

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
Joint KL/CB Conceptual Striking Amendment – UPDATED 3-9-19**

Issue #	Proposed Change	KL/CB Direction
1	<p>New chapter in Title 6 – <u>business licenses</u></p> <p>Adds a definition for adult beverage business:</p> <p>An adult beverage business means a winery, brewery, distillery or cidery, and remote tasting rooms for any of those businesses.</p> <p>Adds a new requirement to get a business license for wineries, breweries, and distilleries, and remote tasting rooms.</p> <p>The business license fee would be \$100 for initial and renewal of licenses.</p>	Agree with Executive
4	<p>Adds a <u>definition for remote tasting room</u>:</p> <p>A small facility approved by the Washington state Liquor and Cannabis Board as a remote tasting room for a licensed winery, brewery or distillery that is operating at a location other than the licensed winery, brewery or distillery production facility, for the purpose of the retail sale and sampling of the licensed product.</p>	Revise the language so that breweries and distilleries can participate in the demonstration project. Be clear that additional endorsements, and other retail liquor licenses (bars and restaurants) would not be allowed
5	<p>Adds a <u>definition for winery, brewery, distillery facility</u> I:</p> <p>A very small establishment licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits and where on-</p>	Add language that retail liquor licenses are not allowed. Adds allowances for on-site tasting and related retail sales. Make technical edits for consistency.

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	site product tasting or retail sale of merchandise does not occur.	
6	<p>Adds a <u>definition for winery, brewery, distillery facility II</u>:</p> <p>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, barrel or tank aging, and finishing. A winery, brewery, distillery facility II may include additional product-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law, on-site product tasting and sales as authorized by state law, and sales of merchandise related to products available for tasting as authorized by state law.</p>	Add language that retail liquor licenses are not allowed. Make technical edits for consistency.
7	<p>Adds a <u>definition for winery, brewery, distillery facility III</u>:</p> <p>An establishment 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, barrel or tank aging, and finishing. A winery, brewery, distillery facility III may include additional product-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law, on-site</p>	Add language that retail liquor licenses are not allowed. Make technical edits for consistency.

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	product tasting as authorized by state law, and sales of merchandise related to products available as authorized by state law.	
8	<p>Modifies <u>parking requirements</u>:</p> <p>Requires for WBD II facilities, 0.9 per 1,000 square feet plus 1 per 300 square feet of tasting area (existing code is 1 per 50 square feet of tasting area).</p> <p>Does not specify parking requirements for other WBD facilities.</p>	<ul style="list-style-type: none"> • For A zones, agree with Executive on parking ratio • In other zones, for remote tasting rooms in CB and RB zones, and in demo project A, minimum tasting/retail parking ratio is 1:300, and maximum is 1:50sf. In RA zone, maximum is specified as 1:50sf and 150% maximum is removed. • Apply the WBD parking ratios to facilities II and III
9	<p>Modifies home occupation and home industry requirements:</p> <p>Prohibits all WBD facilities and remote tasting rooms.</p>	<p>Prohibit WBDs and remote tasting rooms as home occupations and home industries. Allow grandfathering for legally established home occupations within one year of effective date of ordinance. Require a business license for existing, nonconforming home occupations and home businesses.</p> <p>In supplemental appropriation, add technical assistance for determining grandfathering, aid with conversion to new WBD facility categories, and enforcement.</p>

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12	<p>Modifies <u>temporary use permit</u> requirements:</p> <p>For WBD II and III in A zones, events limited to 2 per month and all parking must be accommodated on site or through a plan approved by the director.</p> <p>For WBD II and III in RA zones, events limited to 24 within a one-year period and all parking must be accommodated on site or through a plan approved by the director.</p> <p>For WBD II in A and RA zones, consider building occupancy limits and parking limitations during permit review, shall condition the number of guests and shall not be more than 125 guests.</p> <p>For WBD III in A and RA zones, consider building occupancy limits and parking limitations during permit review, shall condition the number of guests and shall not be more than 250 guests.</p> <p>No events or temporary use permits for WBD I, nonconforming home occupations, home industries.</p> <p>WBD II and III in other zones are allowed 60 days a year</p>	<ul style="list-style-type: none"> • Add language that specifies when a TUP is required. Include events that exceed the building occupancy, that use portable toilets, additional parking, temporary stages, temporary tents or canopies, traffic control, or extends beyond stated hours of operation. (in K.C.C. 21A.32.100) • WBD II allowed 150 guests (WBD III ok with 250) • For WBD I in RA zone, legal nonconforming home occupations and legal nonconforming home industries, 2 events per year, maximum 50 people, without a TUP is allowed. • No events for WBD I interim use permit in A zone

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Issue #	Proposed Change	KL/CB Direction
13	<p>Adds a Sammamish Valley and Vashon Rural Town wine and adult beverage <u>remote tasting room demonstration project A</u>.</p> <ul style="list-style-type: none"> • Administrative approval by DPER – as a Type I land use decision • May apply for approval simultaneously as business license application • Allowed uses under the demonstration project limited to remote tasting room. • Adds criteria for remote tasting room: <ul style="list-style-type: none"> ○ One or more WBD I, II or III may operate ○ Total space for tasting and retail is 1,000sf plus storage, restroom, back-of-the-house uses ○ Additional 500sf of outdoor space allowed ○ Direct access to an arterial ○ No production allowed ○ Incidental retail sales of products related to products tasted allowed ○ Hours of operation M-Th 11am-5pm, F-S 11am-9pm ○ Need a liquor license ○ No events or temporary use permits ○ Parking maximum of 150 percent of minimum required • Only allowed in area identified in Attachment A to ordinance. 	<ul style="list-style-type: none"> • Add CB zoning in Fall City Rural Town as third area. • Add language to the demonstration projects to evaluate parking needs/impacts. • Add more robust evaluation language. Include the nearby Cities, CSA groups, and customer's views of the overlays. Include evaluation of the businesses to survive/profit with the regulations. • Requires Permitting to stop accepting applications after 3 years, and extend the demonstration project to 5 years, and start the evaluation process after the 5 years is over • Add evaluation of tasting hours and special event parameters • Add evaluation of permit review timelines for decision of demonstration project applications. • Reduce the scope of the Vashon overlay to CB zoning in the Rural Town.

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Issue #	Proposed Change	KL/CB Direction
	<ul style="list-style-type: none"> • Must be consistent with general health, safety and welfare. • Supersedes other variance, modification and waiver criteria in Title 21A. • Demonstration project A is in effect for 3 years from effective date of the ordinance, after which the remote tasting rooms would become nonconforming. • Annually, DPER compiles a list of applications submitted and related code complaints. • The Executive may submit additional proposed legislation extending or amending this ordinance within the 3 year demonstration project. 	
14	<p>Adds a Sammamish Valley wine and adult beverage <u>special events demonstration project B.</u></p> <ul style="list-style-type: none"> • Administrative approval by DPER, using review procedures in 21A.42 and decision criteria in 21A.44.040 (for CUPs) • Allowed for WBD III • Waives requirements in 21A.32.100 through .140; 21A.44.020 and 21A.08.080.B.12.I • Allowed to obtain authorization for on-site weddings and similar uses under the CUP • No waiver from other requirements (including review procedures) • Only allowed with an application for a new or modified CUP for WBD III, either in conjunction 	<ul style="list-style-type: none"> • Overlay B allows consolidated review of CUP and TUP (instead of events being rolled into the CUP) • Projects follow Type II process, including SEPA for the consolidated review • No extra fees for TUP reviewed as part of the consolidated review (just pay for CUP) • TUP follows code requirements (approved for one year, with 4 possible renewals for a total of 5 years) • Must get a new TUP at the end of the 5 year, pay full cost and comply with the code in place at the time of complete application filing • Limited to 60 events • Add to evaluation the consolidated review process (impacts on cost to application, cost to administer/review, time to

