

KING COUNTY AGRICULTURE COMMISSION

MEETING NOTICE

THURSDAY APRIL 14, 2022

6:00-8:00 P.M.

ZOOM VIDEO CALL

CALL IN:

One tap mobile: +12532158782,,83566594464#,,,,*855760#

Land line: +1 253 215 8782, Meeting ID: 835 6659 4464, Passcode: 855760

OR

LOG IN FROM A COMPUTER OR SMARTPHONE:

<https://us06web.zoom.us/j/83566594464?pwd=T2VvK3RQSHIKaE9DK2VISXNSdHFJUT09>

MEETING AGENDA

6:00	Call to Order <ul style="list-style-type: none">For the public record, please sign in via the chat feature or announce yourself by name and whether you are a commissioner, staff or member of the publicApproval of AgendaApproval of Meeting Minutes: <i>March</i>	Kevin Scott, Chair
6:05	Public Comment related to a specific agenda item <i>3 minutes/person</i>	Kevin Scott
6:10	Old Business - Updates (approx. 3 min each) <ul style="list-style-type: none">Commission Details<ul style="list-style-type: none">Ag policy and eventsSurvey ResultsPolicy and Land Committee Report OutKing County Ag ProgramKing Conservation DistrictLocal Food InitiativeWashington State University CSANRKing-Pierce Farm BureauFarm Fish Flood	<ul style="list-style-type: none">Patrice BarrentineKevin ScottRichard MartinCarrie KingMike LufkinJordan JobeLeann KrainickRichard Martin
6:30	New Business Briefing on Winery, Brewery, Distillery (WBD) Legislation before Council <ul style="list-style-type: none">Background and Comparison SummaryQ&A	Erin Auzins, King County Council Staff
7:00	Briefing on Enforcement of WBD Legislation before Council <ul style="list-style-type: none">Background and ComparisonQ&A	Jim Chan, Director, Permitting, Dept of Local Services (DLS) and Ty Peterson, Manager, Permitting, DLS
7:15	A few remarks from CM Perry's Office <ul style="list-style-type: none">Q&A	Libby Hollingshead, Chief of Staff, CM Perry's Office
7:20	Proposed Letter regarding 2022-0147 and 2022-0148 to Council <ul style="list-style-type: none">OverviewDiscussionMotionVote	Kevin Scott, Policy and Land Committees, Patrice Barrentine
7:50	General Public Comment <i>3 minutes/person</i>	Kevin Scott
7:55	Concerns of Commissioners	Kevin Scott
8:00	Adjourn	Kevin Scott

Next Meeting: May 12, 2022



King County
Water and Land Resources Division
 Department of Natural Resources and Parks
 King Street Center
 201 South Jackson Street, Suite 5600
 Seattle, WA 98104-3855
206-477-4800 Fax 206-296-0192
 TTY Relay: 711

King County Agriculture Commission
DRAFT Meeting Minutes
Thursday, March 10, 2022 – 6:00 pm to 8:00 pm
Zoom Video Conference Call

Commissioners Present (Y/N)					
Kevin Scott-Vandenberg, Chair	Y	Andrew Ely	N	Shelley Pasco	Y
Darron Marzolf, Vice-Chair	N	Lily Gottlieb-McHale	Y	Henry Wong	Y
Jessi Bloom	N	Janet Keller	Y		
Roger Calhoun	N	Nayab Khan	Y		
Ex Officio Members Present (Y/N)					
Fereshteh Dehkordi, DLS	N	Jordan Jobe, WSU	Y	Carrie King, KCD	Y
County Staff/Representatives Present					
Patrice Barrentine, DNRP	Teresa Lewis, DNRP				
Jacque Klug, DNRP	Richard Martin, DNRP				
Guests Present					
Nicole Gutierrez, WA Water Trust	Leann Krainick, KPFB/dairy farmer		Dane Scarimbolo, brewery owner		

Meeting Summary

- **Actions: Combined Approval of Agenda and February 2022 Meeting Minutes**
- **Old Business: Commission, Policy, County, & Agriculture Organization Updates; 2022 Planning**
- **Presentations: Updates on Recycled Water Project; FFF Agriculture Strategic Plan**

Meeting called to order by Chair Kevin Scott-Vandenberg at 6:03 pm – no quorum until about 7:00 pm

Roll Call/Announcement of Staff & Public (Kevin Scott-Vandenberg)

Roll call of Commissioners and announcement of staff and public guests was done via Zoom’s chat function.

Public Comment – Related to Specific Agenda Item (Kevin Scott-Vandenberg)

There was no public comment given during this period.

Old Business – Updates

- **Snoqualmie River Channel Migration Zone Analysis (Teresa Lewis):** Lewis is a project manager in the River and Floodplain Management Section of DNRP, and is reaching out to the Commission as part of an update to agricultural landowners/interests in the lower Snoqualmie Valley on analysis of the channel migration zone (CMZ) for the river from the Falls to the Snohomish County line. The study results, with reports and maps, are now delayed until Quarter 3 of 2022. The study is mandated by state Department of Ecology, as part of the Shoreline Management Act. The study involves assessing river conditions, historical photos, earlier river paths, and where the river might move in the future. When draft maps are complete, letters will go to all prior-notified landowners within 300 feet of the river to advise of coming public meetings and availability of the study results. Lewis added that for those in the floodway, CMZ regulations are very similar to existing FEMA floodway regulations.
- **Commission Details/Agriculture Policy & Events (Patrice Barrentine):**
 - Financial Disclosure annual forms are still needed from several Commissioners and are due at the end of March/first of April. Barrentine will reach out to these Commissioners individually.
 - Following up on a request from last meeting, the County’s Farmland Lease Rate Report is in tonight’s packet.
 - The current and upcoming Commission recruitment cycles are being combined, with names for both being submitted for approval at the same time. This will ease the paperwork burden for staff.

- COVID-19 vaccine pop-up sites are still available all over King County.
- King County’s free Household Hazardous Wastemobile service is traveling around the county. No business waste is allowed.
- The Veterans, Seniors, and Human Services Levy (VSHSL), an initiative from the King County Executive, has public input meetings virtually from March 15 – June 30. More information is at VSHSL@kingcounty.gov.
- Legislative Updates:
 - Today is the last day of the state legislative session for most bills.
 - SB 5505 and HB 1967 have passed their chambers. They propose that nonprofit churches and public assembly halls can host farmers markets up to 53 days a year without losing property tax exemption. This affects several farmers markets in the state, including Bellevue, Redmond, and the U-District. A similar bill was in place many years ago, but unlike that bill this one would not have a sunset clause.
 - A bill addressing voluntary conservation and buffers did not pass. However, there is ample funding in both chambers’ budgets for several programs, including: voluntary stewardship, conservation reserve enhancement, voluntary farmer buffer planting, and a Governor’s office work group on riparian habitat.
- Russia’s war on Ukraine has led to major fuel cost increases, with big impacts to farmers and others.
- Food Business Resource Center/Business Impact NW is hosting two workshops – a [food finance boot camp](#), and [training for food system advocates](#). These workshops are geared towards more established businesses. Registration deadline is March 18; [Henry Wong](#) can also be contacted for more information.
- The most recent Local Food Initiative (LFI) newsletter highlights Black History Month.
- **King County Agriculture Program (Richard Martin):**
 - The Black Farmers Collective is now one of the County’s tenants on Sammamish River Farm.
 - The program received a \$1 million grant from the King County Climate Equity funding pool to enhance infrastructure and farmland needs on County farms. This has also allowed for purchase of a tractor, to be used by County staff for general maintenance, and will be available to farmers via a cost-share arrangement.
 - Carnation Farms has hired Paul Shoemaker as their interim director to help create a vision for their site, which has great potential to support the larger agriculture community in Snoqualmie Valley. Shoemaker wants to reach out to farm interests in Valley; anyone interested in or with ideas on how Carnation Farms can contribute to agriculture in the Valley should contact Richard Martin to get in touch with Shoemaker.
- **King Conservation District (Carrie King):**
 - Three staff positions are being advertised: stewardship director, director of finance, and the farm team’s Community Agriculture position. The latter of these would work more in urban areas to establish community gardens. More information on these positions is on the [KCD website](#).
 - Plant sale order pickup is this weekend at the Tukwila Community Center. Over 60,000 plants were sold.
- **Local Food Initiative:** There was no update on this item.
- **WSU CSANR (Jordan Jobe):**
 - Jim Kropf, director of CSANR’s Pierce County extension, reports that last month a successful tour was given with Representative Kim Schrier to recognize three King/Pierce County farms that received a federal Rural Development farmers’ grant. The tour included Rural Development Undersecretary Xochitl Torres Small and Helen Price Johnson, USDA Rural Development Director for Washington State. The farms were Mount Rainier Creamery of Enumclaw (Ryan and Haylee Mensonides) and Pierce County’s DeGoede Farms Hydroponics (Ben and Benjamin DeGoede) and The Cocktail Farm – Simple Goodness Sisters. The DeGoedes hosted the meeting and a hydroponics tour in Sumner. The farmers talked about their projects and difficulty in applying for federal grants, how to make that easier, and difficulty of raising capital for a farming operation.
 - Anyone with anything they would like to pass along regarding CSANR, please contact Jordan Jobe.
- **King-Pierce Farm Bureau (Leann Krainick):**
 - Land Conservation Initiative (LCI): HB 1672, which proposed a levy lid lift for more LCI funding, did not pass, stalling in the House Finance Committee. The bill will likely be re-submitted next year.
 - Farm Bureau (FB) lobbyists have been busy with the state legislative session. After the session, they will focus on consumer outreach for all ages.
 - Any candidate for general election wishing to be endorsed by FB must be interviewed by FB’s candidate evaluation committee on their stances on agriculture topics. Anyone interested in serving should join FB. FB is a non-partisan organization.
 - FB scholarship applications are due April 30 and are only open to FB members.
 - KPFB meetings are held the 3rd Monday monthly at 6:00 pm at Knudsen Farm in Sumner, for members only.
 - Anyone with interest or questions regarding FB, please contact Leann Krainick.

- **Farm Fish Flood 2.0 (Richard Martin):** The FFF Implementation Oversight Committee (IOC) met on February 28 and covered two main topics:
 - A nexus between FFF work and the King County Comprehensive (“Comp”) Plan, looking at how the goals of the agriculture community are represented and ensuring they have clear policy support in the plan. This includes how projects are reviewed, assuring a transparent path to examine projects in APDs and that affect farmland. The relevant components of the plan are R-649, R-650, and R-650A. The intent is to revise these components to clarify that agricultural interests should be considered early on in any project review.
 - Jason Wilkinson of DNRP presented on the launch of the County’s flood management plan. A key element will be stakeholder engagement. Wilkinson will directly engage with the Commission later this spring, either by providing information to Patrice Barrentine or as a scheduled Commission agenda item. There will be direct Commission engagement outside the routine public input; the clear message is that the County needs to directly engage Commissions affected by the plan, and not just consider them part of a general committee. A stakeholder engagement committee is being developed for this summer. Barrentine will look into if there should be Commission representation on this committee.
 - Bobbi Lindemulder is also now chair of FFF’s farm/agriculture caucus.

