	40.260.250
f. Temporary uses	P	P	P	P	P	P	P	P	P	P	40.260.220
g. Electric vehicle infrastructure	P	P	P	P	P	P	P	P	P	P	40.260.075
h. Medical marijuana collective gardens cooperative	X	X	X	X	X	X	X	X	X	X	40.260.115
i. Marijuana-related facilities	X	X	X	X	X	X	X	X	X	X	40.260.115
i. Marijuana production facilities	X	X	X	X	X	X	X	X	X	X	40.260.115
j. Marijuana processor 1 facilities	X	X	X	X	X	X	X	X	X	X	40.260.115
k. Marijuana processor 2 facilities	X	X	X	X	X	X	X	X	X	X	40.260.115
l. Marijuana retailer facilities	X	X	X	X	X	X	X	X	X	X	40.260.115

¹ An accessory dwelling unit may be allowed on any multifamily zoned lot developed with an existing single-family dwelling, except as noted in Section 40.260.020. Type I site plan review is required.

² Only in single-family residences.

³ See Table 40.260.250-1.

⁴ Once a property has been developed as a public facility, a docket is required to change the comprehensive plan designation from the current zone to the Public Facilities zone.

(Amended: Ord. 2004-06-11; Ord. 2004-09-02; Ord. 2005-04-12; Ord. 2006-05-01; Ord. 2007-06-05; Ord. 2007-11-13; Ord. 2010-08-06; Ord. 2011-06-14; Ord. 2011-08-08; Ord. 2011-12-09; Ord. 2012-02-03; Ord. 2012-02-08; Ord. 2012-06-02; Ord. 2013-07-08; Ord. 2014-05-07; Ord. 2014-11-02; Ord. 2016-06-12; Ord. 2018-01-09; Ord. 2018-10-02)

Section 10. Amendatory. Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.230.010, and most recently amended by Sec. 3.12 (Exhibit 15) of Ord. 2016-06-12, are each hereby amended as follows:

40.230.010 Commercial Districts (NC, CC, GC)

A. Purpose.

1. Neighborhood Commercial (NC) District. These commercial areas of limited size are intended to provide for the convenience shopping needs of the immediate neighborhood. This district is permitted under the neighborhood commercial and mixed use comprehensive plan designations.
2. Community Commercial (CC) District. These commercial areas are intended to provide for the regular shopping and service needs for several adjacent neighborhoods. This district is only permitted in areas designated as community commercial or mixed use on the comprehensive plan.
3. General Commercial (GC) District. These commercial areas provide a full range of goods and services necessary to serve large areas of the county and the traveling public. This district is limited to the general commercial comprehensive plan designation.

(Amended: Ord. 2008-12-15)

B. Definitions.

For the purposes of this section, the following definitions shall apply:

1. Streets. In commercial zones, the definition of "street" shall be limited to public rights-of-way.

C. Uses.

The uses set out in Table 40.230.010-1 are examples of uses allowable in the various zone districts. The appropriate review authority is mandatory.

- "P" – Uses allowed subject to approval of applicable permits.
- "R/A" – Uses permitted upon review and approval as set forth in Section 40.520.020.
- "C" – Conditional uses which may be permitted subject to the approval of a conditional use permit as set forth in Section 40.520.030.
- "X" – Uses specifically prohibited.

Where there are special use standards or restrictions for a listed use, the applicable code section(s) in Chapter 40.260, Special Uses and Standards, or other applicable chapter is noted in the "Special Standards" column.

Table 40.230.010-1. Uses				
	NC	CC	GC	Special Standards
1. Residential Uses. Residential uses are only permitted above the ground floor in commercial zones except for an accessory caretaker, security or manager, or owner residence. The residential uses must be constructed following or in conjunction with the commercial aspects of the proposal. For the purposes of subsection (1)(a) of this table, "commercial uses" are those uses listed in subsections (2), (3), (4), (7), (8), (9), (10), (11), (12), (13), (14), (15) and (18) of this table.				
a. Residential (integrated multifamily/commercial or mixed use structure.)	P	P	P	40.260.150
b. Existing residences without any increase in density, including accessory uses and structures normal to a residential environment. Replacement of such structures requires county approval prior to the removal of the existing structure(s) and is subject to time limits regarding the replacement.	P	P	P	40.260.010

Table 40.230.010-1. Uses

	NC	CC	GC	Special Standards
c. Adult family homes (in existing single-family dwellings or duplexes only)	P	P	P	40.260.190
d. Home business – Type I	P	X	X	40.260.100
e. Home business – Type II	P	X	X	40.260.100
f. Bed and breakfast establishments	P	P	P	40.260.050
g. Temporary dwellings	P	X	X	40.260.210
h. One (1) single-family residence for an accessory caretaker, security or manager, or owner residence in conjunction with a use permitted outright or by conditional use	P	P	P	
i. Assisted living facilities	P	P	P	40.260.190
2. Retail Sales – Food.				
a. Markets greater than 25,001 square feet gross floor area	X	P	P	
b. Markets less than or equal to 25,000 square feet of gross floor area	P	P	P	
c. Bakery – primarily retail outlet (greater than 10,001 square feet of gross floor area)	X	P	P	
d. Bakery – primarily retail outlet (less than or equal to 10,000 square feet of gross floor area)	P	P	P	
3. Retail Sales – General.				
a. General retailer (greater than 100,001 square feet gross floor area)	X	P	P	
b. General retailer (25,001 – 100,000 square feet gross floor area)	X	P	P	
c. General retailer (less than or equal to 25,000 square feet gross floor area)	P	P	P	
d. Single purpose/specialty retailers (greater than 10,001 square feet gross floor area)	X	P	P	
e. Single purpose/specialty retailers (less than or equal to 10,000 square feet gross floor area)	P	P	P	
f. Yard and garden supplies, including nurseries	P	P	P	
4. Retail Sales – Restaurants, Drinking Places.				
a. Restaurants, with associated drinking places, alcoholic beverages	P	P	P	
b. Drinking places, alcoholic beverages (with or without entertainment)	C	P	P	
5. Retail Sales and Services – Automotive and Related.				
a. Motor vehicle dealers, new and used, including auto, truck trailer, boat, recreational vehicles and equipment	X	P	P	
b. Quick vehicle servicing	X	P	P	
c. Filling station	P	P	P	
d. Motorcycles	X	P	P	
e. Manufactured home sales	X	X	P	
f. Car washes	X	P	P	
g. Vehicle rental or repair including auto, truck trailer, boat, and recreational vehicles				
(1) Located entirely within an enclosed building	X	P	P	
(2) Including outside storage or repair	X	C	P	
h. Commercial off-street parking facilities	X	P	P	
i. Vehicle towing and storage services	X	X	P	
j. Transportation terminals				
(1) People	P	P	P	
k. Electric vehicle infrastructure	P	P	P	40.260.075
6. Retail Sales – Building Material and Farm Equipment.				
a. Lumber and other building materials stores and yards, with only incidental cutting and planing of products sold	X	C	P	
b. Heating and plumbing equipment, including incidental fabrication (operated entirely within an enclosed building)	X	P	P	