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	<p>with that application or before. Must demonstrate compliance with 21A.44.040.</p> <ul style="list-style-type: none"> • CUPs are a Type II land use decision • Only allowed in area identified in Attachment B to ordinance. • Must be consistent with general health, safety and welfare. • Demonstration project B is in effect for 3 years from effective date of the ordinance (plus any time for appeal timelines), after which the CUPs would become nonconforming. • Annually, DPER compiles a list of applications submitted, evaluation of impacts of events authorized by the demonstration project, and related code complaints. • The Executive may submit additional proposed legislation within the 3 year demonstration project. 	<p>issue) and additional events (60 v 24 per year) allowed under Overlay B.</p> <ul style="list-style-type: none"> • During the 5-year demonstration period properties in overlay B cannot be consolidate to create a winery. • Evaluate water use and compliance with Hirst. During the course of the counties work to comply with Hirst Legislation we will also evaluate the impact of various types of businesses on water evaluation. • Add more robust evaluation language. Include the nearby Cities, CSA groups, and customers opinions of the overlays. Include evaluation of the businesses to survive/profit with the regulations. • Requires Permitting to stop accepting applications after 3 years, and extend the demonstration project to 5 years, and start the evaluation process after the 5 years is over • Add language to the demonstration projects to evaluate parking needs/impacts. • Add evaluation of permit review timelines for decision of demonstration project applications, and TUP permit review timelines comparison with WBD III's that don't use the demonstration project. • Add evaluation of surface water issues, and impacts on downstream properties and agricultural land, and recommended ways to address those issues/impacts • Add evaluation of special event parameters • Add language regarding the types of conditions required (number of events, size, and notification of future events)

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Issue #	Proposed Change	KL/CB Direction
15	<p>Modifies <u>citation penalty</u>:</p> <p>Adds specific citations for WBD I, II, II and remote tasting rooms: \$500 for first violation, and \$1,000 for subsequent violations</p> <p>(existing code is \$100 for first violation, \$500 for subsequent violations)</p>	<p>Agree with Executive.</p> <p>Add evaluation of the effectiveness of the fine system to the report required at the end of 5 years</p>
15.5	<p>Study requirements – not included in Executive’s proposal</p>	<p>Add a study requirement – at the end of the 5 years, in conjunction with the studies done for the demonstration projects.</p> <ul style="list-style-type: none"> • Analysis of impact urban uses within UGA have on rural character of adjacent rural areas outside the UGA and provide recommendations to reduce impact of those urban uses. • Analysis of product content requirement (60% onsite, Puget Sound Counties, or ag accessory use). • Analysis of effectiveness of TUP triggers in KCC 21A.32.100. • Analysis of WBD I as interim use in A zone.

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Issue #	Proposed Change	KL/CB Direction
16	<p>Modifies the <u>Permitted Land Use</u> tables:</p> <p>Adds WBD I, WBD II, and WBD III to the permitted use table and permits them in multiple zones, either as permitted outright with development conditions or with a conditional use permit with development conditions in several zones.</p> <p>Modifies development conditions for WBD facilities related to minimum lot size, floor area, parking area, setbacks, product content, location of facilities on farmland, tasting hours, site access, business license, events, connection to water supply, growing requirements, and employee maximums.</p>	<p>See separate tables on following pages for changes to this table.</p> <p>Interim Use Approval:</p> <ul style="list-style-type: none"> • Must be applied for within 5 years of effective date of this ordinance • Good for one year, with up to 4 yearlong renewals (good for a total of 5 years) like for TUP • Use must cease once interim use approval is expired • Subject to same criteria as the TUP • Fee same as TUP • Process as a Type II permit. • Application requirements set by Title 20

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Manufacturing Table - Agriculture Zones – Production Facilities

Note: if the KL/CB's Direction cell is blank, then the Executive's transmittal is agreed to

Issue #	Condition	Executive's Proposal	KL/CB Direction	Executive's Proposal	KL/CB Direction	Executive's Proposal	KL/CB Direction
		WBD I	WBD I (DC#19 in Residential table)	WBD II permitted (DC#3) conditional (DC#3)		WBD III (DC#12)	
17	Type of Permit	Not permitted	Allow in A zones as a residential accessory use, accessory to a primary ag use, and for an interim use period of up to 5 years (1 year plus 4 renewals) Must apply within 5 years of ordinance adoption	Permitted Use is conditional if setbacks to RA and residential zones are reduced to 25 feet		Conditional Use	
18	Min. Lot Size	n/a		2.5 acres		4.5 acres Except if floor area is over 6,000 square feet, the minimum lot size is 10 acres	

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Issue #	Condition	Executive's Proposal	KL/CB Direction	Executive's Proposal	KL/CB Direction	Executive's Proposal	KL/CB Direction
		WBD I	WBD I (DC#19 in Residential table)	WBD II permitted (DC#3) conditional (DC#3)		WBD III (DC#12)	
19	Max. Building Size	n/a	1,500 sf Decks that are not occupied and not open to the public are excluded from the calculation for aggregated floor area.	3,500 sf (historic buildings maximum is 5,000 sf)	Add decks that are not occupied and not open to the public are excluded from the calculation for aggregated floor area.	Maximum floor area 8,000 sf; additional 8,000 sf for underground storage	Add decks that are not occupied and not open to the public are excluded from the calculation for aggregated floor area.
20	Tastings	n/a	No tasting allowed Allow on-site sales of items produced on-site and incidental items.	Tasting of products produced on-site, and no extra floor area allowed for tasting Hours for on-site tasting: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm		Tasting of products produced on-site, and no extra floor area allowed for tasting Hours for on-site tasting: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm	
22	Water	n/a	Not specified	Not specified		Must connect to existing Group A water system, or existing Group B water system if Group A water system not available	TBD

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Issue #	Condition	Executive's Proposal	KL/CB Direction	Executive's Proposal	KL/CB Direction	Executive's Proposal	KL/CB Direction
		WBD I	WBD I (DC#19 in Residential table)	WBD II permitted (DC#3) conditional (DC#3)		WBD III (DC#12)	
23	Access	n/a	Direct access from an arterial	Direct access from an arterial		Direct access from an arterial	
24	Product Content	n/a	60% of product to be processed must be grown in Puget Sound Counties.	60% of product to be processed must be grown on site.		60% of product to be processed must be grown on site.	
25	Production/ Facility Location	n/a	Required Non-agricultural facility uses must be on portion of the property unsuitable for agricultural production purposes. Require production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing	Required Non-agricultural facility uses must be on portion of the property unsuitable for agricultural production purposes.	Add requirement for production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing	Required Non-agricultural facility uses must be on portion of the property unsuitable for agricultural production purposes.	Add requirement for production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing

