

UPDATED

Councilmember Browne's Cherry point comments. Updated October 28

## **20.68.150**

Line 551

.153 Expansion of existing legal Fossil or renewable Fuel or expansion of existing legal Fossil or renewable Fuel Transshipment Facilities. For purposes of this section, an expansion is any Fossil Fuel Refinery and/or Fossil Fuel Transshipment Facility development (including otherwise permitted or accessory uses), vested after the effective date of this ordinance, that meets any one of the following applicable thresholds:

- A. Cumulatively increases its maximum atmospheric crude distillation capacity of fossil fuels by more than 10,000 barrels (or 420,000 gallons) per day based upon an evaluation of physical equipment limitations conducted by a licensed professional engineer; or
- B. Cumulatively increases its maximum transshipment capacity by more than 10,000 barrels (or 420,000 gallons) per day; or
- C. Cumulatively increases its maximum transshipment capacity of unrefined fossil fuels from the facility by more than 10,000 barrels (or 420,000 gallons) per day.

D. Could result in any increase of crude oil-by-rail shipments beyond which has been previously approved

If a conditional use permit is obtained, the baseline for determining the cumulative increases is reset.

## **20.88.100 Major project permits.**

.110 All major developments shall, prior to any construction, obtain 1030 a major project permit.

.120 A major project permit will be required for mitigation banks proposed in accordance with the provisions of Chapter 16.16 WCC and for any proposed development that meets any two of the following conditions:

- Cost (estimated construction cost exclusive of land value) \$5,000,000
- Size Retail 75,000 square feet office or industrial (gross leasable floor space) 200,000 square feet
- Residential 300 dwelling units
- motel/hotel 200 units
- Number of Employees 250
- SEPA Review An EIS is required
- Could result in any increase of crude oil-by-rail shipments beyond which has been previously approved