Table 40.230.010-1. Uses

	NC	CC	GC	Special Standards
c. Hardware, home repair and supply stores (greater than 100,001 square feet gross floor area)	X	C	P	
d. Hardware, home repair and supply stores (25,001 to 100,000 square feet gross floor area)	X	P	P	
e. Hardware, home repair and supply stores (less than or equal to 25,000 square feet gross floor area)	P	P	P	
f. Farm equipment and implement dealer	X	X	P	
g. Hay, grain, and feed stores	X	P	P	
7. Retail Sales – Products (Retailers of products created or assembled on-site within an entirely enclosed building.)				
a. Uses greater than 25,001 square feet gross floor area	X	C	P	
b. Uses between 5,001 and 25,000 square feet gross floor area	X	P	P	
c. Uses less than or equal to 5,000 square feet gross floor area	P	P	P	
8. Services – Personal.				
a. Self-service laundries, dry cleaning, including pressing, alteration, garment and accessory repair, excluding industrial cleaning services	P	P	P	
b. Barber and beauty shops	P	P	P	
c. Day spas, massage parlors, public bathhouses, and reflexology businesses	R/A	R/A	R/A	Ch. 5.70
d. Clothing rental establishments	X	P	P	
e. Mortuaries	X	X	P	
f. Tattoo/body art studio	X	P	P	
9. Services – General.				
a. Duplicating, addressing, blueprinting, photocopying, mailing, and stenographic services (greater than 2,501 square feet)	X	P	P	
b. Duplicating, addressing, blueprinting, photocopying, mailing, and stenographic services (less than or equal to 2,500 square feet)	P	P	P	
c. Office equipment and home appliance rental, service and repair agencies	X	P	P	
d. Printing, publishing and lithographic shops	X	R/A	P	
e. Services to buildings (including dwellings), cleaning and exterminating	X	C	P	
f. Moving and storage	X	P	P	
g. Mini-storage warehouse	X	P	P	
(1) Accessory caretaker, security or manager residence when incorporated as an integral part of the mini-storage warehouse	X	R/A	P	
h. Auction barns	X	X	P	
i. Branch banks	P	P	P	
j. Event facilities (greater than 50,001 square feet)	X	X	C	
k. Event facilities (5,001 to 50,000 square feet)	X	P	P	
l. Event facilities (less than or equal to 5,000 square feet)	P	P	P	
m. RV storage	X	P	P	
n. Security and patrol services (less than 10,000 square feet)	P	P	P	
10. Services – Lodging Places.				
a. Hotels/motels	X	C	P	
b. Recreational vehicle parks and campgrounds	X	X	P	
11. Services – Medical and Health. ¹				
a. Hospitals	X	X	C	
b. Outpatient clinics/medical offices	C	P	P	
c. Medical laboratories	X	C	P	
d. Convalescent and nursing homes	X	C	C	
e. Orthopedic equipment and supplies, rental, sales and services	X	P	P	

Table 40.230.010-1. Uses

	NC	CC	GC	Special Standards
f. Ambulance services ^f	P	P	P	
g. Residential care homes	C	C	C	
h. Residential and congregate care facilities	X	C	C	
i. Opiate substitution treatment facilities	R/A	R/A	R/A	40.260.165
12. Services – Professional Office.				
a. Professional offices (greater than 5,001 square feet gross floor area)	X	P	P	
b. Professional offices (less than or equal to 5,000 square feet gross floor area)	P	P	P	
c. Artists/photographic studios	P	P	P	
13. Services – Amusement.				
a. Amusement centers				
(1) Indoor	X	C	P	
(2) Outdoor	X	C	C	
b. Athletic, health and racket clubs (greater than 10,001 square feet of gross floor area)	X	C	P	
c. Athletic, health and racket clubs (between 10,000 and 5,001 square feet of gross floor area)	C	C	P	
d. Athletic, health and racket clubs (less than or equal to 5,000 square feet of gross floor area)	P	P	P	
e. Circuses, carnivals, or amusement rides	R/A	R/A	R/A	
14. Services – Educational. ^f				
a. Nursery schools, preschools	C	P	P	40.260.160
b. Day care facilities consistent with all Washington State laws and regulations	P	P	P	40.260.160
c. Libraries	P	P	P	
d. Vocational schools	C	P	P	
(1) Truck driving schools	X	P	P	
e. Automobile driving schools (greater than 5,001 square feet)	X	P	P	
f. Automobile driving schools (less than or equal to 5,000 square feet)	P	P	P	
g. Artistic studios and schools including but not limited to dance, music and martial arts (greater than 5,001 square feet)	X	P	P	
h. Artistic studios and schools including but not limited to dance, music and martial arts (less than or equal to 5,000 square feet)	P	P	P	
i. Public parks, parkways, recreation facilities, trails and related facilities ^f	P	P	P	40.260.157
j. Parks	P	P	P	40.260.157
k. Public/private educational institutions ^f	C	C	C	
l. Outdoor team sports fields ^f	C	P	P	
15. Services – Membership Organizations.				
a. Business, professional and religious (not including churches) greater than 5,001 square feet	X	P	P	
b. Business, professional and religious (not including churches) less than or equal to 5,000 square feet	P	P	P	
c. Civic, social, fraternal, charitable, labor and political	C	P	P	
d. Churches	C	P	P	
16. Services – Animal-Related.				
a. Animal hospitals and veterinary clinics				
(1) Outside animal facilities	X	C	C	
(2) Inside animal facilities only	C	P	P	
b. Animal day use facility	P	P	P	40.260.040
c. Kennel commercial ^{1, 6} (to include domestic animals as defined in Section 8.01.020)				40.260.040, 40.320.010

Table 40.230.010-1. Uses

	NC	CC	GC	Special Standards
(1) Inside	X	C	P	
(2) Outside	X	X	C	
17. Distribution Facilities. (In conjunction with a permitted use, all activities, except vehicle storage, located entirely within an enclosed building)				
a. Distribution facilities between 50,000 and 25,001 square feet gross floor area	X	X	P	
b. Distribution facilities less than or equal to 25,000 square feet gross floor area	X	C	P	
18. Public Services and Facilities. ¹				
a. Buildings entirely dedicated to public services, such as City Hall, police and fire substations ¹	C	C	C	
b. Sewer, water and utility transmission lines	P	P	P	40.260.240
c. Wireless communications facilities	P/C	P/C	P/C	40.260.250
d. Zoos, museums and similar institutions	X	C	C	
(1) Historic and cultural exhibits	P	P	P	
e. U.S. Post Offices ¹	P	P	P	
f. Public transit facilities including park and ride facilities ¹	C	P	P	
19. Resource Activities.				
a. Agriculture	P	P	P	40.260.040
b. Silviculture	P	P	P	40.260.080
c. Roadside farm stand	P	P	P	40.260.025
d. Agricultural market	P	P	P	40.260.025
20. Accessory Uses and Activities.				
a. On-site hazardous waste treatment and storage facilities, subject to state siting criteria (RCW 70.105.210).	P	P	P	
b. Drive-through, drive-in or drive-up facilities over 200 square feet	X	P	P	40.320.010(E), 40.340.020(A)(4)
c. Coffee and food stands 200 square feet or less	P	P	P	40.260.055
d. Open air activities				
(1) Open air display of plants and produce in conjunction with a permitted use ²	P	P	P	
(2) Open air storage of materials ³	P	P	P	
(3) Open air work activities such as restaurants, portable walk-up vendors such as espresso carts, flower stands and food stands, plant nurseries and other uses generally conducted outside in conjunction with a permitted commercial use, unless otherwise prohibited by this title ⁴	P	P	P	
(4) Open air storage of company vehicles, such as cars and light duty trucks, in conjunction with a permitted use ⁵	P	P	P	
21. Other Uses.				
a. Temporary uses	P	P	P	40.260.220
b. Private use heliports	X	C	C	40.260.170
c. Solid waste handling and disposal sites	C	C	C	40.260.200
d. Medical marijuana collective gardens cooperative	X	X	X	40.260.115
e. Marijuana production facilities	X	X	X	40.260.115
f. Marijuana processor 1 facilities	X	X	X	40.260.115
g. Marijuana processor 2 facilities	X	X	X	40.260.115
eh. Marijuana-related retailer facilities	X	XP	XP	40.260.115

¹ Outdoor areas shall be fully screened to the F2 standard.² These areas must be identified and approved on the site plan.³ Such areas must be located behind buildings or to the rear of the site and away from street frontages and fully screened with landscaping according to Section 40.320.010(D)(1).