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Issue #	Condition	Executive's Proposal	KL/CB Direction	Executive's Proposal	KL/CB Direction	Executive's Proposal	KL/CB Direction
		WBD I	WBD I (DC#19 in Residential table)	WBD II permitted (DC#3) conditional (DC#3)		WBD III (DC#12)	
26	Parking	n/a	<p>One stall for non-resident employee</p> <p>Parking for customers: minimum 1, plus 1:1,000sf of area dedicated to WBD facility uses, with a maximum of 150% of the minimum required.</p> <p>Add provision for grandfathering for existing parking (permits still required)</p>	<p>0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting/retail area</p> <p>Limited to 150% of minimum required</p>	Add provision for grandfathering for existing parking (permits still required)	Not specified	<p>0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting/retail area</p> <p>Maximum parking determined through CUP process, tasting and retail areas should be limited to 1:50sf</p> <p>Add provision for grandfathering for existing parking (permits still required)</p>
27	Setbacks	n/a	<p>75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.</p> <p>Setbacks only apply to interior lot lines.</p>	<p>75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.</p>	<p>C: Allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25'</p> <p>Setbacks only apply to interior lot lines.</p>	<p>75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.</p>	<p>Allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25'</p> <p>Setbacks only apply to interior lot lines.</p>

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Manufacturing Table – Rural Area Zones – Production Facilities

Note: if the KL/CB's Direction cell is blank, then the Executive's transmittal is agreed to

Issue #	Issue/Condition	Executive's Proposal	KL/CB Direction	Executive's Proposal	KL/CB Direction	Executive's Proposal	KL/CB Direction
		WBD I	WBD I (DC#17 in Residential table)	WBD II (DC#3 and DC#30)		WBD III (DC#12)	
29	Type of Permit	Permitted – only one nonresident employee allowed	Move WBD I to a residential accessory use. Allow in RA and A zones. Use is conditional if setbacks to RA and residential zones are reduced to 25 feet	Permitted Conditional Use		Conditional Use	
30	Min. Lot Size	None		P and C: 2.5 acres		4.5 acres Except if floor area is over 6,000 square feet, the minimum lot size is 10 acres	
31	Max. Building Size	1,500 sf		P and C: 3,500 sf (historic buildings maximum is 5,000 sf)	Add decks that are not occupied and not open to the public are excluded from the calculation for aggregated floor area.	Maximum floor area 8,000 sf; additional 8,000 sf for underground storage	Add decks that not occupied and are not open to the public are excluded from the calculation for aggregated floor area.

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Issue #	Issue/Condition	Executive's Proposal	KL/CB Direction	Executive's Proposal	KL/CB Direction	Executive's Proposal	KL/CB Direction
		WBD I	WBD I (DC#17 in Residential table)	WBD II (DC#3 and DC#30)		WBD III (DC#12)	
32	Tastings	Not allowed	<p>SV: No tastings</p> <p>Allow on-site sales of items produced on-site and incidental items.</p> <p>Other areas: Tastings allowed by appointment only. Tastings must occur within these hours: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm</p> <p>Allow on-site sales of items produced on-site and incidental items.</p>	<p>P and C: Tasting of products produced on-site, and no extra floor area allowed for tasting</p> <p>Hours for on-site tasting: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm</p>		<p>Tasting of products produced on-site, and no extra floor area allowed for tasting</p> <p>Hours for on-site tasting: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm</p>	
34	Water	Not specified		Not specified		Must connect to existing Group A water system, or existing Group B water system if Group A water system not available	TBD
35	Access	Not specified		<p>P: Direct access from an arterial</p> <p>C: Direct access from public roadway.</p>		Direct access from an arterial	

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Issue #	Issue/Condition	Executive's Proposal	KL/CB Direction	Executive's Proposal	KL/CB Direction	Executive's Proposal	KL/CB Direction
		WBD I	WBD I (DC#17 in Residential table)	WBD II (DC#3 and DC#30)		WBD III (DC#12)	
36	Product Content	None		None		None	
37	Production/ Facility Location	Required	Require production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing	Required	Require production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing	Required	Require production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing
38	Parking	One parking stall allowed for nonresident employee	<p>Add parking for customers: minimum 1, plus 1:1,000sf of area dedicated to WBD facility uses, with a maximum of 150% of the minimum required.</p> <p>Add provision for grandfathering for existing parking (permits still required)</p>	<p>0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting area</p> <p>P/C: Limited to 150% of minimum required</p>	<p>0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting/retail area</p> <p>Tasting/retail limited to 1 per 50 square feet of tasting area (and 150% max is removed)</p> <p>Add provision for grandfathering for existing parking (permits still required)</p>	Not specified	<p>0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting/retail area</p> <p>Max parking set by CUP, but tasting/retail should be limited to 1 per 50 square feet of tasting area</p> <p>Add provision for grandfathering for existing parking (permits still required)</p>

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Issue #	Issue/Condition	Executive's Proposal	KL/CB Direction	Executive's Proposal	KL/CB Direction	Executive's Proposal	KL/CB Direction
		WBD I	WBD I (DC#17 in Residential table)	WBD II (DC#3 and DC#30)		WBD III (DC#12)	
39	Setbacks	75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.	Allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25' Setbacks only apply to interior lot lines.	P and C: 75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.	Allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25' Setbacks only apply to interior lot lines.	75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.	Allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25' Setbacks only apply to interior lot lines.

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Manufacturing Table – Urban Reserve Zone – Production Facilities

Issue #	Issue/Condition	Executive's Proposal			KL/CB Direction
		WBD I (DC#30)	WBD II (DC#3)	WBD III (DC#12)	
41					
	Type of Permit	Permitted – only one nonresident employee allowed	Permitted	Conditional Use	Remove allowance for WBD in the UR zone. These facilities would not be permitted in the UR zone. Don't want to bind the Cities to these regulations, want to learn from the pilot first, and each UR zone is unique (one-size regulations may not work).
	Min. Lot Size	None	2.5 acres	4.5 acres Except if floor area is over 6,000 square feet, the minimum lot size is 10 acres	
	Max. Building Size	1,500 sf	3,500 sf (historic buildings maximum is 5,000 sf)	Maximum floor area 8,000 sf; additional 8,000 sf for underground storage	
	Tastings	Not allowed	Tasting of products produced on-site, and no extra floor area allowed for tasting Hours for on-site tasting: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm	Tasting of products produced on-site, and no extra floor area allowed for tasting Hours for on-site tasting: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm	
	Events	Not allowed	60 days in a one-year period Max. size = no limit Parking not specified	60 days in a one-year period Max. size = no limit Parking not specified	

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41		WBD I (DC#30)	WBD II (DC#3)	WBD III (DC#12)	
	Water	Not specified	Not specified	Must connect to existing Group A water system, or existing Group B water system if Group A water system not available	
	Access	Not specified	Direct access from an arterial	Direct access from an arterial	
	Product Content	None	None	None	
	Production/ Facility Location	Required	Required	Required	
	Parking	One parking stall allowed for nonresident employee	0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting area Limited to 150% of minimum required	Not specified	
	Setbacks	75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.	75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.	75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.	

