

CLARK COUNTY STAFF REPORT

DEPARTMENT: Community Planning

DATE: March 24, 2020

REQUESTED ACTION: Approval of the adopting ordinance

Consent Hearing County Manager

BACKGROUND

As part of the 2019 Annual Review and Dockets cycle, amendments to sections of Clark County Code were proposed. County Council has held separate hearings on September 3, October 9, November 5, and November 12, 2019 for the proposed code amendments contained in the adopting ordinance.

COUNCIL POLICY IMPLICATIONS

Approval of this adopting ordinance requires changes to county code to refine existing policies as well as a section of new policy. The amendments include: Section 40.210.010 Forest Agriculture and Agriculture-Wildlife Districts (FR-80, FR-40, AG-20, and AG-WL); Section 40.210.020 Rural Districts (R-20, R-10, R-5); Section 40.210.030 Rural Center Residential Districts (RC 2.5, RC-1); Section 40.210.050 Rural Commercial Districts (CR-1, CR-2); Section 40.220.010 Single-Family Residential Districts (R1-20, R1-10, R1-7.5, R1-6 and R1-5); Section 40.220.020 Residential and Office Residential Districts (R, OR); Section 40.230.010 Commercial Districts (NC, CC, GC); Section 40.230.020 Mixed Use District (MX); Section 40.230.050 University District (U); Section 40.230.085 Employment Districts (IL, IH, IR, BP, IL-RILB); Section 40.230.090 Public Facilities District (PF); Section 40.250.110 Urban Holding Overlay (UH-10, UH-20); Section 40.370.010 Sewerage Regulations; Title 40 Appendix F; and adding a new Section 40.550.030 Development Agreements.

ADMINISTRATIVE POLICY IMPLICATIONS

Approval of this adopting ordinance requires changes to county code to refine existing policies as well as a section of new policy.

COMMUNITY OUTREACH

The Planning Commission and the County Council held separate hearings on the code amendments contained in the adopting ordinance.

BUDGET IMPLICATIONS

YES	NO	
X		Action falls within existing budget capacity.
		Action falls within existing budget capacity but requires a change of purpose within existing appropriation
		Additional budget capacity is necessary and will be requested at the next supplemental. If YES, please complete the budget impact statement. If YES, this action will be referred to the county council with a recommendation from the county manager.

BUDGET IMPACT ATTACHMENT

Part I: Narrative Explanation

I. A – Explanation of what the request does that has fiscal impact and the assumptions for developing revenue and costing information

Part II: Estimated Revenues

Fund #/Title	2020 Annual Budget		2021 Annual Budget		2022 Annual Budget	
	GF	Total	GF	Total	GF	Total
Total						

II. A – Describe the type of revenue (grant, fees, etc.)

Part III: Estimated Expenditures

III. A – Expenditures summed up

Fund #/Title	FTE's	2020 Annual Budget		2021 Annual Budget		2022 Annual Budget	
		GF	Total	GF	Total	GF	Total
Total							

III. B – Expenditure by object category

Fund #/Title	2020 Annual Budget		2021 Annual Budget		2022 Annual Budget	
	GF	Total	GF	Total	GF	Total
Salary/Benefits						
Contractual						
Supplies						
Travel						
Other controllables						
Capital Outlays						
Inter-fund Transfers						
Debt Service						
Total						

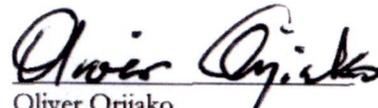
BUDGET DETAILS

Local Fund Dollar Amount	
Grant Fund Dollar Amount	
Account	
Company Name	

DISTRIBUTION:

Council staff will post all staff reports to The Web. <https://www.clark.wa.gov/council-meetings>

Sharon Lumbantobing
Planner II
564-397-4909


Oliver Orjiako
Community Planning Director

APPROVED: _____
CLARK COUNTY, WASHINGTON
CLARK COUNTY COUNCIL

DATE: March 24, 2020

SR# 050-20

APPROVED: _____
Kathleen Otto, Acting County Manager

DATE: _____

1
2
3 **ORDINANCE NO. 2020-03-08**

4 **An ordinance relating to land use; adopting amendments to the Clark County**
5 **Code to amend Section 40.210.010 Forest Agriculture and Agriculture-Wildlife**
6 **Districts (FR-80, FR-40, AG-20, and AG-WL); Section 40.210.020 Rural**
7 **Districts (R-20, R-10, R-5); Section 40.210.030 Rural Center Residential**
8 **Districts (RC 2.5, RC-1); Section 40.210.050 Rural Commercial Districts (CR-1,**
9 **CR-2); Section 40.220.010 Single-Family Residential Districts (R1-20, R1-10,**
10 **R1-7.5, R1-6 and R1-5); Section 40.220.020 Residential and Office Residential**
11 **Districts (R, OR); Section 40.230.010 Commercial Districts (NC, CC, GC);**
12 **Section 40.230.020 Mixed Use District (MX); Section 40.230.050 University**
13 **District (U); Section 40.230.085 Employment Districts (IL, IH, IR, BP, IL-RILB);**
14 **Section 40.230.090 Public Facilities District (PF); Section 40.250.110 Urban**
15 **Holding Overlay (UH-10, UH-20); Section 40.370.010 Sewerage Regulations;**
16 **Title 40 Appendix F; and adding a new Section 40.550.030 Development**
17 **Agreements**

18
19 WHEREAS, RCW 36.70A.470 requires Counties planning under the growth management
20 act to include in its regulations a procedure for any interested person, including applicants, citizens,
21 hearing examiners, and staff of other agencies to suggest plan or development regulation
22 amendments on at least an annual basis; and

23
24 WHEREAS, CCC 40.560.030 provides a means by which the county will docket identified
25 deficiencies in plans or regulations and ensure their considerations for possible future plan or
26 development regulation amendments; and

27
28 WHEREAS, Ordinance 2020-02-02 repealed the Public Facility (PF) designation on the
29 comprehensive plan and zoning maps for public school-owned properties, re-established the
30 previous zoning designations, update comprehensive plan designations; and

31
32 WHEREAS, proposed amendments to the development code in Sections 2 through 13 of
33 this ordinance provide consistency with map changes as adopted in Ordinance 2020-02-02; and

34
35 WHEREAS, the Washington State legislature passed HB 2243, now codified as RCW
36 36.70A.213 effective October 19, 2017, that authorizes the extension of public facilities and utilities
37 to serve a school sited in a rural area that serves students from a rural area and an urban area,
38 subject to certain requirements; and

39
40 WHEREAS, the proposed amendments to CCC 40.370.010 would implement the
41 authorization set forth in RCW 36.70A.213 for Clark County; and

42
43 WHEREAS, in order to be consistent with the County Council's approved amendment of
44 the Arterial Atlas to delete the planned NE 16th Ave., from NE 107th St. and NE 112th St. (Ord.
45 2020-02-02), CCC Appendix F needs to be amended to delete the planned NE 16th Ave., from NE
46 107th St. and NE 112th St.; and

47
48 WHEREAS, Clark County has not had a consistent procedure and criteria, set forth in code,
49 for review and approval of proposed development agreements, and the County Manager directed

1 staff to establish a process and criteria for review and approval of development agreements, which
2 is set forth as proposed CCC 40.550.030; and

3
4 WHEREAS, the required sixty day notification of intent to adopt this set of proposed
5 amendments was received by the State Department of Commerce on April 1, April 8, and June 6;
6 June 11, 2019 and

7
8 WHEREAS, consistent with the State Environmental Policy Act (SEPA) requirements of
9 Chapter 43.21C RCW, notices with determinations of non-significance were issued on May 21,
10 May 22, July 23, and August 14, 2019, and no party has appealed those determinations; and

11
12 WHEREAS, the Planning Commission reviewed the proposed amendments at public
13 hearings on June 20, July 18, August 15, and October 3, 2019, and has forwarded its
14 recommendations to the County Council; and

15
16 WHEREAS, after due notice, the Council held work sessions concerning the proposed
17 amendments on September 5, 2018, and May 29, August 28, and October 9, 2019; and

18
19 WHEREAS, after due notice, the Council held public hearings concerning the proposed
20 amendments on September 3, October 9, November 5, and November 12, 2019; and

21
22 WHEREAS, at these public hearings the Council took public testimony from interested
23 parties and considered all comments; and

24
25 WHEREAS, the Council also considered the recommendations of the Clark County
26 Planning Commission; and

27
28 WHEREAS, the Council finds that adoption of these proposed code amendments will
29 further the public health, safety and welfare; now, therefore,

30
31 **BE IT HEREBY ORDERED, RESOLVED AND DECREED BY THE CLARK COUNTY**
32 **COUNCIL, CLARK COUNTY, STATE OF WASHINGTON, as follows:**

33
34 **Section 1. Findings.**

35
36 The recitals above are incorporated into this ordinance as findings.

37
38 **Section 2. Amendatory.** Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.210.010,
39 and most recently amended by Sec. 4 of Ord 2019-07-01, are each hereby amended as follows:

40
41 **40.210.010 Forest, Agriculture and Agricultural-Wildlife Districts (FR-80, FR-40, AG-20,**
42 **AG-WL)**

43
44 **A. Purpose.**

45 1. Forest 80 District. The purpose of the Forest 80 district is to maintain and enhance
46 resource-based industries, encourage the conservation of productive forest lands and
47 discourage incompatible uses consistent with the Forest I policies of the comprehensive
48 plan. The Forest 80 district applies to lands which have been designated as Forest Tier 1 on

1 the comprehensive plan. Nothing in this chapter shall be construed in a manner inconsistent
 2 with the Washington Forest Practices Act.

3 2. Forest 40 District. The purpose of the Forest 40 district is to encourage the
 4 conservation of lands which have the physical characteristics that are capable of
 5 management for the long-term production of commercially significant forest products and
 6 other natural resources, such as minerals.