⁴ These uses are permitted to occupy up to ten percent (10%) of the total floor area of the development or building. Open air sale of vehicles and manufactured homes is not subject to this requirement, where permitted. This is not intended to prohibit temporary outside sales of a limited duration (less than two (2) weeks total per year) when in conjunction with a permitted use.

⁵ Vehicle storage areas shall be located behind buildings or to the rear of the site. Landscaping standards in excess of site plan review standards may be required in order to properly screen adjoining residential lands.

⁶ Kennels shall comply with the noise standards in Chapter 173-60 WAC. All animals are to be housed within a structure between the hours of 10:00 p.m. and 7:00 a.m.

⁷ Once a property has been developed as a public facility, a docket is required to change the comprehensive plan designation from the current zone to the Public Facilities zone.

(Amended: Ord. 2004-06-11; Ord. 2005-04-12; Ord. 2006-05-01; Ord. 2007-06-05; Ord. 2007-11-13; Ord. 2009-01-05; Ord. 2010-08-06; Ord. 2011-02-13; Ord. 2011-03-09; Ord. 2011-06-14; Ord. 2011-12-09; Ord. 2012-06-02; Ord. 2012-07-03; Ord. 2013-07-08; Ord. 2014-01-08; Ord. 2014-05-07; Ord. 2014-08-03; Ord. 2014-11-02; Ord. 2016-06-12)

Section 11. Amendatory. Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.230.020, and most recently amended by Sec. 3.13 (Exhibit 16) of Ord. 2016-06-12, are each hereby amended as follows:

40.230.020 Mixed Use District (MX)

A. Purpose.

The mixed use (MX) district requires mixed use developments to provide the community with a mix of mutually supporting retail, service, office and residential uses. It promotes cohesive site planning and design which integrates and interconnects two (2) or more land uses into a development that is mutually supportive. It provides incentives to develop a higher-density, active, urban environment than generally found in a suburban community, and which is further expected to:

1. Achieve goals and objectives of the community framework plan and the comprehensive plan;
2. Enhance livability, environmental quality and economic vitality;
3. Accommodate and respect surrounding land uses by providing a gradual transition adjacent to lower density neighborhoods that may encircle a potential mixed use site;
4. Maximize efficient use of public facilities and services;
5. Provide a variety of housing types and densities;
6. Reduce the number of automobile trips and encourage alternative modes of transportation; and
7. Create a safe, attractive and convenient environment for living, working, recreating and traveling.

B. Applicability.

1. General. The provisions of this section shall be applied to parcels or groups of contiguous parcels designated mixed use on the zoning map.
2. Interpretation. If the requirements of the mixed use district conflict with other regulations, the more stringent of the two (2) shall apply as determined by the responsible official.

C. Definitions.

For the purposes of this section, the following definitions shall apply:

1. "Mixed use development" shall mean a group of structures planned as a single entity and containing within and/or among them a variety of complementary and/or mutually supporting uses (such as housing, offices, retail, public service or entertainment).

2. "Developable area" means that portion of the site which is unencumbered by environmentally sensitive lands to be protected and their respective buffers, designated parks and open space, public right-of-way, and road easements.
3. "Building footprint" means the area contained within the exterior building walls of the ground floor of a building plus the area of any portion of upper floors that extend outside of the footprint of the ground floor.
4. "Cottage housing" means a collection of small single-family detached dwelling units arranged around a common open space.
5. "Mixed use building" means any building that combines both permitted residential and nonresidential uses.
6. "Net ground floor area" means nonresidential floor area and excludes parking areas.
7. "Senior housing" means dwelling units specifically for occupancy by persons fifty-five (55) years of age or older.

D. Uses.

The uses set out in Table 40.230.020-1 are permitted or conditional in the mixed use (MX) district. Residential uses are permitted so long as the minimum required densities of this section are met. The appropriate review authority is mandatory.

- "P" – Uses allowed subject to approval of applicable permits.
- "R/A" – Uses permitted upon review and approval as set forth in Section 40.520.020.
- "C" – Conditional uses which may be permitted subject to the approval of a conditional use permit as set forth in Section 40.520.030.
- "X" – Uses specifically prohibited.

Table 40.230.020-1. Uses ¹		
	MX	Special Standards
1. Residential Uses.		
a. Existing residences without any increase in density, including accessory uses and structures normal to a residential environment. Replacement of such structures requires county approval prior to the removal of the existing structure(s) and is subject to time limits regarding the replacement	P	40.260.010
b. Single-family dwelling, attached and detached	P ²	
c. Accessory dwelling unit	P ³	
d. Adult family homes	P ²	40.260.190
e. Duplex dwelling	P	
f. Townhouse dwelling	P	
g. Multifamily dwelling	P	
h. Home businesses	R/A	40.260.100
i. Bed and breakfast establishments	P	40.260.050
j. Assisted living facility	P	40.260.190
k. Cottage housing	P ⁴	Appendix A
2. Retail Sales – Food.		
a. Markets (<35,000 square feet or less of building footprint)	P	
b. Markets (35,000 to 59,000 square feet of building footprint)	P ^b	
c. Bakery – primarily retail outlet (< 10,000 square feet of building footprint)	P	

Table 40.230.020-1. Uses¹

	MX	Special Standards
3. Retail Sales – General.		
a. General retailer (< 50,000 square feet of building footprint)	P	
b. Single purpose/specialty retailers (< 25,000 square feet building footprint)	P	
c. Single purpose/specialty retailers (25,000 to 50,000 square feet building footprint)	C ^b	
d. Yard and garden supplies, including nurseries	P	
4. Retail Sales – Restaurants, Drinking Places.		
a. Restaurants, with associated drinking places, alcoholic beverages	P	
b. Drinking places, alcoholic beverages (with or without entertainment)	P	
5. Retail Sales and Services – Automotive and Related.		
a. Commercial off-street parking facilities	P	
b. Transportation terminals – People	P	
c. Electric vehicle infrastructure	P	40.260.075
6. Retail Sales – Building Material and Farm Equipment.		
a. Hardware, home repair and supply stores (25,000 to 50,000 square feet building footprint)	P	
7. Retail Sales – Products.		
a. Uses < 25,000 square feet building footprint	P	
8. Services – Personal.		
a. Self-service laundries, dry cleaning, including pressing, alteration, garment and accessory repair, excluding industrial cleaning services	P	
b. Barber and beauty shops	P	
9. Services – General.		
a. Duplicating, addressing, blueprinting, photocopying, mailing, and stenographic services (< 25,000 square feet building footprint)	P	
b. Office equipment and home appliance rental, service and repair agencies	P	
c. Printing, publishing and lithographic shops	P	
d. Services to buildings (including dwellings), cleaning and exterminating	C	
e. Branch banks	P ^b	
f. Event facilities (< 10,000 square feet building footprint)	P	
g. Event facilities (10,000 to 50,000 square feet building footprint)	C	
10. Services – Lodging Places.		
a. Hotels/motels	P	
11. Services – Medical and Health.		
a. Outpatient clinics	P	
b. Medical laboratories	C	
c. Convalescent and nursing homes	C	40.260.190
d. Orthopedic equipment and supplies, rental, sales and services	P	
e. Animal hospitals and veterinary clinics		
(1) Outside animal activities	X	
(2) Inside animal activities only	P	
(3) Animal day use facility	C	
f. Ambulance services ¹⁰	P	
g. Residential care homes	C	
h. Residential care facilities	C	
12. Services – Professional Office.		
a. Professional offices	P	
b. Medical and dental offices	P	
c. Artists/photographic studios	P	
13. Services – Amusement.		

