

KING COUNTY AGRICULTURE COMMISSION

MEETING NOTICE

THURSDAY, NOVEMBER 14, 2019

3:00-6:00 P.M.

PRESTON COMMUNITY CENTER

MEETING AGENDA

3:00	Call to Order <ul style="list-style-type: none"> Welcome and Introductions Approval of Agenda Approval of Minutes (October) 	Meredith Molli, Chair
3:05	Old Business - Updates (approx. 3 min each) <ul style="list-style-type: none"> Commission Details <ul style="list-style-type: none"> Shoreline Code and KCD Letter KC Ag Program Land Conservation Initiative Local Food Initiative King Conservation District Beefing Up Infrastructure 	<ul style="list-style-type: none"> Patrice Barrentine Richard Martin Leann Krainick Mike Lufkin Josh Monaghan Darron Marzolf, Leann Krainick, Patrice
3:35	Public Comment related to a specific agenda item <i>3 minutes/person</i>	Meredith Molli
3:40	Officer Nominations and Elections	Meredith Molli
3:50	Farm, Fish , Flood <ul style="list-style-type: none"> Structure and Process Overview (10) - Beth What FFF needs from the Commission- Meredith and Josh (5) Buffer Task Force – Beth leDoux (5) <ul style="list-style-type: none"> Small Group Breakout (8) <ul style="list-style-type: none"> concerns Report Out (2) Regulatory Task Force – Eric Beach (5) <ul style="list-style-type: none"> Small Group Breakout (8) Report Out (2) 	Beth leDoux, FFF Project Manager, Meredith Molli, FFF IOC Ag Commission and Reg Task Force, Josh Monaghan, FFF Ag Caucus Chair, and Nayab Khan, Ag Task Force
4:35	Break	
4:50	<ul style="list-style-type: none"> Ag Land Resource Strategic Plan Task Force – Patrice (5) <ul style="list-style-type: none"> Small Group Breakout (8) Report Out (2) 	
5:10	Puget Sound Clean Air Initiative Fuel Standards <ul style="list-style-type: none"> Draft Letter Discussion 	Leann Krainick, Paul Pink , Sarah Collier
5:30	Winery Code Striker 1	Patrice Barrentine
5:50	General Public Comment <i>3 minutes/person</i>	Meredith Molli
5:55	Concerns of Commissioners	Meredith Molli
6:00	Adjourn	Meredith Molli

Next Meeting: JANUARY 9, 3-6pm, TBD



King County
Water and Land Resources Division
 Department of Natural Resources and Parks
 King Street Center
 201 South Jackson Street, Suite 600
 Seattle, WA 98104-3855
206-477-4800 Fax 206-296-0192
 TTY Relay: 711

King County Agriculture Commission
DRAFT Meeting Minutes
Thursday, October 10th, 2019 – 3:00 pm to 6:00 pm
Preston Community Center, Preston

Commissioners Present					
Meredith Molli, Chair	N	Year Eng	Y	Darron Marzolf	N
Leigh Newman-Bell, Vice-Chair	Y	Lily Gottlieb-McHale	Y	Rosella Mosby	N
Roger Calhoon	N	Nayab Khan	Y	Paul Pink	Y
Sarah Collier	Y	Leann Krainick	Y	Kevin Scott-Vanderberge	N
Ex Officio Members Present					
Fereshteh Dehkordi, DLS	N	Josh Monaghan, KCD	Y	Kevin Wright, WSU	Y
County Staff/Representatives Present					
Patrice Barrentine, DNRP	Kathy Lambert, KC Councilmember		Mitch Paine, DNRP		
Eric Beach, DNRP	Mike Lufkin, DNRP		Katherine Taylor, DNRP		
Hugo Garcia, DLS	Richard Martin, DNRP		Scott (?), DNRP (?) – not signed in		
Christine Jensen, DLS	Megan Moore, DNRP		Katy Vanderpool, DNRP		
Guests Present					
Angela Donaldson, Farmers Insurance	Cynthia Krass, Snoqualmie Valley WID				

Action Summary

- **Actions: Approval of Agenda & September 2019 Meeting Minutes; Support Letter to KCC/Executive on KCD Agriculture Workplan**
- **County, Commission, and Organization Updates**
- **Presentations: Flood Insurance and Flood Preparation**
- **County Presentations: Shoreline Code; Puget Sound Clean Air Initiative; Flood Code Amendments**

Meeting called to order by Leigh Newman-Bell at 3:05 pm

Approval of Meeting Agenda (ACTION)

Leann Krainick motioned to accept today’s agenda as written. Sarah Collier seconded; the motion carried unanimously.

Approval of Prior Meeting Minutes (September 12, 2019) (ACTION)

Leigh Newman-Bell asked for a correction to a misspelled name. Paul Pink motioned to approve the minutes as amended; Lily Gottlieb-McHale seconded. With one abstention, the motion carried otherwise unanimously.

Old Business – Updates

- **Commission Details (Patrice Barrentine)**
 - Ms. Barrentine reviewed the current Commission roster. Leigh Newman-Bell and Rosella Mosby have opted not to serve another term. Kevin Scott-Vanderberge has agreed to serve another term. Ms. Barrentine said recruitment will likely aim to fill 10-12 of the available 15 spots. The selection committee is creating a list of potential recruits, and will return next month with recommendations. Ms. Newman-Bell noted that while many names were generated at today’s selection committee meeting, Commissioners may offer suggestions to Ms. Barrentine until the end of next week, with a cutoff at the end of this month. Ms. Barrentine added that farmers should represent the majority of filled seats, more than other agriculture fields.
 - Commission Chair and Vice-Chair elections are next month. Commissioners were encouraged to consider serving in one of these positions and reach out to Ms. Barrentine or Meredith Molli if interested.