Old Business/Presentation: Update on Recycled Water Project (Nicole Gutierrez, Jacque Klug)

Nicole Gutierrez with Washington Water Trust introduced a follow-up and update to a presentation given to the Commission in January 2021 on a project studying possible use of recycled water for agriculture in the Sammamish APD and Valley. Jacque Klug with DNRP’s Wastewater Treatment Division (WTD) in the Recycled Water program narrated the presentation, which included a project overview/background, Year 1 study results, 2021 outreach results, and next steps. Highlights included WTD’s Brightwater Treatment Plant, which distributes recycled water to the Sammamish Valley and APD; recycled water as a resource for agriculture; benefits of recycled water; recycled water quality/regulations (addressing pathogens, inorganic chemicals, and CECs – contaminants of emerging concern); design of this project; and agronomic (harvest) results. The presentation is available to view [here](#).

Follow-Up Discussion / Q & A:

- **Q:** What was the month of sampling you took?
A: We sampled water and soil before planting, then midway through the two-to-three month growing season, and then when harvesting. Midway and harvesting sampling also included plant tissue. The results shown are averages of those three samplings’ results.
- **Q:** Are there any reclamation plants upstream of where you’re taking water from river?
A: There are quite a few septic systems upstream on the Sammamish, but no wastewater that I’m aware of.
- **Q:** As far as California’s research, do they look at heavy metals in soil and any long-term effects?
A: In particular, the Monterey area has been using recycled water since the 1970s and has done many studies. To my knowledge there’s no major accumulation/impacts of heavy metals in soil or plant tissue. However, one difference is that California’s natural waters are saltier; their treatment process does add some salts, so salt management can be an issue in CA. Washington’s waters are less salty, so we don’t have the same issue, as we have more rain. One reason we implemented a soil monitoring program for our customers is that we also wanted to see if there was accumulation of anything negative for soil health, but we haven’t seen anything locally.
- **Q:** What’s the public benefit of using recycled water vs. using it in a more diluted form via river water?
A: We take and treat water from mountain reservoirs and discharge it to Puget Sound; our permit doesn’t allow us to discharge it into the rivers. But it’s possible we could look at that in the future.
- **Q:** Using recycled water as irrigation acts as a secondary filter before the water goes into the water table and streams – but what is the cost to farmers for using recycled water?
A: The rate we charge in the Sammamish Valley is around one dollar per CCF (one CCF = 100 cubic feet) for most customers. But we recognize there can be a cost to connect or change your water infrastructure for those who have water rights already, so we negotiate rates based on King County capital costs, user needs, and market needs for what alternatives are. It’s cheaper than municipal water. There’s not really a cap on what can be used; we’re authorized to distribute 11 million gallons per day. We want to have conversations with producers on the demand for recycled water, and ways to get the water to users.
- Klug noted the recycled water pipeline is mostly west of the river and most farmers are on the east side. One option being considered is to use recycled water to replace river withdrawals from larger west side users and transfer some of their surface rights downstream for other farmers.
- Recycled water can be used for organic production.

- **Q:** Are there plans to do this project in other areas?
A: Potentially. The Sammamish Valley is unique in that it’s hemmed in by urban areas. For other areas, the farms are in more rural regions, which presents more of a barrier to get water from recycled water facilities. Pipelines would have to be extended, but we can look at that.
- **Q:** Where does the recycled water used in the study go if it’s not going into the river?
A: It goes to Puget Sound. We do some additional disinfecting at Brightwater, but not much, before the water goes to Puget Sound.
- **Q:** Would you attribute the increased kale production to the nitrogen in the recycled water, or something else?
- **A:** The WSU agronomist said it was definitely the nitrogen. Grass loves it as well.

Due to time constraints tonight, the outreach results for this study, along with the presentation, will be sent to Patrice Barrentine to distribute. Klug and Gutierrez thanked the project funders, which include KCD, King County Water Works, and the Bullitt Foundation. Anyone with further questions was advised to email [Jacque Klug](mailto:Jacque.Klug@kingcounty.gov).

ACTION: Approvals of Meeting Agenda & Feb. 2022 Meeting Minutes (Kevin Scott-Vandenberg)

This item was deferred from earlier in the meeting pending a quorum of attending Commissioners. Chair Scott-Vandenberg asked for a motion to combine approvals of today’s agenda and the prior meeting minutes. Nayab Khan made the motion, with Janet Keller seconding. The motion carried with unanimous approval.

Commission Planning for 2022 (Kevin Scott-Vandenberg)

Chair Scott-Vandenberg reviewed a quarterly planned schedule of meeting topics for the Commission to address in 2022. Patrice Barrentine noted the flexibility of the calendar, and that Commissioners shouldn’t stress on filling in any seeming “gaps” in it, but said any desired topics not currently listed should be added now. It was suggested that sometime in 2022 or 2023, the Commission should address drainage issues in south King County and bring Eric Beach, DNRP regulatory permitting specialist, in to speak on the topic. No other topics were suggested.

Chair Scott-Vandenberg revisited Commission interest in serving on committees, and volunteered to serve on the Land Use committee. Patrice Barrentine reviewed the yearly planned committee meeting calendar and advised a survey will be going out to evaluate best meeting times. Most meetings will be held on Zoom for the foreseeable future.

New Business/Presentation: FFF Ag Strategic Plan Update (Patrice Barrentine, Task Force Members)

Patrice Barrentine began by reviewing the background of the Farm Fish Flood Agriculture Strategic Plan Task Force. Barrentine asked task force members to interject during the presentation as needed, noting this update should be a cue to the Commission that the plan is coming this fall, and their review will be important. The presentation included the plan’s timeline, membership, goals/sub-goals and their issue papers and progress, key values/themes, plan alignment with related strategic plans and programs, and its review process. The presentation can be viewed [here](#).

Barrentine opened the floor for input/feedback from task force members present tonight:

- Members agreed work is moving at high velocity, covering items more quickly than they might’ve otherwise.
- Challenges include: concern over what’ll happen with the plan and who’s responsible to implement it; figuring out current issues and if they’ll still be important in the future (climate change, etc.).
- Excitement over specific issue papers: ADAP waterways getting cleaned up and a plan to get that done; farm pads and how that will play out. It was also noted that the plan will be helpful in that it’ll be easily digestible in smaller “chunks” for partner entities to fund, process, and contribute to/help implement.
- **Q:** How binding will the final plan be – what is the next step?
A: The plan will be adopted by task force participating organizations. FFF’s IOC will then approve it and send a letter to the King County Executive saying this part of FFF is complete, and present them the document. The plan allows for implementation by many entities, not just one, but is not binding.

Public Comment – General (Kevin Scott-Vandenberg)

There was no public comment given during this period.

Concerns of Commissioners (Kevin Scott-Vandenberg)

Richard Martin reported that the Rural Forest Commission has finished a report on strategic recommendations, to be delivered to the Executive and King County Council this month.

Meeting adjourned at 8:00 pm

Next Meeting(s)

April 14, 2022, 6:00 pm to 8:00 pm (Zoom Video Conference Call)



Winery , Brewery, Distillery Legislation High Level Info

KING COUNTY AGRICULTURE
COMMISSION

APRIL 14, 2022

Commission's Executive Committee and Ag Staff met with CM Perry and her chief of staff (4/6/22)

Meet and Greet with introductions

Heard CM Perry's focus and concerns including balance between farmland preservation, environmental concerns, and managing visitors to WBDs.

Provided some context on 2019 Ag Commission work and comments

- Highlighted no WBDs in APDs as a potential concern
- Conveyed unlikely that commission would oppose dissolving Overlay A in Sammamish
- Talked about additional potential to protect rural areas and APDs from development while allowing opportunities for processing as a high value return for raw ag products.
- Etc.

Winery, Brewery, Distillery Code Update



Background

- Per GMB, KC must be in compliance by July 1, 2022
- KC appealed in court and as of 3/7/22, that appeal is under jurisdiction of the court of appeals.
- The timing for resolution of that appeal is unknown at this time.
- Legislation was introduced 3/17/22 to respond to GMB order.
 - 3 different ordinances



Committee

- Local Services and Land Use Committee
- 3/22/22
- 2022-B0042: Briefing: Winery, Brewery, Distillery Code Update
- Legislation aimed to be adopted at **April 26** at LSLU Committee Mtg



Full Council

- **June 14: Public Hearing at full Council**
- **June 21 or June 28: Adoption**

3 proposed ordinances

From Councilmember Perry

Proposed Ordinance 2022-0147 (Ordinance 1)

**Proposed Ordinance 2022-0148
(Ordinance 2)**

From Councilmember Dembowski

Proposed Ordinance 2022-0146 (Ordinance 3)

Winery, Brewery, Distillery Code Update *from staff [briefing](#)*

Proposed Ordinance 2022-0147 (Ordinance 1)

- consolidate the requirements for WBDs into one chapter of the code;
- modify the regulations adopted by Ordinance 19030:
 - regulations for WBDs in the A and RA zones countywide, most notably to **prohibit WBDs within the A zone;**
 - regulations in the RA zone regarding water usage that would apply countywide except for Vashon-Maury Island;
 - **repeal remote tasting room demonstration project A;**
 - modify the regulations for events and temporary use permits for WBDs; and
 - modify provisions related to definitions, state law references to on-site retail and tasting, nonconforming use status, and WBD land use licenses.
 - Changing the name of the business license from “adult beverage business license” to “WBD land use business license.”
 - Restricting issuance of the initial business license until all required building or change of use permits are issued.
 - Removing an efficacy evaluation

Proposed Ordinance 2022-0148 (Ordinance 2)

- would amend Ordinance 1, to allow WBDs in the UR zone,
- add a separation requirement between WBDs in the RA and UR zones

Proposed Ordinance 2022-0146 (Ordinance 3)

- would rescind the changes made by Ordinance 19030 and replace it with the regulations in the former code that existed prior to adoption of Ordinance 19030
- Repealing the county business license.
- Establishing permitted uses for WBDs in the Manufacturing Land Uses permitted use table, with varying development conditions for each zone and size of facility. In general, the development conditions would address:
 - Minimum lot sizes
 - Maximum building sizes
 - Allowances for on-site tasting and retail sales
 - Water usage
 - Product content
 - On-site production
 - Parking minimums and maximums
 - Setbacks from Rural Area and Residential zones
- Removing "remote tasting room" as a permitted use in the CB and RB zones, including within the CB zone of the Vashon and Fall City Rural Towns. Repeals the remote tasting room demonstration project overlay A.
- Having no specific requirements for WBDs as home occupations and home industries.
- Modifying temporary use permits for place specific requirements for wineries in the A and RA zone; and removing specific limitations for breweries and distilleries. Removing limits on parking and guest sizes. Removing triggers for Permitting to visually identify when a TUP is required. Repealing an exemption from TUP requirements for certain WBDs in the RA zone.
- Removing specific citation penalties for code violations by WBDs and remote tasting rooms.

Winery, Brewery, Distillery Code Update *from staff [briefing](#)*

ANALYSIS

- Council staff and Prosecuting Attorney's Office analysis is ongoing, and the sponsors may propose amendments to the Proposed Ordinances in coming weeks to reflect changes requested by Executive staff, community members, and/or business interests to clarify the regulations.