Table 40.230.020-1. Uses¹

	MX	Special Standards
a. Bowling alleys, billiard and pool parlors, and video arcades	P	
b. Skating rinks, ice and/or roller	P	
c. Theaters, indoor	P	
d. Athletic, health and racket clubs	P	
14. Services – Educational. ¹⁰		
a. Nursery schools, preschools ¹⁰	P	40.260.160
b. Day care facilities consistent with Chapter 388-73 WAC	P	40.260.160
c. Elementary schools ¹⁰	C	
d. Libraries ¹⁰	P	
e. Vocational schools	C	
f. Artistic studios and schools including but not limited to dance, music and martial arts	P	
g. Public parks, parkways, recreation facilities, trails and related facilities ¹⁰	P	
h. Parks ¹⁰	P	40.260.157
15. Services – Membership Organizations.		
a. Business, professional and religious (not including churches)	P	
b. Civic, social, fraternal, charitable, labor and political	P	
c. Churches	C	
16. Public Services and Facilities. ¹⁰		
a. Buildings entirely dedicated to public services, such as City Hall, police and fire substations ¹⁰	C	
b. Sewer, water and utility transmission lines	P	40.260.240
c. Wireless communications facilities	P/C	40.260.250
d. Zoos, museums, historic and cultural exhibits	C ⁵	
e. U.S. Post Offices ¹⁰	P	
f. Public transit facilities including park and ride facilities ¹⁰	P	
17. Resource Activities.		
a. Agriculture	P	40.260.040
b. Silviculture	P	40.260.080
c. Roadside farm stand	P	40.260.025
d. Agricultural market	P	40.260.025
18. Accessory Uses and Activities.		
a. On-site hazardous waste treatment and storage facilities, subject to state siting criteria (RCW 70.105.210)	P	
b. Drive-through, drive-in or drive-up	X ⁸	
c. Open air activities		
(1) Open air display of plants and produce permitted in conjunction with a permitted use	P ⁹	
(2) Open air activities such as restaurants, portable walk-up vendors (not including drive-through facilities) such as espresso carts, flower stands and food stands	P	
19. Other Uses.		
a. Temporary uses	R/A	40.260.220
b. Private use heliports	X	
c. Solid waste handling and disposal sites	X	
d. Medical marijuana collective gardens cooperative	X	40.260.115
e. Marijuana-related facilities	X	40.260.115
e. Marijuana production facilities	X	40.260.115
f. Marijuana processor 1 facilities	X	40.260.115
g. Marijuana processor 2 facilities	X	40.260.115
h. Marijuana retailer facilities	X	40.260.115

1

¹ All new development is subject to the Mixed Use Design Standards per Section 40.230.020(F).

² Provided that single-family detached account for no more than thirty percent (30%) of the total dwelling units on the development site.

³ For purposes of density calculations, accessory dwelling units shall qualify as a dwelling unit.

⁴ Provided they account for no more than fifty percent (50%) of the total dwelling units on the development site including the open space.

⁵ Development site ten (10) acres or greater.

⁶ Development site twenty (20) acres or greater.

⁷ Finished product retailers with primary fabrication or assembly on-site with an entirely enclosed building.

⁸ Drive-through, drive-in or drive-up facilities are an allowed use for branch banks only.

⁹ These areas must be identified and approved on the site plan.

¹⁰ Once a property has been developed as a public facility, a docket is required to change the comprehensive plan designation from the current zone to the Public Facilities zone.

(Amended: Ord. 2010-08-06; Ord. 2011-03-09; Ord. 2011-06-14; Ord. 2011-12-09; Ord. 2012-02-03; Ord. 2012-06-02; Ord. 2013-07-08; Ord. 2014-01-08; Ord. 2014-05-07; Ord. 2014-11-02; Ord. 2016-06-12)

Section 12. Amendatory. Sec. 26 (Attachment K) of Ord. 1994-12-53 and codified as CCC 40.230.050, and most recently amended by Sec. 2 of Ord. 2019-04-01, are each hereby amended as follows:

40.230.050 University District (U)

A. Purpose.

The University (U) district is intended to provide long-term opportunities for educational and related uses within the community. Such educational facilities enhance the identity and image of the community as a desirable place for human growth and development and provide opportunities and facilities for various activities and needs of a diverse and dynamic population. The purpose of this section is to allow such development to occur in a manner that does not adversely impact the community and provides and protects the natural and physical assets of the community. In addition, the purpose is to provide a timely but adequate review of such development and to create predictability for institutions of higher education in the planning process.

B. Uses.

The uses set out in Table 40.230.050-1 are examples of uses allowable in this zone district. The appropriate review authority is mandatory.

- "P" – Uses allowed subject to approval of applicable permits.
- "R/A" – Uses permitted upon review and approval as set forth in Section 40.520.020.
- "C" – Conditional uses which may be permitted subject to the approval of a conditional use permit as set forth in Section 40.520.030.
- "X" – Uses specifically prohibited.

Where there are special use standards or restrictions for a listed use, the applicable code section(s) in Chapter 40.260, Special Uses and Standards, or other applicable chapter is noted in the "Special Standards" column.

Table 40.230.050-1. Uses

	U	Special Standards
1. Services – Educational.		
a. Universities and colleges, including public, parochial and private. ²	P	
b. Teaching facilities, including but not limited to classrooms, lecture halls, seminar rooms, teaching laboratories, and related support facilities. ²	P	
c. Offices for administration, faculty, staff, graduate students, student government, and clerical purposes with related support facilities. ²	P	
d. University information services, including but not limited to libraries, instructional media production, news and information centers, radio and television broadcasting facilities, bookstores, publication and printing services, and related information services. ²	P	

Table 40.230.050-1. Uses

	U	Special Standards
e. Research facilities, including but not limited to agricultural experiment stations, scientific research laboratories, joint public-private research facilities, medical research institutes, and related research activities. Research facilities may also include agricultural uses, normally associated with land grant universities, such as crop research plots, hay and pasture land, facilities for the care of wildlife and/or domestic livestock, and veterinary science facilities. ²	P	
f. Services for the campus population including but not limited to medical clinics, child care centers, student union buildings, bookstores, counseling services, copy centers, career planning and placement centers, and related services. These services may include, but are not limited to services for the convenience of the campus population such as postal services, barber and beauty shops, food service, banking facilities, travel agencies, and similar establishments normally associated with a campus community. ²	P	
g. Dormitories.	P	
h. Facilities for spectator, cultural and sporting events including but not limited to performing arts centers, museums and outdoor amphitheaters. ²	P	
i. Recreational facilities for the campus population including but not limited to tennis courts, softball fields, athletic playfields, swimming pools and other indoor and outdoor sports facilities. ²	P	
j. Physical plant facilities for the operations and maintenance of the university. ²	P	
k. Other supportive nonresidential uses which are determined by the responsible official to be customarily associated with, and appropriate, and incidental to the principal permitted uses and which are consistent with the mission of the institution.	P	
2. Other.		
a. Any other uses included in an approved MDP.	P	
b. Buildings that exceed the height regulations in Table 40.230.050-3	C	
c. Utilities, other than wireless communications facilities	P	40.260.240
d. Wireless communications facilities	P/C ¹	40.260.250
e. Solid waste handling and disposal sites	C	40.260.200
f. Temporary uses	P	40.260.220
g. Electric vehicle infrastructure	P	40.260.075
h. Roadside farm stand	P	40.260.025
i. Agricultural market	P	40.260.025
j. Medical marijuana-collective gardens cooperative	X	40.260.115
k. Marijuana-related facilities	X	40.260.115
k. Marijuana production facilities	X	40.260.115
l. Marijuana processor 1 facilities	X	40.260.115
m. Marijuana processor 2 facilities	X	40.260.115
n. Marijuana retailer facilities	X	40.260.115

¹ See Table 40.260.250-1.

² Once a property has been developed as a public facility, a docket is required to change the comprehensive plan designation from the current zone to the Public Facilities zone.