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Manufacturing Table – Commercial and Industrial Zones – Production Facilities

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Issue #	Issue/Condition	Executive's Proposal	KL/CB Direction	Executive's Proposal	KL/CB Direction
		NB and CB (DC#17 and DC#29)		RB (DC#29) and I (DC#31)	
42	Type of Permit	WBD I – not permitted WBD II – permitted and conditional use (DC#17) WBD III – conditional use (DC#29)		WBD I – not permitted WBD II – permitted and conditional use WBD III – conditional use	In I zone, limit to breweries and distilleries. No wineries or remote tasting rooms.
43	Min. Lot Size	None		None	
44	Max. Building Size	WBD II – 3,500 sf, except historic buildings are 5,000 sf	Decks that are not occupied and not open to the public are excluded from the calculation for aggregated floor area.	None	
45	Tastings	WBD II – Tasting of products produced on-site, and no extra floor area allowed for tasting	Add tasting allowance to WBD III for consistency.	Not specified	Add tasting allowance to II and III for consistency. Prohibit remote tasting rooms in I zone (tasting with production okay) Add a limitation on tasting size in the I zone to 1,500sf.
46	Events	WBD II and III – with a TUP, 60 days in a one-year period Max. size = no limit Parking not specified		WBD II and III – with a TUP, 60 days in a one-year period Max. size = no limit Parking not specified	
47	Water	None		None	
48	Access	None		None	
49	Product Content	None		None	
50	Production/Facility Location	Not specified		Not specified	

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
Joint KL/CB Conceptual Striking Amendment – UPDATED 3-9-19**

Issue #	Issue/Condition	Executive's Proposal	KL/CB Direction	Executive's Proposal	KL/CB Direction
		NB and CB (DC#17 and DC#29)		RB (DC#29) and I (DC#31)	
51	Parking	WBD II – 0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting area WBD III – not specified	WBD II and III: 0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting/retail area Tasting/retail limited to 1 per 50 square feet of tasting and retail area (For WBD III: maximum parking set by CUP, tasting/retail should be limited to 1 per 50 square feet of tasting area)	WBD II – 0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting area WBD III – not specified	WBD II and III: 0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting/retail area Tasting/retail limited to 1 per 50 square feet of tasting area (When max parking set by CUP, tasting/retail should be limited to 1 per 50 square feet of tasting area)
52	Setbacks	WBD II – 75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas. WBD III – 5 or 10 feet	WBD II and III: Require 75', but allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25' Setbacks only apply to interior lot lines.	RB zone: 5 or 10 feet I zone: 5 or 10 feet	For WBD II and III: Require 75', but allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25'. Setbacks only apply to interior lot lines.

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
Joint KL/CB Conceptual Striking Amendment – UPDATED 3-9-19**

Retail Table – Commercial Zones – Remote Tasting Rooms Countywide

Issue #	Issue/Condition	Executive's Proposal	KL/CB Direction
		CB and RB	CB and RB
54	Type of Permit	Not proposed by Executive's transmittal	Permitted in CB and RB outright. Also permitted within the demonstration project areas subject to the requirements in 21A.55.
55	Min. Lot Size		None
56	Max. Building Size		None
57	Tastings		Allowed
58	Events		Subject to standard TUP requirements (60 days per/year, maximum guests determined through review process)
59	Water		Not specified
60	Access		Not specified
61	Product Content		None
62	Production/Facility Location		Not required
63	Parking		Add this use to table, require 1 per 300sf of tasting/retail area. Tasting/retail limited to 1 per 50 square feet of tasting area
64	Setbacks		Specified by underlying zoning

Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations Joint KL/CB Conceptual Striking Amendment – UPDATED 3-9-19

Demonstration Projects – Remote Tasting Room Overlay A and Special Events Overlay B

Note: if the KL/CB's Direction cell is blank, then the Executive's transmittal is agreed to

Issue #		Executive's Proposal Remote Tasting Room Overlay A	KL/CB Direction	Executive's Proposal Special Events Overlay B	KL/CB Direction
82	Use	Allows a remote tasting room One or more WBD I, II, III allowed to operate		On-site weddings and similar uses with a WBD III	Special events normally permitted through the Temporary Use Permit process
83	Type of Permit	Permitted – Type 1 land use permit		Conditional Use	Consolidate review of TUP and CUP for WBD III Applicants do not pay for TUP under demonstration project
84	Areas allowed	Sammamish Valley area Vashon Rural Town	Extend Sammamish Valley north from Woodinville City limits (up to just north of Tolt Pipeline) Vashon CB zoning, not entire Rural Town Add CB zoning in Fall City Rural Town	Sammamish Valley area	
85	Min. Lot Size	Specified by underlying zoning		Specified by underlying zoning	
86	Max. Building Size	1,000 sf for tasting and retail only 500 sf outdoors		Specified by underlying zoning	
87	Tastings	Tasting hours: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm		Specified by underlying zoning	

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
Joint KL/CB Conceptual Striking Amendment – UPDATED 3-9-19**

Issue #		Executive's Proposal Remote Tasting Room Overlay A	KL/CB Direction	Executive's Proposal Special Events Overlay B	KL/CB Direction
88	Sales	Incidental retail sales of products related to tasting allowed		Specified by underlying zoning	
89	Events	Not allowed	2/year. Max 50 people. No TUP required.	No specific limit – conditions set with CUP w/ annual monitoring of impacts	60 maximum per year
90	Water	Not specified		Specified by underlying zoning	
91	Access	Direct access from an arterial	Not specified	Specified by underlying zoning	
92	Product Content	None		Specified by underlying zoning	
93	Production	Not allowed	Not specified	Specified by underlying zoning	
94	Parking	1 space per 300 square feet of public tasting and retail area Limited to 150% of minimum required	1 per 300 square feet of tasting/retail area Tasting/retail limited to 1 per 50 square feet of tasting area	Specified by underlying zoning	
95	Setbacks	Not specified		Specified by underlying zoning	

S2

3/11/19

Draft Chair's Striker

ea

Sponsor: Lambert, Balducci

Proposed No.: 2018-0241

STRIKING AMENDMENT TO PROPOSED ORDINANCE 2018-0241, VERSION

1

On page 1, beginning on line 16, strike everything through page 49, line 923, and insert:

"BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. The Growth Management Act, including RCW 36.70A.130, requires that King County take action to review, and if needed, revise its Comprehensive Plan and development regulations implementing the Comprehensive Plan.

B. The existing regulations for wineries and breweries were last substantively amended by Ordinance 14781 in 2003. Distilleries were added as a permitted use, with the same development conditions as wineries and breweries, with Ordinance 17539 in 2013. No other substantive regulatory changes for wineries, breweries and distilleries (collectively "the adult beverage industry") have occurred since 2003. Since that time King County has encountered unprecedented economic and population growth since that time, resulting in major changes to the adult beverage industry and causing concerns about land speculation in some areas of the county, while leaving others in need of economic stimulation.

C. Population growth, combined with the growing popularity of small producers

and local sourcing within the adult beverage industry has created a need for: clarification regarding core industry functions versus other types of more intensive on-site special events that may help a developing business thrive and consideration of the planning requirements of the Growth Management Act, including economic growth, rural character and protection for water resources and Agricultural and Industrial zoned areas. Changes in state regulations have also occurred, driving a need to bring adult beverage industry development regulations up to date with state licensing allowances. In particular, a state winery allowance for off-site tasting created confusion for business owners regarding the interplay between state licensing requirements and county land use regulations.

D. This ordinance follows a multi-year study of the adult beverage industry, which included the 2016 ~~These regulatory changes are a response to the~~ King County Sammamish Valley Wine and Beverage Study, ~~that was released in September 2016,~~ The study period was necessary to evaluate existing zoning regulations for the adult beverage industry in light of changes in industry practices, state licensing allowances, and the growing popularity of adult beverage industry across King County and the state of Washington.