Proposed Schedule (subject to change)

Date	Activity
March 17	Legislation Introduced
March 22 9:30am	Local Services and Land Use Committee – Briefing
April 8 End of Day	Striking Amendment requests due to LSLU Chair
April 15 End of Day	LSLU Chair's striking amendment direction due to staff
April 20 End of day	Striking amendment finalized and distributed
April 21 End of day	Line amendment direction due to staff
April 26 9:30am	Local Services and Land Use Committee - VOTE
April 29 End of day	Councilmember Deadline for amendment concepts for public hearing notice
May 2 to June 13	Public Hearing Notice by Council staff (~50 days) SEPA Process by Executive/Council staff
June 14	Public Hearing at full Council
June 15 12:00pm	Striking Amendment direction due to staff for Full Council
June 16 8:00am	Striking Amendment Conceptual Amendment shared with Councilmembers
June 16 End of day	Line amendment direction due to staff for Full Council
June 20 5:00pm	All amendments finalized and distributed publicly
June 21 1:00pm	Possible vote at full Council
June 28 1:00pm	Back up vote if 1-week courtesy delay*

Canter-Berry Farms, Green APD, FPP, Auburn

- Blueberries
- Partners with Hoodspout Winery to produce Blueberry Wine
- Sells at farm location



Lazy River Farms, Green APD, FPP, Kent

- Blueberries
- Partners with Hoodspout Winery to produce Blueberry Wine
- Sells at farm location



Commission History w/ WBD 19030 legislation

Ag Commissioner Roger Calhoon was on the Winery Study task force that informed the Sammamish Wine Study report.

The Ag Commission worked on this legislation three years (both on the Executive side and the Council side)

The Commission previously supported WBD II and WBD IIIs in the APD as an accessory use to agriculture production, requiring 60% of ingredients being grown onsite.

Commission supported all processing steps being required for WBDs, not just 2

Concerned about overlays becoming permanent

Notes from Policy
Committee and Land
Committee Meetings

Committee Participants

- **Policy Committee**, Thurs 4/7

- Kevin Scott-Vandenberg
- Janet Keller
- *Leann Krainick*
- *Lauren Silver*
- *Domonique Torgerson*(Guest)
- *Dane Scarimbolo*
- KC Staff
 - Sullivan, Ted
 - Barrentine, Patrice

- **Land Committee**, Fri 4/8

- Andrew Ely
- Jessi Bloom
- Kevin Scott-Vandenberg
- *Leann Krainick*
- *Domonique Torgerson*(Guest)
- *Dane Scarimbolo*
- KC Staff
 - Barrentine, Patrice

Surface Water Management



Production waste water by-product upcycling going to animals or soil amendment. & Yeast



Maintaining ECY guidelines



CIP (clean in place food processing wash water) does not go to animals; soap and detergents goes down drain only.



Land application of CIP beneficial - county permit? gray water; check and see if there are state wastewater regs for this?



Seattle/King county health department may be knowledgeable on this topic



Surface water management (grass modular grid pavement at 4 Horsemen) would cost more to permit than the materials. Even though green thinking, would become impervious surface and count against further development.



mitigator to impervious surface called out in manual, not accepted by permitting



impervious (KCC definition) versus non-tillable (FPP Deed definition)

On-Site Tasting and Retail



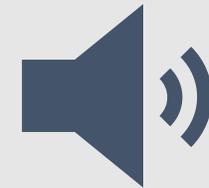
traffic impacts



Important to preserve specific hours
to move farm equipment down the
road in the morning or at night



What about an hours increase for
WBDs in a KC region for an event
weekend?



Align WBD open hours with local
noise ordinance hours

Water/ Sewer



Water is covering food safety and environmental water usage concerns



Dairy -well water is tested and important as a pure water source.



Water source needs state regulation and inspection.

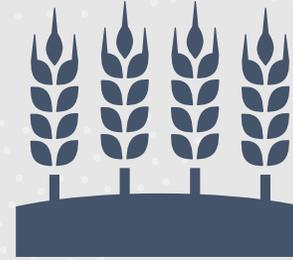


Challenge of chlorine (de-chlorinator in brewing process) ; using a well is a benefit for WBDs.

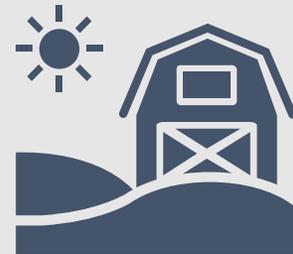


Wastewater and ag waste (solids such as crushed fruit, cracked, spent grains; trouble/lees) must be upcycled to a King County farm for livestock feed or field application as a soil amendment or 30 mile radius of KC or Puget Sound County

Product content



no sourcing requirement if not in APDs



think about requiring % of land to be in ag production in rural area for WBDs sites

Production/ Facility Location



Requiring more steps of processing is better

All steps of processing should be required for WBDs



Processing: bottling or packaging is not an ag activity



Add an upcycling processing step to allow for WBD by-product to local livestock feed or applied as soil nutrients. Has to be upcycled to King County farm or 30 mile radius; or farm in a Puget Sound County



Processing: Terminology add: collective "grain processing" to include "cracking" versus "milling"



Thoughtful approach to seasonality of processing for wine/cider versus processing dry ingredients for brewing distilling year-round



Should WBDs' size equate with their production through monthly excise reports to WA LCB?

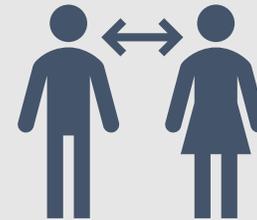
Setbacks



Setbacks of 75 feet would be difficult for smaller properties.



Grandfathering clause for setbacks for existing, operating businesses?



1,000 feet between and WBD - is that property line to property line?

Temporary Use Permits



Check about grandfathering for TUP? Could existing WBDs in Green APD get a TUP?

Additional Concerns

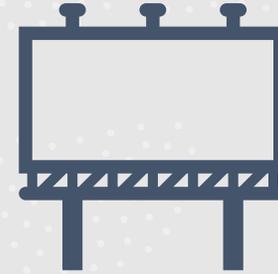


Concerned protections are not high enough for RA zone:
both for ag lands and to protect the rural character & wants
to protect APDs (not allow WBDs in them) **until**
demonstrated ag land protections in RA



Ag businesses farming in the APD should be able to, as an
accessory use to commercial ag production, also be able to
create value-added products onsite including alcoholic
beverages.

Concerns 2

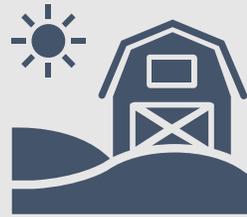


Support for further studies on the whole of King County and compliance/complaints/business needs about existing WBDs.



Some support of ordinance 3, and starting over to build legislation from scratch

Concerns 3



Permitting and zoning enforcement

Ex: 1) impervious surface limitation;

2) How will we know when a WBD is operating beyond their I, II, III classification

3) Should be general funded, not revenue-based



Should all of KC be treated primarily the same.
Besides Vashon, are there other specific area needs such as exemptions; focus on certain areas?

WBD Comparison summary – updated 3/17/22

Attachment 4

Manufacturing Uses – Agriculture and Rural Area – Production Facilities

Type of Permit	Former Code	Ordinance 19030	Proposed Ordinance 2022-0147
A zone	P: Permitted when accessory to agricultural use and the "P" conditions in the following tables are met C: Requires Conditional Use Permit and must meet the "C" conditions in the following tables	WBD I: Not permitted	WBD I: Not Permitted
		WBD II: Permitted as an accessory to agricultural use	WBD II: Not Permitted
		WBD III: Conditional Use Permit, accessory to agricultural use	WBD III: Not Permitted
RA zone	P: Permitted when the "P" conditions in the following tables are met C: Requires Conditional Use Permit and must meet the "C" conditions in the following table	WBD I: Permitted	WBD I: Permitted
		WBD II: Permitted & Conditional Use (depending on the "P" and "C" conditions in the following tables)	WBD II: Permitted & Conditional Use (depending on the "P" and "C" conditions in the following tables)
		WBD III: Conditional Use Permit	WBD III: Conditional Use Permit

Commented [BP1]: This is the single biggest deviation from the Ag Commission's 2016-2019 support. It removes the opportunity for farms to vertically integrate and produce a value-added product on-site that is alcoholic. A farm business can potentially turn a raw product that is less than \$4/lb to something valued at \$14-\$40/lb through processing. Farmers wanted that opportunity especially on the farmland in KC that is so expensive and requires high returns.

Minimum Lot Size	Former Code	Ordinance 19030	Proposed Ordinance 2022-0147
A zone	P: No minimum lot size if building is under 3,500 square feet C: 4.5 acres, except if floor area is over 6,000 square feet; then the minimum lot size is 10 acres and minimum 2.5 acres must be used to grow products	WBD I: Not permitted	WBD I: Not Permitted
		WBD II: 2.5 acres	WBD II: Not Permitted
		WBD III: 4.5 acres, except if floor area is over 6,000 square feet; then the minimum lot size is 10 acres	WBD III: Not Permitted
RA zone	P: 4.5 acres C: 4.5 acres, except if floor area is over 6,000 square feet; then the minimum lot size is 10 acres and minimum 2.5 acres must be used to grow products	WBD I: No minimum lot size established	WBD I: No minimum lot size established
		WBD II: 2.5 acres, except historic resources 2 acres. Does not apply to existing businesses on Vashon-Maury Island	WBD II: 2.5 acres, except historic resources 2 acres. Does not apply to existing businesses on Vashon-Maury Island
		WBD III: 4.5 acres, except if floor area is over 6,000 square feet; then the minimum lot size is 10 acres	WBD III: 4.5 acres, except if floor area is over 5,000 square feet; then the minimum lot size is 10 acres

Maximum Floor Area	Former Code	Ordinance 19030	Proposed Ordinance 2022-0147
A zone	P: 3,500 square feet, except historic buildings C: 8,000 square feet; additional 8,000 square feet for underground storage; on Vashon-Maury Island, maximum floor area 6,000 square feet, including underground storage	WBD I: Not permitted	WBD I: Not Permitted
		WBD II: 3,500 square feet (historic buildings maximum is 5,000 square feet)	WBD II: Not Permitted
		WBD III: 8,000 square feet	WBD III: Not Permitted
RA zone	P: 3,500 square feet, except historic buildings C: 8,000 square feet; additional 8,000 square feet for underground storage; on Vashon-Maury	WBD I: 1,500 square feet	WBD I: 1,500 square feet
		WBD II: 3,500 square feet (historic buildings maximum is 7,000 square feet)	WBD II: 3,500 square feet (historic buildings maximum is 7,000 square feet)

WBD Comparison summary – updated 3/17/22

Attachment 4

Maximum Floor Area	Former Code	Ordinance 19030	Proposed Ordinance 2022-0147
	Island, maximum floor area 6,000 square feet, including underground storage	WBD III: 8,000 square feet	WBD III: 8,000 square feet

Maximum Impervious Surface	Former Code	Ordinance 19030	Proposed Ordinance 2022-0147
A zone	P: 15% for A-10 zone; 10% for A-35 zone	WBD I: Not permitted	WBD I: Not Permitted
	C: 15% for A-10 zone; 10% for A-35 zone	WBD II: Limited to 25% of the site, or the maximum allowed under the zone, whichever is less	WBD II: Not Permitted
		WBD III: Limited to 25% of the site, or the maximum allowed under the zone, whichever is less.	WBD III: Not permitted
RA zone	P: 40%	WBD I: Limited to 25% of the site, or the maximum allowed under the zone, whichever is less	WBD I: Limited to 25% of the site, or the maximum allowed under the zone, whichever is less
	C: 40%	WBD II: Limited to 25% of the site, or the maximum allowed under the zone, whichever is less	WBD II: Limited to 25% of the site, or the maximum allowed under the zone, whichever is less
		WBD III: Limited to 25% of the site, or the maximum allowed under the zone, whichever is less.	WBD III: Limited to 25% of the site, or the maximum allowed under the zone, whichever is less.