- Farm Fish Flood (FFF) will be the focus of November’s Commission meeting, to be held at Pike Place Market.
- King County’s winery ordinance update passed King County Council’s (KCC) Committee of the Whole this week, and will now proceed to the full KCC. Ms. Barrentine will provide updates as soon as possible.
- **King County Agriculture Program (Richard Martin)**
 - Tomorrow is the first formal “dive” into the work of the immigrant refugee farmer support effort, to get an understanding of who is involved, and their resources and issues. Asset management will also be addressed.
 - Bee Cha is also working on significant improvements to County-owned farms. Mr. Martin suggested this next spring or summer, the Commission might visit one of these farms.
 - Rick Reinlasoder and other County staff are examining the County’s farm plan public rule, which is in need of updates. This will come with a formal presentation to seek Commission input after the first of the new year.
 - While no land committee meeting is scheduled for November, Mr. Martin requested one be scheduled as soon as possible, hopefully before next Commission meeting, or in January. The County seeks Commission guidance on drafting a new vision for the County’s Farmland Leasing Program.
- **Farm Fish Flood 2.0 (Richard Martin, Josh Monaghan)**
 - The next Implementation Oversight Committee (IOC) meeting is 9:00 am – 4:00 pm on October 24, at Carnation Farms.
 - Next week, the buffers task force will take final input on recommended buffer sizes for Snoqualmie Valley waterways. The meeting is next Wednesday.
 - The agriculture strategic plan task force is currently doing a “deep dive” into learning and research.
 - Angela Donaldson, flood caucus chair, reported that some scoping mechanisms are now being vetted through representatives of all three FFF caucuses. The potential for 2D modeling in the Snoqualmie Valley will also be discussed at the upcoming regulatory task force meeting.
- **Land Conservation Initiative:** There were no updates.
- **Local Food Initiative (Mike Lufkin):**
 - Food System Infrastructure: This involves cold/dry storage, commercial kitchens, and other infrastructure necessary for the food industries. There have been many discussions this past year about creating a multi-use shared facility near the county’s urban core. The stakeholder group has compiled the framework for this facility. A request for proposal (RFP) for a consultant to look at key concerns has been issued, with submissions hoped for by October 15 and a kick-start for the project in early November. The consultants will look at each potential site to gauge its usability for customers. Farmers’ market organizations, individual farmers, and food rescue organizations are some groups being targeted for this effort.
 - Several farm organizations, including Sno Valley Tilth and Viva, arranged an educational tour in September for immigrant refugee farmers to visit farms in the Snoqualmie and Sammamish Valleys. More of these tours are anticipated going forward.
 - Mr. Lufkin and his team are compiling a resource/how-to document for aspiring farmers, which he hopes to bring a draft of to the Commission soon.
 - Fresh Bucks: There are several funding challenges facing the program. USDA’s FINI grant originally funded it but ends at the end of 2019. The City of Seattle’s program is well-funded due to its sweetened beverage tax dollars, but outside of Seattle it’s unclear where funding will come from. The Department of Health (DOH) and other entities received funding from the legislature to continue the program on a smaller scale. DOH also convened stakeholders to submit a new grant proposal to USDA, but were unsuccessful in getting the grant. The stakeholders will return to discuss what may create a more stable funding program going forward.
- **King Conservation District (Josh Monaghan)**
 - Agriculture drainage maintenance work with the County has finished for the year. It was a successful season overall, with additions such as closer fish monitoring. Final data is still coming in.
 - Partial funding for several drainage projects next year has been provided by the Flood Control District.
 - KCD’s advisory board will meet Monday night to make final decisions on Regional Food Grant applicants. Winners will be announced at next month’s meeting.
- **Farm Bureau (Patrice Barrentine):** King/Pierce Farm Bureau’s annual meeting is October 14. Dinner and a guest speaker will be featured. About 15 spaces remain, and RSVP is required.
- **Beefing Up Infrastructure (Patrice Barrentine):**
 - The mobile processing unit is anticipated to be operational by Thanksgiving.
 - The Washington Beef Commission will help promote and spread word about the unit.
 - In response to producer concerns, the processing site will now look at doing meat cuts inside its truck, as a small USDA cut/wrap facility. It may also be the only site in western Washington that will scald pigs. Darron Marzolf at Marzolf Meats should be contacted to sign up to use the facility.

Public Comment (Related to Specific Agenda Item)

There was no public comment during this period.

Shoreline Code Update – Eric Beach, DNRP Regulatory/Permitting Specialist

Mr. Beach addressed concerns on how pending County shoreline code updates may affect agriculture. Current language has been forwarded to KCC, with no new changes from the prior draft. Mr. Beach reviewed the language with Christine Jensen at Department of Local Services' permitting division, and determined that aside from a couple of favorable agriculture drainage definition changes – one involving groundwater – there is nothing major to affect agriculture.

Paul Pink asked if the Commission could review the document as well. Mr. Beach agreed to check, but reiterated that the current markup doesn't show any major changes. Josh Monaghan wanted assurance that the active legislation is in step with the Commission's intended goals. Mr. Beach confirmed the document is going to KCC for further review, then will be distributed for public comment before a final version is voted on. The state Department of Ecology is also reviewing the document.

Mr. Monaghan requested seeing the current state of the document when available, and that the Commission be made aware at which points they can weigh in on it. Mr. Beach agreed to compile a timeline. Patrice Barrentine added that there is ample time for comment to be made on the document.

Flood Insurance and Flood Preparation – Angela Donaldson, Farmers Insurance Group

Ms. Donaldson distributed a series of informational documents addressing flood insurance coverage in King County. She discussed how this insurance can fit into a farmer's management portfolio, how they can understand the mechanism, and reduce flood risk.

She explained specifics of the federal flood insurance program. It was created in the 1960s because flooding is the most common and costly natural disaster in the country, and this is expected to continue with climate change. The program is intended to help communities and property owners protect and rebuild assets after a flood. In addition to federal standards, King County has its own rigorous minimum standards, resulting in up to a 40% cost discount to residents of communities here; most places see at most a 25% discount. The annual premium in King County is under \$500.

King County joined the federal program in the late 1970s. Therefore, any structures built before then – including many farm structures in the county – were built without any risk understanding of flooding, or sufficient information to apply the rating system to them. Transition and evolution of flood insurance will require more information, including surveys and flood depths. Congress sets the basic rating model. Ms. Donaldson stressed that a more sustainable insurance program needs to be created. A major downside is that the program is legislatively approved, and can expire. She said the program would have more stability if it were a sustainable financial model.