7 3. Agriculture 20 District. The purpose of the Agriculture 20 district is to encourage the
 8 conservation of lands which have the growing capacity, productivity, soil composition, and
 9 surrounding land use to have long-term commercial significance for agriculture and
 10 associated resource production.

11 4. Agricultural-Wildlife. The purpose of the AG-WL district is to encourage the
 12 preservation of agricultural and wildlife use on land which is suited for agricultural
 13 production, and to protect agricultural areas that are highly valuable seasonal wildlife habitat
 14 from incompatible uses. The district provides for activities which can be considered
 15 accessory only to agricultural, game, or wildlife habitat management, or recreational uses.
 16 Nothing in this chapter shall be construed to restrict normal agricultural practices.

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

18 B. Uses.

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

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

26 Where there are special use standards or restrictions for a listed use, the applicable code
 27 section(s) in Chapter 40.260, Special Uses and Standards, or other applicable chapter is noted
 28 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. Guest house	C ²	C ²	C ²	C ²	40.260.010
c. Family day care centers	P	P	P	P	40.260.160

Table 40.210.010-1. Uses					
	FR-80	FR-40	AG-20	AG-WL	Special Standards
d. Adult family homes	P	P	P	P	40.260.190
e. Home business – Type I	P	P	P	P	40.260.100
f. Home business – Type II	R/A	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	R/A	40.260.050
h. Bed and breakfast establishments (3 or more guest bedrooms)	C	C	C	C	40.260.050
i. Garage sales	P	P	P	P	40.260.090
j. 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	P	P	P	P	

Table 40.210.010-1. Uses					
	FR-80	FR-40	AG-20	AG-WL	Special Standards
interpretive/educational uses ¹⁰					
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.					
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					

Table 40.210.010-1. Uses					
	FR-80	FR-40	AG-20	AG-WL	Special Standards
Organization.					
a. Churches	X	C	C	X	
6. Services, Educational. ⁴⁰					
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	P	P	P	C	Chapter 40.440

Table 40.210.010-1. Uses					
	FR-80	FR-40	AG-20	AG-WL	Special Standards
from forest lands including but not limited to fuel wood, Christmas trees, salal, berries, ferns, greenery, mistletoe, herbs and mushrooms					
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	

Table 40.210.010-1. Uses					
	FR-80	FR-40	AG-20	AG-WL	Special Standards
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,	X	X C ¹¹	X	C	

Table 40.210.010-1. Uses					
	FR-80	FR-40	AG-20	AG-WL	Special Standards
that no crematorium is within two hundred (200) feet of a lot in a residential district					
h. Expansion of existing cemeteries	P	P	P	P	
i. Temporary uses	P	P	P	P	40.260.220
j. Electric vehicle infrastructure	P	P	P	P	40.260.075
k. Medical marijuana cooperative	X	X	X	X	40.260.115
l. Marijuana production facilities	X	P	P	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
2 ¹ One (1) single-family dwelling on legal lot or legal nonconforming lot of
3 record.

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

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

11 o There will be no significant environmental impact, especially as it relates
12 to wildlife, resulting from the proposed use; and

13 o The subject site cannot be put to any reasonable economic use which is
14 provided for in this section.

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

18 ⁵ Limited to fire stations only.

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

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

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

15 ⁹ See Table 40.260.250-1.

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

19 ¹¹ A new cemetery, subordinate to a church in existence as of January 1,
20 2019, may be permitted subject to the approval of a conditional use permit.

21 ***

22
23 **Section 3. Amendatory.** Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.210.020,
24 and most recently amended by Sec. 5 of Ord 2019-07-01, are each hereby amended as follows:
25

26 **40.210.020 Rural Districts (R-20, R-10, R-5)**

27
28 A. Purpose.

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

33 (Amended: Ord. 2018-01-09)

34 B. Uses.

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

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

42 Where there are special use standards or restrictions for a listed use, the applicable code
43 section(s) in Chapter 40.260, Special Uses and Standards, or other applicable chapter is noted
44 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. Family day care centers	P	P	P	40.260.160
c. Adult family homes	P	P	P	40.260.190
d. Home business – Type I	P	P	P	40.260.100
e. Home business – Type II	R/A	R/A	R/A	40.260.100
f. Bed and breakfast establishments (up to 2 guest bedrooms)	R/A	R/A	R/A	40.260.050
g. Bed and breakfast establishments (3 or more guest bedrooms)	C	C	C	40.260.050
h. Country inns of historic significance	C	C	C	
i. Garage sales	P	P	P	40.260.090
j. Residential care homes	C	C	C	40.260.180
k. Temporary dwellings	P	P	P	40.260.210
l. Staffed residential homes	C	C	C	40.260.205
2. Services,				

Table 40.210.020-1. Uses				
	R-20	R-10	R-5	Special Standards
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	C	C	C	

Table 40.210.020-1. Uses

	R-20	R-10	R-5	Special Standards
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. 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,				

Table 40.210.020-1. Uses				
	R-20	R-10	R-5	Special Standards
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.				
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	C	C	C	40.260.200

Table 40.210.020-1. Uses

	R-20	R-10	R-5	Special Standards
handling and disposal sites				
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 cooperative	X	X	X	40.260.115
i. Marijuana	X	X	X	40.260.115

Table 40.210.020-1. Uses				
	R-20	R-10	R-5	Special Standards
production facilities				
j. Marijuana processor 1 facilities	X	X	X	40.260.115
k. Marijuana processor 2 facilities	X	X	X	40.260.115
l. Marijuana retailer facilities	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)

Section 4. Amendatory. Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.210.030, and most recently amended by Sec. 6 of Ord 2019-07-01, 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.

	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. 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 2 guest bedrooms)	P	P	40.260.050
g. Bed and breakfast establishments (3 or more guest bedrooms)	P	P	40.260.050
h. Country inns of historic	C	C	

Table 40.210.030-1. Uses			
	RC-1	RC-2.5	Special Standards
significance			
i. Garage sales	P	P	40.260.090
j. Residential care homes	C	C	40.260.180
k. Temporary dwellings	P	P	40.260.210
l. Staffed residential homes	C	C	40.260.205
m. 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

Table 40.210.030-1. Uses

	RC-1	RC-2.5	Special Standards
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 track, amusement park, paintball facilities, or gun club	C	C	
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

Table 40.210.030-1. Uses			
	RC-1	RC-2.5	Special Standards
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	P	P	40.260.240

Table 40.210.030-1. Uses

	RC-1	RC-2.5	Special Standards
uses including but not limited to utility substations, pump stations, wells, watershed intake facilities, gas and water transmission lines			
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 cooperative	X	X	40.260.115
h. Marijuana production facilities	X	X	40.260.115

Table 40.210.030-1. Uses			
	RC-1	RC-2.5	Special Standards
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)

Section 5. Amendatory. Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.210.050, and most recently amended by Sec. 7 of Ord 2019-07-01, 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.

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

Table 40.210.050-1. Uses			
	CR-1	CR-2	Special Standards
<p>1. Residential Uses.</p> <p>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.</p>			
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	

Table 40.210.050-1. Uses			
	CR-1	CR-2	Special Standards
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	
e. Single purpose/specialty	P	P	

Table 40.210.050-1. Uses

	CR-1	CR-2	Special Standards
retailers (less than 10,000 square feet gross floor area)			
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	X	X	

Table 40.210.050-1. Uses			
	CR-1	CR-2	Special Standards
home sales			
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 planing 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	X	X	

Table 40.210.050-1. Uses

	CR-1	CR-2	Special Standards
square feet gross floor area)			
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	

Table 40.210.050-1. Uses			
	CR-1	CR-2	Special Standards
b. Barber and beauty shops	P	P	
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	X	X	

Table 40.210.050-1. Uses			
	CR-1	CR-2	Special Standards
mini-storage warehouse			
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.			

Table 40.210.050-1. Uses			
	CR-1	CR-2	Special Standards
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 ⁷	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	

Table 40.210.050-1. Uses			
	CR-1	CR-2	Special Standards
13. Services – Amusement.			
a. Amusement centers	X	X	
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. ⁷			
a. Nursery schools, preschools	C	C	40.260.160
b. Day care facilities consistent with	P	P	40.260.160

Table 40.210.050-1. Uses			
	CR-1	CR-2	Special Standards
Chapter 388-73 WAC⁷			
c. Libraries (< 2,500 square feet gross floor area) ⁷	P	P	
d. Libraries (> 2,500 square feet gross floor area) ⁷	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 ⁷	P	P	
j. Parks ⁷	P	P	40.260.157
k. Public/private educational institutions ⁷	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	

Table 40.210.050-1. Uses			
	CR-1	CR-2	Special Standards
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. ⁷			
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	

Table 40.210.050-1. Uses			
	CR-1	CR-2	Special Standards
e. U.S. Post Offices ⁷	P	P	
f. Public transit facilities including park and ride facilities ⁷	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
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	P	P	

Table 40.210.050-1. Uses			
	CR-1	CR-2	Special Standards
other uses generally conducted outside in conjunction with a permitted commercial use, unless otherwise prohibited by this title ⁴			
(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 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 retailer facilities	X	X	40.260.115
i. Contractors' offices, storage buildings, and storage yards	P	P	40.320.010(D)

1
2
3
4

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:

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

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

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

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

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

22 ⁶ See Table 40.260.250-1.

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

26 (Amended: Ord. 2011-02-13; Ord. 2011-06-14; Ord. 2011-08-08; Ord. 2011-
27 12-09; Ord. 2012-02-03; Ord. 2012-06-02; Ord. 2013-07-08; Ord. 2014-05-
28 07; Ord. 2014-11-02; Ord. 2016-06-12; Ord. 2018-01-09)

29
30 ***

31
32 **Section 6. Amendatory.** Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.220.010,
33 and most recently amended by Sec. 8 of Ord 2019-07-01, are each hereby amended as follows:
34

35 **40.220.010 Single-Family Residential Districts (R1-20, R1-10, R1-7.5, R1-6 and R1-5)**

36 A. Purpose.

- 37 1. The R1-20, R1-10 and R1-7.5 districts are intended to:
38 a. Recognize, maintain and protect established low-density residential areas.
39 b. Establish higher densities where a full range of community services and facilities
40 are present or will be present at the time of development.
41 c. Provide for additional related uses such as schools, parks and utility uses
42 necessary to serve immediate residential areas.