Surface Water Management	Former Code	Ordinance 19030	Proposed Ordinance 2022-0147
A zone	Not specified	WBD I: Not permitted	WBD I: Not Permitted
		WBD II: Not specified	WBD II: Not Permitted
		WBD III: Not specified	WBD III: Not permitted
RA zone	Not specified	WBD I: Not specified	WBD I: Not specified
		WBD II: Not specified	WBD II: Compliance with Surface Water Management Code and Surface Water Design Manual specified.
		WBD III: Not specified	WBD III: Compliance with Surface Water Management Code and Surface Water Design Manual specified.

WBD Comparison summary – updated 3/17/22

Attachment 4

On-Site Tasting and Retail		Former Code	Ordinance 19030	Proposed Ordinance 2022-0147
A zone	P: Retail sales (for wine and beer only) and tasting of products produced on site is allowed; no extra floor area allowed for tasting C: Retail sales (for wine and beer only) and tasting of products produced on site is allowed; no extra floor area allowed for tasting		WBD I: Not permitted	WBD I: Not Permitted
			WBD II: Tasting and retail sales of products produced on site are accessory to production use, allowed only in accordance with state law and limited to 30% of the floor area. Hours for on-site tasting limited to: Monday–Thursday: 11 am to 7 pm Friday–Sunday: 11 am to 9 pm	WBD II: Not Permitted
			WBD III: Tasting and retail sales of products produced on site are accessory to production use, allowed only in accordance with state law and limited to 30% of the floor area. Hours for on-site tasting limited to: Monday–Thursday: 11 am to 7 pm Friday–Sunday: 11 am to 9 pm	WBD III: Not Permitted
RA zone	P: Retail sales (for wine and beer only) and tasting of products produced on site is allowed; no extra floor area allowed for tasting C: Retail sales (for wine and beer only) and tasting of products produced on site is allowed; no extra floor area allowed for tasting		WBD I: Not allowed	WBD I: Not allowed
			WBD II: Tasting and retail sales of products produced on site are accessory to production use, allowed only in accordance with state law and limited to 30% of the floor area. Hours for on-site tasting limited to: Monday–Thursday: 11 am to 7 pm Friday–Sunday: 11 am to 9 pm. Limitations do not apply on Vashon-Maury Island or sites with historic resources.	WBD II: Tasting and retail sales limited to products produced on-site are accessory to production use except as provided in specific RWC/WAC citations, and limited to 20% of the floor area. Hours for on-site tasting limited to 11am to 8pm daily. Limitations do not apply on Vashon-Maury Island or sites with historic resources.
			WBD III: Tasting and retail sales of products produced on site are accessory to production use, allowed only in accordance with state law and limited to 30% of the floor area. Hours for on-site tasting limited to: Monday–Thursday: 11 am to 7 pm Friday–Sunday: 11 am to 9 pm. Limitations do not apply on Vashon-Maury Island or sites with historic resources.	WBD III: Tasting and retail sales limited to products produced on-site are accessory to production use except as provided in specific RWC/WAC citations, and limited to 20% of the floor area. Hours for on-site tasting limited to 11am to 8pm daily. Limitations do not apply on Vashon-Maury Island or sites with historic resources.

Water/ Sewer		Former Code	Ordinance 19030	Proposed Ordinance 2022-0147
A zone	P: Not specified, existing water regulations would apply C: Must meet requirements for water and wastewater; water meters required for use of wells.		WBD I: Not permitted	WBD I: Not Permitted
			WBD II: Not specified, existing water regulations would apply	WBD II: Not Permitted
			WBD III: Must connect to an existing Group A water system.	WBD III: Not Permitted
RA zone	P: Not specified, existing water regulations would apply C: Must meet requirements for water and wastewater; water meters required for use of wells.		WBD I: Not specified, existing water regulations would apply	WBD I: Distilleries not permitted in a closed or partially closed basin to new water withdrawals by Department of Ecology. Requires use of commercial septic system and prohibits use of sewer systems for wastewater. Does not apply on Vashon-Maury Island. Note that Proposed Ordinance 2022-0148 (Ordinance 2) would also require compliance with the federal Clean Water Act.

WBD Comparison summary – updated 3/17/22

Attachment 4

Water/ Sewer		Former Code	Ordinance 19030	Proposed Ordinance 2022-0147
			WBD II: Not specified, existing water regulations would apply	WBD II: Must connect to an existing Group A or Group B water system. Distilleries not permitted in a closed or partially closed basin to new water withdrawals by Department of Ecology. Requires use of commercial septic system and prohibits use of sewer systems for wastewater. Does not apply on Vashon-Maury Island. Note that Proposed Ordinance 2022-0148 (Ordinance 2) would also require compliance with the federal Clean Water Act.
			WBD III: Must connect to an existing Group A water system.	WBD III: Must connect to an existing Group A water system. Requires use of commercial septic system and prohibits use of sewer systems for wastewater. Sewer requirement does not apply to Vashon-Maury Island.

Access		Former Code	Ordinance 19030	Proposed Ordinance 2022-0147
A zone	P: No special access requirement.		WBD I: Not permitted	WBD I: Not Permitted
	C: No special access requirement.		WBD II: Requires that the WBD have arterial access. Does not apply to existing businesses on Vashon-Maury Island	WBD II: Not Permitted
			WBD III: Requires that the WBD have arterial access	WBD III: Not Permitted
RA zone	P: No special access requirement.		WBD I: No special access requirement	WBD I: No special access requirement
	C: No special access requirement.		WBD II: Arterial access, except allows public road with CUP. Does not apply to existing businesses on Vashon-Maury Island	WBD II: Arterial access, except allows public road with CUP. Does not apply to existing businesses on Vashon-Maury Island
			WBD III: Requires that the WBD have arterial access	WBD III: Requires that the WBD have arterial access

Product Content		Former Code	Ordinance 19030	Proposed Ordinance 2022-0147
A zone	P: 60% of products must be grown in Puget Sound counties		WBD I: Not permitted	WBD I: Not Permitted
	C: Limited to processing of agricultural products, and 60% of the products must be grown in Puget Sound counties		WBD II: 60% of product to be processed must be grown on site	WBD II: Not Permitted
			WBD III: 60% of product to be processed must be grown on site	WBD III: Not Permitted
RA zone	P: 60% of products must be grown in Puget Sound counties		WBD I: No product content requirement	WBD I: No product content requirement
	C: Limited to processing of agricultural products, and 60% of the products must be grown in Puget Sound counties		WBD II: No product content requirement	WBD II: No product content requirement
			WBD III: No product content requirement	WBD III: No product content requirement

Production/ Facility Location		Former Code	Ordinance 19030	Proposed Ordinance 2022-0147
A zone		P: Not specified	WBD I: Not permitted	WBD I: Not Permitted

WBD Comparison summary – updated 3/17/22

Attachment 4

Production/ Facility Location		Former Code	Ordinance 19030	Proposed Ordinance 2022-0147
	C: Not specified		WBD II: Non-agricultural facility uses must be on portion of the property unsuitable for agricultural production purposes. Limits conversion of agricultural land to less than 1 acre for nonagricultural accessory uses. Requires production to include two or more of the stages of production: crushing, fermentation, distilling, barrel or tank aging, or finishing; requires one of the two stages of production, to include crushing, fermenting, or distilling.	WBD II: Not Permitted
			WBD III: Non-agricultural facility uses must be on portion of the property unsuitable for agricultural production purposes. Limit conversion of agricultural land to less than 1 acre for nonagricultural accessory uses. Requires production to include two or more of the stages of production: crushing, fermentation, distilling, barrel or tank aging, or finishing; requires one of the two stages of production, to include crushing, fermenting, or distilling.	WBD III: Not Permitted
RA zone	P: Not specified		WBD I: Requires production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing; requires one of the two stages of production, to include crushing, fermenting, or distilling	WBD I: Requires production to include two or more of the stages of production: crushing or milling, pressing, fermenting, distilling, filtration, barrel or tank aging, finishing, or bottling or packaging; requires one stage of production, to include crushing or milling, pressing, fermenting, or distilling.
	C: Not specified		WBD II: Requires production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing; Requires one of the two stages of production, to include crushing, fermenting, or distilling	WBD II: Requires production to include three or more of the stages of production: crushing or milling, pressing, fermenting, distilling, filtration, barrel or tank aging, finishing, or bottling or packaging; requires two stages of production, to include crushing or milling, pressing, fermenting, or distilling.
			WBD III: Requires production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing; requires one of the two stages of production, to include crushing, fermenting, or distilling	WBD III: Requires production to include three or more of the stages of production: crushing or milling, pressing, fermenting, distilling, filtration, barrel or tank aging, finishing, or bottling or packaging; requires two stages of production, to include crushing or milling, pressing, fermenting, or distilling.

Commented [BP2]: Specific agricultural production and processing steps required: Production 2 steps/stages, but must include at least crushing, fermenting or distilling. In essence, this is excluding the businesses, that shipped in barrels and bottle onsite and call themselves a production facility. This was intended to keep integrity in the classification of a WBD to be a production/processing facility.

Commented [BP3]: This language does seem to keep the integrity whilst adding bottling and packaging as processing steps, while requiring crushing or milling, pressing, fermenting, or distilling in addition.

Setbacks		Former Code	Ordinance 19030	Proposed Ordinance 2022-0147
A zone	P: Buildings must be set back 75 feet from property lines RA and R zones, except historic buildings		WBD I: Not permitted	WBD I: Not Permitted
	C: Buildings must be set back 75 feet from property lines RA and R zones, except historic buildings		WBD II: 75 feet from RA and R zones, except historic buildings. Includes parking areas WBD III: 75 feet from RA and R zones, except historic buildings. Includes parking areas.	WBD II: Not Permitted WBD III: Not permitted
RA zone	P: Buildings must be set back 75 feet from property lines RA and R zones, except historic buildings		WBD I: 75 feet from RA and R zones, except historic buildings. Includes parking areas.	WBD I: 75 feet from A, RA and R zones, except historic buildings. Includes parking areas and impervious surfaces

WBD Comparison summary – updated 3/17/22

Attachment 4

Setbacks	Former Code	Ordinance 19030	Proposed Ordinance 2022-0147
	C: Buildings must be set back 75 feet from property lines RA and R zones, except historic buildings	WBD II: 75 feet from RA and R zones, except historic buildings. Includes parking areas. Does not apply to existing businesses on Vashon-Maury Island	WBD II: 75 feet from A, RA and R zones, except historic buildings. Includes parking areas and impervious surfaces. Does not apply to existing businesses on Vashon-Maury Island Note that Proposed Ordinance 2022-0148 (Ordinance 2) would add a requirement requiring separation of 1,000 feet between any WBDs)
		WBD III: 75 feet from RA and R zones, except historic buildings. Includes parking areas	WBD III: 75 feet from A, RA and R zones, except historic buildings. Includes parking areas and impervious surfaces Note that Proposed Ordinance 2022-0148 (Ordinance 2) would add a requirement requiring separation of 1,000 feet between any WBDs)