Follow-up questions raised the following concerns and comments:

- Nayab Khan asked how often FEMA updates the 500-year and 100-year flood standards, and their premiums. Ms. Donaldson replied this is typically implemented on a regional basis. King County falls under FEMA's Region 10. King County is currently updating their flood maps, many of which have not been updated since the 1970s-1990s. She said modernization is key to understanding risk. She also cited a recent hydrology study in the Snoqualmie Valley, which provided critical data on this issue. Communities can also file for letters of map revision, which Carnation and Snoqualmie have done. She noted that currently maps don't necessarily reflect all infrastructure.
- Ms. Donaldson was unaware of any FEMA documents specifically addressing farmer issues, but there are bulletins available related to agricultural buildings.
- New flood insurance policies have a 30-day wait period before taking effect.
- Disaster management is not the same as risk management; a disaster must be federally declared and does not build communities. The primary focus of insurance is sustainability and resilience to disasters.
- The full 40% discount for King County residents is for floodplain residents, and is taken off the raw premium.
- Washington state has one of the highest flooding rates in the country, due to there being more water here.
- Urban flooding and stormwater are not included in the flood maps.
- Anyone in unincorporated King County may buy flood insurance.

Puget Sound Clean Air Initiative Fuel Standards – Patrice Barrentine, DNRP

Rosella Mosby raised a concern about the Puget Sound Clean Air Initiative at last month's Commission meeting. The initiative, focused on King, Kitsap, Pierce, and Snohomish counties, is intended to improve regional air quality. It involves looking at a clean fuel standard, such as implementing "carbon credits" for those who produce cleaner fuels. Those who do not produce cleaner fuels – with some exemptions – may be penalized or have to buy carbon credits.

The concern raised by Ms. Mosby is that agriculture is not included as an exemption in the current draft of this initiative. Thus, many farmers – as fuel consumers – may see a sizable increase in per-gallon fuel costs, due to costs passed down from the producers. The public comment period for the document lasts until January 6, 2020, and includes comments submitted by mail or email. A hearing is scheduled at the Washington State Convention Center in Seattle for December 19, 2019. The Commission, in its advisory role to KCC, is allowed to take a stance on the issue.

After some discussion, it was agreed among Commissioners that Leann Krainick, Paul Pink, and Sarah Collier would draft a response letter to present to KCC. It was suggested the Commission oppose the initiative strictly on its agricultural basis, rather than the whole document. It was also recommended the letter push for an exemption in the initiative for agriculture, as well as call out misleading bullet points about agriculture cited in the initiative’s literature. Patrice Barrentine agreed to help finalize the draft, and add it as an agenda item for next Commission meeting.

KCD Future Food/Farm Program Work & Commission Support Letter – Josh Monaghan (ACTION)

In a prior Commission meeting, KCD asked the Commission to write a letter of support for KCD’s proposed five-year workplan, which is up for renewal. The question being posed is if people want KCD to continue its work, and are willing to continue paying the rates to support it. Josh Monaghan said KCD believes their work nexuses well with the Commission’s priorities, and Commission support would make a big difference in KCC’s decision.

Councilmember Kathy Lambert encouraged more public testimony, particularly farmers, at Commission meetings, suggesting implementation of a Skype option as well. She also encouraged farmers in urban areas to write in their support, as many urban Councilmembers are unaware of KCD’s work. Katherine Taylor, legislative affairs coordinator for KC DNRP, said that while DNRP values KCD’s work and wants it to continue, there is some apprehension among stakeholders that the current rate proposal may not pass KCC. The Executive transmitted his own proposal for KCD’s rates, sponsored by Councilmember Lambert, as Ordinance 0424. This would cover a five-year period and continue current programming with a modest increase for inflation. The ordinance would be open to being backed out or amended at any time over the five-year period.

After some discussion, it was agreed among Commissioners that the proposed letter should be sent, but with some edits. It was advised to have the letter ready to include in the testimony packet for KCC’s Local Services Committee meeting on October 28. Patrice Barrentine recommended the Commission’s executive committee review the draft.

Leann Krainick motioned to allow the Commission’s executive committee to edit the final draft of this letter in support of KCD to transmit to KCC, including the comments made at today’s meeting. Sarah Collier seconded the motion. A friendly amendment was suggested, and accepted, to transmit this letter to KCC and copy the Executive as well. The amended motion carried with unanimous approval.

-- BREAK --

Flood Code Amendments Summary – Mitch Paine, DNRP River/Floodplain Mgmt. Section

Mr. Paine provided the Commission context for coming updates to King County’s flood code. He noted that since 1978, \$31.5 million has been paid out in flood claims in King County. The updates are prompted by a requirement in the national flood insurance program, that a participating jurisdiction must adopt and enforce a floodplain ordinance. King County has an unincorporated area that participates in this program. If the County meets the stated requirement, and proves it to FEMA, the County is eligible for a variety of FEMA grants. The hope is to, in addition to meeting minimum FEMA regulatory requirements, meet some higher state standards.

There are two main factors driving the urgency of these updates:

- 1) Preliminary flood maps are coming effective next year. By mid-2020, the County must have a minimally-compliant code, or will be kicked from the national program.
- 2) FEMA is auditing the County’s Floodplain Management Plan, reviewing the code and ensuring it is being enforced properly.

The public comment period for the amendments is October 4 – 27. The amendments mainly clarify technical changes, and County definitions that don’t match FEMA’s. Mr. Paine said this shouldn’t affect anyone in the communities, and nothing in the proposed changes involves increases, except where required for federal minimum compliance.

He highlighted some of the changes, some of which should have no major impact to agriculture. One outlines specific standards for accessory buildings, including for agriculture; another prohibits new water wells in a floodway. The main change of concern to agriculture involves compensatory flood storage requirements. Language added to County code several years ago stated these requirements would be waived if “zero-rise” standards were met. However, FEMA determined this language does not meet their code requirements and requires the County to remove it to stay in the

national program. Any fill brought into the floodplain must have compensatory storage. Mr. Paine noted that off-site compensatory storage is still allowed in the code. Patrice Barrentine clarified that approved agricultural activities, such as bringing in manure/compost, would not be considered fill unless the amount of material brought into the floodplain raises water levels. Mr. Paine confirmed this is called out in the proposed code language.

Josh Monaghan voiced concern about the threat to the County's farm pad program, which has helped many farmers. Many are worried about what will happen if the County's "zero-rise" modeling approach is lost. Ms. Barrentine agreed this could impact the future of farming in the Snoqualmie Valley. She said the Farm Fish Flood (FFF) Agriculture Strategic Plan task force will look at this issue, and it's good for the Commission to be aware as well. The farm pad program is on hold while the County reviews options, such as if FEMA might consider a modeling approach.

Paul Pink asked if the Commission could have any impact on progress with FEMA. Richard Martin said an option is to search for compensatory storage and determine if any is available. If not, the agriculture strategic plan task force will seek options outside the floodplain. The most difficult option is working with FEMA to help them understand the County's situation. He said this would be a long road and the County is exploring options for what it can do now.