~~ED. These~~ The changes made by this ordinance will help King County to prepare for and support the future of the ~~wine and adult beverage industry~~ adult beverage industry as it evolves in the region, to better implement and comply with the policies of the King County Comprehensive Plan ("Comprehensive Plan" or "Plan"), while adhering to the framework of the state ~~Countywide~~ Planning Policies and the Growth Management Act, ~~and~~ and to minimize the ambiguities in existing development

regulations that were identified in the study period. The changes are intended to improve clarity, administrative efficiencies and enforceability while avoiding confusion for the industry users that may have been caused by lack of consistency with state regulatory systems. The ordinance adds additional protection for the Agricultural zone and provides guidance on enhancing economic activity in the Rural Area zones while also honoring and protecting rural character.~~BE.~~

~~FE.~~ King County continues to support and foster agriculture, especially within the five designated Agricultural Production Districts. King County also supports the ~~adult beverage industry~~wine and adult beverage industry and recognizes the synergistic relationship between the agricultural and the adult beverage industries. King County recognizes the need to ~~The ordinance aims to~~ establish a strong foundation for moving ~~both the industry industries~~ into the future. There is a historical and continuing crossover between the agricultural industry and the adult beverage industry, including factors such as agricultural uses providing aesthetic value and raw materials that support the adult beverage industry; and the exposure, opportunity and market demand for agricultural products that the adult beverage industry provides for the agricultural industry. This ordinance recognizes competing and complimentary interests between the two industries, and aims to provide a balance consistent with the Growth Management Act and the Comprehensive Plan.

G. Consistent with Comprehensive Plan policies R-610, R-615 R-633 and R-677b, the adult beverage industry uses allowed by the ordinance support development of new markets for local agricultural products and help ensure that agricultural production districts continue to be economically viable and farmed into the future. By promoting

complimentary relationships with the adult beverage industry, these regulations will help to improve access to locally grown agricultural products throughout King County.

H. Economic development polices in the Comprehensive Plan, including ED-102, ED-103 and ED-106 recognize that the Rural Area and Natural Resource Lands have a role in economic activity in the county. The ordinance aims to implement these Comprehensive Plan Policies and is focused on -protecting the economic value of the natural environment through traditional land use controls such as minimum lot size limitations and structural and other impervious surface limitations in Rural Area and Agricultural zones. The ordinance creates space for new kinds of small, limited-scope businesses, such as tasting rooms, and small wineries, breweries and distilleries that are visually compatible with rural character and provide cultural opportunities to enhance the region's quality of life and economic vitality.

I. Comprehensive Plan policies ED-601 through ED-606, which are part of the rural economic strategies plan, call for a "sustainable and vibrant rural economy that allows rural residents to live and work throughout the Rural Area and Natural Resource Lands." By creating clear direction regarding scope and intensity limits for adult beverage industry uses, this ordinance protects rural character while encouraging new economic and employment opportunities for rural residents. The Comprehensive Plan "recognizes the value of home-based business, recreation and tourism, and commercial and industrial clusters for their ability to provide job opportunities in the Rural Area and Natural Resource Lands, and help sustain the rural economic base." This ordinance takes advantage of the existing, organically developing adult beverage industry to implement this policy in a variety of ways. The Plan directs the County to explore "opportunities to

110 support agricultural tourism and to encourage value-added programs related to the
109 production of food specifically including specialty beverages such as beer, distilled
108 beverages, and wine in the county". The ordinance carefully follows this directive, and
107 was developed over several years as the County considered existing and proposed
106 regulations, balancing "the differing needs and emerging trends of the agricultural and
105 adult beverage businesses." The ordinance adds flexibility, maintains existing size and
104 scale limits on adult beverage industry uses in the Agricultural zone and the rural area
103 and adds new limits to enhance "open and green space values and preserve the natural
102 aesthetic which helps both industries grow."

101 J. The Comprehensive Plan addresses the Growth Management Act's
100 requirement to plan for industrial uses. Plan Policy ED-211 encourages the county to
99 "support programs and strategies to preserve and plan for an adequate supply of industrial
98 and commercial land," including through "[p]reventing the encroachment of
97 non-industrial uses on industrially-zoned land and the rezoning of industrial land to other
96 uses." This ordinance recognizes that although King County has a finite amount of
95 industrial land available, at their highest levels of intensity, some adult beverage
94 businesses can grow to a level of mechanization, volume and intensity suited for the
93 Industrial zone, but avoids funneling smaller, less mechanized, community-serving
92 businesses into the county's limited Industrial zoned areas. Those smaller scale adult
91 beverage industry uses are appropriately placed in more aesthetically pleasing areas,
90 where rural community consumers and a healthy population of visitors to the County's
89 many regional recreation and tourism opportunities can support economic success. This
88 ordinance aims to avoid bringing low-impact, low-intensity adult beverage uses into

111 limited Industrial zone spaces that are reserved for more intensive industrial uses.

112 K. Comprehensive Plan Policy ED-212 states "King County shall encourage and
113 support community based and community led efforts to support and retain existing small
114 businesses." Although rapid industry growth has resulted in some adult beverage
115 businesses becoming incompatible with rural character, this ordinance honors the
116 sometimes competing Comprehensive Plan policies to support and retain existing small
117 businesses with equally important policy to protect rural character by setting clear scope
118 and size limits to protect the Agricultural zone and Rural Area zone. In the specific case
119 of the previously untested remote tasting room use, which was recently created within
120 state licensing provisions, the ordinance allows some small businesses to continue within
121 limited rural area demonstration projects but also makes space available for tasting rooms
122 in Community Business and Regional Business zones for those businesses that wish to
123 expand their scope.

124 L. The Growth Management Act requires that rural development be contained
125 and controlled to ensure the protection of rural character, assure the visual compatibility
126 of rural development with the surrounding Rural Area and Natural Resource Lands,
127 protect environmentally critical areas and habitat, and protect against conflicts with
128 natural resource uses, such as farming, forestry, and mining." Proximity to existing
129 agricultural uses and rural area recreational destinations provide the raw materials and
130 customer base to allow traditional small-scale adult beverage industry uses to thrive. The
131 adult beverage industry relies on all of these elements to succeed. For example, the
132 definition of agriculture in the Growth Management Act includes viticulture, an essential
133 component of a winery use. Viticulture, and agricultural practices related to brewery and

distillery uses and their associated processing and sales activities, are all examples of things the Comprehensive Plan requires the county to protect.

M. The Comprehensive Plan, describes rural character and notes that King County "...recognizes that each of its rural communities has distinct and unique characteristics." For instance, "...residents of Vashon-Maury Island, accessible only by ferry, sea or air, enjoy an island's leisurely and scenic lifestyle..." while "...[i]n the Snoqualmie Valley, farming is still the mainstay...". The Sammamish valley, which was a study area during development of this ordinance, has its own distinctively rural character, despite its close proximity to urban incorporated areas and to the city of Woodinville's popular, concentrated winery district. Some of the regulations adopted as part of this ordinance, such as the various allowances for tasting associated with winery, brewery, distillery production facilities, vary across the different rural communities in unincorporated King County. Individual rural communities take different positions and have different priorities, and this is reflected in some of the regulations, while generally a county-wide lens was used for analyzing potential regulatory impacts on the wider rural area and natural resource lands.

N. Comprehensive Plan Policy R-201 defines the characteristics of rural character and the rural area. Four of these characteristics are particularly relevant to the changes made in this ordinance: "b. Commercial and noncommercial farming, forestry, fisheries, mining, home-occupations and home industries," "d. Community small-town atmosphere, safety, and locally owned small businesses," "h. Traditional rural land uses of a size and scale that blend with historic rural development," and "i. Rural uses that do not include primarily urban-serving facilities."

157 O. Public testimony on this ordinance was consistent with Comprehensive Plan
158 policy goals and included discussion of adult beverage industry uses as being community
159 gathering places, rural residents desire to take advantage of economic opportunities
160 created by the adult beverage industry and the need for solid customer bases to allow
161 small businesses to thrive.

