

## BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

June 4, 2013

1. Call to Order – The Chairperson called the regular meeting to order at 9:03 a.m.
2. Pledge of Allegiance – Bill Kirk led the flag salute.
3. Roll Call – Present: Commissioner District 1 - Randy Neatherlin; Commissioner District 2 – Tim Sheldon; Commissioner District 3 – Terri Jeffreys.
4. Correspondence and Organizational Business
  - 4.1 Correspondence
    - 4.1.1 The Washington State Housing Finance Commission provided notice of a public hearing on the 2013-2015 Housing Finance Plan.
    - 4.1.2 The Federal Emergency Management Agency sent notice that Mason County PUD #3 has recently adopted an addendum to the Mason County Natural Hazards Mitigation Plan.
    - 4.1.3 The National Association of Counties sent notice of 2014 membership dues.
    - 4.1.4 Duane Wilson is seeking appointment to the Lodging Tax Advisory Committee.
    - 4.1.5 Lusignan Forestry commented on the sale of County timber.
5. Open Forum for Citizen Input – There was no citizen input.
6. Adoption of Agenda - Cmmr. Sheldon suggested adding an item 7.1 to discuss the briefing that took place on Belfair sewer financing.

**Cmmr. Sheldon/Jeffreys moved and seconded to adopt the agenda as amended. Motion carried unanimously. N-aye; S-aye; J-aye.**

7. Approval of Minutes – May 6, 2013 and May 13, 2013 briefing meeting minutes; May 28, 2013 regular meeting minutes.

**Cmmr. Jeffreys/Sheldon moved and seconded to approve the May 6, 2013 and May 13, 2013 briefing meeting minutes; May 28, 2013 regular meeting minutes. Motion carried unanimously. N-aye; S-aye; J-aye.**

- 7.1 Cmmr. Sheldon discussed the Belfair sewer financing briefing from June 3rd. He would like the Board to consider using .09 money to restructure some of the Belfair Sewer debt.

Cmmr. Sheldon also discussed a conversation with Mayor Lent from Bremerton regarding the possibility of an economic summit with local jurisdictions in Mason County and Kitsap County.

8. Approval of Action Agenda:
  - 8.1 Approval to appoint the following applicants to the Belfair Sewer Advisory Committee: Matt Matayoshi, Judy Scott, Robert Drexler, Jennifer Hines, Edward Kruk, Jack Johnson, Lee Swoboda, Gregory Waggett, and Bob Harris. The Committee's term shall end June 4, 2014, unless extended by the Commissioners.
  - 8.2 Approval of the resolution adopting a Mason County Risk Management Policy. This policy addresses procedures for general risk management, claims administration, claims adjudication, risk transfer/contract review and incident reporting. **Resolution No. 29-13 (Exhibit A)**
  - 8.3 Approval to appoint Janet Thompson to the Mason County Housing Authority Commission for a term ending June 2018.
  - 8.4 Approval of the Veterans Assistance Fund applications for: Food \$150.00 and Utilities \$146.88 for a total of \$296.88 as recommended by the Veterans Assistance Fund Screening Committee.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS**  
**June 4, 2013 - PAGE 2**

- 8.5 Approval of Contract #1363-74807 between State of Washington Department of Social and Health Services and Mason County Public Health to provide \$4,000 for the Workfirst-Children with Special Needs Program for the period of July 1, 2013 through June 30, 2014. This is budgeted and requires no match.
- 8.6 Approval for Public Works to select a consultant from the County MRSC Professional Services Roster and enter into an agreement for waterline design services for the Simmons Road project, County Road Project 1861.
- 8.7 Approval of Amendment #2 to Coordinated Prevention Grant (CPG) Agreement #G1200379 with the Department of Ecology revising the grant language to allow grant proceeds to be used to reimburse the County for a portion of the cost for collection and recycling of mercury containing lights.
- 8.8 Approval to schedule a public hearing on June 18, 2013 at 9:30 a.m. to consider revisions to Title 14 of the Mason County Code.
- 8.9 Approval of agreement with Raul Mendoza to provide concession services at Mason County Recreation Area on weekends during the 2013 season with options for the 2014 season.
- 8.10 Approval of agreement with Brian Wilson - Big Bubbas Burger, to provide concession services at Sandhill Park Fields 1, 2, 3 for weekend tournament play during the 2013 season with options for the 2014 season.

Questions were answered regarding item 8.8.

**Cmmr. Sheldon/Jeffreys moved and seconded to approve action items 8.1 through 8.10. Motion carried unanimously. N-aye; S-aye; J-aye.**

- 9. 9:30 a.m. Public Hearings and Items Set for a Certain Time –
  - 9.1 Public hearing to consider an Ordinance amending Ordinance #21-13 repealing the Moratorium and amending Title 17 of the Mason County Code to regulate collective gardens.

Barbara Adkins, Department of Community Development, explained that the hearing was to amend the regulations adopted by the Board in April. New language was adopted at that time addressing home occupations and non-conforming status. The non-conforming status clause had four regulations that new and existing operations needed to come into compliance within one year. The language regarding non-conforming zoning included commercial, industrial and residential. The Commissioners intended to remove the use just from residential zones and allow the existing operations to continue in commercial and industrial zones. The language was amended to read "they are strictly prohibited in residentially zoned districts".

Questions for Staff

Tom Davis asked if the regulations would be applied to retail stores selling marijuana under I-502 in the future.

Ms. Adkins stated that the regulations only address medical cannabis at this point. Recreational cannabis will need to be addressed after it is finalized.

Public Testimony

Lori Wood was concerned that there were small pockets of commercial zoning mixed in with residential. She asked that the businesses in those areas be given the opportunity to work with Community Development to continue to run their operations. She was also concerned that none of the operations were defined in the ordinance. She thought background checks should be necessary along with other regulations that the Liquor Control Board is in the process of implementing.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS**  
**June 4, 2013 - PAGE 3**

The Board responded to Ms. Wood's testimony and clarified that the only issue being addressed was removing the use from residential zoning.

**Jeffreys/Neatherlin moved and seconded to approve amendments to Ordinance #21-13 as presented repealing the moratorium and amending Title 17 of the Mason County Code to regulate collective gardens.**

Cmmr. Sheldon stated that the language regarding repealing the moratorium should not be included in the motion because the moratorium had already been repealed.