General Public Comment

There was no public comment during this period.

Concerns of Commissioners

- **Leann Krainick** reported there is an upcoming update to WAC 246-203-130, titled "Keeping of Animals," put forth by the state Board of Health. This addresses processes for discharging manure. She stressed the public comment period on the update is brief, and information is available for review on the Board of Health's website.
- **Patrice Barrentine** asked for confirmation there is no comment the Commission wishes to make on the flood code amendments, as comment is due by October 27. No comments were voiced.
- **Leigh Newman-Bell** reminded Commissioners to send Ms. Barrentine recommendations for new Commissioners. She confirmed a letter is going to KCC for KCD support, and that a selection committee meeting should be held before November's Commission meeting. She also offered to provide detailed directions to Pike Place Market Commons for next month's meeting.

Meeting adjourned at 5:48 pm

Next Meeting

November 14, 2019, 3:00 – 6:00 pm, Pike Place Market Commons, Seattle

From: [Barrentine, Patrice](#)
To: [Darron Marzolf](#); [Dehkordi, Fereshteh](#); [Josh Monaghan \(joshua.monaghan@kingcd.org\)](#); [Kevin Scott-Vandenberg \(AgComm8@kingcounty.gov\)](#); [Kevin Scott-Vandenberg \(Kevin@portagebaygrange.com\)](#); [Kevin Wright](#); [Leann Krainick](#); [Leann Krainick \(AgComm9@kingcounty.gov\)](#); [Leigh Newman-Bell](#); [Leigh Newman-Bell \(AgComm6@kingcounty.gov\)](#); [Lily Gottlieb-McHale](#); [Lily Gottlieb-McHale \(agcomm1@kingcounty.gov\)](#); [Meredith Molli](#); [Meredith Molli \(AgComm13@kingcounty.gov\)](#); [Nayab Khan \(nayabk@gmail.com\)](#); [Paul Pink](#); [Roger Calhoon](#); [Roger Calhoon \(AgComm15@kingcounty.gov\)](#); [Rosella Mosby](#); [Sarah Collier](#); [Year Eng](#)
Cc: [Martin, Richard](#)
Bcc: [Beach, Eric](#)
Subject: Wetland Impacts code revision
Date: Friday, October 11, 2019 1:56:00 PM
Attachments: [2 - SMP Legislation as amended.docx](#)

Hi Commissioners,

Eric Beach and Christine Jensen have been busy today pulling together this information to share with you after your questions last night on the Shoreline code process and timeline. Please see info below/attached and let me know if you have any questions or concerns.

Here is updated info about the timeline for when the SMP and wetland code amendments would be effective:

- We anticipate that any additional changes that Ecology wants Council to make will be provided by Ecology to the Council by **October 15-ish**.
- The Council will then adopt any final amendments needed to appease Ecology when they vote on final action, which is currently scheduled for **October 30**.
- For wetland areas outside the shoreline jurisdiction:
 - That portion of the legislation would be effective about a month or so after the Council vote. We will not have an exact date until after it is voted on and signed; but it will definitely be effective by the end of the year.
- For wetland areas inside the shoreline jurisdiction:
 - After the Council vote and after it gets signed, the legislation then needs to get submitted back to Ecology for final approval. We do not have a timeline of how long Ecology's review/approval process will take. We've heard it could take a "few weeks", but Ecology is known for moving slowly.
 - That portion of the legislation would then be effective 14 days after final Ecology approval.

Thank you,

Patrice

Patrice Barrentine
Agriculture Policy and Economic Development Specialist
King County DNRP Agriculture Program
206-477-1556



King County
Agriculture Commission
Water and Land Resources Division
Department of Natural Resources and Parks

King Street Center
201 South Jackson Street, Suite 600
Seattle, WA 98104-3855
206.477-4800 Fax 206.296.0192

October 28, 2019

The Honorable Rod Dembowski
Chair, King County Council
516 Third Ave, Room 1200
Seattle, WA 98104

Dear Councilmember Dembowski:

On behalf of the King County Agriculture Commission, We are I am writing to express our support for King Conservation District and to share with the Council the ways in which KCD forwards the mission of the King County Agriculture Commission and the county we serve.

KCD has been a tremendous partner supporting the Agriculture Commission's work on a wide spectrum of our efforts, in addition to serving as a resource for organizations and individuals across the county.

Through the Agricultural Drainage Program, KCD has helped return farmland to productivity and viability, improving approximately 2 miles of farm drainage per year over each of the last 5 years. This is important work that expands the county's capacity to grow food locally, betters our sustainability efforts, provides affordable produce for our communities, and ensures we are making the most of our natural resources.

KCD further builds on this effort through their Regional Food Program, which through grants, resources, and other capacity-building mechanisms has increased local food production, access to King County agriculture, and participation in farmers markets and sustainability efforts. These programs are incredibly impactful for seniors and low-income individuals, helping put fresh and locally grown produce in the hands of those that otherwise couldn't find or afford it.

And, KCD has made rural farmland stewardship a foundation of their work, ensuring **a majority of** King County's farmers have the assistance and planning to steward their land and natural resources for today and future generations. KCD specifically works to maintain and improve water quality, soil health, and natural habitat, all crucial to our collaborative and core efforts to build a more sustainable and resilient county.

The King County Council has the opportunity now to ensure KCD continues leading these programs and projects — and more — for the next five years. Supporting a renewal and additional resources for KCD is one of the most important things the County Council can do to

help the residents and landowners in King County preserve our local environment, wildlife, and habitat; invest in local agriculture and farming, improve the private forests that play such a critical role in our regional tree canopy, and take local action to address climate change. KCD is one of very few technical assistance services for land use planning for farmers and in some instances, the primary service provider.

Thank you for your consideration. KCD is one of our strongest partners, and we hope they can count on your continued support.

Sincerely,

Meredith Molli, Chair
King County Agriculture Commission

cc: King County Councilmembers
Dow Constantine, County Executive
Christie True, Director, King County Department of Natural Resources and Parks
(DNRP)
Josh Baldi, Division Director, Water and Land Resources Division (WLRD),
DNRP
Mike Murphy, Interim Assistant Division Director, WLRD, DNRP
Richard Martin, Manager, AFI, WLRD, DNRP
Patrice Barrentine, Staff Liaison, Agriculture Commission, WLRD, DNRP



King County
Agriculture Commission
Water and Land Resources Division
Department of Natural Resources and Parks

King Street Center
201 South Jackson Street, Suite 600
Seattle, WA 98104-3855
206.477-4800 Fax 206.296.0192

April 11, 2019

The Honorable Rod Dembowski
Chair, King County Council
516 Third Ave, Room 1200
Seattle, WA 98104

Dear Councilmember Dembowski:

I am writing on behalf of the King County Agriculture Commission in regard to Proposed Ordinance 2018-0241, Winery/Brewery/Distillery (WBD) Regulations and the Conceptual Striking Amendment, Updated 3-8-19.