43 2. The R1-6 and R1-5 districts are intended to provide for higher single and duplex
44 densities where a full range of community services and facilities are present or will be
45 present at the time of development.

46 (Amended: Ord. 2018-10-02)

47 B. Uses.

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

- 50 • "P" – Uses allowed subject to approval of applicable permits.

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

- 1 Where there are special use standards or restrictions for a listed use, the applicable code
- 2 section(s) in Chapter 40.260, Special Uses and Standards, or other applicable chapter is noted
- 3 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

Table 40.220.010-1: Uses

	R1-20	R1-10	R1-7.5	R1-6	R1-5	Special Standards
I. 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	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	
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					

Table 40.220.010-1. Uses						
	R1-20	R1-10	R1-7.5	R1-6	R1-5	Special Standards
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. ⁷						
a. Commercial day care centers ⁷	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 ⁷	C	C	C	C	C	
d. Business, dancing and technical schools ⁷	X	X	X	X	X	
e. Public park and public recreational facilities ⁷	P	P	P	P	P	40.260.157
f. Parks ⁷	P	P	P	P	P	40.260.157
6. Public Service and Facilities. ⁷						40.230.090
a. Ambulance dispatch facilities ⁷	C	C	C	C	C	40.260.030
b. Government facilities ⁷	C ⁴					
7. Resource Activities.						

Table 40.220.010-1. Uses						
	R1-20	R1-10	R1-7.5	R1-6	R1-5	Special Standards
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					
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	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 cooperative	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
2
3

¹Duplexes permitted on corner lots.

²Attached single-family dwellings allowed in PUD development only.

1 ³Including golf courses and country clubs, but not including such intensive
2 recreation uses as a golf driving range (unless within a golf course), race
3 track, amusement park or gun club.

4 ⁴Not including storage or repair yards, warehouses, or similar uses.

5 ⁵Including crematoria, columbaria, and mortuaries within cemeteries;
6 provided, that no crematorium is within two hundred (200) feet of a lot in a
7 residential district.

8 ⁶See Table 40.260.250-1.

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

12 (Amended: Ord. 2004-06-11; Ord. 2004-09-02; Ord. 2005-04-12; Ord. 2007-
13 06-05; Ord. 2009-06-01; Ord. 2010-08-06; Ord. 2011-06-14; Ord. 2011-08-
14 08; Ord. 2011-12-09; Ord. 2012-02-03; Ord. 2012-02-08; Ord. 2012-06-02;
15 Ord. 2012-12-23; Ord. 2013-07-08; Ord. 2014-05-07; Ord. 2014-11-02; Ord.
16 2016-06-12; Ord. 2018-10-02)

17 ***

18
19 **Section 7. Amendatory.** Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.220.020,
20 and most recently amended by Sec. 9 of Ord 2019-07-01, are each hereby amended as follows:

21
22 **40.220.020 Residential and Office Residential Districts (R, OR)**

23 **A. Purpose.**

24 1. The residential (R-12, R-18, R-22, R-30 and R-43) districts are intended to provide for
25 medium and higher density residential development based upon consistency with the
26 comprehensive plan and compatibility with surrounding land uses. The following factors will
27 be considered in the application of one (1) of these districts to a particular site:

28 a. Properties designated urban medium density residential on the comprehensive
29 plan should not exceed a density of R-22. Urban high density residential areas are
30 appropriate for densities in the R-30 and R-43 districts.

31 b. Proximity to major streets and the available capacity of these streets, adequacy of
32 public water and sewer, vehicular and pedestrian traffic circulation in the area, proximity
33 to commercial services and proximity to public open space and recreation opportunities.
34 Development within these districts will be reviewed to ensure compatibility with adjacent
35 uses including such considerations as privacy, noise, lighting and design.

36 2. The office residential (OR-15, OR-18, OR-22, OR-30, OR-43) districts are intended to
37 provide for residential and professional office development based upon consistency with the
38 comprehensive plan and compatibility with adjacent land uses. It is intended that office
39 developments within these districts will be of a higher standard in recognition of their
40 residential setting. The following factors will be considered in the application of one (1) of
41 these districts to a particular site:

42 a. Proximity to major streets and the available capacity of these streets;

43 b. Availability of public water and sewer;

44 c. Vehicular and pedestrian traffic circulation in the area;

45 d. Proximity to commercial services; and

46 e. Proximity to public open space and recreation opportunities.

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

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

50 **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/A ₁	40.260.020									
c. Boarding houses	R/A	R/A	P	P	P	P	P	P	P	P	
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	P ²	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	40.260.100									
k. Bed and breakfast establishments (up to 2 guest bedrooms)	R/A	40.260.050									
l. Bed and breakfast establishments (3 or more guest)	C	C	C	C	C	C	C	C	C	C	40.260.050

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
bedrooms)											
m. Garage sales	P	P	P	P	P	P	P	P	P	P	40.260.09 0
n. Manufactured home parks	R/A	R/A	R/A	R/A	R/A	R/A	R/A	R/A	R/A	R/A	40.260.14 0
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	40.520.02 0 40.520.08 0
p. Assisted living facilities	P	P	P	P	P	P	P	P	P	P	40.260.19 0
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	40.260.15 5
r. Single-family detached dwellings	R/A	R/A	R/A	X	X	R/A	R/A	R/A	X	X	40.260.15 5
s. Residential care homes and facilities	C	C	C	C	C	C	C	C	C	C	40.260.18 0
t. Cottage housing	P	P	P	X	X	P	P	P	X	X	40.260.07 3
u. Staffed residential homes	C	C	C	C	C	C	C	C	C	C	40.260.20 5
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	X	X	X	X	X	C	C	C	C	C	

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
warehouse											
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	

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. 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/C ₃	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 cooperative	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)

1
2 ***
3

4 **Section 8. Amendatory.** Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.230.010,
5 and most recently amended by Sec. 10 of Ord 2019-07-01, are each hereby amended as follows:
6

7 **40.230.010 Commercial Districts (NC, CC, GC)**

8 A. Purpose.

9 1. Neighborhood Commercial (NC) District. These commercial areas of limited size are
10 intended to provide for the convenience shopping needs of the immediate neighborhood.
11 This district is permitted under the neighborhood commercial and mixed use comprehensive
12 plan designations.

13 2. Community Commercial (CC) District. These commercial areas are intended to provide
14 for the regular shopping and service needs for several adjacent neighborhoods. This district
15 is only permitted in areas designated as community commercial or mixed use on the
16 comprehensive plan.

17 3. General Commercial (GC) District. These commercial areas provide a full range of
18 goods and services necessary to serve large areas of the county and the traveling public.
19 This district is limited to the general commercial comprehensive plan designation.

20 (Amended: Ord. 2008-12-15)

1 B. Definitions.

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

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

5 C. Uses.

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

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

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

Table 40.230.010-1. Uses				
	NC	CC	GC	Special Standards
<p>1. Residential Uses.</p> <p>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.</p>				
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
c. Adult family homes (in existing single-family dwellings)	P	P	P	40.260.190

Table 40.230.010-1. Uses				
	NC	CC	GC	Special Standards
or duplexes only)				
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	X	P	P	

Table 40.230.010-1. Uses

	NC	CC	GC	Special Standards
(greater than 100,001 square feet gross floor area)				
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,	X	P	P	

Table 40.230.010-1. Uses				
	NC	CC	GC	Special Standards
truck trailer, boat, recreational vehicles and equipment				
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	X	P	P	

Table 40.230.010-1. Uses

	NC	CC	GC	Special Standards
plumbing equipment, including incidental fabrication (operated entirely within an enclosed building)				
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.				

Table 40.230.010-1. Uses				
	NC	CC	GC	Special Standards
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	X	R/A	P	

Table 40.230.010-1. Uses

	NC	CC	GC	Special Standards
lithographic shops				
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	

Table 40.230.010-1. Uses				
	NC	CC	GC	Special Standards
11. Services – Medical and Health. ⁷				
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	
f. Ambulance services ⁷	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				

Table 40.230.010-1. Uses				
	NC	CC	GC	Special Standards
(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. ^z				
a. Nursery schools, preschools	C	P	P	40.260.160
b. Day care facilities consistent with all Washington State laws and regulations ^z	P	P	P	40.260.160
c. Libraries ^z	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	

Table 40.230.010-1. Uses				
	NC	CC	GC	Special Standards
feet)				
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 ⁷	P	P	P	40.260.157
j. Parks ⁷	P	P	P	40.260.157
k. Public/private educational institutions ⁷	C	C	C	
l. Outdoor team sports fields ⁷	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	

Table 40.230.010-1. Uses

	NC	CC	GC	Special Standards
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
(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.⁷				
a. Buildings entirely dedicated to public	C	C	C	

Table 40.230.010-1. Uses				
	NC	CC	GC	Special Standards
services, such as City Hall, police and fire substations ⁷				
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 ⁷	P	P	P	
f. Public transit facilities including park and ride facilities ⁷	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

Table 40.230.010-1. Uses

	NC	CC	GC	Special Standards
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

Table 40.230.010-1. Uses				
	NC	CC	GC	Special Standards
d. Medical marijuana 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
h. Marijuana retailer facilities	X	P	P	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 9. Amendatory. Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.230.020, and most recently amended by Sec. 11 of Ord 2019-07-01, 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. Uses¹		
	MX	Special Standards

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 ⁵	

Table 40.230.020-1. Uses ¹		
	MX	Special Standards
c. Bakery – primarily retail outlet (< 10,000 square feet of building footprint)	P	
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 ⁶	
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

Table 40.230.020-1. Uses ¹		
	MX	Special Standards
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	

Table 40.230.020-1. Uses ¹		
	MX	Special Standards
e. Branch banks	P ⁸	
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	P	

Table 40.230.020-1. Uses ¹		
	MX	Special Standards
offices		
b. Medical and dental offices	P	
c. Artists/photographic studios	P	
13. Services – Amusement.		
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. ⁴⁰		
a. Nursery schools, preschools ⁴⁰	P	40.260.160
b. Day care facilities consistent with Chapter 388-73 WAC ¹⁰	P	40.260.160
c. Elementary schools ⁴⁰	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		

Table 40.230.020-1. Uses¹

	MX	Special Standards
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	P	

Table 40.230.020-1. Uses ¹		
	MX	Special Standards
storage facilities, subject to state siting criteria (RCW 70.105.210)		
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 cooperative	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
2 Section 40.230.020(F).