**Motion denied. N-nay; S-nay; J-nay.**

**Cmmr. Jeffreys/Sheldon moved and seconded to approve the amendments to Ordinance 21-13 as presented, amending Title 17 of the Mason County Code to regulate collective gardens. Motion carried unanimously. N-aye; S-aye; J-aye. Ordinance No. 30-13 (Exhibit B)**

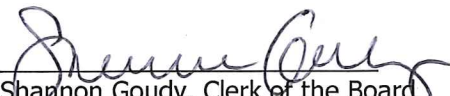
10. Other Business (Department Heads and Elected Officials) –
  - 10.1 Bob Simmons, WSU Extension, announced upcoming events and educational opportunities.
  - 10.2 Sheriff Salisbury invited the Board to attend a critical response program that the Sheriff's office is presenting in Hoquiam on June 24th. He also went over upcoming events and meetings from the Sheriff's office.
11. Board's Reports and Calendar - The Commissioners reported on meetings attended the past week and announced their upcoming weekly meetings.
12. Adjournment – The meeting adjourned at 10:18 a.m.

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

  
\_\_\_\_\_  
Randy Neatherlin, Chair

  
\_\_\_\_\_  
Tim Sheldon, Commissioner

ATTEST:

  
\_\_\_\_\_  
Shannon Goudy, Clerk of the Board

  
\_\_\_\_\_  
Terri Jeffreys, Commissioner



RESOLUTION NO. 29-13  
MASON COUNTY RISK MANAGEMENT POLICY

WHEREAS, the Mason County Board of Commissioners recognizes the need to protect the people, property and finances of Mason County against issues of risk in a cost effective and efficient manner; and

WHEREAS, Mason County is a member of the Washington Counties Risk Pool and subject to the policies of the Washington Counties Risk Pool Membership Compact; and


WHEREAS, the Washington Counties Risk Pool Membership Compact requires member counties to adopt, review and actively promote loss control programs in order to manage risk.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Mason County hereby adopt a Mason County Risk Management Policy, attached hereto as "Exhibit A".

DATED this 4<sup>th</sup> day of JUNE 2013.

ATTEST:

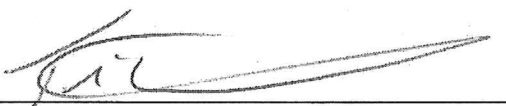
BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

  
Shannon Goudy, Clerk of the Board

  
Randy Neatherlin, Chair

APPROVED AS TO FORM:

  
Terri Jeffreys, Vice-Chair

  
Tim Whitehead,  
Chief Deputy Prosecuting Attorney

  
Tim Sheldon, Commissioner



## Exhibit A

### MASON COUNTY RISK MANAGEMENT POLICY

#### A. Objective

To protect the people, property, and finances of Mason County against issues of risk in a cost effective and efficient manner.

#### B. Risk Management Statement

The Mason County Board of Commissioners recognizes the need to manage public funds wisely. The intent of this policy is to proactively preserve and protect from losses the assets of County operations in the most economical and efficient manner. Further, the intent is to provide a safe, secure, and healthful working environment for County employees.

The Board provides for a program of risk management within the financial ability of the County consistent with related legal requirements. This policy applies to all risks of accidental loss, such as fire, liability, theft, property damage, malpractice, illness, and injury, both direct and indirect, as relates to all County employees including elected officials and documented volunteers.

The success of the risk and safety management program is impacted by the sincere, constant, and cooperative effort at all levels of management and the participation of all elected officials, appointed officials, department directors, managers, supervisors, employees, and bona fide volunteers. Therefore, the Board of Commissioners anticipate the full support of all elected officers, appointed officials, department directors, managers, supervisors, employees, and documented volunteers regarding risk reduction efforts associated with this critical program.

The County has elected to retain exposure to loss through self-insurance and transfer exposure through purchased insurance only when the premium is determined to be cost-effective compared to the exposure. The insurance funds are established and maintained to pay pooling contributions/assessments, insurance premiums, bonds, deductibles, and insured claims.

#### C. Purpose

(a) Risk Management - The management and control of the County's Risk Management Program shall be the function of the Board of Commissioners as delegated to the Risk Manager.

(b) Claims and Lawsuits - See sections G and H.

(c) Duties –

- The Risk Manager shall be responsible for reviewing, assessing and controlling the exposures to County employees, property and the general public.
- The Risk Manager shall identify and analyze risks to the County and make recommendations to the Board of Commissioners regarding insurance coverage(s), reserves, deductible, self-insured retention (SIR) levels, loss prevention, and general risk issues.

**D. Definitions**

- 1) "**Covered Claim**" means a formal demand by a third party for monetary damages because of an occurrence as defined in the applicable Joint Self Insurance Liability Policy ("JSILP").
- 2) "**County**" means Mason County.
- 3) "**County Claims Administrator**" means the employee designated by the Board of County Commissioners to administer civil claims and to serve as its liaison with the Pool regarding the administration of claims.
- 4) "**Joint Self Insurance Liability Policy**" (JSILP) means the coverage document which defines who is covered, the events that are covered and the extent of coverage for the named insured.
- 5) "**Member**" means a county of the state of Washington that is signatory for the WCRP Interlocal Agreement.
- 6) "**Pool**" means the Interlocal Cooperative, a joint local government entity, known as the Washington Counties Risk Pool that was established under Chapters 48.62 and 39.34 RCW, to provide its member counties with joint programs and services including self-insurance, purchasing of insurance, and contracting for or hiring of personnel to provide administrative services, claims handling and risk management.
- 7) "**Risk Manager**" means the employee designated by the Board of County Commissioners to administer the county risk management program and to serve as the liaison between the County and Pool regarding risk management.
- 8) "**Risk Management**" means a coordinated and continuous program for the identification, analysis, control, and financing of risk and exposure to loss, including, but not limited to property, and liability.
- 9) "**Safety Officer**" means the person who is assigned the responsibility to ensure that safety rules and regulations adopted by local, state and federal regulators are followed, and shall consider all recommendations of the Pool concerning the development and implementation of a loss control policy to prevent unsafe practices.

10) **"Lawsuit"** means a civil proceeding brought on by a third party in which monetary damages are alleged due to bodily injury, property damage, personal injury, errors and omissions or advertising injury.

11) **"WCRP"** see #6 "Pool" above.

#### **E. Risk Management**

As required by the WCRP Interlocal Agreement, each county shall appoint an official or an employee of the county to be responsible for the risk management function of that county ("County Risk Manager or designee"), and to serve as the liaison between the county and the Pool regarding risk management.

(a) Designation - The Risk Manager is designated by the Board of County Commissioners and serves as advisor to the Commissioners and other County officials related to risk management. The Risk Manager shall be given full authority to manage the responsibilities of the position. The Prosecuting Attorney, or his/her designee, shall serve as legal advisor to the Risk Manager.