The commission is pleased with several changes from the 11-30-18 striker and has resolved many of its concerns regarding parking and events. While the APDs are now much better protected, the commission has five remaining concerns in the 3-8-19 striker regarding the APDs:

- **Type of Permit:** The Commission does not support WBD I (issue 17 in the APD table) in A zones especially as a residential accessory use.
- **Product Content:** The Commission fully supports the requirement to grow 60% of WBD II and WBD III products on site in the APDs. However, the commission does not support a WBD I in the APD (issue 24) being able to source ingredients off-site from the Puget Sound Counties.
- **Production/Facility Location:** The commission appreciates the definition of what *processing* stages for WBDs entail, but would like to see all four stages required – especially in the APDs.
- **Parking:** The commission does not support grandfathering for existing parking spaces.
- **Setbacks:** For WBD II and WBD III, the commission does not support CUP setback reduction to as little as 25 feet and recommends maintaining 75 feet.

In addition, the commission has some concerns regarding the rural area where 40% of the county's agriculture sector occurs as well as a few comments regarding the overlays.

April 1, 2019

Page 2

- Type of Permit: The Commission does not support WBD I in RA zones as a residential accessory use.
- Tastings: The Commission does not support tastings or incidental sales for WBD I, other than those for product containment, i.e. bottles and growlers.
- Production/Facility Location: The commission would like to see all four stages required for WBD production/processing.
- Parking: The commission does not support grandfathering for existing parking spaces.

Regarding the overlay districts, the commission does not support reducing setbacks to 25 feet, even with a CUP.

- Overlays for WBD I, WBD II, and WBD III

Lastly, the commission suggests matching agricultural terminology in this legislation. Production, in agricultural terms means growing crops or raising livestock, deemed raw agricultural products. Whereas, food processing means steps taken after harvest to create a value-added product; i.e., juice, jam, pickles, wine, beer, distilled beverages. Per WSU, “Food processing is a combination of various sciences such as engineering, chemistry, microbiology and others. The principles of food processing involves the conversion of the agricultural raw materials into value added products for consumers” (<https://foodprocessing.wsu.edu/>).

Thank you for the opportunity to advise council on this important ordinance and striker.

Sincerely,



Meredith Molli, Chair

King County Agriculture Commission

cc: King County Councilmembers
Dow Constantine, County Executive
Christie True, Director, King County Department of Natural Resources and Parks (DNRP)
Josh Baldi, Division Director, Water and Land Resources Division (WLRD), DNRP
Mike Murphy, Interim Assistant Division Director, WLRD, DNRP
Richard Martin, Manager, AFI, WLRD, DNRP
Patrice Barrentine, Staff Liaison, Agriculture Commission, WLRD, DNRP

Proposed Ordinance 2018-0241.2 – Winery/Brewery/Distillery Regulations Summary of Balducci Striker for COW 9/16/19

As Recommended by LSRRB	Balducci striker changes
<p>Modifies the <u>Permitted Land Use tables</u>:</p> <p>Adds WBD I, WBD II, and WBD III to the permitted use table and permits them in multiple zones, either as permitted outright with development conditions or with a conditional use permit with development conditions in several zones.</p> <p>Modifies development conditions for WBD facilities related to minimum lot size, floor area, parking area, setbacks, product content, location of facilities on farmland, tasting hours, site access, business license, events, connection to water supply, growing requirements, and employee maximums.</p> <p>See separate tables on following pages for changes.</p> <p>Removes allowance for WBD I, II, III in UR zone</p> <p>Interim Use Approval:</p> <ul style="list-style-type: none"> • Must be applied for within 5 years of effective date of this ordinance • Good for one year, with up to 4 yearlong renewals (good for a total of 5 years) like for TUP • Use must cease once interim use approval is expired • Subject to same criteria as the TUP • Fee same as TUP • Process as a Type II permit. • Application requirements set by Title 20 	<p>Substantive Changes include:</p> <ul style="list-style-type: none"> • Eliminate WBD I in A zone as interim use. • Eliminates allowance for 8,000sf of underground storage for WBD III in A and RA zones • For all WBD in A and RA zones, limits impervious surface to a maximum of 25% or what the underlying zoning allows, whichever is less • Requires WBD III in A and RA zone to connect to Group A water systems (eliminating option to connect to Group B) • For WBD I in RA zone, prohibits on-site tasting and retail sales • For WBD II and III in A and RA zone, limits on-site tasting and retail sales to 15% of the aggregated floor area • For WBD II and III in A zone, limits conversion of agricultural land to less than 1 acre for nonagricultural accessory uses • For all WBD in A and RA zones, requires one of the two stages of production to be crushing, fermenting or distilling. • For all WBDs, eliminates option to reduce, with a CUP, the setback from R and RA zones • For WBD I in RA zone, allows one on-site parking stall for the use. • Eliminates grandfathering of existing parking spaces. • For WBD II and III in A and RA zones, parking maximum is 150% of the minimum required.

**Proposed Ordinance 2018-0241.2 – Winery/Brewery/Distillery Regulations
Summary of Balducci Striker for COW 9/16/19**

Other Changes

As Recommended by LSRRB	Balducci striker changes
Findings included	Additional/modified Findings regarding: <ul style="list-style-type: none"> • SO-120, agricultural protection buffer • Water facilities • Retail sales and tasting of products as accessory to production • Remote tasting room demonstration project (removal of Fall City and Vashon Rural Towns)
Adds a <u>definition for remote tasting room</u>	none
Adds a <u>definition for winery, brewery, distillery facility I</u>	Adds distilling to the definition as a step in the production process.
Adds a <u>definition for winery, brewery, distillery facility I interim use permit</u>	Eliminate definition
Adds a <u>definition for winery, brewery, distillery facility II</u>	Adds distilling to the definition as a step in the production process.
Adds a <u>definition for winery, brewery, distillery facility III</u>	Adds distilling to the definition as a step in the production process.
<p>Modifies <u>parking requirements</u>:</p> <p>Requires for WBD II and III facilities, 0.9 per 1,000 square feet plus 1 per 300 square feet of tasting and retail area</p> <p>Requires for remote tasting rooms, 1 per 300 square feet of tasting and retail areas</p>	None
Modifies <u>temporary use permit</u> requirements:	For WBD I in the RA zone, specify citation for special events to K.C.C. 21A.32.120.B.6 which allows 2 events per year with a maximum of 50 guests.