(Amended: Ord. 2011-06-14; Ord. 2012-06-02; Ord. 2013-07-08; Ord. 2014-05-07; Ord. 2014-11-02; Ord. 2016-06-12; Ord. 2019-04-01)

Section 13. Amendatory. Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.230.060, and most recently amended by Sec. 3.15 (Exhibit 18) of Ord. 2016-06-12, are each hereby amended as follows:

40.230.060 Airport District (A)

A. Purpose.

The Airport (A) district is intended to recognize and protect those areas devoted to public use aviation, and which are designated on the comprehensive plan. It is also intended to provide areas for those activities supporting or dependent upon aircraft or air transportation, when such activities benefit from a location within or immediately adjacent to primary flight operations and passenger or cargo service facilities.

B. Uses.

The uses set out in Table 40.230.060-1 are examples of uses allowable in this zone district. The appropriate review authority is mandatory.

- "P" – Uses allowed subject to approval of applicable permits.
- "R/A" – Uses permitted upon review and approval as set forth in Section 40.520.020.
- "C" – Conditional uses which may be permitted subject to the approval of a conditional use permit as set forth in Section 40.520.030.
- "X" – Uses specifically prohibited.

Where there are special use standards or restrictions for a listed use, the applicable code section(s) in Chapter 40.260, Special Uses and Standards, or other applicable chapter is noted in the "Special Standards" column.

Table 40.230.060-1. Uses		
	A	Special Standards
1. Retail Sales – Restaurants, Drinking Places.		
a. Restaurants in urban growth areas	C	
2. Services, Business.		
a. Auto rental agencies in urban growth areas	C	
b. Business activities which utilize air travel and transportation in their daily business activities in urban growth areas	C	
3. Services – Amusement.		
a. Outdoor public entertainments, amusements and assemblies	R/A	Chapter 5.32
4. Services, Membership Organization.		
a. Aviation clubs	C	
5. Services – Educational.		
a. Air pilot training schools	C	
6. Transportation and Distribution Facilities.		
a. Aerial mapping and surveying	P	
b. Air cargo warehousing and distribution facilities	C	
c. Helicopter pads	P	
d. Repair, service and storage of aircraft	P	
e. Service to commuter airlines	C	
f. Taxi and bus terminals	C	
g. Truck terminals in urban growth areas	C	
h. Uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers, etc.	P	
7. Public Services and Facilities. ²		
a. In urban growth areas, government structures, including fire stations, libraries, museums, and post offices; but not including storage or repair yards, warehouses, or similar uses ²	P	40.230.090
8. Resource Activities.		

Table 40.230.060-1. Uses		
	A	Special Standards
a. Agricultural activities	P	
b. Roadside farm stand	P	40.260.025
c. Agricultural market	P	40.260.025
9. Accessory Uses and Activities.		
a. On-site hazardous waste treatment and storage facilities, subject to state siting criteria (RCW 70.105.210)	P	
10. Other.		
a. Buildings or structures which exceed thirty-five (35) feet in height	C	
b. Utilities, other than wireless communications facilities	P	40.260.240
c. Wireless communications facilities	P/C ¹	40.260.250
d. Solid waste handling and disposal sites	C	40.260.200
e. Temporary uses	P	40.260.220
f. Electric vehicle infrastructure	P	40.260.075
g. Medical marijuana collective gardens cooperative	X	40.260.115
h. Marijuana related facilities	X	40.260.115
h. Marijuana production facilities	X	40.260.115
i. Marijuana processor 1 facilities	X	40.260.115
j. Marijuana processor 2 facilities	X	40.260.115
k. Marijuana retailer facilities	X	40.260.115

¹ See Table 40.260.250-1.

² Once a property has been developed as a public facility, a docket is required to change the comprehensive plan designation from the current zone to the Public Facilities zone.

(Amended: Ord. 2011-06-14; Ord. 2012-06-02; Ord. 2013-07-08; Ord. 2014-05-07; Ord. 2014-11-02; Ord. 2016-06-12)

Section 14. Amendatory. Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.230.085, and most recently amended by Sec. 23 of Ord. 2018-01-09, are each hereby amended as follows:

40.230.085 Employment Districts (IL, IH, IR, BP, IL-RILB)

A. Purpose. The purpose of this section is to provide for a wide range of noncommercial economic development and employment opportunities that limit residential, institutional, commercial, office and other nonindustrial uses to those necessary for the convenience and support of such development and opportunities.

(Amended: Ord. 2016-04-03; Ord. 2018-01-09)

B. Applicability. The regulations in this section shall be applicable in the following zoning districts:

1. Industrial (I) Districts.

- Light Industrial District (IL). The light industrial district is intended to provide for those less-intensive industrial uses which produce little noise, odor and pollution. It also provides for resource-based uses and service uses that are deemed compatible with light industrial uses.
- Business Park (BP) District. The Business Park district provides for the development of uses including limited light manufacturing and wholesale trade, light warehousing, business and professional services, research, business, and corporate offices, and other similar compatible or supporting enterprises not oriented to the general public.
- Railroad Industrial District (IR). The railroad industrial district is intended to provide for those industrial uses that are most suited for and can take advantage of locations along the county's rail line.

d. Light Industrial – Rural Industrial Land Bank (IL-RILB) Overlay. The light industrial – rural industrial land bank district overlay (IL-RILB) is applied in conjunction with the IL base zone. This overlay is intended to provide for industrial and manufacturing businesses which provide a variety of employment uses which produce little noise, odor and pollution. Development standards are intended to promote sustainable development by minimizing environmental impacts, protecting natural resources, reducing waste, promoting compatibility with the surrounding land uses, avoiding urban growth in areas designated for long-term rural or resource-based activity, and creating long-term value for both the community and the industrial users.

2. Heavy Industrial District (IH). The heavy industrial district is intended to preserve, enhance and create areas containing industrial and manufacturing activities which are potentially incompatible with most other uses.

(Amended: Ord. 2016-04-03; Ord. 2018-01-09)

C. Uses. The uses set out in Table 40.230.085-1 are examples of uses allowable in the Industrial and Business Park zoning districts.

“P” – Uses allowed subject to approval of applicable permits.

“C” – Conditional uses which may be permitted, subject to the approval of a conditional use permit as set forth in Section 40.520.030.

“X” – Uses specifically prohibited.

The list of uses is based on the 2012 North American Industrial Classification System (NAICS), <http://www.naics.com/search.htm>. NAICS is organized in a hierarchical structure as follows:

- Sector (two (2) digit);
- Subsector (three (3) digit);
- Industry groups (four (4) digit); and
- Industry (five (5) digit).

In Table 40.230.085-1, each line is intended to include all lower divisions within it. If a specific industry group or industry is separately called out on its own line in the table under a subsector, it is to be separately regulated, but all other industry groups or industry under a subsector not listed will be regulated the same as the subsector. Where no industry group or industry is separately called out, the use category is intended to apply generally to uses within the subsector.

The use categories apply to the industry sector of the user and are not intended to be applied individually to floor areas within each use category.