162 P. The county is required to balance protecting rural character and agricultural
163 resources over diverse communities, with creating space for rural industries to thrive
164 within those communities. Existing and proposed regulations on the adult beverage
165 industry are designed for a size and scale appropriate for the rural communities they are
166 located in, and add protections for the Agriculture zone and agricultural production
167 district as well as measures that enhance enforceability of the regulations. This ordinance
168 aims to implement Comprehensive Plan Policy R-204, which encourages
169 "...establishment of new rural resource-based uses, with appropriate site management
170 and that protects habitat resources..." and Comprehensive Plan Policy R-205 which
171 states uses that "...include those relating to agriculture, forestry, mineral extraction, and
172 fisheries, such as the raising of livestock, growing of crops, creating value-added
173 products, and sale of agricultural products; small-scale cottage industries; and
174 recreational and small-scale tourism uses that rely on a rural location..." are appropriate
175 in the Rural Area zones.

176 Q. Comprehensive Plan Policy R-324 describes the type of nonresidential use
177 appropriate for the Rural Area. These include uses that: "[p]rovide convenient local
178 products and services for nearby residents," "[r]equire location in a Rural Area,"
179 "[s]upport natural resource-based industries" or "[p]rovide recreational and tourism

180 opportunities that are compatible with the surrounding Rural Area," as long as the use is
181 "sited, sized and landscaped to complement rural character" and "prevent impacts to the
182 environment and function with rural services including on-site wastewater disposal." This
183 ordinance implements the Plan by creating clear regulations for the adult beverage
184 industry, requiring uses to be sited, sized and landscaped to complement rural character,
185 and by creating a business license so adult beverage industry uses can be better evaluated.
186 Adult beverage uses provide convenient local products for rural residents, support
187 agricultural resource-based industries, and provide new regional recreational and tourism
188 opportunities.

189 GR. Other development regulations, including stormwater management,
190 impervious surface, ~~and~~ critical area and landscaping requirements, remain in place and
191 are unchanged by this ordinance.

192 HS. During the study period preceding adoption of this ordinance many adult
193 beverage industry uses were found to be unaware of local health and building codes.

194 CIT. This ordinance ~~A~~establishes a business license ~~is established~~ for the adult
195 beverage industry ~~in King County~~ to provide greater certainty about where adult beverage
196 uses ~~producers and tasting rooms~~ are located, so that King County agencies can more
197 easily educate business owners and ~~to~~ verify that they are in compliance with county
198 ~~rules and laws~~ land use, health and safety regulations.

199 DJU. K.C.C. chapter 21A.55 authorizes demonstration projects, "as a mechanism
200 to test and evaluate alternative development standards and processes prior to amending
201 King County policies and regulations." Two demonstration projects are established by
202 this ordinance.- ~~in the rural area of the Sammamish Valley, with one of the two also~~

~~applicable to the Vashon Maury Island Rural Town boundary. One~~The first
demonstration ~~is in two limited areas and~~ evaluates the presence of remote tasting rooms
in Rural Area zoned land in the Sammamish valley, and within the Vashon Rural Town
and Fall City Rural Town~~the rural community~~. The second demonstration ~~is in one very~~
~~limited area and~~ evaluates incorporating rural industry-supporting special events ~~within~~
~~the~~through a joint conditional use permit and rather than through the annual temporary
use permit review process for winery, brewery, distillery facility III, and applies to Rural
Area zoned land in the Sammamish valley. Those two demonstrations are located in
areas where businesses are supported by nearby small-scale agriculture and proximity to
consumers, and rely on a pastoral setting and a rural sense of community for economic
viability and traditional rural-based activities. The criteria for site selection for the two
demonstration projects were based on existing levels of development on the property, lot
size, current zoning, availability of arterial access, proximity to Agricultural zoned areas
and agricultural production districts, proximity to local and rural industry-supportive uses
and to areas in need of economic stimulus and availability of arterial access. These
criteria implement Comprehensive Plan policy direction to protect agricultural lands and
rural character, while at the same time providing opportunities for~~and to provide rural~~
~~economic opportunities-economic growth.~~ State Route 202, state Route 203 and Vashon
Highway SW are designated arterials designed to carry significant traffic loads and are
not expected to reflect measurable impacts over loads already generated by Rural Area
residents and businesses.~~→~~ These selected locations are ideal places to test the
demonstration projects' ability to support businesses that are primarily non-urban in
nature-, and to evaluate their positive and negative impacts before adopting potential

226 countywide regulations.

227 V. Public testimony on this ordinance included discussion of congestion on local
228 roads caused by population growth. With that concern in mind, the ordinance requires
229 the largest winery, brewery, distillery facilities to be sited where there is direct access to
230 an arterial, and that remote tasting rooms be tested where related vehicle trips will be
231 directed to an existing state highway. Comprehensive Plan Policy T-310 states "state
232 highway facilities and arterial roads are designed to accommodate higher traffic volumes,
233 at higher speeds than local roads," and the county should "encourage such traffic to use
234 highways or arterials whenever possible." This ordinance implements the Plan's directive
235 by requiring larger and previously untested uses to utilize arterial roads.

236 W. Parcels chosen for the remote tasting room demonstration project A in the
237 Sammamish valley are located directly on an arterial. Parcels chosen for the remote
238 tasting room demonstration project A on Vashon-Maury Island and in Fall City are zoned
239 Community Business, and are inside the boundaries of the designed Rural Town. The
240 parcel selection complies with the policies in the Comprehensive Plan. For instance, the
241 Comprehensive Plan states that "[t]he purposes of Rural Town designations within the
242 Comprehensive Plan are to recognize existing concentrations of higher density and
243 economic activity in Rural Areas and to allow modest growth of residential and economic
244 uses to keep them economically viable into the future." Comprehensive Plan Policy R-
245 507 states, in part, "Rural Towns serve as activity centers for the Rural Area and Natural
246 Resource Lands and may be served by a range of utilities and services, and may include
247 several or all of the following land uses, if supported by necessary utilities and other
248 services and if scaled and designed to protect rural character: a. Retail, commercial, and

249 industrial uses to serve the surrounding Rural Area and Natural Resource Lands
250 population...c. Other retail, commercial, and industrial uses, such as resource industries,
251 tourism, commercial recreation, and light industry." Tasting rooms are similar to other,
252 more intensive uses contained within the stated categories and may be appropriately
253 located in Rural Towns.

254 ~~JKX.~~ The county is committed to providing fair, accurate and consistent
255 enforcement of the regulations adopted by this ordinance. The executive expects to
256 engage on-call consultants to conduct outreach and provide technical assistance to
257 businesses required to comply with the new regulations. It is anticipated that some
258 businesses may take several months to come into compliance. For businesses
259 progressing toward compliance with the ordinance, the county does not intend to begin
260 enforcement proceedings for; a minimum of six months after the effective date of this
261 ordinance.

262 SECTION 2. Sections 3 through 10~~1~~ of this ordinance should constitute a new
263 chapter in K.C.C. Title 6.

264 NEW SECTION. SECTION 3. There is hereby added to the chapter established
265 in section 2 of this ordinance a new section to read as follows:

266 It is the purpose of this chapter to establish business licensing standards for adult
267 beverage businesses located in unincorporated King County, in order to promote and
268 protect the health, safety and general welfare of unincorporated King County's residents.