**Proposed Ordinance 2018-0241.2 – Winery/Brewery/Distillery Regulations
Summary of Balducci Striker for COW 9/16/19**

As Recommended by LSRRB	Balducci striker changes
<p>For WBD II and III in A zones, events limited to 2 per month and all parking must be accommodated on site or through a plan approved by the director.</p> <p>For WBD II and III in RA zones, events limited to 24 within a one-year period and all parking must be accommodated on site or through a plan approved by the director.</p> <p>For WBD II in A and RA zones, consider building occupancy limits and parking limitations during permit review, shall condition the number of guests and shall not be more than 150 guests.</p> <p>For WBD III in A and RA zones, consider building occupancy limits and parking limitations during permit review, shall condition the number of guests and shall not be more than 250 guests.</p> <p>For WBD I in RA zone, legal nonconforming home occupations and legal nonconforming home industries, 2 events per year, maximum 50 people, without a TUP is allowed</p> <p>WBD II and III in other zones are allowed 60 days a year</p> <p>No events for WBD I interim use permit in A zone</p> <p>Add language that specifies when a TUP is required. Include events that exceed the building occupancy, that use portable toilets, off-site parking or parking beyond the maximum, temporary stages, temporary tents or canopies that require a permit, traffic control in public rights-of-way, or extends beyond stated hours of operation. (added to K.C.C. 21A.32.100)</p>	<p>Removes reference to WBD I Interim Use</p> <p>For criteria of events that require a temporary use permit, clarify that it is events that require traffic control (rather than utilizes traffic control), and that the event extends beyond the allowed hours of operation (rather than stated hours)</p>
<p>Modifies <u>citation penalty</u>: Adds specific citations for WBD I, II, II and remote tasting rooms: \$500 for first violation, and \$1,000 for subsequent violations.</p>	<p>None</p>

**Proposed Ordinance 2018-0241.2 – Winery/Brewery/Distillery Regulations
Summary of Balducci Striker for COW 9/16/19**

Manufacturing Table – Agriculture and Rural Area – Production Facilities

Type of Permit	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes
	A zone: WBD I (DC#19) RA zone: WBD I (DC#17)	RA zone: WBD I (DC#32)	A zone: WBD II (DC#3) RA zone: WBD II (DC#3 and DC#30)		WBD III (DC#12)	
A zone	Allow in A zones as a residential accessory use, accessory to a primary ag use, and for an interim use period of up to 5 years (1 year plus 4 renewals) Must apply within 5 years of ordinance adoption	Not permitted	Permitted – as an accessory to agricultural use Use is conditional if setbacks to RA and residential zones are reduced to 25 feet	Removes conditional use option to reduce setback to 25'	Conditional Use	
RA zone	Move WBD I to a residential accessory use. Allow in RA and A zones. Use is conditional if setbacks to RA and residential zones are reduced to 25 feet	Moved to Manufacturing Land Use table Permitted – removes limitation for nonresident employee Removes option for conditional use permit to reduce setbacks to 25'	Permitted Conditional Use		Conditional Use	

**Proposed Ordinance 2018-0241.2 – Winery/Brewery/Distillery Regulations
Summary of Balducci Striker for COW 9/16/19**

Minimum Lot Size	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes
	A zone: WBD I (DC#19) RA zone: WBD I (DC#17)	RA zone: WBD I (DC#32)	A zone: WBD II (DC#3) RA zone: WBD II (DC#3 and DC#30)		WBD III (DC#12)	
A zone	None	Not permitted	2.5 acres		4.5 acres Except if floor area is over 6,000 square feet, the minimum lot size is 10 acres	
RA zone	None		P and C: 2.5 acres		4.5 acres Except if floor area is over 6,000 square feet, the minimum lot size is 10 acres	

Maximum Building Size	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes
	A zone: WBD I (DC#19) RA zone: WBD I (DC#17)	RA zone: WBD I (DC#32)	A zone: WBD II (DC#3) RA zone: WBD II (DC#3 and DC#30)		WBD III (DC#12)	
A zone	1,500 sf	Not permitted	3,500 sf (historic buildings maximum is 5,000 sf)		Maximum floor area 8,000 sf; additional 8,000 sf for underground storage	Eliminates 8,000 sf for underground storage
RA zone		1,500 sf				

**Proposed Ordinance 2018-0241.2 – Winery/Brewery/Distillery Regulations
Summary of Balducci Striker for COW 9/16/19**

Maximum Impervious Surface	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes
	A zone: WBD I (DC#19) RA zone: WBD I (DC#17)	RA zone: WBD I (DC#32)	A zone: WBD II (DC#3) RA zone: WBD II (DC#3 and DC#30)		WBD III (DC#12)	
A and RA zone	Not specified	Limited to 25% of the site, or the maximum allowed under the zone, whichever is less	Not specified	Limited to 25% of the site, or the maximum allowed under the zone, whichever is less	Not specified	Limited to 25% of the site, or the maximum allowed under the zone, whichever is less

Water	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes
	A zone: WBD I (DC#19) RA zone: WBD I (DC#17)	RA zone: WBD I (DC#32)	A zone: WBD II (DC#3) RA zone: WBD II (DC#3 and DC#30)		WBD III (DC#12)	
A zone	Not specified	Not permitted	Not specified		Must connect to existing Group A water system, or existing Group B water system if Group A water system not available	Must connect to an existing Group A water system. Adds a cross-reference to K.C.C. 13.24 for definition and limitations of water systems.
RA zone		Not specified				