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)		IL	IH	IR	BP	IL-RILB Overlay10
A. Resource Uses						
11 Agriculture, forestry, fishing and hunting						
111	Crop production	P	P	P	P	P
112	Animal production	P	P	P	P	P
113	Forestry and logging	P	P	P	P	P
114	Fishing, hunting and trapping	P	P	P	P	P
115	Support activities for agriculture and forestry	P	P	P	P	P
21 Mining						
211	Oil and gas extraction	X	C ⁴	C ⁴	X	X
212	Mining (except oil and gas)	X	C ⁴	C ⁴	X	X
2123	Nonmetallic mineral mining and quarrying	X	P ⁴	P ⁴	X	X
213	Support activities for mining	X	C ⁴	C ⁴	X	X
22 Utilities						
221	Utilities					
2211	Electric power generation	P	P	P	C	C

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)					IL	IH	IR	BP	IL-RILB Overlay10
		22112	Electric power transmission and distribution		P	P	P	P	P
		22121	Natural gas distribution		P	P	P	P	P
		22131	Water supply and irrigation systems		P	P	P	P	P
		22132	Sewage treatment facilities		P	P	P	C	C
23 Construction									
	236	Construction of buildings			P ^b	P ^b	P ^b	P ^b	P ^b
	237	Heavy and civil engineering construction			P ^b	P ^b	P ^b	P ^b	P ^b
	238	Specialty trade contractors			P ^b	P ^b	P ^b	P ^b	P ^b
		Storage yards for building materials, contractors' equipment and vehicles			P	P	P	X	P
B. Manufacturing Uses									
	311	Food manufacturing			P	P	P	X	P
		31161	Animal slaughtering and processing		C	P	P	X	X
			311811	Retail bakeries	P	P	P	P	P
	312	Beverage and tobacco product manufacturing			P	P	P	P	P
	313	Textile mills			P	P	P	X	P
	314	Textile product mills			P	P	P	X	P
	315	Apparel manufacturing			P ²	P ²	P ²	X	P ²
	316	Leather and allied product manufacturing							
		3161	Leather and hide tanning and finishing		X	P	P	X	X
		3162	Footwear manufacturing		P	P	P	P	P
		3169	Other leather and allied product manufacturing		P	P	P	P	P
	321	Wood product manufacturing							
		3211	Sawmills and wood preservation		X	P	P	X	X
		3212	Veneer, plywood, and engineered wood product manufacturing		X	P	P	X	X
			321214	Truss manufacturing	P	P	P	X	P
		3219	Other wood product manufacturing		P	P	P	X	P
	322	Paper manufacturing							
		3221	Pulp, paper and paperboard mills		X	P	P	X	X
		3222	Converted paper product manufacturing		P	P	P	P	P
	323	Printing and related support activities			P	P	P	P	P
	324	Petroleum and coal products manufacturing			X	P	P	X	X
	325	Chemical manufacturing			X	P	P	X	X
		3254	Pharmaceutical and medicine manufacturing		P	P	P	X	P
		3256	Soap, cleaning compound, and toilet preparation manufacturing		P	P	P	X	P
	326	Plastics and rubber products manufacturing			P	P	P	X	P
	327	Nonmetallic mineral product manufacturing							
		3271	Clay product and refractory manufacturing		P	P	P	X	P
		3272	Glass and glass product manufacturing		P	P	P	X	P
		3273	Cement and concrete product manufacturing		P	P	P	X	P
			327310	Cement manufacturing	X	P	P	X	X
			327320	Ready-mix concrete manufacturing	X	P	P	X	X
		3274	Lime and gypsum product manufacturing		X	P	P	X	X
		3279	Other nonmetallic mineral product manufacturing		X	P	P	X	X
	331	Primary metal manufacturing			X	P	P	X	X
	332	Fabricated metal product manufacturing							
		3321	Forging and stamping		P	P	P	X	P
		3322	Cutlery and hand tool manufacturing		P	P	P	P	P
		3323	Architectural and structural metals manufacturing		P	P	P	X	P
		3324	Boiler, tank, and shipping container manufacturing		P	P	P	X	P

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)					IL	IH	IR	BP	IL-RILB Overlay10
	3325	Hardware manufacturing			P	P	P	X	P
	3326	Spring and wire product manufacturing			P	P	P	X	P
	3327	Machine shops			P	P	P	C	P
	3328	Coating, engraving, heat treating, and allied activities			P	P	P	X	P
		332813	Electroplating, plating, polishing, anodizing, and coloring		C	P	P	X	C
	3329	Other fabricated metal product manufacturing			P	P	P	X	P
333	Machinery manufacturing				P	P	P	C	P
334	Computer and electronic product manufacturing				P	P	P	P	P
335	Electrical equipment, appliance, and component manufacturing				P	P	P	P	P
336	Transportation equipment manufacturing				P	P	P	X	P
		336991	Motorcycle, bicycle, and parts manufacturing		P	P	P	P	P
337	Furniture and related product manufacturing				P	P	P	X	P
339	Miscellaneous manufacturing				P	P	P	P	P
C. Wholesale Trade									
423	Wholesale trade, durable goods (retail sales prohibited)				P	P	P	P	P
424	Wholesale trade, nondurable goods (retail sales prohibited)				P	P	P	P	P
425	Wholesale electronic markets and agents and brokers				P	P	P	P	P
D. Retail Trade									
	Retail sales of products fabricated on site				P ¹	P ¹	P ¹	P ¹	P ¹
	Construction and industrial equipment sales				P	P	P	X	P
	4411	Automotive dealers			X	X	X	X	X
	4412	Other motor vehicle dealers			X	X	X	X	X
	4413	Automotive parts, accessories, and tire stores			P ¹	P ¹	P ¹	P ¹	P ¹
	4441	Building material and supplies dealers			P	X	X	X	P
		44412	Paint and wallpaper stores		P ¹	X	X	X	P ¹
		44413	Hardware stores		P ¹	X	X	X	P ¹
445	Food and beverage stores				P ¹	X	X	P ¹	P ¹
	44512	Convenience stores			P ¹	P ¹	P ¹	P ¹	P ¹
446	Health and personal care stores				P ¹	X	X	P ¹	P ¹
447	Gasoline stations				C	C	C	C	C
448	Clothing and clothing accessories stores				P ¹	X	X	P ¹	P ¹
451	Sporting goods, hobby, book and music stores				P ¹	X	X	P ¹	P ¹
452	General merchandise stores				X	X	X	X	X
453	Miscellaneous store retailers				P ¹	X	X	P ¹	P ¹
454	Nonstore retailers				P	X	X	P	P
	45431	Fuel dealers			P	P	P	X	C
E. Transportation and Warehousing									
482	Rail transportation				P	P	P	X	P
483	Water transportation				X	P	X	X	X
484	Truck transportation				P	P	P	P	P
485	Transit and ground passenger transportation				P	P	P	P	P
486	Pipeline transportation				P	P	P	P	P
487	Scenic and sightseeing transportation				P	P	X	X	P
488	Support activities for transportation				P	P	X	X	P
	4882	Support activities for rail transportation			P	P	P	X	P
	4883	Support activities for water transportation			X	P	P	X	X
	4884	Support activities for road transportation			P	X	X	X	P
	4885	Freight transportation arrangement			P	P	P	P	P

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)			IL	IH	IR	BP	IL-RILB Overlay10
	4889	Other support activities for transportation	P	P	P	P	P
491		Postal service	P	P	P	P	P
492		Couriers and messengers	P	P	P	P	P
493		Warehousing and storage	P	P	P	P	P

1

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)			IL	IH	IR	BP	IL-RILB Overlay10
F. Information							
511		Publishing industries	P	P	P	P	P
512		Motion picture and sound recording industries	P	P	P	P	P
515		Broadcasting (except Internet)	P	P	P	P	P
516		Internet publishing and broadcasting	P	P	P	P	P
517		Telecommunications	P	P	P	P	P
	5172	Wireless communications carriers	P/C ¹	P/C ¹	P/C ¹	P/C ¹	P/C ¹
518		Internet service providers, web search portals, and data processing services	P	P	P	P	P
519		Other information services	P	P	P	P	P
52 Finance and insurance			X	X	X	P	X
	5221	Branch banks (including drive-up service)	P ¹	P ¹	X	P	P ¹
524		Insurance carriers and related activities	P	X	X	P	P
53 Real estate and rental and leasing							
531		Offices of real estate agents and brokers	P	X	X	P	P
532		Rental and leasing services	P	X	X	P	P
	5324	Commercial and industrial machinery and equipment rental and leasing	P	P	P	X	P
533		Lessors of nonfinancial intangible assets (except copyrighted works)	X	X	X	P	X
54 Professional, Scientific, and Technical Services							
541		Professional, scientific, and technical services	P	X	X	P	P
	54135	Building inspection services	P	X	X	P	P
	54136	Geophysical surveying and mapping services	P	X	X	P	P
	54137	Surveying and mapping (except geophysical services)	P	X	X	P	P
	54138	Testing laboratories	P	X	X	P	P
	54194	Veterinary services	P	P	X	P	P
55 Management of companies and enterprises							
551		Management of companies and enterprises	P	X	X	P	P
56 Administrative and support and waste management and remediation services							
561		Administrative and support services	P	X	X	P	P
	5616	Investigation and security services	P	X	X	P	P
	5617	Services to buildings and dwellings	P	X	X	P	P
	5619	Other support services	P	X	X	P	P
562		Waste management and remediation services	C ⁶	C ⁶	C ⁶	X	C ⁶
61 Educational services ¹¹							
611		Educational services ¹¹	C	C	X	C	C
	6111	Elementary and secondary schools ¹¹	C	C	X	C	X
	6112	Junior colleges ¹¹	C	C	X	C	C
	6113	Colleges and universities ¹¹	C	C	X	C	C
	6114	Business schools and computer and management training ¹¹	C	C	X	P	C
	6115	Technical and trade schools	P	P	P	P	P
		611519 Truck driving schools	P	P	X	P	P
	6116	Other schools and instruction	C	C	X	P	C
		611692 Automobile driving schools	P	C	X	P	P