3 ² Provided that single-family detached account for no more than thirty percent
4 (30%) of the total dwelling units on the development site.

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

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

9 ⁵ Development site ten (10) acres or greater.

10 ⁶ Development site twenty (20) acres or greater.

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

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

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

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

19 (Amended: Ord. 2010-08-06; Ord. 2011-03-09; Ord. 2011-06-14; Ord. 2011-
20 12-09; Ord. 2012-02-03; Ord. 2012-06-02; Ord. 2013-07-08; Ord. 2014-01-08;
21 Ord. 2014-05-07; Ord. 2014-11-02; Ord. 2016-06-12)

22 ***
23
24

25 **Section 10. Amendatory.** Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.230.050,
26 and most recently amended by Sec. 12 of Ord 2019-07-01, are each hereby amended as follows:
27

28 **40.230.050 University District (U)**

29 **A. Purpose.**

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

39 **B. Uses.**

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

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

47 Where there are special use standards or restrictions for a listed use, the applicable code
48 section(s) in Chapter 40.260, Special Uses and Standards, or other applicable chapter is noted
49 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	
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	P	

Table 40.230.050-1. Uses

	U	Special Standards
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		
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. Facilities for spectator, cultural and sporting events including but not limited to performing arts centers, museums and outdoor amphitheaters. ²	P	
h. Recreational facilities for the campus population including but	P	

Table 40.230.050-1. Uses		
	U	Special Standards
not limited to tennis courts, softball fields, athletic playfields, swimming pools and other indoor and outdoor sports facilities. 2		
i. Physical plant facilities for the operations and maintenance of the university. 2	P	
j. 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

Table 40.230.050-1. Uses		
	U	Special Standards
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 cooperative	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)

Section 11. Amendatory. Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.230.085, and most recently amended by Sec. 14 of Ord 2019-07-01, 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.

a. 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.

b. 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.

c. 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.

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
111	Crop production	P	P	P	P
112	Animal production	P	P	P	P
113	Forestry and logging	P	P	P	P
114	Fishing, hunting and trapping	P	P	P	P
115	Support activities for agriculture and forestry	P	P	P	P
211	Oil and gas extraction	X	C ⁴	C ⁴	X
212	Mining (except oil and gas)	X	C ⁴	C ⁴	X
	2123 Nonmetallic mineral mining and quarrying	X	P ⁴	P ⁴	X
213	Support activities for mining	X	C ⁴	C ⁴	X
221					
	22111 Electric power generation	P	P	P	C

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)				IL	IH	IR	BP
		22112	Electric power transmission and distribution	P	P	P	P
		22121	Natural gas distribution	P	P	P	P
		22131	Water supply and irrigation systems	P	P	P	P
		22132	Sewage treatment facilities	P	P	P	C
236	Construction of buildings			P ⁵	P ⁵	P ⁵	P ⁵
237	Heavy and civil engineering construction			P ⁵	P ⁵	P ⁵	P ⁵
238	Specialty trade contractors			P ⁵	P ⁵	P ⁵	P ⁵
	Storage yards for building materials, contractors' equipment and vehicles			P	P	P	X
311	Food manufacturing			P	P	P	X
		31161	Animal slaughtering and processing	C	P	P	X
			311811 Retail bakeries	P	P	P	P
312	Beverage and tobacco product manufacturing			P	P	P	P
313	Textile mills			P	P	P	X
314	Textile product mills			P	P	P	X
315	Apparel manufacturing			P ²	P ²	P ²	X
316							
	3161	Leather and hide tanning and finishing		X	P	P	X
	3162	Footwear manufacturing		P	P	P	P
	3169	Other leather and allied product manufacturing		P	P	P	P
321							
	3211	Sawmills and wood preservation		X	P	P	X
	3212	Veneer, plywood, and engineered wood product manufacturing		X	P	P	X
			321214 Truss manufacturing	P	P	P	X
	3219	Other wood product manufacturing		P	P	P	X

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)					IL	IH	IR	BP
322								
	3221	Pulp, paper and paperboard mills			X	P	P	X
	3222	Converted paper product manufacturing			P	P	P	P
323	Printing and related support activities				P	P	P	P
324	Petroleum and coal products manufacturing				X	P	P	X
325	Chemical manufacturing				X	P	P	X
	3254	Pharmaceutical and medicine manufacturing			P	P	P	X
	3256	Soap, cleaning compound, and toilet preparation manufacturing			P	P	P	X
326	Plastics and rubber products manufacturing				P	P	P	X
327								
	3271	Clay product and refractory manufacturing			P	P	P	X
	3272	Glass and glass product manufacturing			P	P	P	X
	3273	Cement and concrete product manufacturing			P	P	P	X
			327310	Cement manufacturing	X	P	P	X
			327320	Ready-mix concrete manufacturing	X	P	P	X
	3274	Lime and gypsum product manufacturing			X	P	P	X
	3279	Other nonmetallic mineral product manufacturing			X	P	P	X
331	Primary metal manufacturing				X	P	P	X
332								
	3321	Forging and stamping			P	P	P	X
	3322	Cutlery and hand tool manufacturing			P	P	P	P
	3323	Architectural and structural metals manufacturing			P	P	P	X
	3324	Boiler, tank, and shipping			P	P	P	X

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)					IL	IH	IR	BP
		container manufacturing						
	3325	Hardware manufacturing			P	P	P	X
	3326	Spring and wire product manufacturing			P	P	P	X
	3327	Machine shops			P	P	P	C
	3328	Coating, engraving, heat treating, and allied activities			P	P	P	X
			332813	Electroplating, plating, polishing, anodizing, and coloring	C	P	P	X
	3329	Other fabricated metal product manufacturing			P	P	P	X
333	Machinery manufacturing				P	P	P	C
334	Computer and electronic product manufacturing				P	P	P	P
335	Electrical equipment, appliance, and component manufacturing				P	P	P	P
336	Transportation equipment manufacturing				P	P	P	X
			336991	Motorcycle, bicycle, and parts manufacturing	P	P	P	P
337	Furniture and related product manufacturing				P	P	P	X
339	Miscellaneous manufacturing				P	P	P	P
423	Wholesale trade, durable goods (retail sales prohibited)				P	P	P	P
424	Wholesale trade, nondurable goods (retail sales prohibited)				P	P	P	P
425	Wholesale electronic markets and agents and brokers				P	P	P	P
		Retail sales of products fabricated on site			P ¹	P ¹	P ¹	P ¹
		Construction and industrial equipment sales			P	P	P	X
	4411	Automotive dealers			X	X	X	X
	4412	Other motor vehicle dealers			X	X	X	X
	4413	Automotive parts, accessories,			P ¹	P ¹	P ¹	P ¹

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)			IL	IH	IR	BP
		and tire stores				
	4441	Building material and supplies dealers	P	X	X	X
		44412 Paint and wallpaper stores	P ¹	X	X	X
		44413 Hardware stores	P ¹	X	X	X
445	Food and beverage stores		P ¹	X	X	P ¹
	44512	Convenience stores	P ¹	P ¹	P ¹	P ¹
446	Health and personal care stores		P ¹	X	X	P ¹
447	Gasoline stations		C	C	C	C
448	Clothing and clothing accessories stores		P ¹	X	X	P ¹
451	Sporting goods, hobby, book and music stores		P ¹	X	X	P ¹
452	General merchandise stores		X	X	X	X
453	Miscellaneous store retailers		P ¹	X	X	P ¹
454	Nonstore retailers		P	X	X	P
	45431	Fuel dealers	P	P	P	X
482	Rail transportation		P	P	P	X
483	Water transportation		X	P	X	X
484	Truck transportation		P	P	P	P
485	Transit and ground passenger transportation		P	P	P	P
486	Pipeline transportation		P	P	P	P
487	Scenic and sightseeing transportation		P	P	X	X
488	Support activities for transportation		P	P	X	X
	4882	Support activities for rail transportation	P	P	P	X
	4883	Support activities for water transportation	X	P	P	X
	4884	Support activities for road transportation	P	X	X	X
	4885	Freight transportation arrangement	P	P	P	P
	4889	Other support activities for transportation	P	P	P	P
491	Postal service		P	P	P	P

1
2
3

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)		IL	IH	IR	BP
492	Couriers and messengers	P	P	P	P
493	Warehousing and storage	P	P	P	P

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)		IL	IH	IR	BP
511	Publishing industries	P	P	P	P
512	Motion picture and sound recording industries	P	P	P	P
515	Broadcasting (except Internet)	P	P	P	P
516	Internet publishing and broadcasting	P	P	P	P
517	Telecommunications	P	P	P	P
	5172 Wireless communications carriers	P/C ⁷	P/C ⁷	P/C ⁷	P/C ⁷
518	Internet service providers, web search portals, and data processing services	P	P	P	P
519	Other information services	P	P	P	P
52 Finance and insurance		X	X	X	P
	5221 Branch banks (including drive-up service)	P ¹	P ¹	X	P
524	Insurance carriers and related activities	P	X	X	P
531	Offices of real estate agents and brokers	P	X	X	P
532	Rental and leasing services	P	X	X	P
	5324 Commercial and industrial machinery and equipment rental and leasing	P	P	P	X
533	Lessors of nonfinancial intangible assets (except copyrighted works)	X	X	X	P
541	Professional, scientific, and technical services	P	X	X	P
	54135 Building inspection services	P	X	X	P
	54136 Geophysical surveying and mapping services	P	X	X	P