(b) General Duties – In general, the Risk Manager will play a significant role in the planning, organizing, leading and controlling of risk. The goal is to minimize risk and provide for loss from damage to County property, for injury to officers and employees of the County, and for loss or injury to the public.

- The Risk Manager shall meet the requirements and perform the duties as defined as a participating county by the WCRP Membership Compact.
- The Risk Manager shall develop and implement programs for the reduction of risk or exposure to loss.
- The Risk Manager shall make periodic recommendations to the Board of Commissioners concerning insurance procurement, self-insurance, deductibles, risk rate structure, loss prevention, and alternative techniques for the sound management of risk.
- In conjunction with the Prosecuting Attorney's office and Claims Administrator, the Risk Manager shall maintain complete and accurate records with respect to insurance, claims against the County, lawsuits filed against the County, losses incurred by the County, all accidents or incidents giving rise to possible liability against the County, and an inventory of all property in which the County has an insurable interest.
- When an application for defense is received from a County employee, past or present, the Risk Manager must immediately notify the Pool.
- The Risk Manager shall perform an annual risk exposure assessment and will work with elected and appointed officials to identify, measure, analyze and finance risks which face the County.



## **F. Claims Administration**

Washington Counties Risk Pool Claims Handling Policies and Procedures will govern claims administration practices in addition to what is included in the Risk Management Policy.

(a) Designation - The Claims Administrator is designated by the Board of County Commissioners. The Claims Administrator shall establish procedures for the prompt administration of every claim and maintain records in conformance with the Pool's Claims Database Policy to insure the accuracy of the Pool's loss reporting system.

(b) Claims Reporting - In accordance with Resolution 64-01, the Clerk of the Board shall receive any and all claims for damages made under RCW 4.96. Upon receipt of the claim, the Clerk of the Board shall distribute copies of the claim to the Risk Manager, Claims Administrator, Prosecuting Attorney, and appropriate elected official or department head. The Claims Administrator shall prepare a monthly report of claim activity for the Board of County Commissioners. The Claims Administrator shall also be responsible for sending copies of all claims/lawsuits to the Pool as follows:

- All claims where monetary damages will equal or exceed 50% of the member's deductible amount within seven days from formal presentment to the county.
- All claims where monetary damages will not exceed 50% of the member's deductible amount within thirty days from formal presentment to the county.
- All lawsuits shall be sent immediately, but not later than five days from the date of service.
- No County official, employee or volunteer, not even the County Risk Manager or a member of the Prosecuting Attorney's Office, shall accept service of process, except as provided by statute.
- The Prosecuting Attorney or assigned defense counsel will file a Notice of Appearance for the County with the court. A copy of the Notice of Appearance will be sent to the Pool, which shall coordinate the defense with the County.

(c) Known Incidents - The Claims Administrator should also report to the Pool all known incidents which could involve the following within thirty days of knowledge:

- Ultimate liability may exceed \$100,000;
- Death;
- Brain injury or spinal cord damage, real or specific (quadriplegia or paraplegia);
- Impaired or loss of use of limbs (amputation of major members);
- Injury significantly affecting the capacity of sight, taste, smell or hearing;
- Significant disfigurement;

- Injury to the reproductive organs;
- Significant highway design/maintenance liability;
- Significant law enforcement liability;
- Extended disability (six months);
- Severe burns;
- Multiple persons injured in a common occurrence;
- Significant psycho-neurotic involvement; or
- Other incidents that may merit special notification.

- (d) Service of Process - Service of process for lawsuits shall be made upon the County Auditor.
- (e) Receipt of Claim - Upon receipt of a claim for damages, the Pool determines, after discussion with Mason County Risk Management, whether the claim will be handled in-house by the County or assigned to an independent adjuster for investigation and evaluation. An acknowledgement form is sent to Mason County Risk Management identifying the Pool claim number, date of loss, reserve and who is handling the claim. The claim is entered into the Pool claims database.
- (f) Immediately upon receipt of a lawsuit from the County Auditor, the Claims Administrator shall distribute copies of all papers involving the lawsuit to the Prosecuting Attorney, named defendants, and to the Pool (based on WCRP Claims Handling Policies and Procedures). Along with the copies distributed, the Claims Administrator shall maintain a log of claims and lawsuits.
- (g) Upon receipt of a Summons and Complaint, the Pool will determine after discussion with Mason County Risk Management if defense counsel is required and assign the lawsuit to defense counsel when appropriate. If defense counsel is assigned by the Pool, then defense counsel shall, in the discretion of the County's Prosecuting Attorney, either substitute for or associate with the Prosecuting Attorney.
- (h) All claims filed against the County in error will be tendered to the responsible party.

**G. Claims Adjudication**

- (a) Claims Adjustment and Settlement - Mason County may adjust and settle claims within its deductible limit if the claim does not involve actual or potential exposures for bodily injury or reporting to the reinsurance carriers. The decision to adjust or settle claims less than \$5,000 will be made by the Risk Manager following consultation with the Prosecutor, WCRP and appropriate elected official or department head. The Risk Manager shall request authority from the County Commissioners to adjust and settle claims of more than \$5,000 and less than the County's deductible limit. The County Commissioners also have the authority to adjust or settle any claims within the County's deductible limit after consultation with the Prosecutor and WCRP.

- (b) Claims Reserve Fund - Each County should establish a claims reserve account and fund it adequately pursuant to Governmental Accounting Standards Board (GASB) Statement No. 10 to pay claims, deductible amounts and costs as they come due. The claims reserve fund will be managed by the Board of Commissioners.
- (c) Reserves - Claims reserves are established and maintained by the Pool's Claims Manager or designees on all open files using the Jury Verdict Value process. The County may appeal any claim reserve determination utilizing the procedures established by the Washington Counties Risk Pool.
- (d) Transmittal by the Auditor - Immediately upon receipt of a lawsuit, the County Auditor shall transmit a copy to the Risk Manager and Prosecutor.
- (e) Duties of the Prosecuting Attorney for Lawsuits - The responsibility for litigation shall be with the Prosecuting Attorney or assigned outside counsel.
- (f) Reporting Status of Pending Cases. The attorneys defending a lawsuit shall report the progress and significant developments (updated status) to the Pool and Risk Manager.