Other Requirements for WBDs

Former Code Regulating Wineries, Breweries, and Distilleries	Ordinance 19030	Proposed Ordinance 2022-0147
<p>Temporary use permit (TUP) for events for wineries:</p> <p>In A or RA zones, events limited to 2 days per month per site and all parking for events must be accommodated on site.</p> <p>For all other uses (and wineries in other zones), events limited to 60 days in a 1-year period.</p> <p>No clarity regarding the meaning of “event” that would trigger a TUP requirement vs. part of the base use for some wine-centric large gatherings (i.e. release parties). No limit on size of events that may be permitted.</p>	<p>Temporary use permit (TUP) requirements:</p> <ul style="list-style-type: none"> For WBD II and III in A zones, 2 days per month and all parking must be accommodated on site or through a plan approved by the director For WBD II and III in RA zone, 24 days within a one-year period and all parking must be accommodated on site or through a plan approved by the director For WBD II in A and RA zones, temporary use permits may allow up to 150 guests, considering building occupancy limits and parking limitations For WBD III in A and RA zones, temporary use permits may allow up to 250 guests, considering building occupancy limits and parking limitations For WBD II and III in all other zones, events limited to up to 60 days a year are allowed For WBD I, legal nonconforming home occupations, and legal nonconforming home industries in RA zone, events limited to up to 2 days per year with a maximum 50 people are allowed without a TUP <p>Specifies when a TUP is required, such as when events would exceed the building occupancy; use portable toilets; need off-site parking or parking beyond the maximum; use temporary stages, temporary tents, or canopies that require a permit; would require traffic control in public rights-of-way; or would extend beyond allowed hours of operation.</p> <p>No TUP would be required for events at WBD II and III facilities in RA zones that meet the following criteria:</p> <ul style="list-style-type: none"> They have an active business license at their current location as of the effective date of the ordinance; Parcel is minimum 8 acres; Parcel has direct access to a principal arterial or state highway; The event does not use amplified noise between 8 pm and noon; and There are not events for more than 8 days per month on an annual average 	<p>Temporary use permit (TUP) requirements:</p> <ul style="list-style-type: none"> No events in A zone For WBD II and III in RA zone, events limited to 1 days per month and all parking must be accommodated on site or through a plan approved by the director For WBD II in RA zone, temporary use permits may allow up to 75 guests, considering building occupancy limits and parking limitations For WBD III in RA zone, temporary use permits may allow up to 125 guests, considering building occupancy limits and parking limitations For WBD II and III in all other zones, events limited to up to 60 days a year are allowed For WBD I, legal nonconforming home occupations, and legal nonconforming home industries in RA zone, events limited to up to 2 days per year with a maximum 50 people are allowed without a TUP <p>Adds language limiting functions to those related to production of WBDs, and prohibited functions and events that would include portable toilets, temporary or permanent stages, require traffic control, or need more than the maximum number of parking spaces allowed.</p> <p>Specifies when a TUP is required for events, to remove the items listed as prohibited above and maintains triggers for events that exceed the building occupancy; use off-site parking; use temporary tents or canopies that require a permit; or extend beyond allowed hours of operation.</p> <p>Removes TUP exemption adopted by Ordinance 19030.</p>

Former Code Regulating Wineries, Breweries, and Distilleries	Ordinance 19030	Proposed Ordinance 2022-0147
No county license required	<p>Requires a county license for "adult beverage businesses." Adds a definition for "adult beverage business": a winery, brewery, distillery or cidery, and remote tasting rooms for any of those businesses. Adds application requirements, including a signed statement for 60% on-site grow requirement with business license.</p> <p>Allows existing businesses to demonstrate past compliance by submitting documentation of that compliance with first business license application. An existing business may obtain one temporary business license (6 months), which may be extended for an additional 6 months if the business demonstrates that they are making substantial steps to prove compliance. A subsequent County business license would not be issued unless that business demonstrates their legal nonconforming use status, the director has determined there have been substantial steps toward compliance, or it complies with the zoning regulations adopted in the WBD ordinance.</p> <p>Provides for the Permitting Division to deny a business license if the business does not comply with the Zoning Code.</p>	<p>Requires a business license for "winery, brewery, distillery land uses". States that the purpose of the WBD land use business license is to promote and protect the health, safety and general welfare of unincorporated King County's residents, and to assist with enforcement of land use related portions of the King County Code. Adds a definition for "winery, brewery, distillery": a winery, brewery, distillery, or remote tasting rooms. Adds application requirements, and removes references to documentation for 60% on-site grow requirement, as WBDs are prohibited in the A zone.</p> <p>Modifies language regarding documentation to establish nonconforming use, and removes allowance for initial license to be issued for existing businesses without nonconforming status being demonstrated.</p> <p>Requires that for the initial license, a building permit or change of use permit be issued (or documentation by Permitting that a permit is not required). Allows one 6-month license to be issued prior to building permit issuance for existing businesses.</p>
Remote (off-site) tasting was not a defined use	<p><u>Definition for remote tasting room:</u></p> <p>A small facility licensed by the Washington state Liquor and Cannabis Board and limited to the following non-retail liquor licenses: a Craft Distillery; a Tasting Room - Additional Location for a winery licensed as a Domestic Winery; or a Microbrewery, including, but not limited to, a Microbrewery operating in accordance with an off-site tavern license subject to the retail sale limitations for a Microbrewery in WAC 314-20-015(1). "Remote tasting room" does not include any additional privileges allowed for such licenses or approvals or any use that would require a license under WAC 314-02, except as specifically set forth in this chapter.</p>	<p><u>Definition for remote tasting room:</u></p> <p>A small facility licensed by the Washington state Liquor and Cannabis Board and limited to the following non-retail liquor licenses: an off-site tasting room license for a distillery licensed as a Distillery or Craft Distillery; a Tasting Room - Additional Location for a winery licensed as a Domestic Winery; or a Microbrewery, including, but not limited to, a Microbrewery operating in accordance with an off-site tavern license subject to the retail sale limitations for a Microbrewery in WAC 314-20-015(1). "Remote tasting room" does not include any additional privileges allowed for such licenses or approvals or any use that would require a license under chapter 314-02 WAC, except as specifically set forth in this chapter.</p>
Defines wineries only, relies on Standard Industrial (SIC) Codes for breweries and distilleries	<p><u>Definition for winery, brewery, distillery facility I:</u></p> <p>A very small-scale production facility licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits, and that includes an adult beverage production use such as crushing, fermentation, distilling, barrel or tank aging, and finishing. A winery, brewery, distillery facility I may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law. On-site tasting of products or retail sales are not allowed. "Winery, brewery, distillery facility I" does not include any retail liquor licenses that would be authorized by WAC 314-02.</p>	<p><u>Definition for winery, brewery, distillery facility I:</u></p> <p>A very small-scale production facility licensed by the Washington state Liquor and Cannabis Board to produce alcoholic beverages including, but not limited to, wine, cider, beer and distilled spirits, through stages of production including, but not limited to, crushing or milling, pressing, fermentation, distilling, filtration, barrel or tank aging, finishing, and bottling or packaging. A winery, brewery, distillery facility I may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas. On-site tasting of products or retail sales are not allowed. "Winery, brewery, distillery facility I" does not include any additional privileges or uses that would require a retail liquor license that would be authorized by chapter 314-02 WAC.</p>

Commented [BP4]: Removal of WBDs from the APD prevents vertical integration for growers to produce a value-added product. In 2019, the Ag Commission fully supported WBDs in the APD as an accessory to ag and with required on-site grow requirement so that farm businesses could produce a high-value product from their fields.

Commented [BP5]: Check this

Commented [BP6]: Larger than a craft distillery and perhaps a chain or conglomerate.

Commented [BP7]: Is this so that legislation does not have to be updated in the future? These are the WA State legal categories? Or is cider still classified as wine?

Former Code Regulating Wineries, Breweries, and Distilleries	Ordinance 19030	Proposed Ordinance 2022-0147
<p>Defines wineries only, relies on SIC Codes for breweries and distilleries</p>	<p><u>Definition for winery, brewery, distillery facility II:</u> A small-scale production facility licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits and that includes an adult beverage production use such as crushing, fermentation, distilling, barrel or tank aging, and finishing. A winery, brewery, distillery facility II may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law, on-site tasting of products and sales as authorized by state law and sales of merchandise related to products available for tasting as authorized by state law. "Winery, brewery, distillery facility II" does not include any retail liquor licenses that would be authorized by WAC 314-02.</p>	<p><u>Definition for winery, brewery, distillery facility II:</u> A small-scale production facility licensed by the Washington state Liquor and Cannabis Board to produce alcoholic beverages including, but not limited to, wine, cider, beer and distilled spirits through stages of production including, but not limited to, crushing or milling, pressing, fermentation, distilling, filtration, barrel or tank aging, finishing, and bottling or packaging. A winery, brewery, distillery facility II may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas. "Winery, brewery, distillery facility II" does not include any additional privileges or uses that would require a retail liquor license that would be authorized by chapter 314-02 WAC.</p>
<p>Defines wineries only, relies on SIC Codes for breweries and distilleries</p>	<p><u>Definition for winery, brewery, distillery facility III:</u> A production facility licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits and that includes an adult beverage production use such as crushing, fermentation, distilling, barrel or tank aging, and finishing. A winery, brewery, distillery facility III may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law, on-site tasting of products and sales as authorized by state law and sales of merchandise related to products available as authorized by state law. "Winery, brewery, distillery facility III" does not include any retail liquor licenses that would be authorized by WAC 314-02.</p>	<p><u>Definition for winery, brewery, distillery facility III:</u> A production facility licensed by the Washington state Liquor and Cannabis Board to produce alcoholic beverages including, but not limited to, wine, cider, beer and distilled spirits through stages of production including, but not limited to, crushing or milling, pressing, fermentation, distilling, filtration, barrel or tank aging, finishing, and bottling or packaging. A winery, brewery, distillery facility III may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas. "Winery, brewery, distillery facility III" does not include any additional privileges or uses that would require retail liquor license that would be authorized by chapter 314-02 WAC.</p>
<p>Minimum parking requirement for winery and brewery facilities: 0.9 parking space per 1,000 square feet plus 1 per 50 square feet of tasting area. No minimum identified for distilleries.</p>	<p><u>Minimum parking requirements:</u> For WBD II and III facilities a minimum of 0.9 parking space per 1,000 square feet, plus 1 per 300 square feet of tasting and retail area. For remote tasting rooms, a minimum of 1 parking space per 300 square feet of tasting and retail areas <u>Maximum parking requirements:</u> For WBD I, allows one additional on-site parking spot. In A and RA zones is 150% of the minimum required. For other zones, tasting/retail limited to 1 per 50 square feet of tasting area. For remote tasting rooms, maximum of 1 space per 50 square feet of tasting and retail areas.</p>	<p><u>Minimum parking requirements:</u> For WBD II and III facilities a minimum of 0.9 parking space per 1,000 square feet, plus 1 per 300 square feet of tasting and retail area. For remote tasting rooms, a minimum of 1 parking space per 300 square feet of tasting and retail areas <u>Maximum parking requirements:</u> For WBD I, allows one additional on-site parking spot. In RA zone is 150% of the minimum required. For other zones, tasting/retail limited to 1 per 50 square feet of tasting area. For remote tasting rooms, maximum of 1 space per 50 square feet of tasting and retail areas.</p>

Commented [BP8]: Bottling or packaging was specifically excluded as a component of a WBD II so that folks could not just bottle and label products without processing them onsite. This is an element that could create a very slippery slope and allow more tasting rooms to be WBDs.