**Proposed Ordinance 2018-0241.2 – Winery/Brewery/Distillery Regulations
Summary of Balducci Striker for COW 9/16/19**

On-Site Tasting and Retail	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes
	A zone: WBD I (DC#19) RA zone: WBD I (DC#17)	RA zone: WBD I (DC#32)	A zone: WBD II (DC#3) RA zone: WBD II (DC#3 and DC#30)		WBD III (DC#12)	
A zone	No tasting allowed Allow on-site sales of items produced on-site and incidental items.	Not permitted	Tasting of products produced on-site, and no extra floor area allowed for tasting Hours for on-site tasting: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm	Tasting and retail are accessory to production use, and limited to 15% of the floor area	Tasting of products produced on-site, and no extra floor area allowed for tasting Hours for on-site tasting: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm	Tasting and retail are accessory to production use, and limited to 15% of the floor area
RA zone	Sammamish Valley: No tastings. Allow on-site sales of items produced on-site and incidental items. Other areas: Tastings allowed by appointment only. Tastings must occur within these hours: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm Allow on-site sales of items produced on-site and incidental items.	Not allowed				

**Proposed Ordinance 2018-0241.2 – Winery/Brewery/Distillery Regulations
Summary of Balducci Striker for COW 9/16/19**

Access	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes
	A zone: WBD I (DC#19) RA zone: WBD I (DC#17)	RA zone: WBD I (DC#32)	A zone: WBD II (DC#3) RA zone: WBD II (DC#3 and DC#30)		WBD III (DC#12)	
A zone	Direct access from an arterial	Not permitted	Direct access from an arterial	Requires that the WBD use the arterial access	Direct access from an arterial	Requires that the WBD use the arterial access
RA zone	Not specified		P: Direct access from an arterial C: Direct access from public roadway.	P: Requires that the WBD use the arterial access C: Requires that the WBD access a public roadway		

**Proposed Ordinance 2018-0241.2 – Winery/Brewery/Distillery Regulations
Summary of Balducci Striker for COW 9/16/19**

Production/ Facility Location	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes
	A zone: WBD I (DC#19) RA zone: WBD I (DC#17)	RA zone: WBD I (DC#32)	A zone: WBD II (DC#3) RA zone: WBD II (DC#3 and DC#30)		WBD III (DC#12)	
A zone	<p>Non-agricultural facility uses must be on portion of the property unsuitable for agricultural production purposes.</p> <p>Require production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing</p>	Not permitted	<p>Non-agricultural facility uses must be on portion of the property unsuitable for agricultural production purposes.</p> <p>Require production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing</p>	<p>Limit conversion of agricultural land to less than 1 acre for nonagricultural accessory uses</p> <p>Requires one (of two) stage of production to include crushing, fermenting or distilling</p>	<p>Non-agricultural facility uses must be on portion of the property unsuitable for agricultural production purposes.</p> <p>Require production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing</p>	<p>Limit conversion of agricultural land to less than 1 acre for nonagricultural accessory uses</p> <p>Requires one (of two) stage of production to include crushing, fermenting or distilling</p>
RA zone	Require production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing	Requires one (of two) stage of production to include crushing, fermenting or distilling.	Require production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing	Requires one (of two) stage of production to include crushing, fermenting or distilling	Require production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing	Requires one (of two) stage of production to include crushing, fermenting or distilling

**Proposed Ordinance 2018-0241.2 – Winery/Brewery/Distillery Regulations
Summary of Balducci Striker for COW 9/16/19**

Product Content	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes
	A zone: WBD I (DC#19) RA zone: WBD I (DC#17)	RA zone: WBD I (DC#32)	A zone: WBD II (DC#3) RA zone: WBD II (DC#3 and DC#30)		WBD III (DC#12)	
A zone	60% of product to be processed must be grown in Puget Sound Counties.	Not permitted	60% of product to be processed must be grown on site.		60% of product to be processed must be grown on site.	
RA zone	None		None		None	

Setbacks	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes
	A zone: WBD I (DC#19) RA zone: WBD I (DC#17)	RA zone: WBD I (DC#32)	A zone: WBD II (DC#3) RA zone: WBD II (DC#3 and DC#30)		WBD III (DC#12)	
A zone	75 feet from RA and R zones, except historic buildings. Includes parking areas.	Not permitted	75 feet from RA and R zones, except historic buildings. Includes parking areas.	Eliminates option for CUP to reduce setbacks to 25'	75 feet from RA and R zones, except historic buildings. Includes parking areas.	Eliminates option for CUP to reduce setbacks to 25'
RA zone	Setbacks only apply to interior lot lines.	Eliminates option for CUP to reduce setbacks to 25'	Allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25' Setbacks only apply to interior lot lines.		Allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25' Setbacks only apply to interior lot lines.	

**Proposed Ordinance 2018-0241.2 – Winery/Brewery/Distillery Regulations
Summary of Balducci Striker for COW 9/16/19**

Parking	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes	As Adopted by LSRRB	Striker Changes
	A zone: WBD I (DC#19) RA zone: WBD I (DC#17)	RA zone: WBD I (DC#32)	A zone: WBD II (DC#3) RA zone: WBD II (DC#3 and DC#30)		WBD III (DC#12)	
A zone	<p>One stall for non-resident employee</p> <p>Parking for customers: minimum 1, plus 1:1,000sf of area dedicated to WBD facility uses, with a maximum of 150% of the minimum required.</p> <p>Add provision for grandfathering for existing parking (permits still required)</p>	Not permitted	<p>0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting/retail area</p> <p>Limited to 150% of minimum required</p> <p>Add provision for grandfathering for existing parking (permits still required)</p>	Eliminate nonconforming status for existing parking spaces.	<p>0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting/retail area</p> <p>Maximum parking determined through CUP process, tasting and retail areas should be limited to 1:50sf</p> <p>Add provision for grandfathering for existing parking (permits still required)</p>	<p>Eliminate nonconforming status for existing parking spaces.</p> <p>Maximum parking determined through CUP process, should be limited to 150% of minimum required</p>
RA zone	<p>Add provision for grandfathering for existing parking (permits still required)</p>	Allows one parking stall	<p>0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting/retail area</p> <p>Tasting/retail limited to 1 per 50 square feet of tasting area (and 150% max is removed)</p> <p>Add provision for grandfathering for existing parking (permits still required)</p>	<p>Eliminate nonconforming status for existing parking spaces.</p> <p>Maximum parking is limited to 150% of minimum required</p>	<p>Add provision for grandfathering for existing parking (permits still required)</p>	

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

Map Amendment # 1- Remote Tasting Room Demonstration Project A

Sammamish Valley near the City of Woodinville

AMENDMENT TO THE KING COUNTY ZONING ATLAS

Amend Sections 14 and 23, Township 26, Range 5, as follows:






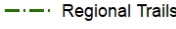
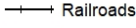
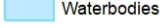
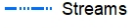
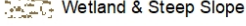
ZONING

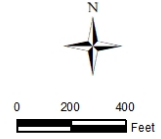
Apply the Demonstration Project (-DPA) established in Ordinance XXXXX (Proposed Ordinance 2018-0241), Section 27 and 28, to the following parcels. Make no other changes to the land use designation or zoning:

Parcel	Current Zoning	Area
2481600120	RA-2.5	Sammamish Valley
3404700026	RA-2.5	Sammamish Valley
3404700027	RA-2.5	Sammamish Valley
3404700030	RA-2.5-SO	Sammamish Valley
3404700031	RA-2.5-SO	Sammamish Valley
3404700035	RA-2.5-SO	Sammamish Valley
3404700040	RA-2.5-SO	Sammamish Valley
3404700041	RA-2.5-SO	Sammamish Valley
3404700043	RA-2.5-SO	Sammamish Valley
3404700050	RA-2.5-SO	Sammamish Valley
3404700055	RA-2.5-SO	Sammamish Valley
3404700057	RA-2.5-SO	Sammamish Valley
3407700006	RA-2.5-SO	Sammamish Valley

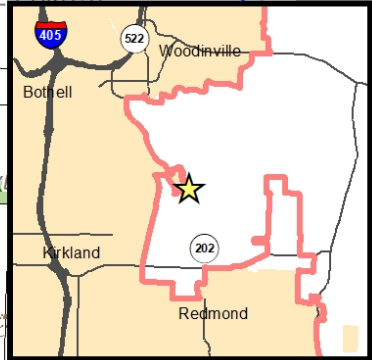
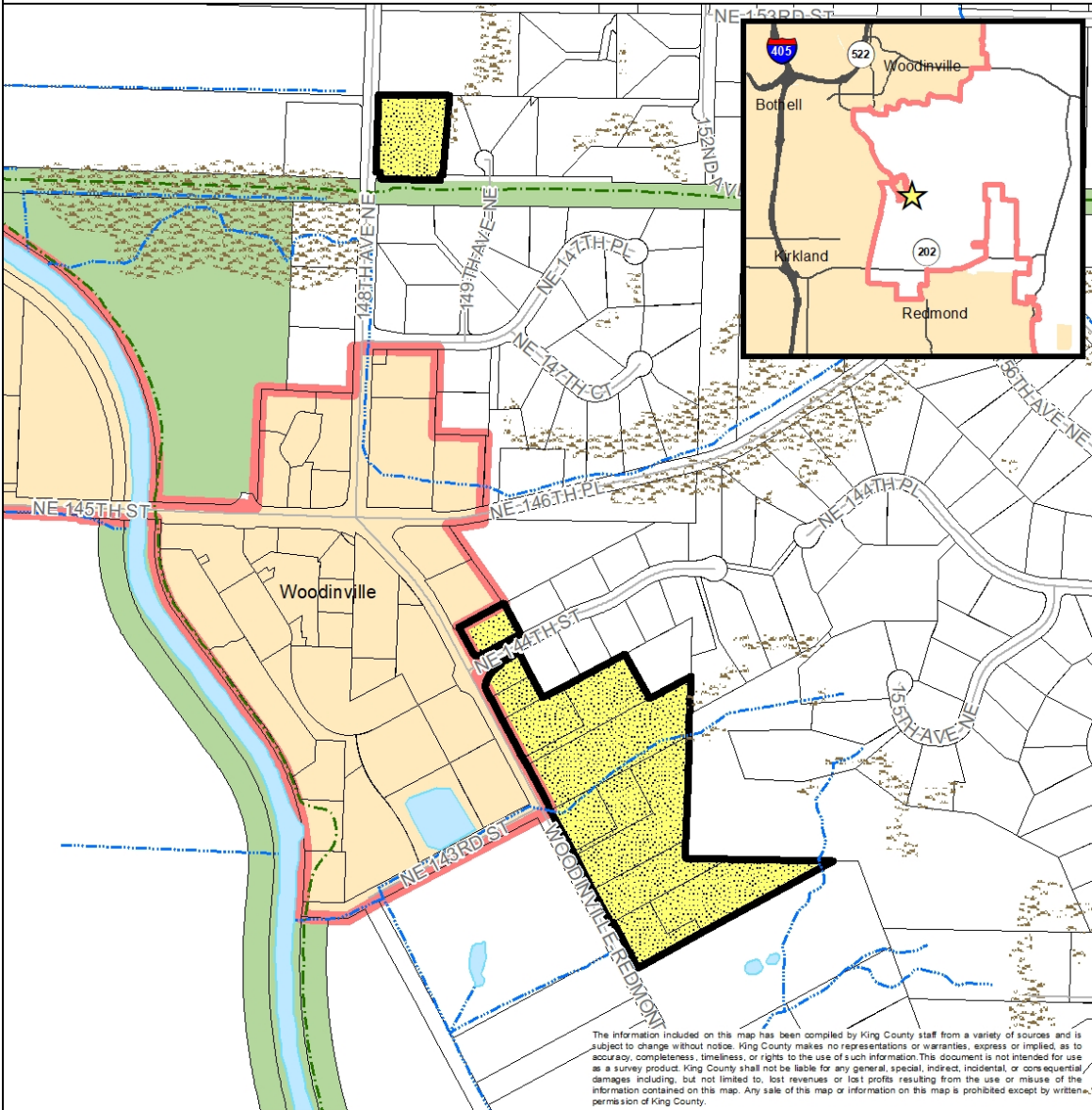
Effect: Amends the zoning atlas to apply the Remote Tasting Room Demonstration Project A to all or a portion of 13 parcels within the Sammamish Valley near the City of Woodinville.

Demonstration Project Overlay A: Sammamish Valley

-  Demonstration Overlay A
-  Parcels
-  Urban Growth Boundary
-  Incorporated Area
-  Parks & Open Space
-  Regional Trails
-  Railroads
-  Waterbodies
-  Streams
-  Wetland & Steep Slope



Date: 3/4/2019



The information included on this map has been compiled by King County staff from a variety of sources and is subject to change without notice. King County makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. This document is not intended for use as a survey product. King County shall not be liable for any general, special, indirect, incidental, or consequential damages including, but not limited to, lost revenues or lost profits resulting from the use or misuse of the information contained on this map. Any sale of this map or information on this map is prohibited except by written permission of King County.

27
28
29