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)				IL	IH	IR	BP
		54137	Surveying and mapping (except geophysical services)	P	X	X	P
		54138	Testing laboratories	P	X	X	P
		54194	Veterinary services	P	P	X	P
	551	Management of companies and enterprises		P	X	X	P
	561	Administrative and support services		P	X	X	P
		5616	Investigation and security services	P	X	X	P
		5617	Services to buildings and dwellings	P	X	X	P
		5619	Other support services	P	X	X	P
	562	Waste management and remediation services		C ⁶	C ⁶	C ⁶	X
	611	Educational services ⁴⁴		C	C	X	C
		6111	Elementary and secondary schools ⁴⁴	C	C	X	C
		6112	Junior colleges ⁴⁴	C	C	X	C
		6113	Colleges and universities ⁴⁴	C	C	X	C
		6114	Business schools and computer and management training ⁴⁴	C	C	X	P
		6115	Technical and trade schools	P	P	P	P
			611519 Truck driving schools	P	P	X	P
		6116	Other schools and instruction	C	C	X	P
			611692 Automobile driving schools	P	C	X	P
		6117	Educational support services ⁴⁴	C	C	X	P
	621	Ambulatory health care services		P	X	X	P
		6215	Medical and diagnostic laboratories	P	X	X	P
		6216	Home health care services	P	X	X	P
		6219	Other ambulatory health care	P	X	X	P

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)				IL	IH	IR	BP
		services					
		62191	Ambulance services	P	P	P	P
622	Hospitals			C	X	X	P
623	Nursing and residential care facilities			X	X	X	P
	6232	Residential mental retardation, mental health, and substance abuse facilities		X	X	X	C
624	Social assistance			X	X	X	P
	6244	Child day care services		P ¹	P ¹	P ¹	P
71 Arts, entertainment, and recreation				P ¹	X	X	P
	7112	Spectator sports		C	X	X	C
		71391	Golf courses and country clubs	X	X	X	X
		71392	Skiing facilities	X	X	X	X
		71393	Marinas	P	X	X	X
		71394	Fitness and recreational sports centers	P ¹	P ¹	P ¹	P ¹
		71399	All other amusement and recreation industries	P ¹	X	X	P ¹
721	Accommodation			X	X	X	P
722	Food services and drinking places			P ¹	P ¹	P ¹	P ¹
	7223	Special food services		P	P	P	P
811	Repair and maintenance			P ³	P ³	P ³	P ³
	8111	Automotive repair and maintenance		P ³	P ³	P ³	C
	8113	Commercial and industrial machinery and equipment (except automotive and electronic repair and maintenance)		P ³	P ³	P ³	C
812	Personal and laundry services			P ¹	X	X	P ¹
		81221	Funeral homes and funeral services	X	X	X	P
		81222	Cemeteries and	C	C	C	C

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)				IL	IH	IR	BP
			crematories				
	8123	Dry cleaning and laundry services		P ¹	X	X	P ¹
		81233	Linen and uniform supply	P	P	X	P
		81291	Pet care (except veterinary) services	P ¹	X	X	P ¹
813	Religious, grant making, civic, professional, and similar organizations			X	X	X	C
92 Public Administration ¹¹				P	X	X	P
	92214	Correctional institutions ¹¹		C	C	X	X
1. Service stations for vehicle fleets, including cardlock facilities				P	P	P	P
2. Personal property storage including outdoor RV and boat storage				P	X	X	X
a. Administrative, educational, and other related activities and facilities				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
c. Off-site hazardous waste treatment and storage facilities (subject to RCW 70.105.210)				P ²	P ²	P ²	P ²
a. Parks, trails and related uses ¹¹				P ²	P ²	P ²	P ²
b. Existing residential uses 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 the limits regarding the replacement.				P	P	P	P
c. Legally existing commercial and industrial use structures				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
e. Electric vehicle infrastructure				P	P	P	P
f. Coffee and food stands two hundred (200) square feet or less				P ⁸	P ⁸	P ⁸	P ⁸
g. Agricultural stands and markets				P ⁹	P ⁹	P ⁹	P ⁹
h. Medical marijuana cooperative				X	X	X	X

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)	IL	IH	IR	BP
i. Marijuana production facilities	P ¹²	P ¹²	X	X
j. Marijuana processor I facilities	P ¹²	P ¹²	X	P ¹²
k. Marijuana processor II facilities	P ¹²	P ¹²	X	P ¹²
l. Marijuana retailer facilities	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 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.

¹¹ 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)

1 **Section 12. Amendatory.** Sec. 3.18 (Exhibit 19) of Ord. 2016-06-12 and codified as CCC
 2 40.230.090, and most recently amended by Sec. 6 of Ord 2018-01-01, are each hereby amended
 3 as follows:

4
 5 **40.230.090 Public Facilities District (PF)**

6 A. Purpose.

7 The purpose of the Public Facilities district (PF) is to provide for already developed publicly
 8 owned parks, open space, and public facilities that are located permanently in a specific location,
 9 such as ~~schools, and other~~ governmental facilities including, but not limited to, police buildings,
 10 fire stations, municipal administration buildings and wastewater treatment plants.

11 1. The Public Facilities zone has no development standards because these types of
 12 facilities are developed under the previous zoning.

13 2. New public facilities on land not yet zoned Public Facilities shall be developed according
 14 to the standards of the current zone.

15 3. Once a vacant property is developed as a public facility, the property will be rezoned as
 16 a docket item.

17 4. New uses and additions to uses on property that is already zoned Public Facilities shall
 18 conform to the standards of the zone that existed immediately prior to development.

19 5. Any parcels released from the Public Facilities district shall be subject to legal lot
 20 determination standards, as are all unplatted parcels in Clark County.

21 (Amended: Ord. 2018-01-01)

22 B. Uses.

23 The uses set out in Table 40.230.090-1 are examples of uses allowed in the Public Facilities
 24 district. The appropriate review authority is mandatory.

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

30 For special standards or restrictions for a listed use, the applicable code section(s) in Chapter
 31 40.260, Special Uses and Standards, or other applicable chapter is noted in the "Special
 32 Standards" column.
 33

Table 40.230.090-1. Uses. ¹		
	PF	Special Standards
1. Parks.		
a. Neighborhood	P	40.260.157
b. Community	P	40.260.157
c. Regional	P	40.260.157
d. Trails, trailheads and greenways	P	40.260.157
2. Governmental Structures/Facilities.		
a. Libraries	P	
b. Administration	P	

Table 40.230.090-1. Uses. ¹		
	PF	Special Standards
c. Public safety facilities, including police and fire stations, courthouses	P	
d. Ambulance dispatch	P	40.260.030
e. Jails	C	
f. Maintenance facilities	P	
g. Utilities	P	
3. Transportation Facilities.		
a. Park and ride facilities	C	
b. School bus parking/storage facilities	P	
c. Transit stations	P	
4. Schools.		
a. K-5 schools	P	
b. 6-12 secondary schools	C	
e. Colleges/universities	C	40.230.050
45. Recreation Space.		
a. Athletic stadiums, stand-alone sports complexes, and fields; arenas	C	
b. Events centers	C	
c. Community centers	C	
d. Shooting, rifle and archery ranges	C	

1
2
3
4
5

¹ Uses will develop per the standards and processes of the current zone prior to development. New uses and additions to uses on property that is already zoned Public Facilities shall conform to the standards of the zone that applied to that property immediately prior to development.

(Amended: Ord. 2016-06-12; Ord. 2018-01-01)

Section 13. Amendatory. Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.250.110, and most recently amended by Sec. 15 of Ord 2019-07-01, 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	P	P	40.260.010

Table 40.250.110-1. Uses.			
	UH-10	UH-20	Special Standards
dwelling and accessory buildings			
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
c. Agricultural	P	P	40.260.025

Table 40.250.110-1. Uses.			
	UH-10	UH-20	Special Standards
market			
d. Veterinary clinics	C	C	
e. Kennels	C	C	40.260.110
3. Services, Amusement.⁶			
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.			

Table 40.250.110-1. Uses.			
	UH-10	UH-20	Special Standards
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	P	P	40.260.240

Table 40.250.110-1. Uses.

	UH-10	UH-20	Special Standards
utility substations, pump stations, wells, watershed intake facilities, gas and water transmission lines			
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	X	P ^{4,5}	

Table 40.250.110-1. Uses.			
	UH-10	UH-20	Special Standards
storage, used equipment in operable condition and related materials			
i. Coffee and food stands two hundred (200) square feet or less	P	P	40.260.055
j. Medical marijuana cooperative	X	X	40.260.115
k. Marijuana 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
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

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 14. Amendatory. Sec. 2 (Attachment A) of Ord 1995-09-10 and codified as CCC 40.370.010, and most recently amended by Sec. 12 of Ord. 2012-07-03, are each hereby amended as follows:

1 **40.370.010 Sewerage Regulations**

2 A. Purpose.

3 The purpose of this section is to further the public health by providing clear rules for when
4 connection to public sewer is required or prohibited. Nothing in this section shall be construed
5 to permit violation of regulations for on-site sewage disposal systems promulgated by the
6 Washington Department of Health or local governments.

7 B. Definitions.

8 1. "Public sewer" means extension of a public sewer system operated by a public entity or,
9 where such extension is impractical, connection to an alternative public sewer system
10 operated by the designated public sewer purveyor.

11 2. "UGA" means an urban growth area designated in the comprehensive plan.

12 C. New Structures within UGA and Rural Centers Served by Public Sewer – Public Sewer
13 Connection Required – Exceptions.