WBD Comparison summary – updated 3/17/22

Attachment 4

Former Code Regulating Wineries, Breweries, and Distilleries	Ordinance 19030	Proposed Ordinance 2022-0147
<p>Home occupations and home industries are allowed for wineries, breweries, and distilleries, and on-site tasting is permitted as part of a production facility.</p>	<p>Prohibits WBDs and remote tasting rooms as <u>home occupations and home industries</u>.</p> <p>Existing home occupations and home industries that obtain a business license and show compliance with the former King County code provisions for home occupations and home industries at the time Ordinance 19030 was adopted would be allowed to continue as legal nonconforming uses.</p>	<p>Prohibits WBDs and remote tasting rooms as <u>home occupations and home industries</u>.</p> <p>Modifies language from 19030 to clarify what use will be considered a nonconforming use.</p>
<p>Remote (off-site) tasting not defined; eating and drinking places are permitted in RA zone (KCC 21A.08.070) as an accessory use to a park or as a conditional use accessory to a permitted manufacturing or retail land use or to a recreational or multiuse park, with limitations.</p>	<p>Creates a <u>remote tasting room Demonstration Project Overlay A</u>:</p> <p>Allows remote tasting rooms on 13 parcels within the RA zone adjacent to Woodinville in the Sammamish Valley, with the following criteria:</p> <ul style="list-style-type: none"> • One or more WBD I, II, or III may operate within a remote tasting room • Total space for tasting and retail must be 1,000 square feet or less, not including storage, restroom, nonpublic uses • Additional 500 square feet of outdoor space is allowed • Incidental retail sales of products related to products tasted is allowed • Hours of operation are limited to Monday through Thursday 11 am to 7 pm and Friday through Sunday 11 am to 9 pm • Need a King County business license • Need a Washington State liquor license • Events limited to 2 per year; no more than 50 people for all proprietors within a single tasting room • Off-street parking maximum of 1 space per 50 square feet of tasting and retail area <p>Requires that all remote tasting rooms be consistent with general health, safety, and welfare and not violate state or federal law.</p> <p>Supersedes other variance, modification, and waiver criteria in Title 21A.</p> <p>Allows applications for approval under Demonstration Project Overlay A for 3 years from effective date of the ordinance.</p> <p>Requires the Executive to evaluate the applications submitted (date of submittal, complete application, and decision date and type) and code complaints annually for 4 years.</p> <p>After 5 years of the Demonstration Project, the permitting division would be required to submit a final evaluation and propose permanent code changes, including the evaluation of whether the purposes of the Demonstration Project were fulfilled. A public comment period on the evaluation must be provided.</p>	<p>Repeals remote tasting room demonstration project and modifies Zoning Map to remove the overlay.</p>

Commented [BP9]: Overlay A in the Sammamish Valley was zoned on top of an APD overlay to buffer (and protect) the APD boundary.

WBD Comparison summary – updated 3/17/22

Attachment 4

Former Code Regulating Wineries, Breweries, and Distilleries	Ordinance 19030	Proposed Ordinance 2022-0147
Remote tasting rooms not a recognized use in the Zoning Code	Remote tasting rooms allowed in CB and RB zones, with a cross reference to Remote Tasting Room Demonstration Project Overlay A, subject to the requirements in 21A.55	Remote tasting rooms allowed in CB and RB zones
N/A	Modify the Special District Overlay for Fall City CB zoning to allow remote tasting room as a permitted use.	Maintain allowance for remote tasting room in Fall City Rural Town CB zone adopted in 19030 (not shown in PO)
N/A	Modify P-suffix condition for Vashon Rural Town CB Zoning to allow remote tasting rooms as a permitted use.	Maintain allowance for remote tasting room in Vashon Rural Town CB zone adopted in 19030 (not shown in PO)
\$100 for first violation; \$500 for subsequent violations	<p>Modifies <u>citation penalty</u>:</p> <p>Adds specific, increased citations for WBD I, II, and II, and remote tasting room violations, including unauthorized events: \$500 for first violation, and \$1,000 for subsequent violations.</p>	<p>Maintains <u>citation penalties</u> adopted in 19030 (not shown in PO):</p> <p>Adds specific, increased citations for WBD I, II, and II, and remote tasting room violations, including unauthorized events: \$500 for first violation, and \$1,000 for subsequent violations.</p>
N/A	<p>Requires an <u>efficacy evaluation</u>:</p> <p>At the end of the 5 years, in conjunction with the studies done for the remote tasting room Demonstration Project, the Executive must complete an evaluation of regulations on existing businesses, including information on businesses licenses, permit applications, and code enforcement complaints/violations. The evaluation must recommend code changes to development conditions, including citation and civil infractions, parking, hours of operation for tasting rooms, temporary use permits for special events, and product content requirements for the A zone.</p> <p>The public comment period for the efficacy evaluation occurs in conjunction with the public comment period for the remote tasting room Demonstration Project.</p>	Remove efficacy evaluation adopted by 19030.

Manufacturing Use – Urban Reserve Zone – Production Facilities

Issue/Condition		Former Code	Ordinance 19030	Proposed Ordinance 2022-0147
Type of Permit	Permitted (no separate authorization for CUP in UR zone)		Prohibits WBD facilities in the UR zone.	Note: Proposed Ordinance 2022-0148 (Ordinance 2), would allow WBD I, II, III with the same permissions as the RA zone, as discussed above.
Minimum Lot Size	4.5 acres			
Maximum Building Size	3,500 square feet, except historic buildings			
Tastings	Tasting of products produced on site, and no extra floor area allowed for tasting			
Water	Not specified			
Access	Not specified			
Product Content	60% of product content required to be grown in Puget Sound counties			
Production/Facility Location	Not specified			
Parking	0.9 per 1,000 square feet, plus 1 per 50 square feet of tasting area			
Setbacks	75 feet from RA and R zones, except historic buildings			

WBD Comparison summary – updated 3/17/22

Attachment 4

Manufacturing Use – Commercial and Industrial Zones – Production Facilities

Issue/Condition	Former Code NB and CB	Former Code RB and I	Ordinance 19030		Proposed Ordinance 2022-0147	
			NB and CB	RB and I	NB and CB	RB and I
Type of Permit	Permitted	Permitted	WBD I – not permitted WBD II – permitted WBD III – conditional use	WBD I – not permitted WBD II – permitted WBD III – conditional use In I zone, limited to breweries and distilleries. No wineries or remote tasting rooms allowed.	WBD I – not permitted WBD II – permitted WBD III – conditional use	WBD I – not permitted WBD II – not permitted WBD III – permitted use In I zone, limited to breweries and distilleries. No wineries or remote tasting rooms allowed.
Minimum Lot Size	No minimum lot size established	No minimum lot size established	No minimum lot size established	No minimum lot size established	No minimum lot size established	No minimum lot size established
Maximum Building Size	3,500 square feet, except historic buildings	No maximum building size established	WBD II – 3,500 square feet, except historic buildings are 5,000 square feet	No maximum building size established, except tasting size in the I zone to 1,500 square feet	WBD II – 3,500 square feet, except historic buildings are 5,000 square feet WBD III: No maximum specified	No maximum building size established, except tasting size in the I zone to 1,500 square feet
Tastings	Tasting of products produced on site, and no extra floor area allowed for tasting	No requirements concerning tastings established	WBD II and III – tasting of products produced on site, and no extra floor area allowed for tasting	Tasting of products produced on site	No extra floor area allowed for tasting	Not specified.
Water	Not specified	Not specified	Not specified	Not specified	Not specified	Not specified
Access	No special access requirement	No special access requirement	No special access requirement	No special access requirement	No special access requirement	No special access requirement
Product Content	No product content requirement	No product content requirement	No product content requirement	No product content requirement	No product content requirement	No product content requirement
Production/Facility Location	Not specified	Not specified	Not specified	Not specified	Not specified	Not specified
Setbacks	75 feet from RA and R zones, except historic buildings	No setback requirements established	75 feet from RA and R zones, except historic buildings Includes parking areas	75 feet from RA and R zones, except historic buildings Includes parking areas	75 feet from A, RA and R zones, except historic buildings. Includes parking areas and impervious surfaces	75 feet from A, RA and R zones, except historic buildings. Includes parking areas and impervious surfaces

Commented [BP10]: Why would a WBD II not be permitted in RB and I? Why not allow WBD II and III in this zone?

Commented [BP11]: Because size would be determined through conditional use permit process

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
27

**Map Amendment # 1- Remote Tasting Room Demonstration Project A
Repeal**

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

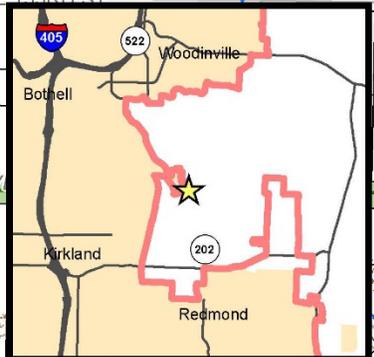
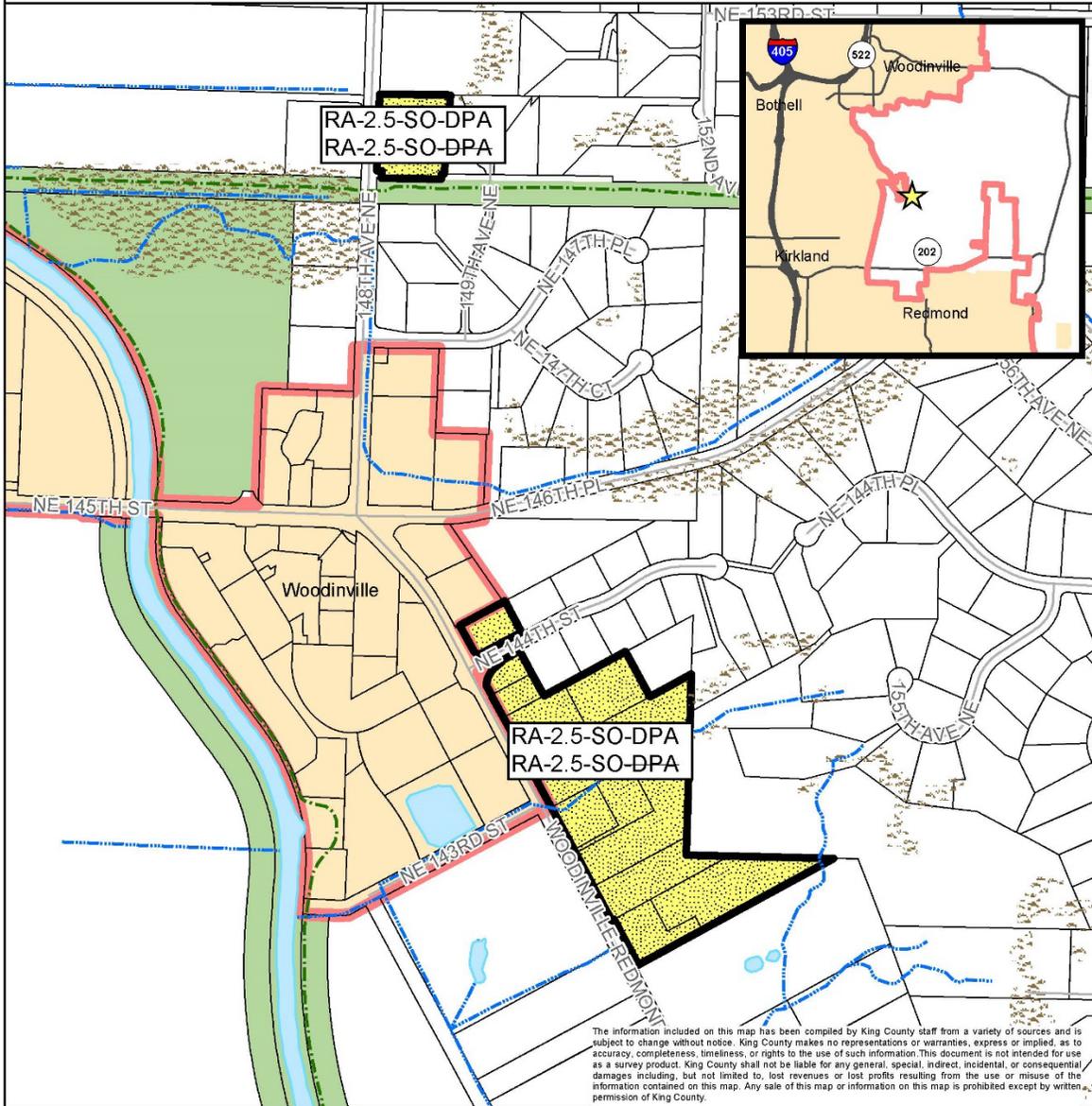
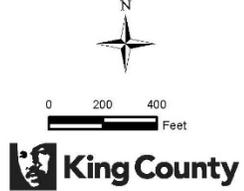
Repeal the Demonstration Project (-DPA) established in Ordinance 19030, Section 28 and 29, and remove the -DPA designation from the following parcels. Make no other changes to the land use designation or zoning:

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 repeal the Remote Tasting Room Demonstration Project A to all or a portion of 13 parcels within the Sammamish Valley near the City of Woodinville.

Map Amendment #1 - Remote Tasting Room Demonstration Project Overlay A Repeal

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



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.

Steps in Production for Alcohol Making

Step	Wine	Beer	Cider	Liquor
1	Harvesting	Harvesting	Harvesting	Harvesting
2		Malting		Varies, generally follows the steps to the left depending on the base material
3	Crushing	Milling (Crushing)	Crushing	
4		Mashing		
5	Pressing	Lautering (Pressing)	Pressing	
6		Boiling		
7	Fermentation	Fermentation	Fermentation	Fermentation
8				Distillation
9				Aging
10				Blending
11	Clarification (Filtration)	Filtration	Filtration	Filtration
12	Aging			
13	Bottling (Packaging)	Packaging	Packaging	Packaging

Terms:

Harvesting: Gathering of the crop to be made into alcohol.

Malting: Grain is steeped in water, then rested under precise conditions to encourage germination, and finally dried in a kiln and/or a roaster.

Crushing (called Milling for beer): organic matter (e.g. grapes or grain) is broken up.

Mashing: Natural enzymes found in grain break down the grain's starches; hot water then dissolves the starches so they leach out of the cracked grain. The mixture is then boiled.

Pressing (called Lautering for beer): liquid matter is separated from solid matter.

Boiling: Pressed liquid is heated to 212 degrees Fahrenheit.

Fermentation: Yeast converts sugars in the liquid to alcohol.

Distillation: Liquid is purified through a process of heating and cooling.

Filtration (called Clarification for wine): sediment and haze are removed from the liquid by passing it through a porous device.

Aging: Alcohol is stored in a cool, dark place for a period of time.

Bottling/Packaging: Finished product is transferred to bottles, cans, kegs, etc.



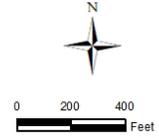
Winery , Brewery, Distillery
2019 Legislation *Overlay*
MAPS

KING COUNTY AGRICULTURE
COMMISSION

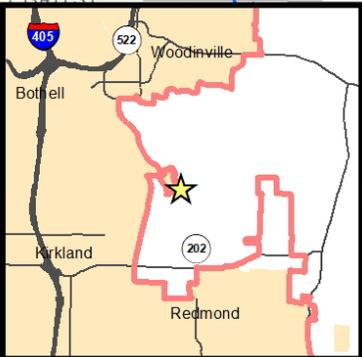
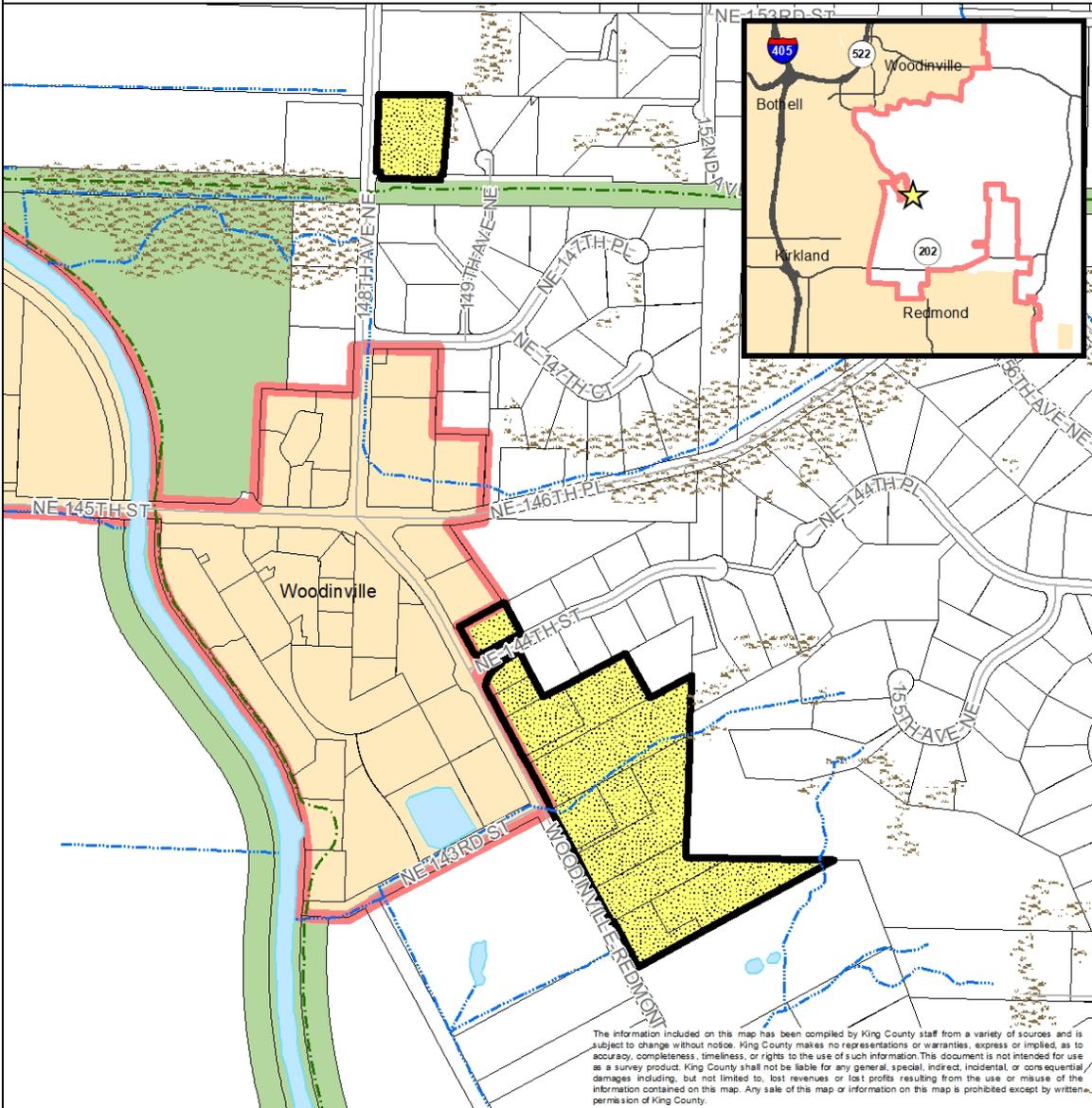
APRIL 14, 2022

Demonstration Project Overlay A: Sammamish Valley

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

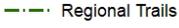
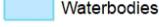
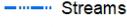
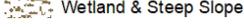


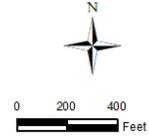
Date: 3/4/2019



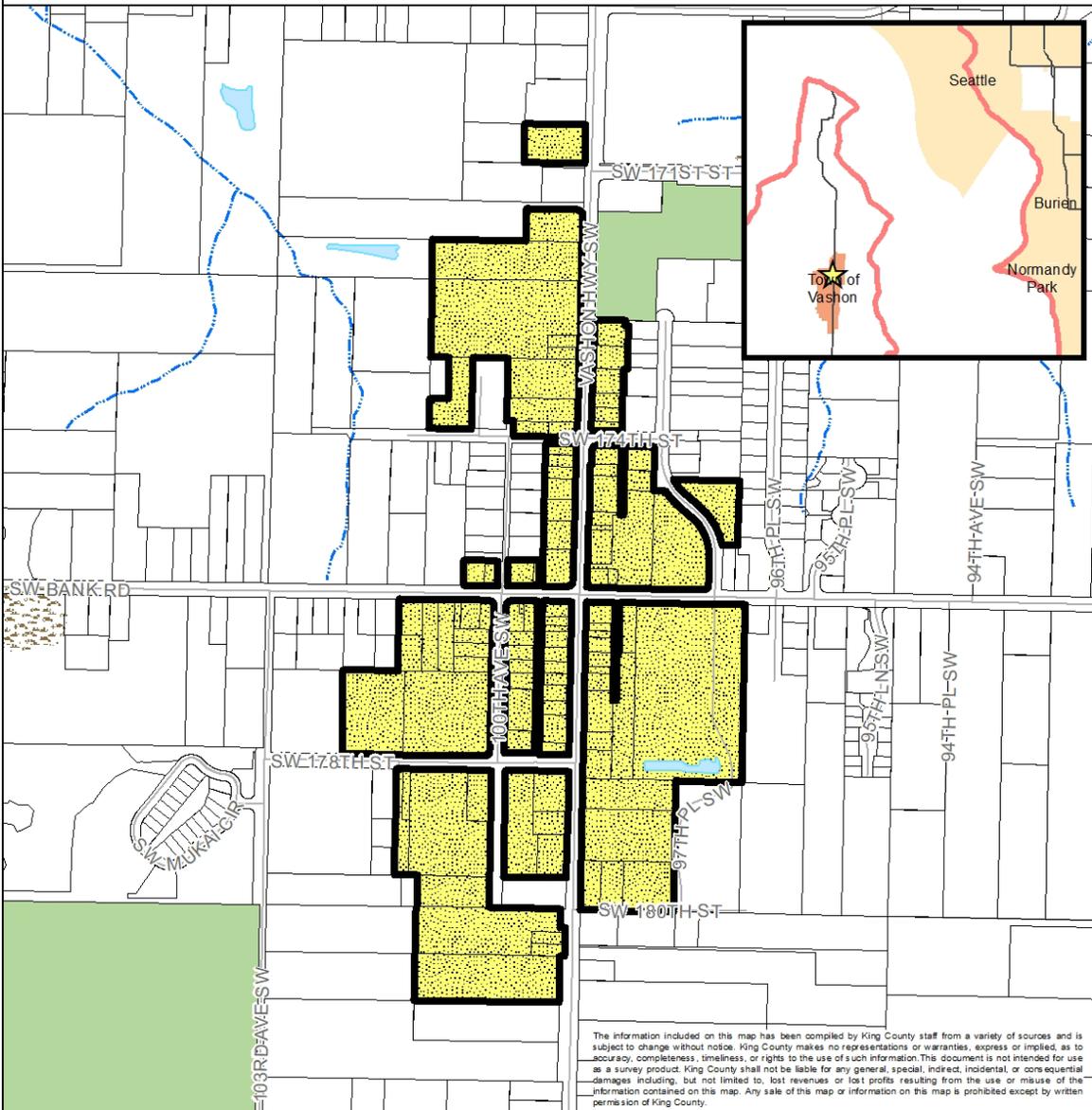
The information included on this map has been compiled by King County staff from a variety of sources and is subject to change without notice. King County makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. This 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.