269 NEW SECTION. SECTION 4. There is hereby added to the chapter established
270 in section 2 of this ordinance a new section to read as follows:

271 For the purpose of this chapter, unless the context clearly requires otherwise,

272 ~~"a~~Adult beverage business: ~~An adult beverage business~~" means a winery, brewery,
273 distillery or cidery, and remote tasting rooms for any of those businesses. A
274 nonconforming home occupation and a nonconforming home industry is an "adult
275 beverage business" for the purposes of this section.

276 NEW SECTION. SECTION 5. There is hereby added to the chapter established
277 in section 2 of this ordinance a new section to read as follows:

278 A person or entity shall not operate or maintain an adult beverage business in
279 unincorporated King County unless the business has obtained a business license issued by
280 the director as provided by this chapter. A current adult beverage business license issued
281 under this chapter shall be prominently displayed on the licensed premises. The adult
282 beverage business licensee shall comply with all applicable laws.

283 NEW SECTION. SECTION 6. There is hereby added to the chapter established
284 in section 2 of this ordinance a new section to read as follows:

285 An application for an adult beverage business license or license renewal must be
286 submitted in the name of the person, ~~the or~~ persons or the entity proposing to operate the
287 business. The application shall be signed by each person, or a responsible principal or
288 officer of the entity proposing to operate the business, certified as true under penalty of
289 perjury. All applications shall be submitted on a form supplied by the director, and shall
290 include the following:

291 A. The full name ~~and~~, current residential, email and mailing address of ~~the~~ each
292 person, including all partners if the applicant is a partnership, and all officers or
293 principals if the applicant is a corporation or limited liability company, and the Universal
294 Business Identifier number, the identity of the registered agent and the address of the

principal office, if the applicant is a corporation or limited liability company;

B. The name, street address and telephone number of the adult beverage business;

C. A copy of the Washington state Liquor and Cannabis Board non-retail liquor license or non-retail liquor license with retail endorsement associated with the business address; and

D. For businesses in the A zone, a signed statement that at least sixty percent of the products to be used by the business are grown on-site, as prescribed under K.C.C.

21A.08.030 and 21A.08.080, or for winery, brewery, distillery I businesses in the A zone, that at least sixty percent of the products to be used by the business are grown in Puget Sound counties, as defined in K.C.C. chapter 21A.06-B.3.f.

NEW SECTION. SECTION 7. There is hereby added to the chapter established in section 2 of this ordinance a new section to read as follows:

An applicant for an adult beverage business license or renewal under this chapter shall pay an application fee at the time of application submittal. The nonrefundable application fee for an adult beverage business license or renewal is one hundred dollars.

NEW SECTION. SECTION 8. There is hereby added to the chapter established in section 2 of this ordinance a new section to read as follows:

The director shall deny, suspend or revoke a license issued under this chapter if the Washington state Liquor and Cannabis Board does not issue a license to the business, or if the department of local services, permitting and environmental review division receives notice that the state license issued to the business is suspended or revoked, or was not reissued. A business owner whose application for a business license has been

denied or whose license has been suspended or revoked may appeal the decision to the office of the hearing examiner in accordance with K.C.C. 6.01.150.

NEW SECTION. SECTION 9. There is hereby added to the chapter established in section 2 of this ordinance a new section to read as follows:

An adult beverage business license expires one year from the date the business license is issued by the department of local services, permitting ~~and environmental review~~division. To avoid a lapse in the effectiveness of a license, an application to renew a license must be submitted to the director, on a form provided by the director, at least thirty days before the expiration of the business license. An adult beverage business license renewal expires one year from the previous license's expiration date.

NEW SECTION. SECTION 10. There is hereby added to the chapter established in section 2 of this ordinance a new section to read as follows:

A business license for a winery, brewery, distillery facility I interim use ~~permit~~ shall not be issued or renewed for more than five years on any one site.

NEW SECTION. SECTION 101. There is hereby added to the chapter established in section 2 of this ordinance a new section to read as follows:

Within thirty days of the director's receipt of a complete adult beverage business license application, the director shall issue or deny the license. Within thirty days of the director's receipt of a complete renewal application, the director shall issue or deny the renewal.

SECTION 142. Ordinance 15974, Section 5, and K.C.C. 21A.06.1427 are each hereby repealed.

NEW SECTION. SECTION 123. There is hereby added to K.C.C. chapter

REDLINE – FOR ILLUSTRATIVE PURPOSES ONLY

21A.06 a new section to read as follows:

Remote tasting room: A small facility ~~approved~~licensed by the Washington state Liquor and Cannabis Board and limited to the following non-retail liquor licenses: a Craft Distillery; aas a Tasting Room - Additional Location for a licensed winery licensed as a Domestic Winery; or a ,brewery or distillery that is operating at a location other than the licensed winery, brewery or distillery production facility, for the purpose of the retail sale and sampling of the licensed product.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 set forth 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 chapter 314-02 WAC, except as specifically set forth in this chapterby the liquor and cannabis board for a Tasting Room—Additional Location.

NEW SECTION. SECTION 143. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Winery, brewery, distillery facility I: 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, 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. and where oOn-site product tasting or retail sale of merchandise as authorized by state law does not occuris limited. "Winery, brewery, distillery facility I" does not include any retail liquor licenses that would

364 be authorized by chapter 314-02 WAC.

365 NEW SECTION. SECTION 15. There is hereby added to K.C.C. chapter
366 21A.06 a new section to read as follows:

367 Winery, brewery, distillery facility I interim use permit: A term-limited permit
368 for a winery, brewery, distillery facility I in the Agriculture zone. A winery, brewery,
369 distillery facility I interim use permit is a one-time approval, effective for one year, with
370 four annual renewals possible for up to five years. After the interim use permit or any
371 renewals have expired, a winery, brewery, distillery facility I interim use is required to
372 either comply with zoning conditions for a winery, brewery, distillery facility II or III use,
373 and meet the requirements of one of those uses, or cease operations and vacate the site.
374 Applications for a winery, brewery, distillery facility I interim use permit may only be
375 accepted by the permitting division within five years of the effective date of this ordinance.
376 The time limitations on a winery, brewery, distillery facility I interim use permit do not
377 apply to agricultural uses such as vineyards and orchards.

378 NEW SECTION. SECTION 146. There is hereby added to K.C.C. chapter
379 21A.06 a new section to read as follows:

380 Winery, brewery, distillery facility II: A small-scale production facility licensed
381 by the state of Washington to produce adult beverages such as wine, cider, beer and
382 distilled spirits and that includes an adult beverage production use such as crushing,
383 fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility II
384 may include additional production-related uses such as vineyards, orchards, wine cellars or
385 similar product-storage areas as authorized by state law, on-site product tasting and sales as
386 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 chapter 314-02 WAC.

NEW SECTION. SECTION 157. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Winery, brewery, distillery facility III: 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, 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 product tasting 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 chapter 314-02 WAC.