#### **H. Risk Transfer/Contract Review**

- (a) Uniform Procedures - The sole contracting authority of the County is the Board of Commissioners. No elected official, employee or agent can commit the County to a legally binding contract without the express, written consent of the Board of Commissioners. Upon occasion, the Board of Commissioners may delegate authority to bind the County in contracts and agreements that have pre-approved language, form and hold harmless/indemnification clauses to certain key operational personnel.
- (b) Contractor Insurance - For the duration of each contract and until all work specified in the applicable contract is completed, the contractor shall be required to maintain in effect all insurance as required and comply with all limits, terms and conditions stipulated. Work under any contract shall not commence until evidence of all required insurance and bonding is provided to the County. Evidence of such insurance shall consist of a completed copy of the certificate of insurance and additional insured endorsements signed by the insurance agent for the contractor and returned to the County. If for any reason, any material change occurs in the coverage during the course of the contract; such change will not become effective until 30 days after the County has received written notice of the change. The policy shall be endorsed and the certificate shall reflect that the County is an additional insured on the contractor's general liability policy with respect to activities under the contract.



The insurance policy shall provide and the certificate shall reflect that the insurance afforded applies separately to each insured against whom claim is made or suit is brought except with respect to the limits of the company's liability.

The policy shall be endorsed and the certificate shall reflect that the insurance afforded therein shall be primary insurance and any insurance or self-insurance carried by the owner or County shall be excess and not contributory insurance to that provided by the contractor.

(c) Contract-Agreement Approvals - Prior to the signing of any contract, personal services agreement, lease or rental agreement by the Board of Commissioners, the following approvals must be secured:

- Prosecuting Attorney's Office Approval: Review to ensure proper contracting authority, form of legal document.
- Risk Manager Approval: Review to ensure acceptable risk, insurance and hold harmless and indemnification stipulations.
- A copy of the Certificate of Insurance naming the County as an additional insured.

Upon approval, submit the proposed contract/agreement to the Clerk of the Board for inclusion on the Commissioners' agenda for approval.

#### **I. Defense of County Officers and Employees**

The County has adopted procedures for defense of County Officers or Employees as required by RCW 4.96 in Mason County Ordinance No. 127-03

#### **J. Duties of County Officers and Employees**

(a) Cooperation - All County officers and employees shall cooperate to the fullest extent with the Risk Manager, Claims Administrator, Prosecuting Attorney, and outside counsel toward reviewing and resolving claims and defending lawsuits in the following particulars:

- Provide information, testimony, exhibits and documents for the investigation, settlement and/or trial of claims and claims lawsuits;
- Provide information which will assist in the implementation and/or operation of the risk management program;
- Issue directives to subordinate officers or employees necessary to implement the risk management program.

(b) Reporting Accidents and Incidents - County officers and employees shall immediately report to the Risk Manager any accident or incident which a reasonable person would expect to result in the eventual filing of a claim or lawsuit.

- As soon as possible, but no later than 24-hours, after the incident or accident the employee shall complete an Incident Reporting Form.
- The Incident Reporting Form shall be signed by the supervisor and then transmitted to the Risk Manager for review.
- The Claims Administer shall log all known incidents and report serious known incidents to the Pool according to Section G (c) of this policy.

(c) Responsibility - The Board of Commissioners anticipates that elected officials and department heads will:

- Communicate and support the intent and contents of this policy;
- Establish, supervise and enforce procedures to assure a safe and healthy work environment;
- Identify and correct potential risk and safety hazards;
- Communicate uncorrectable risk and hazards to Risk Management in writing;
- Provide appropriate response to recommendations by office staff and Risk Management to eliminate or reduce risk;
- Implement recommendations by Risk Management or demonstrate other acceptable mitigation efforts; and
- Support completion and follow through of the accident/incident review process.

(d) Prohibited Acts - Without prior authorization of the Risk Manager, the Prosecuting Attorney or outside legal counsel, County employees shall not:

- Attempt to affect the settlement of a claim or lawsuit;
- Make an admission of liability involving a claim or lawsuit;
- Speak to media (newspaper, radio television, internet, etc.) sources about potential or ongoing litigation; or
- Discuss incidents, decisions, or issues with a person not serving as a County officer or employee when a reasonable person would understand that such discussion may lead to a claim or lawsuit against the County.

**K. Safety and Loss Prevention.**

Safety and Loss Prevention Policies and Procedures shall be maintained by individual departments. Policies and procedures should be periodically reviewed and updated to ensure compliance.

ORDINANCE NUMBER 30-13

**AN ORDINANCE AMENDING ORDINANCE #21-13  
REPEALING THE MORATORIUM AND AMENDING  
TITLE 17 OF THE MASON COUNTY CODE  
TO REGULATE COLLECTIVE GARDENS**

**AN ORDINANCE** amending Ordinance #21-13 adopted on April 16, 2013 amending Title 17 of the Mason County Code under the authority of Chapter 36.70 and 36.70A RCW.

**WHEREAS**, amendments to Title 17 as adopted regulate collective gardens as a permitted use in commercial and industrial zoning districts; and

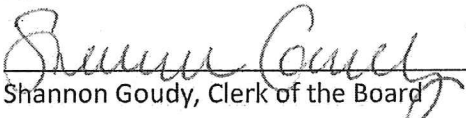
**WHEREAS**, the intent of the Board of County Commissioners ("Board") was not represented accurately within the newly adopted language of Section 17.09.003A(2) referencing commercial and industrial zoning districts; and

**WHEREAS**, it was the intent of this Board to reference in Section 17.09.003A(2) the strict prohibition of collective gardens within the residential zoning districts; and

**NOW THEREFORE, BE IT HEREBY ORDAINED**, that the Board of Commissioners of Mason County hereby amends Title 17 (Zoning), Ordinance amends Ordinance #21-13 as it relates to Section 17.09.003A(2) to the Mason County Code. (See Attachment A)

DATED this 4<sup>th</sup> day of June 2013.

ATTEST:


  
Shannon Goudy, Clerk of the Board

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

  
Randy Neatherlin, Chair

  
Tim Sheldon, Commissioner

APPROVED AS TO FORM:

  
Tim Whitehead, Chief DPA

  
Terri Jeffreys, Commissioner



## ATTACHMENT A

### COLLECTIVE GARDENS – PROPOSED REGULATIONS Moratorium in Effective until May 8, 2013

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#### Title 17 – Zoning

**\*\*[new section]\*\***

#### Section 17.09 Collective Gardens

**17.09.001 Definitions.** For purposes of this chapter, the following definitions apply:

"Cannabis" means all parts of the plant *Cannabis*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. For the purposes of this ordinance, "cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted there from, fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. The term "cannabis" includes cannabis products and useable cannabis.