14 Inside UGAs and rural centers served by public sewer, connection to public sewer is required
15 as a condition of building permit issuance for any new structure which has the potential to
16 increase sewage effluent, or additions to existing structures which have the potential to
17 increase sewage effluent, unless the responsible official determines, using a Type I review
18 process, that the new structure or addition is for single-family detached residential use, or a
19 nonresidential use for which an on-site sewage disposal system can be approved by the Clark
20 County Health Department and:

21 1. Such use does not generate hazardous/dangerous waste, as defined by applicable
22 federal, state or local law; and

23 2. Extension of public sewer is impractical based upon the following criteria:

24 a. Public sewer would have to be extended more than three hundred (300) feet to the
25 property line; or

26 b. Necessary permission cannot be obtained from intervening landowner(s); or

27 c. Intervening property contains natural or manmade obstructions, such as deep
28 canyons, elevation changes, and solid rock impediments, which make public sewer
29 extension prohibitively expensive or undesirable; and

30 3. A covenant to the county is recorded which commits the current and future property
31 owner(s) to connect to public sewer within twelve (12) months of sewer becoming
32 available. The covenant shall also contain a provision that commits the current and
33 future property owner(s) to participate in a future local improvement district if this is the
34 method used to extend sewer.

35 *(Amended: Ord. 2008-06-02; Ord. 2011-08-08; Ord. 2012-07-03)*

36 D. Land Divisions within UGA – Public Sewer Connection Required – Exceptions.

1 Inside UGAs, connection to public sewers is required as a condition of approval of new land
2 divisions, whether by plat, short plat or site plan application, unless the following exception
3 applies:

4 1. A two (2) lot land division where one (1) of the lots is, or will be, developed in a use that
5 generates no sewage effluent. Any plat approved under this exception shall record a
6 covenant prohibiting the installation of plumbing fixtures for any use on the designated
7 lot unless the lot connects to sewer.

8 2. Short plats approved under Section [40.200.050\(B\)](#).

9 *(Amended: Ord. 2008-06-02)*

10 E. Public Sewer Connection Prohibited Outside UGAs – Exceptions.

11 For proposed structures or other developments outside of a UGA, connection to public sewer
12 is prohibited except as follows:

13 1. In response to documented health hazards; or

14 2. To provide public sewer to regional park facilities ~~K—12 public schools or to uses within~~
15 ~~the urban reserve district otherwise required to be served by public sewer; or~~

16 ~~3.—Where the county has contractually committed to permit public sewer connection.~~

17 ~~—If sewer is extended, the maximum number of permitted hookups should be specified at~~
18 ~~the time of extension and no additional development exceeding this number should be~~
19 ~~permitted.~~

20 3. Pursuant to RCW 36.70A.213, to provide public sewer to a school and any associated
21 recreational facilities in a rural area that serves students from a rural and urban area;
22 provided the school district, the county, the public sewer provider and any affected cities
23 determine that the proposed site is suitable and the school and any associated
24 recreational facilities cannot reasonably be collocated on an existing school site; or
25

26 4. Upon a request for service to the public sewer provider, an intervening property pursuant
27 to 40.370.010(E)(3) may be served by public sewer if, pursuant to RCW 36.70A.213(3)
28 and 40.370.010(C)(2)(a), the property is within 300 feet of a sewer extension to serve a
29 school; and provided the school district, the county, the public sewer provider and any
30 affected cities agree to the request.

31 F. Period of Validity.

32 A Type I decision under this section shall be valid for a period of one (1) year if not associated
33 with any other action. When such a decision is made in conjunction with another application
34 (e.g., short plat, plat or site plan), the decision shall be valid for the same period as the
35 decision on the related application.

36 **Section 15. Arterial Atlas Amendments**
37

- 1 1. In the matter of **Docket item number CPZ2019-00016 Arterial Atlas and Title 40**
2 **Appendix F:** the council **approved** the amendment of Title 40 Appendix F to delete the
3 planned NE 16th Ave. from NE 106th St. to NE 110th St. as indicated on the attached map,
4 (Exhibit 1).
5

6 **Section 16. New.** A new section CCC 40.550.030 is hereby adopted that creates a process and
7 criteria for review of proposed development agreements.

8 **40.550.030 Development Agreements**

9 **A. Purpose.** The purposes of this Section include one or more of the following, as
10 appropriate in the circumstances:

- 11 1. Create a procedure for application, review, consideration, and conditioning of certain
12 development projects according to the extent to which they advance the
13 Comprehensive Plan's goals and policies.
14 2. Subject to the provisions of CCC 40.550.030.D.1.c, provide certainty to a developer
15 that a project may proceed to be developed per the development standards, zoning
16 ordinances, regulations, and other code provisions in effect at the time of the
17 approval.
18 3. Provide assurance that currently allowed uses for a property may be maintained for a
19 specified period of time in exchange for specific consideration which advances the
20 Comprehensive Plan's goals and policies.
21 4. Provide a consistent process and criteria for review of proposed development
22 agreements.

23 **B. Applicability.**

- 24 1. This Section applies to development agreements authorized pursuant to RCW
25 36.70B.170 through 36.70B.210 between Clark County and any person having
26 ownership or control of real property located within Clark County's jurisdiction.
27 2. The provisions of this Section do not apply to or affect the validity of any contract
28 rezone, concomitant agreement, annexation agreement, or other agreement in
29 existence on or before the effective date of this Section, or adopted under separate
30 authority, even though such agreements may also relate to development standards,
31 mitigation and other regulatory requirements.
32 3. The county is authorized, but not required, to accept, review and approve a proposed
33 development agreement. This process is voluntary on the part of both the applicant
34 and the County. The decision to approve a development agreement is discretionary
35 with the Clark County Council.

1 4. Neither application nor approval of a development agreement vests a project to
2 development standards, zoning ordinances, regulations, and other code provisions,
3 except as specified in the development agreement.

4 5. Development agreements or amendments thereto shall terminate 10 years from the
5 date of recordation, unless otherwise specified, in the terms of the development
6 agreement.

7 6. Development agreements provide flexibility and creativity to some or all of the
8 development standards set forth in CCC Title 40, such as, permitted uses, residential
9 densities, nonresidential densities, building sizes, payment of impact fees, affordable
10 housing, parks and open space provisions, phasing, review procedures, vesting of
11 applicable standards, and any other appropriate development requirement.

12 **C. Types of Development Agreements.**

13 1. Project Development Agreement. A project development agreement shall relate to
14 a specific development proposal that is or would be subject to a Type II or III process
15 defined in Chapter 40.510 CCC. The applicant shall submit a detailed site design
16 with the identification of specific uses and activity. The level of detail shall be such
17 that the project can be reviewed to determine the appropriate level of mitigation
18 related to, but not limited to, transportation, stormwater and critical areas.

19 2. Non-Project Development Agreement. A non-project development agreement shall
20 address a conceptual development that involves a legislative decision associated
21 with a Type IV process defined in Chapter 40.510 CCC.

22 **D. Development Standards.**

23 1. Project Development Agreement.

24 a. A development agreement may set forth the development standards, zoning
25 ordinances, regulations, code provisions that shall apply to and govern the
26 project, for the duration specified in the agreement.

27 b. In order to encourage innovative land use management and provide flexibility to
28 achieve public benefits, a development agreement adopted pursuant to this
29 Section may impose development standards that differ from, but are consistent
30 with, the development standards of the Clark County Code that would otherwise
31 apply to a proposed development. Development standards imposed by the
32 development agreement must be consistent with the comprehensive plan, and
33 adequately address public health, safety, welfare and environmental
34 requirements.

1 c. Subsequently adopted standards which differ from those in the development
2 agreement shall apply to the subject site only if necessary to address a serious
3 threat to public health and safety or if the development agreement specifies a
4 time period or phase after which certain identified standards may be modified.
5 Building permit applications shall be subject to the building codes in effect when
6 the building permit application is deemed complete.

7 2. Non-Project Development Agreement. A non-project development agreement may
8 allow one or more of the following: permitted land use types associated with the
9 zoning, innovative land use types that advance the Comprehensive Plan's goals and
10 policies, or existing legally established uses in effect at the time the agreement is
11 approved.
12

13 **E. Development Agreement Application.**

- 14 1. The applicant shall submit a form provided by the County to initiate a development
15 agreement. The application form for proceeding with a development agreement may
16 include a draft development agreement, but must include a narrative that details:
17 a. The proposed development or Type IV non-project proposal;
18 b. The need to deviate from the Clark County Code;
19 c. The specific consideration that the applicant will provide to the County
20 pursuant to the DA; and
21 d. How the development agreement would be consistent with state law,
22 development standards, zoning ordinances, regulations and other code
23 provisions and would comply with the Clark County Comprehensive Plan's
24 Goals and Policies.

25 **F. Contents of a Development Agreement.**

- 26 1. A project development agreement shall be recordable pursuant to Washington State
27 Law and include the following:
28 a. A site plan depicting boundaries and project elements, such as: location, acreage
29 and range of densities for residential development, if applicable; location and
30 range of types of uses of nonresidential development; if applicable; location and
31 size of critical areas and buffers, if any; perimeter buffers, if any; location and
32 acreage of active and passive recreational areas, if any; and motorized and non-
33 motorized circulation routes, including route connections to streets and
34 pedestrian and bicycle routes servicing and/or abutting the site;

- 1 f. A map depicting the location of specific public amenities, infrastructure
2 improvements or other public benefits that shall be provided through
3 implementation of the agreement;
4 g. A traffic impact study consistent with the requirements of CCC 40.350.020.D;
5 h. A title report containing proof of ownership;
6 i. If the applicant is not the owner of the property, a written and notarized statement
7 by the owner authorizing the applicant to submit and negotiate the application on
8 the owner's behalf, and for the County to process, review, negotiate, and
9 consider the application for approval;
10 j. Identification of whether the development agreement runs with the land; and
11 k. Provisions acknowledging that at the time a specific development application is
12 submitted, all development regulations in effect at the time of submittal shall be
13 applicable.