Demonstration Project Overlay A: Vashon

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



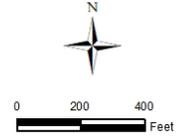
Date: 3/4/2019



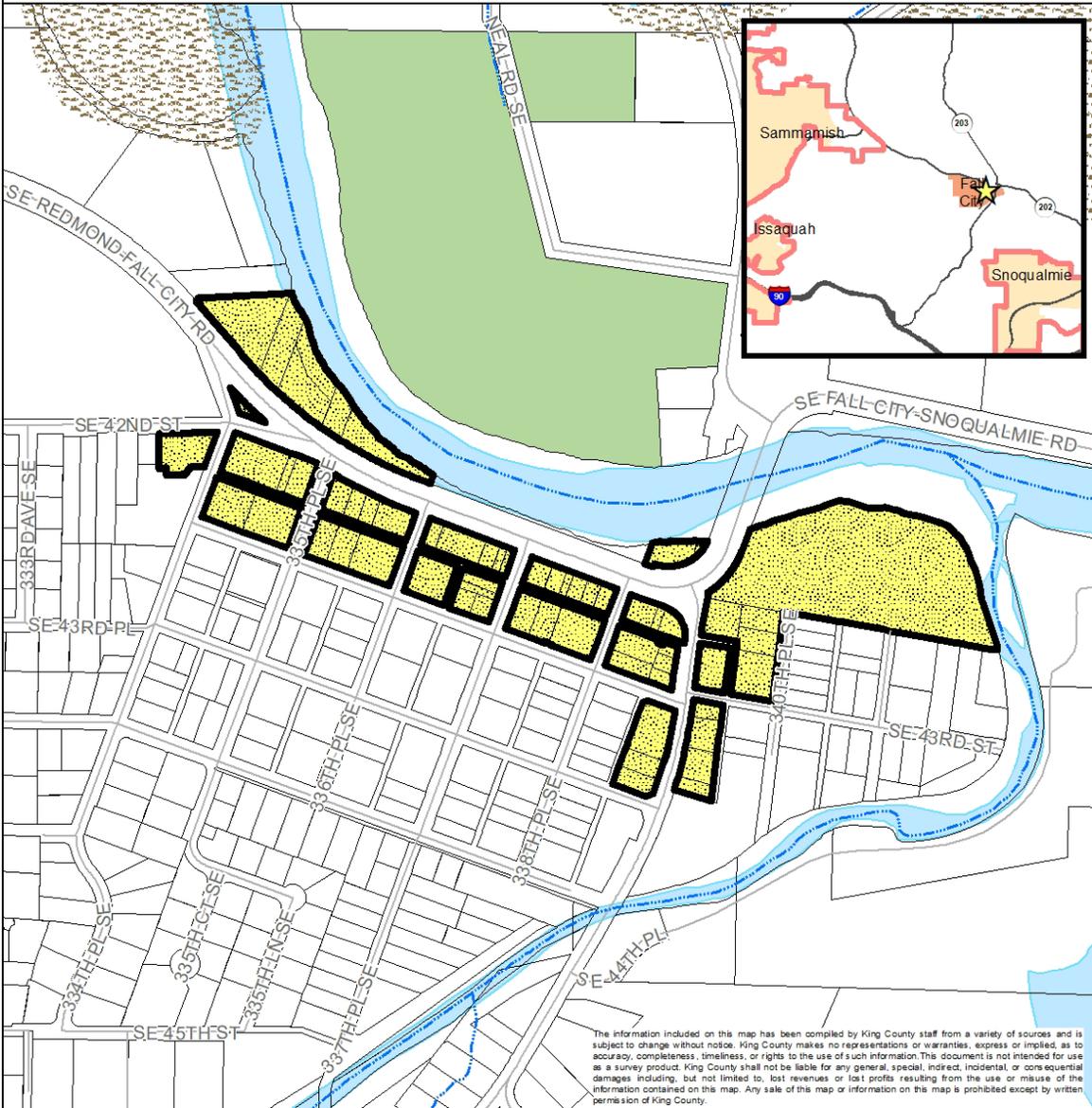
The information included on this map has been compiled by King County staff from a variety of sources and is subject to change without notice. King County makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. This 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.

Demonstration Project Overlay A: Fall City

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



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 XX, 2022

The Honorable Sarah Perry
Chair, Local Services and Land Use Committee, King County Council
516 Third Ave, Room 1200
Seattle, WA 98104

Dear Councilmember Perry:

I am writing on behalf of the King County Agriculture Commission (Commission) in regard to Proposed Ordinances 2022-0147, 2022-0148, and 2022-0146, Winery/Brewery/Distillery (WBD) Regulations before Council's Local Services and Land Use Committee.

The Commission has been involved in the WBD legislation for many years, beginning with Commissioner Roger Calhoon serving on the Sammamish Valley Area Wine and Beverage Study Task Force in 2016. The Commission then worked closely with the Executive's office advising on protections for agriculture while allowing WBDs for farmers growing 60% of the ingredients that go in a bottle. The Commission continued to provide feedback to the Council regarding the legislation, advising on key elements that would negatively impact agriculture. Eight of the ten recommendations were incorporated into the ordinance and adopted in Ordinance 19030 in 2019. Three Commission recommendations on Ordinance 19030 remain relevant for the pending 2022 legislation:

- Supported WBD II and WBD IIIs in the Agriculture Production District (APD), or A zone as an accessory to agriculture production, requiring 60% of ingredients being grown onsite.
- Supported all processing steps being required for WBDs, not just two processing steps.
- Concerned about zoning overlays becoming permanent.

Regarding Proposed Ordinance 2022-0147:

The commission is pleased with several changes to 19030 that are proposed in 2022-0147 that mirror many of the concerns raised by the Commission in 2019. While APDs would be afforded a higher degree of protection under the new ordinance, the commission has four remaining concerns:

- Protections are not high enough for Rural Area (RA) zone: both for agricultural lands and to protect the rural character of the area.
- Farmers in King County can currently make many value-added products such as jams, jellies, and juices from the fruit grown on their farm, in a processing facility on their

farm, as an accessory use to farming. Making an alcoholic beverage from that juice in the same facility should be allowed if it does not diminish the agricultural potential of their property.

- While the original study focused on the Sammamish Valley, take into consideration the landscape in the rest of the county to inform compliance/complaints/business needs regarding existing WBDs and existing farms that may lead to tailored exemptions specific to rural areas.
- Ongoing concerns regarding permitting and zoning enforcement include compliance with ordinance operation requirements, and how a WBD operating beyond their I, II, III classification will be measured and enforced, given the capacity limitations of DLS-PD.

These concerns and possible remedies are explained in more detail by topic:

- 1) Surface Water Management: Encourage grass modular grid pavement and other pervious surfaces noted in King County's Stormwater Design Manual for WBD parking and driveway developments to further minimize stormwater impacts to farmlands.
- 2) On-Site Tasting and Retail: While the commission appreciates the hours are simplified and constant for each day of the week, and ensure windows of time to move farm equipment and products during key harvest and processing windows, we suggest outlining how hours could be increased through a Temporary Use Permit (TUP) for an event weekend or to align with local activities including noise ordinance hours.
- 3) Water/ Sewer: Support water requirements and encourage upcycling wastewater for farmland nutrient application because water sources are limited in the A and RA zones. This will help tie WBDs into beneficial farm relationships, reduce sewer waste and aid farms with climate change impacts.
- 4) Water/ Sewer: Support tested and inspected well water for WBD processing in the A zone.
- 5) Product Content: Support no requirement for WBDs outside the A zone, but encourage the inclusion of WBD IIs in the A zone with a requirement to farm at least 75% of the land prior to establishment of the WBD, 25% of which must be dedicated to producing crops used in the product being made. This could be verified by GIS analysis of aerial photography just as Farmland Preservation Property lands are monitored for compliance. While this would not work for most grape wineries, it would work for fruit wineries, cideries, meaderies, fruit distilleries and some, small breweries.
- 6) Production/ Facility Location: Concerned that the RA could lose significant agricultural ground (40% of King County's commercial farms are located in RA zones). Recommend land within an RA parcel that was actively farmed prior to establishment of a WBD

facility be regulated by the same restrictions as we recommend apply to A-zoned properties.

- 7) Production/ Facility Location: All stages of production (based on which process a W, B, or D uses in addition to the proposed: crushing, milling, pressing, fermenting or distilling [required one stage of production]) should be required for each WBD. Recommend bottling and packaging be removed from the processing steps unless all steps are required onsite.
- 8) Production/Facility Location: *Terminology* add: "grain processing" to include "cracking" versus solely "milling."
- 9) Production/Facility Location: Add an upcycling processing step to highlight allowance of WBD food waste by-product to local livestock feed or applied as soil nutrient. Suggest requirement for upcycling to King County farm; or farm in a Puget Sound County.
- 10) Production/Facility Location: WBDs are different in their processing seasonality with most winery/cideries crushing fresh, fall harvest grapes and apples) versus breweries and distilleries processing dry ingredients (grains, hops, etc.) year-round. Keeping some distinctions in mind, could be useful regarding production and location.
- 11) Production/Facility Location: WBDs' size (I, II, III) could equate directly with their production quantities through required monthly excise reports to WA LCB.
- 12) Setbacks: Support the protections of A, RA, and R zones through these requirements.
- 13) Temporary Use Permits: There does not seem to be an allowance for TUP for existing WBDs in the A zone. Please clarify the ability for existing nonconforming use WBDs to get a TUP.

Regarding Proposed Ordinance 2022-0148, the Commission supports the administrative changes and suggests:

- Clarifying whether the 1,000 feet between WBDs runs property line to property line or in addition to the 75 feet setbacks.

Regarding Proposed Ordinance 2022-0146, the Commission does not support removing protections for the A and RA zones, but does support removing remote tasting room demonstration project Overlay A.

Thank you for the opportunity to advise Council on these important ordinances and ensuring protections and increasing economic opportunities for the agricultural sector in King County.

Sincerely,

Kevin Scott, Chair

King County Agriculture Commission

cc: King County Councilmembers

ATTN: Sharon Daly, Committee Clerk, Local Services and Land Use Committee

Dow Constantine, County Executive

King County Agriculture Commission Members

Christie True, Director, King County Department of Natural Resources and Parks
(DNRP)

Josh Baldi, Division Director, Water and Land Resources Division (WLRD),
DNRP

Richard Martin, Manager, AFI, WLRD, DNRP

Patrice Barrentine, Staff Liaison, Agriculture Commission, WLRD, DNRP