"Cannabis products" means products that contain cannabis or cannabis extracts, have a measurable THC concentration greater than three-tenths of one percent, and are intended for human consumption or application, including, but not limited to, edible products, tinctures, and lotions. The term "cannabis products" does not include useable cannabis. The definition of "cannabis products" as a measurement of THC concentration only applies to the provisions of this ordinance and shall not be considered applicable to any criminal laws related to marijuana or cannabis.

"Collective Garden" means those gardens authorized under RCW 69.51A.085, which allows qualifying patients to assume responsibility for acquiring and supplying the resources required to produce and process cannabis for medical use such as, for example, a location for a collective garden; equipment, supplies, and labor necessary to plant, grow, and harvest cannabis; cannabis plants, seeds, and cuttings; and equipment, supplies, and labor necessary for proper construction, plumbing, wiring, and ventilation of a garden of cannabis plants (as limited below). Qualifying patients may create and participate in collective gardens for the purpose of producing, processing, transporting and delivering cannabis for medical use subject to the following conditions:

- 1) No more than ten (10) qualifying patients may participate in a single collective garden at any time;
- 2) A collective garden may contain no more than fifteen (15) plants per patient up to a total of forty-five (45) plants;
- 3) A collective garden may contain no more than twenty-four (24) ounces of usable cannabis per patient up to a total of seventy-two (72) ounces of usable cannabis; and
- 4) A copy of each qualifying patient's valid documentation or proof of registration with the registry established in state law (now or in the future), including a copy of the patient's proof of identity, must be available at all times on the premises of the collective garden; and

- 5) No usable cannabis from the collective garden may be delivered to anyone other than one of the qualifying patients participating in the collective garden.

"Cultivation" means the planting, growing, harvesting, drying or processing of marijuana plants or any part thereof.

"Designated care provider" means a person who:

- 1) Is eighteen (18) years of age or older;
- 2) Has been designated in a written document signed and dated by a qualifying patient to serve as a designated provider under this ordinance and RCW 69.51A; and
- 3) Is in compliance with the terms and conditions set forth in RCW 69.51A.040. A qualifying patient may be the designated provider for another qualifying patient and be in possession of both patients' cannabis at the same time.

"Indoors" means within a fully enclosed and secure structure that complies with the Washington State Building Code, as adopted by Mason County, that has a complete roof enclosure supported by connecting walls extending from the ground to the roof, and a foundation, slab, or equivalent base to which the floor is securely attached. The structure must be secure against unauthorized entry, accessible only through one or more lockable doors, and constructed of solid materials that cannot easily be broken through, such as 2" by 4" or thicker studs overlain with 3/8" or thicker plywood or equivalent materials. Plastic sheeting, regardless of gauge, or similar products do not satisfy this requirement.

"Legal parcel" means a parcel of land for which one legal title exists. Where contiguous legal parcels are under common ownership or control, such legal parcels shall be counted as a single parcel for purposes of this ordinance.

"Medical (or medicinal) use of cannabis" means the manufacture, production, processing, possession, transportation, delivery, ingestion, application, or administration of cannabis for the exclusive benefit of a qualifying patient in the treatment of his or her terminal or debilitating medical condition.

"Person" means an individual or an entity.

"Personally identifiable information" means any information that includes, but is not limited to, data that uniquely identify, distinguish, or trace a person's identity, such as the person's name, or address, either alone or when combined with other sources, that establish the person is a qualifying patient or designated provider.

"Plant" means an organism having at least three distinguishable and distinct leaves, each leaf being at least three centimeters in diameter, and a readily observable root formation consisting of at least two separate and distinct roots, each being at least two centimeters in length. Multiple stalks emanating from the same root ball or root system shall be considered part of the same single plant.

"Process" means to handle or process cannabis in preparation for medical use.

"Produce" means to plant, grow, or harvest cannabis for medical use.



"Public place" includes streets and alleys of incorporated cities and towns; state or county or township highways or roads; buildings and grounds used for school purposes; public dance halls and grounds adjacent thereto; premises where goods and services are offered to the public for retail sale; public buildings, public meeting halls, lobbies, halls and dining rooms of hotels, restaurants, theatres, stores, garages, and filling stations which are open to and are generally used by the public and to which the public is permitted to have unrestricted access; railroad trains, stages, buses, ferries, and other public conveyances of all kinds and character, and the depots, stops, and waiting rooms used in conjunction therewith which are open to unrestricted use and access by the public; publicly owned bathing beaches, parks, or playgrounds; and all other places of like or similar nature to which the general public has unrestricted right of access, and which are generally used by the public.

"Qualifying patient" means a person who:

- 1) Is a patient of a health care professional;
- 2) Has been diagnosed by that health care professional as having a terminal or debilitating medical condition;
- 3) Is a resident of the state of Washington at the time of such diagnosis;
- 4) Has been advised by that health care professional about the risks and benefits of the medical use of cannabis;
- 5) Has been advised by that health care professional that he or she may benefit from the medical use of cannabis; and
- 6) Is otherwise in compliance with the terms and conditions established in chapter RCW 69.51A.

The term "qualifying patient" does not include a person who is actively being supervised for a criminal conviction by a corrections agency or department that has determined that the terms of this ordinance and RCW 69.51A are inconsistent with and contrary to his or her supervision and all related processes and procedures related to that supervision.

"Residential treatment facility" means a facility providing for treatment of drug and alcohol dependency;

"School" means an institution of learning for minors, whether public or private, offering regular course of instruction required by the Washington Education Code, or any child or day care facility. This definition includes a nursery school, kindergarten, elementary school, middle or junior high school senior high school, or any special institution of education, but it does not include a vocational or professional institution of higher learning, including a community or junior college, college or university.

"Terminal or debilitating medical condition" means:

- 1) Cancer, human immunodeficiency virus (HIV), multiple sclerosis, epilepsy or other seizure disorder, or spasticity disorders; or
- 2) Intractable pain, limited for the purpose of this ordinance to mean pain unrelieved by standard medical treatments and medications; or
- 3) Glaucoma, either acute or chronic, limited for the purpose of this chapter to mean increased intraocular pressure unrelieved by standard treatments and medications; or
- 4) Crohn's disease with debilitating symptoms unrelieved by standard treatments or medications; or
- 5) Hepatitis C with debilitating nausea or intractable pain unrelieved by standard treatments or medications; or



- 6) Diseases, including anorexia, which result in nausea, vomiting, cachexia, appetite loss, cramping, seizures, muscle spasms, or spasticity, when these symptoms are unrelieved by standard treatments or medications; or
- 7) Any other medical condition duly approved by the Washington state medical quality assurance commission in consultation with the board of osteopathic medicine and surgery as directed in this chapter.