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)			IL	IH	IR	BP	IL-RILB Overlay10
	6117	Educational support services ¹¹	C	C	X	P	C
62 Health care and social assistance							
621	Ambulatory health care services		P	X	X	P	P
	6215	Medical and diagnostic laboratories	P	X	X	P	P
	6216	Home health care services	P	X	X	P	P
	6219	Other ambulatory health care services	P	X	X	P	P
	62191	Ambulance services	P	P	P	P	P
622	Hospitals		C	X	X	P	C
623	Nursing and residential care facilities		X	X	X	P	X
	6232	Residential mental retardation, mental health, and substance abuse facilities	X	X	X	C	X
624	Social assistance		X	X	X	P	X
	6244	Child day care services	P ¹	P ¹	P ¹	P	P ¹
71 Arts, entertainment, and recreation			P ¹	X	X	P	P ¹
	7112	Spectator sports	C	X	X	C	C
	71391	Golf courses and country clubs	X	X	X	X	X
	71392	Skiing facilities	X	X	X	X	X
	71393	Marinas	P	X	X	X	P
	71394	Fitness and recreational sports centers	P ¹	P ¹	P ¹	P ¹	P ¹
	71399	All other amusement and recreation industries	P ¹	X	X	P ¹	P ¹
72 Accommodations and food services							
721	Accommodation		X	X	X	P	X
722	Food services and drinking places		P ¹	P ¹	P ¹	P ¹	P ¹
	7223	Special food services	P	P	P	P	P
81 Other services (except public administration)							
811	Repair and maintenance		P ³	P ³	P ³	P ³	P ³
	8111	Automotive repair and maintenance	P ³	P ³	P ³	C	P ³
	8113	Commercial and industrial machinery and equipment (except automotive and electronic repair and maintenance)	P ³	P ³	P ³	C	P ³
812	Personal and laundry services		P ¹	X	X	P ¹	P ¹
	81221	Funeral homes and funeral services	X	X	X	P	X
	81222	Cemeteries and crematories	C	C	C	C	C
	8123	Dry cleaning and laundry services	P ¹	X	X	P ¹	P ¹
	81233	Linen and uniform supply	P	P	X	P	P
	81291	Pet care (except veterinary) services	P ¹	X	X	P ¹	P ¹
813	Religious, grant making, civic, professional, and similar organizations		X	X	X	C	X
92 Public Administration ¹¹			P	X	X	P	P
	92214	Correctional institutions ¹¹	C	C	X	X	X
G. Other uses not listed as NAICS codes							
1. Service stations for vehicle fleets, including cardlock facilities			P	P	P	P	P
2. Personal property storage including outdoor RV and boat storage			P	X	X	X	P
3. Accessory uses							
a. Administrative, educational, and other related activities and facilities			P ²	P ²	P ²	P ²	P ²
b. Caretaker, security or manager residence when incorporated as an integral part of a permitted use			P ²	P ²	P ²	P ²	P ²
c. Off-site hazardous waste treatment and storage facilities (subject to RCW 70.105.210)			P ²	P ²	P ²	P ²	P ²
4. Other Uses							
a. Parks, trails and related uses ¹¹			P ²	P ²	P ²	P ²	P ²
b. Existing residential uses without any increase in density, including			P	P	P	P	P

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)	IL	IH	IR	BP	IL-RILB Overlay10
accessory uses and structures normal to a residential environment. Replacement of such structures requires county approval prior to the removal of the existing structure(s) and is subject to the limits regarding the replacement.					
c. Legally existing commercial and industrial use structures	P	P	P	P	P
d. Public facilities for the support of construction projects and agency operations, including offices for employees of the facility	P	P	P	P	P
e. Electric vehicle infrastructure	P	P	P	P	P
f. Coffee and food stands two hundred (200) square feet or less	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸
g. Agricultural stands and markets	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹
h. Medical marijuana collective gardens cooperative	X	X	X	X	X
i. Marijuana-related production facilities	P ¹²	P ¹²	X	X	X
j. Marijuana processor I facilities	P ¹²	P ¹²	X	P ¹²	X
k. Marijuana processor II facilities	P ¹²	P ¹²	X	P ¹²	X
l. Marijuana retailer facilities	X	X	X	X	X

¹ These uses shall be limited to a maximum of ten percent (10%) of the gross floor area of all buildings within the development site. These uses are intended to serve and support the needs of employees, clients, customers, vendors, and others having business at the industrial site, to allow limited retail sales of products manufactured on site, to attract and retain a quality workforce, and to further other public objectives such as trip reduction.

² Permitted only in association with a permitted use.

³ The repair and maintenance subsector does not include all establishments that do repair and maintenance. For example, a substantial amount of repair is done by establishments that also manufacture machinery, equipment and other goods. These establishments are included in Sector 31-33 Manufacturing Uses. Repair of transportation equipment is often provided by or based at transportation facilities, such as airports and seaports, and these activities are included in Sector 48-49 Transportation and Warehousing. Excluded from this subsector are establishments primarily engaged in rebuilding or remanufacturing machinery and equipment. These are classified in Sector 31-33, Manufacturing Uses. Also excluded are retail establishments that provide after-sale services and repair. These are classified in Sector 44-45, Retail trade.

⁴ Subject to the provisions of Section 40.250.022, Surface Mining Overlay District.

⁵ Businesses that are actively working on construction projects and not just coordinating with other contractors. Uses include the storage of materials for use on construction projects, trucks, and other equipment, and shall not be a purely office use. These uses shall not include professional offices such as engineers, planners or architects that support land development and subdivision projects.

⁶ Subject to the provisions of Section 40.260.200.

⁷ See Table 40.260.250-1.

⁸ Subject to the provisions of Section 40.260.055.

⁹ Subject to the provisions of Section 40.260.025.

¹⁰ Pursuant to Section 40.520.075(E), specific major industrial developments are required to be the subject of an open record public hearing held before the hearing examiner with notice published at least thirty (30) days before the hearing date and mailed to all property owners within one (1) mile of the site.

¹¹ Once a property has been developed as a public facility, a docket is required to change the comprehensive plan designation from the current zone to the Public Facilities zone.

¹² Subject to the provisions of Section 40.260.115.

(Amended: Ord. 2013-07-08; Ord. 2014-01-08; Ord. 2014-05-07; Ord. 2014-11-02; Ord. 2016-04-03; Ord. 2016-06-12; Ord. 2018-01-09)

Section 15. Amendatory. Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.250.110, and most recently amended by Sec. 25 of Ord. 2018-01-09, are each hereby amended as follows:

40.250.110 Urban Holding Overlay (UH-10, UH-20)

A. Purpose.

The urban holding overlay is used to protect areas from premature land division and development that would preclude efficient transition to urban development or large-scale industrial development.