14 **G. Review Criteria.**

- 15 1. The County Manager or designee(s) shall negotiate acceptable terms and conditions
16 of the proposed development agreement, subject to initial authorization by the Clark
17 County Council and to final approval of the development agreement by the Clark
18 County Council.
19 2. A development agreement must conform to the existing Clark County 20-year
20 Comprehensive Growth Management Plan. The agreement must not allow for use
21 types or densities currently not permitted by the existing zoning ordinance or existing
22 legally established uses.
23 3. A development agreement must advance the goals and policies of the existing Clark
24 County 20-year Comprehensive Growth Management Plan. Examples of compliance
25 with this requirement include, but are not limited to, demonstration of one or more of
26 the following:
27 a. Promoting vitality of an area designated as a Regional, Countywide or Local
28 Center;
29 b. Preserving resource lands;
30 c. Promoting community sustainability through complete, compact and connected
31 communities;
32 d. Dedicating lands for public facilities or services; and
33 e. Constructing of public improvements.

34 **H. Procedures.**

1 1. Preliminary Review.

2 a. Preliminary review is required for all development agreement applications. To
3 initiate preliminary review, an applicant shall submit a completed development
4 agreement application, pursuant to CCC 40.550.030.E, to the Permit Center,
5 along with the required preliminary review fee. The required preliminary review fee
6 shall be twenty percent of the total fee cost established in CCC 6.110A.010. The
7 Land Use Division of the Community Development Department shall determine
8 whether the application is fully complete.

9 b. Within twenty-one (21) calendar days after acceptance of a fully complete
10 development agreement application, the County Manager or designee(s) shall
11 collect a cursory assessment from each of the Departments of Community
12 Development, Community Planning, and Public Works.

13 c. Upon receipt of the cursory assessments, or no later than seven (7) days after
14 receipt of the cursory assessments the County Manager or designee(s) shall
15 schedule a public meeting with the Council to occur no less than ten (10) days
16 after the deadline for collection of the cursory assessments. The County Manager
17 or designee(s) shall provide all materials contemporaneously with scheduling the
18 public meeting.

19 d. The preliminary review procedures, required by this section, may be waived by
20 Clark County Council when the County requests a development agreement to be
21 executed.

22 2. Initial Authorization by the Clark County Council.

23 a. The Clark County Council shall hold a public meeting in accordance with the rules
24 and procedures adopted by the Council. The County Manager shall present the
25 preliminary departmental assessments and a recommendation whether the
26 County should proceed to negotiate the proposed development agreement.

27 b. The Clark County Council may direct the County Manager to proceed with
28 negotiating the terms of the draft development agreement, or it may deny the
29 development agreement application.

30 3. Negotiation and Recommendation.

31 a. The applicant shall submit all the materials required by Section 40.550.030.F,
32 along with a final review fee, to initiate negotiations. The required final review fee
33 shall be the total fee established in CCC 6.110A.010, less the fee paid at
34 preliminary review.

- 1 b. The County Manager may appoint a designee to conduct negotiations on behalf of
2 the County and provide a recommendation to the County Manager.
- 3 c. The draft development agreement shall be forwarded to each affected department
4 which shall review and comment to the County Manager regarding the policy and
5 financial implication of the proposal.
- 6 d. After negotiating the terms of a proposed project development agreement, or an
7 amendment thereto, the County Manager shall forward the proposal with a
8 recommendation to the Clark County Council for its review and potential approval
9 by action in a public hearing.
- 10 e. After negotiating the terms of a proposed non-project development agreement,
11 the County Manager shall forward the proposed development agreement with a
12 recommendation to the Planning Commission. The Planning Commission shall
13 consider the proposed development agreement in a public hearing and shall
14 recommend that the County Council approve or deny the proposal. The County
15 Manager shall forward a proposed amendment of an approved non-project
16 agreement, with a recommendation, to the Planning Commission for consideration
17 in a public hearing if the proposed amendment includes a request to amend the
18 Comprehensive Plan. In that case, the Planning Commission shall recommend
19 that the County Council approve or deny the proposed amendment; otherwise, the
20 Planning Commission shall not hear and make a recommendation on the
21 proposed amendment.

22 4. Final Consideration by Clark County Council.

- 23 a. The Clark County Council shall consider a proposed development agreement in a
24 public hearing and the Council shall adopt a resolution authorizing the County
25 Manager to enter into the development agreement or may deny the proposed
26 development agreement.
- 27 b. The County Manager will designate in writing the department responsible for
28 administering and monitoring compliance with the approved Development
29 Agreement.

30 I. Effect.

- 31 1. A development agreement pursuant to Chapter 36.70B RCW and this Section shall:
32 Bind the parties and their successors, including a city that assumes jurisdiction
33 through incorporation or annexation of the area covering the property subject to the
34 development agreement;

1 2. Upon approval of a development agreement pursuant to CCC 40.550.030.H and its
2 execution by all the parties to the agreement, the County shall record the agreement
3 with the Clark County Auditor. On the date of recordation, or any later date specified
4 in the agreement, the development agreement will take effect.

5 **J. Amendment.**

6 1. Any revision to an approved development agreement must be by written
7 amendment, made during the term of the development agreement, duly authorized
8 by the Council pursuant to the procedures set forth in Section 40.550.030.H.2-4, and
9 signed by the parties.

10
11
12 **Section 17. Severability.**

13
14 If any section, sentence, clause, or phrase of this ordinance is held invalid or unconstitutional by
15 a court of competent jurisdiction or the Growth Management Hearings Board, such invalidity or
16 unconstitutionality shall not affect the validity or unconstitutionality of any other section,
17 sentence, clause, or phrase of this ordinance.
18

19 **Section 18. Effective Date.**

20 This ordinance shall go into effect on April 3, 2020, ten (10) days after its adoption as provided
21 by law.
22

23 **Section 19. Instructions to Clerk.**

24 The Clerk to the council shall:

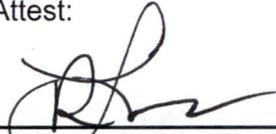
- 25
26 1. Transmit a copy of this ordinance to the Washington State Department of Commerce
27 within ten (10) days of its adoption pursuant to RCW 36.70A.106.
28 2. Transmit a copy of the adopted ordinance to Code Publishing, Inc., forthwith to update
29 the electronic version of the Clark County Code.
30 3. Transmit a copy of the adopted ordinance to the Community Development Department
31 (Dan Young and Susie Davidson).
32 4. Transmit a copy of the adopted ordinance to the Community Planning Department
33 (Sharon Lumbantobing).
34 5. Transmit a copy of the adopted ordinance to the Public Works Department (Ahmad
35 Qayoumi and Rob Klug).
36 6. Record a copy of this ordinance with the Clark County Auditor.
37 7. Cause notice of adoption of this ordinance to be published forthwith pursuant to RCW
38 36.70A.290 and Clark County Code 1.02.140.
39

40 **Section 20. Roll Call Vote.** The following persons voted in favor of the above ordinance
41 [amendments]: Temple Lentz, Julie Olson, John Blom,
42 Gary Medvigy, & Eileen Quiring.
43

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

ADOPTED this 24th day of March, 2020.

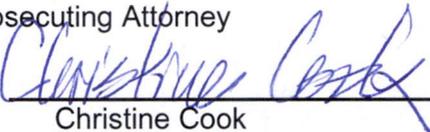
Attest:



Clerk to the Council

Approved as to Form Only:

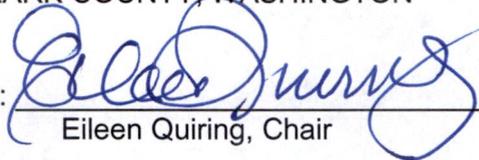
Anthony F. Golik
Prosecuting Attorney

By: 

Christine Cook
Sr. Deputy Prosecuting Attorney

CLARK COUNTY COUNCIL

CLARK COUNTY, WASHINGTON

By: 

Eileen Quiring, Chair

By: _____
Temple Lentz, District 1

By: _____
Julie Olson, District 2

By: _____
John Blom, District 3

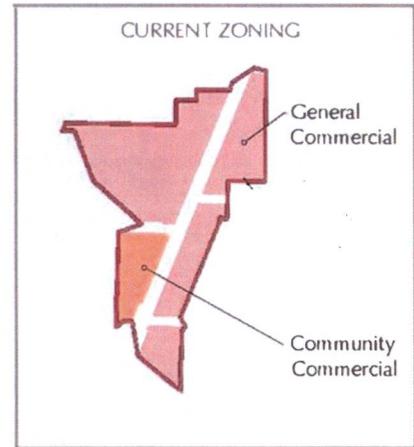
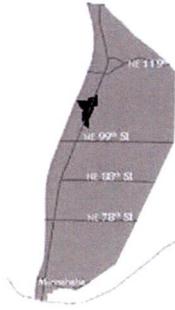
By: _____
Gary Medvigy, District 4



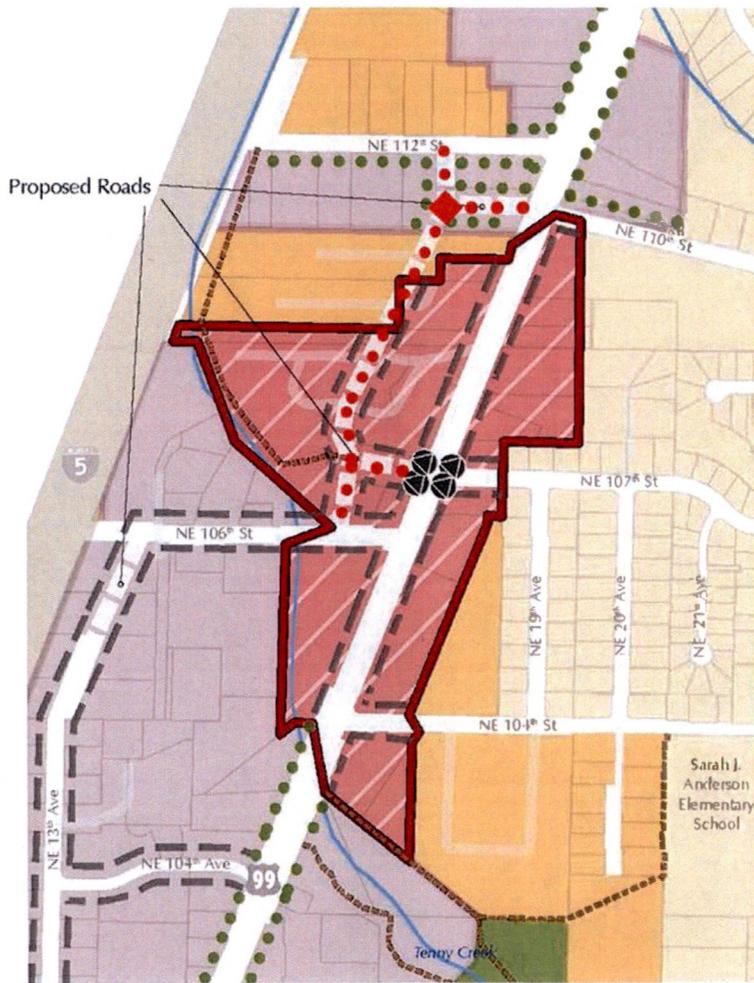
Exhibit 1

2.1.2 Tenny Creek COMMONS

Tenny Creek Commons is envisioned as a compact neighborhood center emphasizing a variety of multifamily uses and supporting small scale retail uses. Redevelopment will be configured to use Tenny Creek as an amenity and provide enhanced environmental conditions.