"THC concentration" means percent of tetrahydrocannabinol content per weight or volume of useable cannabis or cannabis product.

"Useable cannabis" means dried flowers of the *Cannabis* plant having a THC concentration greater than three-tenths of one percent. Useable cannabis excludes stems, stalks, leaves, seeds, and roots. For purposes of this subsection, "dried" means containing less than fifteen percent moisture content by weight. The term "useable cannabis" does not include cannabis products.

"Valid documentation" means:

- 1) A statement signed and dated by a qualifying patient's health care professional written on tamper-resistant paper, which states that, in the health care professional's professional opinion, the patient may benefit from the medical use of cannabis;
- 2) Proof of identity such as a Washington state driver's license or identocard, as defined in RCW 46.20.035; and
- 3) In the case of a designated provider, the signed and dated document valid for one year from the date of signature executed by the qualifying patient who has designated the provider.

"Youth-oriented facility" means elementary school, middle school, high school, public park, and any establishment that advertises in a manner that identifies the establishment as catering to or providing services primarily intended for minors, or individuals who regularly patronize, congregate or assemble at the establishment are predominantly minors. This shall not include a day care or preschool facility.

**17.09.002 Applicability.** No part of this chapter is intended to or shall be deemed to conflict with federal law, including but not limited to, the Controlled Substances Act, 21 U.S.C. Section 800 *et seq.*, the Uniform Controlled Substances Act (chapter 69.50 RCW) nor to otherwise permit any activity that is prohibited under either Act, or any other local, state or federal law, statute, rule or regulation.

**17.09.003. Collective Gardens.**

A. Collective gardens as a permitted use shall meet the following criteria:

- 1) There shall be no more than one (1) collective garden permitted on a legal parcel within any permitted commercial or industrial district.
- 2) They are strictly prohibited in all residentially zoned districts.
- 3) They may not be located within one thousand (1,000) feet of the real property comprising a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university, or a playground, or housing facility owned by a public housing authority, or licensed daycare, public park, or residential treatment facility, or within one thousand (1,000) feet of a public or private youth-oriented facility, public swimming pool, or video arcade facility (21 USC 860).

- B. A collective garden must be fully contained inside a building in compliance with the current, adopted edition of the Washington State Building Code provisions regarding natural ventilation or mechanical ventilation (or its equivalents).
- C. The medical cannabis cultivation area shall not adversely affect the health or safety of the nearby residents by creating dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, or other impacts, or be hazardous due to use or storage of materials, processes, products or wastes.
- D. The building shall be equipped with an air filtration system that prevents the release of cannabis pollen, fumes, and odors to the outside.
- E. If the building is equipped with a "roll-up" or garage-type door, barricades shall be installed to prevent a vehicle from driving through the doors.
- F. The building shall be surrounded by a fence of at least ten (10) feet in height with a self-closing/self-locking gate at each entrance.
- G. Each fence surrounding a building shall be placed at least ten (10) feet from the inside perimeter of the fence to the outside perimeter of the garden building and a permit shall be obtained for each such fence as required under county code.
- H. An approved key box (knox box), obtained from the local fire district, shall be installed and maintained in accordance with the International Fire Code.
- I. The building shall be equipped with an automatic fire extinguishing system installed in accordance with NFPA 13 and an automatic fire alarm system installed in accordance with NFPA 72, separately permitted, and approved by the county building official or designee.
- J. The building shall be equipped with Type 2A 10 B-C portable fire extinguishers permanently and located in accordance with the International Fire Code.
- K. *Accessory Uses.* Collective Gardens shall not be allowed as an accessory use.
- L. *Home Occupation Use Prohibited.* Collective Gardens are prohibited as Home Occupations.
- M. *Non-Conforming Status.* Notwithstanding the provisions of Chapter 17.05 Article II of the Mason County Code, Collective Gardens in operation as of the adoption date of this Chapter shall be brought into full compliance with Sections 17.09.003(I), 17.09.003(J), 17.09.003.A.(2) and 17.09.003.A(3) within one year.

**17.09.004 Violations.**

- A. It is a violation of this Chapter for any person owning, leasing, occupying or having charge or possession of any parcel of land within any unincorporated area of Mason County to cause or allow such parcel of land to be used for the indoor or outdoor cultivation of marijuana or cannabis plants for medicinal purposes in excess of the limitations set forth herein.
- B. Any violations of this Chapter may be enforced as set forth in Chapter 15.13 (Enforcement), or as applicable, the Uniform Controlled Substances Act, chapter 69.58 RCW. In addition, violations of subsections A and b of this Section are deemed to be a public nuisance and may be abated by Mason County under the procedures set forth in state law for the abatement of public nuisances.

**\*\*[updates to existing sections]\*\***

**Section 17.04 Rural Development Lands Standards**

**17.04 Article III Rural Commercial 3 (RC 3)**

17.04.342 - Uses permitted.

- (a) Uses. Convenience/general store, retail, restaurant, small office, laundry, professional services, personal services, public meeting space, nursery, public facilities - post office/fire station/fish hatchery/library/ranger station, church, local community and recreation centers, lodging facilities, including motels, RV parks, campgrounds and bed and breakfast, marina -



sales, service and storage, auto service and repair, medical/dental clinic, animal clinic, winery, commercial/government operated day care, single-family residential accessory use or apartment, and collective gardens (see MCC 17.09).

(b) Uses Permitted with Special Use Permit. Gas, self-storage.

(c) Other Uses. Uses not explicitly enumerated in this section, but closely similar thereto, are determined by the administrator.

#### **17.04 Article IV Rural Commercial 4 (RC 4)**

17.04.352 - Uses permitted.

(a) Uses. Convenience/general store, retail, restaurant, small office, laundry, professional services, personal services, public meeting space, nursery, public facilities - post office/fire station/fish hatchery/library/ranger station, church, local community and recreation centers, lodging facilities, including motels, RV parks, campgrounds and bed and breakfast, marina - sales, service and storage, auto service and repair, medical/dental clinic, animal clinic, winery, commercial/government operated day care, single-family residential accessory use or apartment, and collective gardens (see MCC 17.09).

(b) Uses Permitted by Special Use Permit. Gas, self-storage.

(c) Other Uses. Uses not explicitly enumerated in this section, but closely similar thereto, are determined by the administrator.

#### **17.04 Article V Rural Commercial 5 (RC 5)**

17.04.362 - Uses permitted.

(a) Uses. Sales and service of automobiles and trucks, recreational vehicles, watercraft, and manufactured homes: retail sales; single-family residential accessory use or apartment, and collective gardens (see MCC 17.09).