1. The Urban Holding-10 overlay (UH-10) may be applied to protect certain lands identified within urban growth areas from premature development when public policy establishes urbanization criteria such as requiring annexation prior to development. The Urban Holding-10 district is also

appropriate where public facilities are inadequate to support development under the urban zoning designation.

2. The Urban Holding-20 overlay (UH-20) has the same purpose as UH-10 except that the area is intended to be developed for industrial or office type nonresidential uses and retention in larger lots will ensure the site is adequate in size to accommodate large industrial or office developments.

(Amended: Ord. 2018-01-09)

B. Uses.

The uses set out in Table 40.250.110-1 are examples of uses allowable in various areas under the urban holding overlay. The appropriate review authority is mandatory.

- "P" – Permitted uses.
- "R/A" – Uses permitted upon review and approval as set forth in Section 40.520.020.
- "C" – Conditional uses which may be permitted subject to the approval of a conditional use permit as set forth in Section 40.520.030 and the additional conditional use criteria herein:
 1. Permanent structures or facilities shall be designed and located to provide for the orderly extension of public roads, water and sewer to the site and surrounding properties.
 2. All urban road, drainage and other urban development requirements shall apply to ensure that future urban development will occur in an orderly manner.
 3. The property owner shall submit with the conditional use application a signed agreement(s) between the property owner and the service provider(s) that obliges the property owner to connect to public sewer and water when each becomes available within three hundred (300) feet of the site. The agreements must be consistent with Section 40.370.010.
- "X" – Uses specifically prohibited.

Where there are special use standards or restrictions for a listed use, the applicable code section(s) in Chapter 40.260, Special Uses and Standards, or other applicable chapter is noted in the "Special Standards" column.

Table 40.250.110-1. Uses.			
	UH-10	UH-20	Special Standards
1. Residential.			
a. Single-family dwellings and accessory buildings	P	P	40.260.010
b. Family day care centers	P	P	40.260.160
c. Adult family homes	P	P	40.260.190
d. Home business – Type I	P	P	40.260.100
e. Home business – Type II	R/A	R/A	40.260.100
f. Bed and breakfast establishments (up to two (2) guest bedrooms)	R/A	R/A	40.260.050
g. Bed and breakfast establishments (three (3) or more guest bedrooms)	C	C	40.260.050
h. Garage sales	P	P	40.260.090
i. Residential care homes	C	C	40.260.180
j. Temporary dwellings	P	P	40.260.210
2. Services, Business.			
a. Commercial nurseries predominantly marketing locally produced plants and associated landscaping materials	R/A	R/A	
b. Roadside farm stand	P	P	40.260.025

Table 40.250.110-1. Uses.

	UH-10	UH-20	Special Standards
c. Agricultural market	P	P	40.260.025
d. Veterinary clinics	C	C	
e. Kennels	C	C	40.260.110
3. Services, Amusement. ⁵			
a. Publicly owned recreational facilities, services, parks and playgrounds ⁶	P	P	40.260.157
b. Parks ⁶	P	P	40.260.157
c. Private recreation facilities, such as country clubs and golf courses, including such intensive commercial recreational uses as golf driving range, race track, amusement park or gun club	C	C	
d. Golf courses	C	C	
e. Equestrian facilities	C	C	40.260.040
f. Outdoor public entertainments, amusements and assemblies	R/A	R/A	Chapter 5.32
g. Tasting rooms and event facilities in conjunction with a winery	P	P	40.260.245
4. Services, Membership Organization.			
a. Churches	C	C	
5. Services, Educational. ⁶			
a. Public or private schools, but not including business, dancing or technical schools ⁶	C	C	40.260.160
6. Public Service and Facilities. ⁶			
a. Private ambulance dispatch facilities	C	C	40.260.030
b. Government facilities ⁶	C ¹	C ¹	
7. Resource Activities.			
a. Agricultural and forestry, including any accessory buildings and activities	P	P	40.260.080
b. Silviculture	P	P	40.260.080
c. Commercial uses supporting agricultural and forestry resource uses	P ²	P ²	
d. Quarters, accommodations, or areas for transient labor, such as labor cabins or camps	P	P	
8. Other.			
a. Utilities, structures and uses including but not limited to utility substations, pump stations, wells, watershed intake facilities, gas and water transmission lines	P	P	40.260.240
b. Solid waste handling and disposal sites	C	C	40.260.200
c. Wireless communications facilities	P/C ³	P/C ³	40.260.250
d. Cemeteries and mausoleums, crematoria, columbaria, and mortuaries within cemeteries; provided, that no crematorium is within two hundred (200) feet of a lot in a residential district	C	C	
e. Temporary uses	P	P	40.260.220
f. Electric vehicle infrastructure	P	P	40.260.075
g. Commercial storage of boats, vehicles, and RVs	X	P ^{4, 5}	
h. Storage yard for building materials, contractors' equipment and vehicles, house mover, delivery vehicles, transit storage, used equipment in operable condition and related materials	X	P ^{4, 5}	
i. Coffee and food stands two hundred (200) square feet or less	P	P	40.260.055
j. Medical marijuana collective gardens cooperative	X	X	40.260.115
k. Marijuana-related production facilities	X	X	40.260.115
l. Marijuana processor I facilities	X	X	40.260.115
m. Marijuana processor II facilities	X	X	40.260.115
n. Marijuana retailer facilities	X	X	40.260.115

¹ Including fire stations, ambulance dispatch facilities and storage yards, warehouses, or similar uses.² Commercial uses supporting agricultural and forestry resource uses, such as packing, first stage processing and processing which provides value added to resource products.³ See Table 40.260.250-1.

⁴ Allowed only for properties with a base zone of IL.

⁵ Outdoor storage is subject to the provisions of Section 40.230.085(E)(5).

⁶ Once a property has been developed as a public facility, a docket is required to change the comprehensive plan designation from the current zone to the Public Facilities zone.

(Amended: Ord. 2018-01-09)

Section 16. Effective Date.

This ordinance shall go into effect on January 1, 2020.

Section 17. Instructions to Clerk.

The Clerk to the Council shall:


1. Transmit a copy of this ordinance to the Washington State Department of Commerce within ten (10) days of its adoption pursuant to RCW 36.70A.106.
2. Transmit a copy of the adopted ordinance to Code Publishing, Inc. forthwith to update the electronic version of the County Code.
3. Transmit a copy of the adopted ordinance to the Community Development Department Director.
4. Record a copy of this ordinance with the Clark County Auditor.
5. Cause notice of adoption of this ordinance to be published forthwith pursuant to RCW 36.70A.290, and Clark County Code 1.02.140, and transmit a copy to Community Planning.
6. Transmit a copy of the adopted ordinance to Code Publishing, Inc. forthwith to update the electronic version of the Clark County Code.
7. Transmit a copy of the adopted ordinance to the Community Planning Director.

Section 18. Roll Call Vote. The following persons voted in favor of the above ordinance [amendments]:

Julie Olson, Temple Lentz, & John Blom

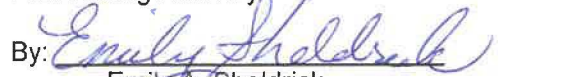
ADOPTED this 2 day of July 2019.

Attest:


Clerk to the Council

Approved as to Form Only:

Anthony F. Golik
Prosecuting Attorney

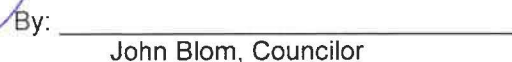
By: 
Emily A. Sheldrick
Chief Civil Deputy Prosecuting Attorney

CLARK COUNTY COMMISSION
FOR CLARK COUNTY, WASHINGTON

By: 
Eileen Guiring, Clerk

By: 
Temple Lentz, Councilor

By: 
Julie Olson, Councilor

By: 
John Blom, Councilor

By: 
Gary Medvigy, Councilor