Tenny Creek Commons Overlay



LEGEND

- Activity Center Overlay 4
4 story height limit*
- Mixed-Use Street type
- Landscape Street type

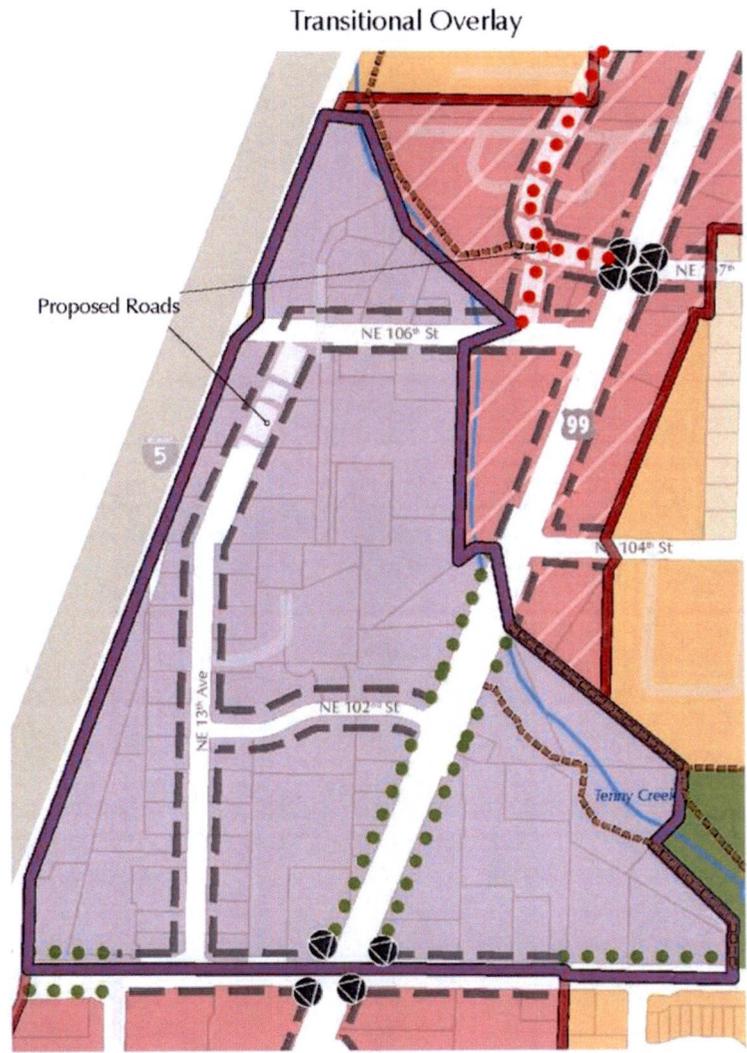
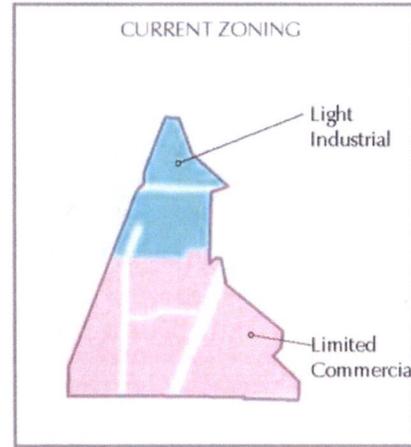
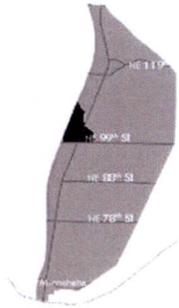
* Six stories are permitted for vertical mixed-use.

- High Visibility Street Corner
- Internal Connections
- Off-Street Trails (existing & proposed)
- Transitional Overlay
- Single Family Residential
- Multifamily Residential
- Creeks
- Parks
- Planned roads to be removed

5 minute walk 1/4 mile

Exhibit 1

2.2.3 Transitional Area C



LEGEND

- Transitional Area Overlay
- Mixed-Use Street type
- Landscape Street type

- High Visibility Street Corner
- Internal Connections
- Off-Street Trails (existing & proposed)

- Activity Center 6 Overlay
- Activity Center 4 Overlay
- Single Family Residential
- Multifamily Residential
- Creeks
- Parks

Planned Roads to be Removed

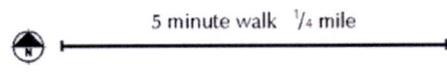
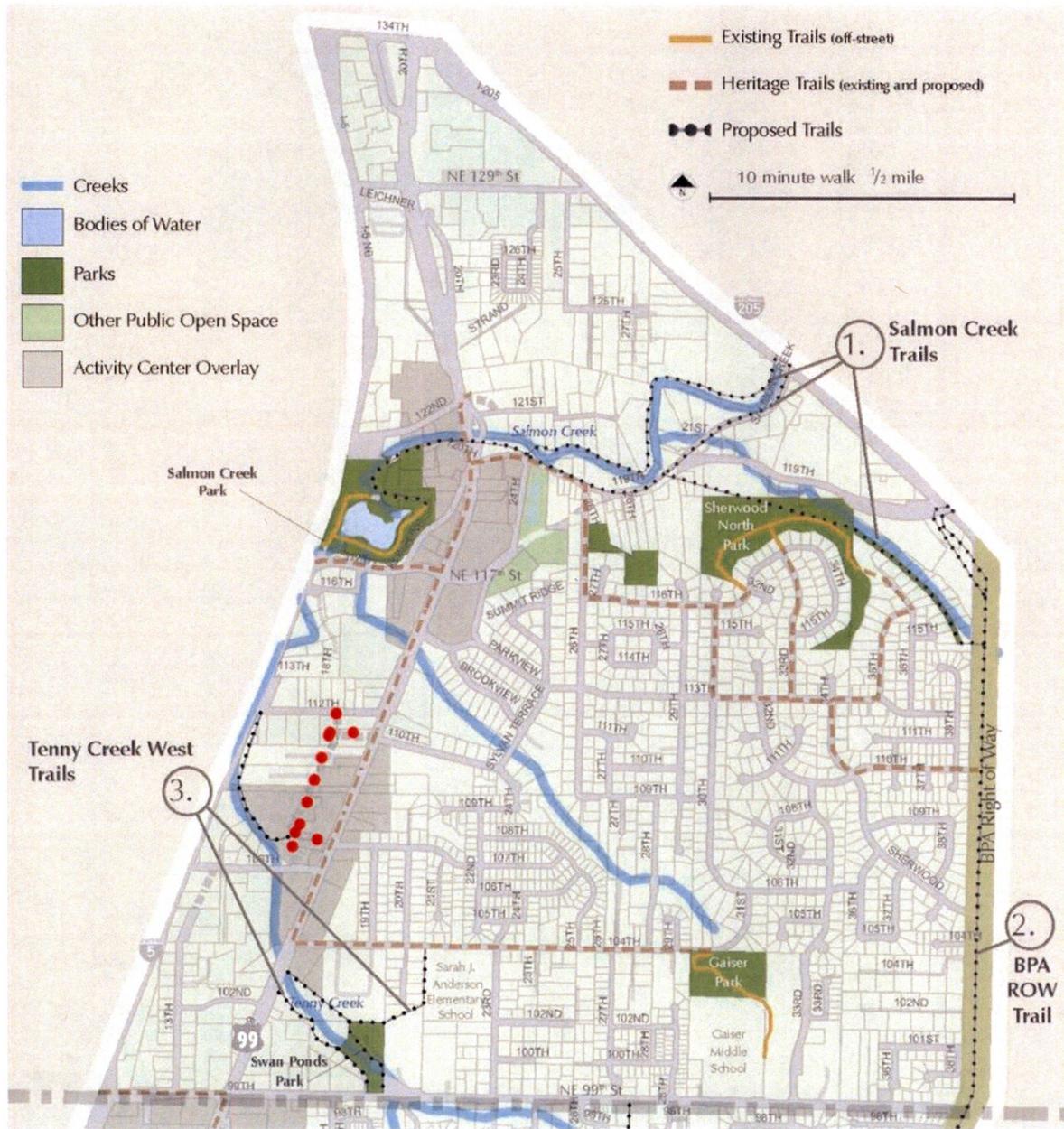
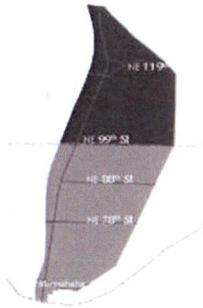


Exhibit 1

Highway 99 Sub-Area Trails: Map A



● ● ● ● Planned Roads to be Removed