(b) Uses Permitted with Special Use Permit. Self-storage.

(c) Other Uses. Uses not explicitly enumerated in this section, but closely similar thereto, are determined by the administrator.

#### **Division III. - Rural Industrial (RI)**

17.04.402 - Uses permitted.

(a) Uses. Manufacturing, warehousing, truck yards, contractor yards, and collective gardens (see MCC 17.09).

(b) Accessory Uses. Retail space not to exceed ten percent of the floor area.

(c) Special Permit Required Uses. Accessory air transportation.

#### **Section 17.07 Development Regulations**

17.07 Article 3 General Commercial (GC)

17.07.320 - Permitted uses.

A. Permitted uses listed below are intended as a guide to types of uses that are allowed in the general commercial district. The community development director or his/her designee will make the determination as to whether a proposed use is permitted. Permitted uses include but are not limited to the following:

1. Automobile/RV/boat sales;
2. Bakery;
3. Banks, other financial institutions;
4. Barber/beauty shop;



5. Brewery, distillery, winery, on-site retail;
6. Business and professional offices;
7. Convenience stores;
8. Eating and drinking places, with or without drive-ins/thrus;
9. Enterprises providing indoor entertainment and recreation;
10. Gas stations and associated convenience stores;
11. Grocery Stores;
12. Health club, gym;
13. Hotel and lodging;
14. Instruction studio;
15. Medical and dental offices;
16. Personal services;
17. Repair services;
18. Retail;
19. Self-storage facilities;
20. Social services;
21. Veterinary clinics; and
22. Collective gardens (see MCC 17.09)
- B. Similar or related uses permitted:
  1. Uses similar to, or related to, or compatible with those listed or described in Section 17.07.320 are permitted upon a finding by the community development director or his/her designee that a proposed use does not conflict with:
    - a. The intent of this chapter, or
    - b. The policies of the Shelton Urban Growth Area Plan.

The criteria for such a finding of similarity for uses other than those listed herein shall include, but not be limited to, the following:

- a. The proposed use is appropriate in this area;
- b. The development standards for permitted uses can be met by the proposed use.

**17.07 Article 4. - Commercial-Industrial (CI)**

**17.07.420 - Permitted uses.**

Permitted uses listed below are intended as a guide to types of light industrial and commercial uses that are allowed. The community development director or his/her designee will make the determination as to whether a proposed use is permitted. Examples of permitted uses include, but are not limited to the following:

- A. Auto repair and service, with towing impound yard up to one acre in size;
- B. Auto, RV and boat sales;
- C. Brewery, distillery, winery;
- D. Contractors', loggers' or agricultural equipment storage yard, plant, repair, or rental and sales;
- E. Eating and drinking places with drive-thru/in;
- F. Furniture and home furnishings, manufacture and assembly;
- G. Gas stations and associated convenience stores;
- H. Hardware stores and lumber yards;
- I. Heavy machinery, repair, storage and sales;
- J. Kennels;
- K. Manufacture and assembly;
- L. Research and development;

- M. Retail nurseries and garden stores;
- N. Services to buildings such as janitorial, landscaping, carpet/upholstery cleaning, pest control;
- O. Storage or sales yards, no salvage or junk;
- P. Warehouse and wholesale establishments, excluding the storage of explosive and other dangerous or toxic substances as defined in RCW 70.105.
- Q. Data centers, server farms;
- R. Self-storage facilities;
- S. Collective gardens (see MCC 17.09)
- T. Similar or related uses permitted:
  1. Uses similar to, or related to, or compatible with those listed or described in Section 17.07.420 are permitted upon a finding by the community development director or his/her designee that a proposed use does not conflict with:
    - a. The intent of this chapter, or
    - b. The policies of the Shelton Urban Growth Area Plan.
  2. Criteria for such a finding of similarity for uses other than those listed herein shall include, but not be limited to, the following:
    - a. The proposed use is appropriate in this area;
    - b. The development standards for permitted uses can be met by the proposed use.

**17.07 Article 6. - Industrial (I)**

**17.07.630 - Permitted uses.**

A. Specific types of uses permitted are those types of industrial activities, which can be accomplished within the performance standards established by this title. Any industrial activity for which performance standards are not included in this title shall comply with the standards established by recognized public or quasi-public agencies with jurisdiction over the activity for the protection of industrial or environmental health. The standards shall be those in effect at the time of a complete building permit application.

The industrial zone allows those uses that are traditionally considered to be industrial in nature. Uses listed below are intended as a guide to types of uses that are allowed, but the list is not all-inclusive. As technologies and industries change new business types emerge, and to the extent they are industrial in nature, are encouraged in this zone. The community development director or his/her designee will make the determination as to whether a proposed use is permitted.

Examples of permitted uses include, but are not limited to the following:

1. Industrial activities involving the manufacture, assembly, processing, repair, or servicing;
2. The production, sale or bulk storage of materials or products;
3. Warehousing, distribution and open storage;
4. Food processing, including shellfish;
5. Fabrication;
6. Value-added forest products;
7. Data centers;
8. Public utilities and facilities (buildings);
9. Advanced materials;
10. Research and development;
11. Commercial mail processing;
12. Sale of goods or products that serve industrial property;

- 13. Junk yard, car wreckage, salvage;
- 14. Enameling or metal coating, galvanizing, electroplating;
- 15. Mineral extraction.
- 16. Collective gardens (see MCC 17.09)

**B.** Similar or related uses permitted:

1. Uses similar to, or related to, or compatible with those listed or described in Section 17.07.630 of the Mason County Code (MCC) are permitted upon a finding by the community development director or his/her designee that a proposed use does not conflict with:

- a. The intent of this chapter; or
- b. The policies of the Shelton Urban Growth Area Plan.

The criteria for such a finding of similarity for uses other than those listed herein shall include, but not be limited to, the following:

- a. The proposed use is appropriate in this area;
  - b. The development standards for permitted uses can be met by the proposed use.
- 2. Eating and drinking places within an industrial building or as an accessory use, and catering primarily to the people working in the area;
  - 3. Living or residential quarters such as guards' quarters in large establishments where such quarters are customarily provided for security and/or insurability of the premises; and other residential uses directly related to the operation of the primary permitted use;
  - 4. Storage, processing, or use of hazardous substances incidental to a permitted use in compliance with applicable, county and state regulations;
  - 5. Hazardous waste treatment and storage facilities incidental to the operation of a permitted use in compliance with applicable county and state regulations.

**17.23 Mixed Use Districts in Belfair**

17.23.130 - Allowed uses.

Uses allowed in the MU district shall be as follows:

- (1) Alcoholic beverage sales: package stores and wine shops;
- (2) Antique shops;
- (3) Appliance and communication equipment repair shop and/or sales;
- (4) Art galleries and artist studios;
- (5) Art and craft supplies, retail;
- (6) Bakeries, with on-site sales;
- (7) Bars and taverns, other than those associated with full menu food service;
- (8) Bicycle shops;
- (9) Book stores;
- (10) Banks and financial institutions;
- (11) Barber and beauty shops;
- (12) Building material sales;
- (13) Churches;
- (14) Commercial child care centers;
- (15) Community centers;
- (16) Clinics, including veterinary;
- (17) Clothing sales and rentals and shoe stores;
- (18) Delicatessens;



- (19) Detached dwelling per lot (one);
- (20) Dry cleaners and laundries, not including Laundromats;
- (21) Duplexes;
- (22) Fabric and yard goods stores;
- (23) Florists;
- (24) Food specialty shops, including: baked goods, meats, health foods, candies;
- (25) Funeral parlors, cremation and mortuary services;
- (26) Furniture stores;
- (27) Grocery stores;
- (28) Gyms, fitness and aerobic studios;
- (29) Hotels/motels;
- (30) Household specialty shops, including: plumbing, lighting, heating/cooling;
- (31) Hardware stores;
- (32) Hobby shops;
- (33) Jewelry stores;
- (34) Laundromats;
- (35) Light manufacturing of stone, clay, and glass products including: glass, pottery and china ceramic, stone cutting and engraving;
- (36) Light manufacturing of handcrafted products;
- (37) Light manufacturing of computers, office machines and equipment manufacturing;
- (38) Local utility system transmission lines and structures;
- (39) Locksmiths;
- (40) Lumber and other building materials including pre-assembled products;
- (41) Medical offices;
- (42) Multi-family dwelling units;
- (43) Museums, libraries, and educational facilities (other than public schools);
- (44) Music stores, recordings and instruments;
- (45) Outside storage and display;
- (46) Paint and glass shops;
- (47) Parks;
- (48) Pharmacies, dispensing;
- (49) Photographic studios;
- (50) Printing, publishing and reproduction services;
- (51) Professional offices;
- (52) Public transportation: bus terminals, park and ride lots;
- (53) Radio and Television broadcasting stations;
- (54) Recycling centers;
- (55) Rental and Leasing Services: vehicles, furniture and tools;
- (56) Research, development and testing services;
- (57) Restaurants, cafes and food stands;
- (58) Retail shops not otherwise named which are under ten thousand square feet;
- (59) Second hand stores and pawn shops;
- (60) Service and repair shops for appliances, small equipment, and automobiles;
- (61) Sporting goods stores;
- (62) Stationary and office supply stores;
- (63) Theaters, live stage;
- (64) Theaters, motion picture;
- (65) Townhouses;

- (66) Triplexes;
- (67) Vehicle parts stores;
- (68) Wholesale trade uses; and
- (69) Collective gardens (see MCC 17.09)

**17.24 Commercial and Industrial Districts in the Belfair UGA**

17.24.010 - "GC" General commercial district—Purpose.

17.24.020 - Allowed uses.

Uses with a total building size under fifty thousand square feet shall be allowed in the GC [General Commercial] district as follows:

- (1) Alcoholic beverage sales: package stores and wine shops;
- (2) Antique shops;
- (3) Appliance and communication equipment repair shops and/or sales;
- (4) Art galleries and artist studios;
- (5) Art and craft supplies, retail;
- (6) Bakeries, with on site sales;
- (7) Bars and taverns other than those associated with full menu food service;
- (8) Bicycle shops;
- (9) Book stores;
- (10) Banks and financial institutions;
- (11) Barber and beauty shops;
- (12) Building material sales;
- (13) Churches;
- (14) Commercial child care centers;
- (15) Clinics including veterinary;
- (16) Clothing sales and rentals and shoe stores;
- (17) Delicatessens;
- (18) Dry cleaners and laundries not including laundromats;
- (19) Fabric and yard goods stores;
- (20) Florists;
- (21) Food specialty shops, including: baked goods, meats, health foods, candies;
- (22) Funeral parlors, cremation and mortuary services;
- (23) Furniture stores;
- (24) Grocery stores;
- (25) Gyms, fitness and aerobic studios;
- (26) Hotels/motels;
- (27) Household specialty shops, including: plumbing, lighting, heating/cooling;
- (28) Hardware stores;
- (29) Hobby shops;
- (30) Jewelry stores;
- (31) Laundromats;
- (32) Light manufacturing of stone, clay, and glass products including: glass, pottery and china ceramic, stone cutting and engraving;
- (33) Light manufacturing of handcrafted products;
- (34) Light manufacturing of computers, office machines and equipment manufacturing;
- (35) Local utility system transmission lines and structures;
- (36) Locksmiths;
- (37) Lumber and other building materials including pre-assembled products;

- (38) Medical offices;
- (39) Music stores, recordings and instruments;
- (40) Outside storage and display;
- (41) Paint and glass shops;
- (42) Pharmacies, dispensing;
- (43) Photographic studios;
- (44) Printing, publishing and reproduction services;
- (45) Professional offices;
- (46) Public transportation: bus terminals, park and ride lots;
- (47) Radio and television broadcasting stations;
- (48) Recycling centers;
- (49) Rental and leasing services: vehicles, furniture and tools;
- (50) Research, development and testing services;
- (51) Restaurants, cafes and food stands;
- (52) Retail uses not otherwise named;
- (53) Service and repair shops for appliances, small equipment and automobiles;
- (54) Second hand stores and pawn shops;
- (55) Sporting goods stores;
- (56) Stationary and office supply stores;
- (57) Theaters, live stage;
- (58) Theaters, motion picture;
- (59) Vehicle parts stores;
- (60) Wholesale trade uses; and
- (61) Collective gardens (see MCC 17.09)

**17.24.070 - "BI" Business industrial district—Purpose.**

**17.24.080 - Allowed uses.**

Uses allowed in the BI district shall be as follows:

- (1) Automobile, appliance and equipment repair services;
- (2) Dry cleaning plants;
- (3) Veterinary clinics;
- (4) Vocational schools;
- (5) Institutional uses;
- (6) Business service uses;
- (7) Truck dealers;
- (8) Auto parts yards;
- (9) Manufacturing uses;
- (10) Resource land uses;
- (11) Professional office uses;
- (12) Impound yard;
- (13) Towing services;
- (14) Fuel depot;
- (15) Collective gardens (see MCC 17.09)