SECTION 186. Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030 are each hereby amended to read as follows:

A. Residential land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	DWELLING UNITS, TYPES:												
*	Single Detached	P C12	P2		P C12	P C12	P C12	P C12	P15				

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*	Townhouse				C4	C4	P11 C12	P	P3	P3	P3	P3	
*	Apartment				C4	C4	P5 C5	P	P3	P3	P3	P3	
*	Mobile Home Park				S13		C8	P					
*	Cottage Housing						P15						
	GROUP RESIDENCES:												
*	Community Residential Facility-I				C	C	P14.a C	P	P3	P3	P3	P3	
*	Community Residential Facility-II						P14.b	P	P3	P3	P3	P3	
*	Dormitory				C6	C6	C6	P					
*	Senior Citizen Assisted Housing					P4	P4	P	P3	P3	P3	P3	
	ACCESSORY USES:												
*	Residential Accessory Uses	P7 <u>P19</u>	P7		P7 <u>P17</u> <u>C17</u>	P7	P7	P7	P7	P7	P7	P7	
*	Home Occupation	P18	P18		P18	P18	P18	P18	P18	P18	P18	P18	
*	Home Industry	C			C	C	C						
	TEMPORARY LODGING:												
7011	Hotel/Motel (1)									P	P	P	
*	Bed and Breakfast Guesthouse	P9			P9	P9	P9	P9	P9	P10	P10		
7041	Organization Hotel/Lodging Houses										P		

B. Development conditions.

1. Except bed and breakfast guesthouses.

2. In the forest production district, the following conditions apply:

a. Site disturbance associated with development of any new residence shall be limited to three acres. Site disturbance shall mean all land alterations including, but not

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limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage disposal systems and driveways. Additional site disturbance for agriculture, including raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be approved only if a farm management plan is prepared in accordance with K.C.C. chapter 21A.30. Animal densities shall be based on the area devoted to animal care and not the total area of the lot;

b. A forest management plan shall be required for any new residence in the forest production district, that shall be reviewed and approved by the King County department of natural resources and parks before building permit issuance; and

c. The forest management plan shall incorporate a fire protection element that includes fire safety best management practices developed by the department.

3. Only as part of a mixed use development subject to the conditions of K.C.C. chapter 21A.14, except that in the NB zone on properties with a land use designation of commercial outside of center (CO) in the urban areas, stand-alone townhouse developments are permitted subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060 and 21A.14.180.

4. Only in a building listed on the National Register as an historic site or designated as a King County landmark subject to K.C.C. chapter 21A.32.

5.a. In the R-1 zone, apartment units are permitted, if:

(1) At least fifty percent of the site is constrained by unbuildable critical areas. For purposes of this subsection, unbuildable critical areas includes wetlands, aquatic areas and slopes forty percent or steeper and associated buffers; and

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430 (2) The density does not exceed a density of eighteen units per acre of net
431 buildable area.

432 b. In the R-4 through R-8 zones, apartment units are permitted if the density
433 does not exceed a density of eighteen units per acre of net buildable area.

434 c. If the proposal will exceed base density for the zone in which it is proposed,
435 a conditional use permit is required.

436 6. Only as accessory to a school, college, university or church.

437 7.a. Accessory dwelling units:

438 (1) Only one accessory dwelling per primary single detached dwelling unit;

439 (2) Only in the same building as the primary dwelling unit on:

440 (a) an urban lot that is less than five thousand square feet in area;

441 (b) except as otherwise provided in subsection B.7.a.(5) of this section, a
442 rural lot that is less than the minimum lot size; or

443 c. a lot containing more than one primary dwelling;

444 (3) The primary dwelling unit or the accessory dwelling unit shall be owner
445 occupied;

446 (4)(a) Except as otherwise provided in subsection B.7.a.(5) of this section,
447 one of the dwelling units shall not exceed one thousand square feet of heated floor area
448 except when one of the dwelling units is wholly contained within a basement or attic; and

449 (b) When the primary and accessory dwelling units are located in the same
450 building, or in multiple buildings connected by a breezeway or other structure, only one
451 entrance may be located on each street;

452 (5) On a site zoned RA:

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(a) If one transferable development right is purchased from the Rural Area or Natural Resource Lands under K.C.C. chapter 21A.37, the smaller of the dwelling units is permitted a maximum floor area up to one thousand five hundred square feet; and

(b) If one transferable development right is purchased from the Rural Area or Natural Resource Lands under K.C.C. chapter 21A.37, a detached accessory dwelling unit is allowed on an RA-5 zoned lot that is at least two and one-half acres and less than three and three-quarters acres;

(6) One additional off-street parking space shall be provided;

(7) The accessory dwelling unit shall be converted to another permitted use or shall be removed if one of the dwelling units ceases to be owner occupied; and

(8) An applicant seeking to build an accessory dwelling unit shall file a notice approved by the department of executive services, records and licensing services division, that identifies the dwelling unit as accessory. The notice shall run with the land. The applicant shall submit proof that the notice was filed before the department shall approve any permit for the construction of the accessory dwelling unit. The required contents and form of the notice shall be set forth in administrative rules. If an accessory dwelling unit in a detached building in the rural zone is subsequently converted to a primary unit on a separate lot, neither the original lot nor the new lot may have an additional detached accessory dwelling unit constructed unless the lot is at least twice the minimum lot area required in the zone; and

(9) Accessory dwelling units and accessory living quarters are not allowed in the F zone.

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b. One single or twin engine, noncommercial aircraft shall be permitted only on lots that abut, or have a legal access that is not a county right-of-way, to a waterbody or landing field, but only if there are:

(1) no aircraft sales, service, repair, charter or rental; and

(2) no storage of aviation fuel except that contained in the tank or tanks of the aircraft.

c. Buildings for residential accessory uses in the RA and A zone shall not exceed five thousand square feet of gross floor area, except for buildings related to agriculture or forestry.

8. Mobile home parks shall not be permitted in the R-1 zones.

9. Only as accessory to the permanent residence of the operator, and:

a. Serving meals shall be limited to paying guests; and

b. The number of persons accommodated per night shall not exceed five, except that a structure that satisfies the standards of the International Building Code as adopted by King County for R-1 occupancies may accommodate up to ten persons per night.

10. Only if part of a mixed use development, and subject to the conditions of subsection B.9. of this section.

11. Townhouses are permitted, but shall be subject to a conditional use permit if exceeding base density.

12. Required before approving more than one dwelling on individual lots, except on lots in subdivisions, short subdivisions or binding site plans approved for

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multiple unit lots, and except as provided for accessory dwelling units in subsection B.7. of this section.

13. No new mobile home parks are allowed in a rural zone.

14.a. Limited to domestic violence shelter facilities.

b. Limited to domestic violence shelter facilities with no more than eighteen residents or staff.

15. Only in the R4-R8 zones limited to:

a. developments no larger than one acre;

b. not adjacent to another cottage housing development such that the total combined land area of the cottage housing developments exceeds one acre;

c. All units must be cottage housing units with no less than three units and no more than sixteen units, provided that if the site contains an existing home that is not being demolished, the existing house is not required to comply with the height limitation in K.C.C. 21A.12.020.B.25. or the floor area and footprint limits in K.C.C.

21A.14.025.B; and

d. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

16. The development for a detached single-family residence shall be consistent with the following:

a. The lot must have legally existed before March 1, 2005;

b. The lot has a Comprehensive Plan land use designation of Rural Neighborhood Commercial Center or Rural Area; and

c. The standards of this title for the RA-5 zone shall apply.

- 520 17. ~~((Repealed.))~~ a. The aggregated floor area of structures and areas for
521 winery, brewery, distillery facility uses shall not exceed one thousand five hundred
522 square feet;
- 523 b. Structures and parking areas for winery, brewery, distillery facility uses
524 shall be set back a minimum distance of seventy-five feet from interior property lines
525 adjoining rural area and residential zones, unless located in a building designated as
526 historic resource under K.C.C. chapter 20.62. As part of the review of a conditional use
527 permit, the setback may be reduced to twenty-five feet if there is sufficient screening
528 between the proposed use and adjacent rural area and residential zones;
- 529 c. No more than one nonresident employee shall be permitted to work on-site;
- 530 d. Parking shall be provided as follows:
- 531 (1) in addition to the required parking for the dwelling, one on-site parking
532 stall shall be provided if a nonresident is employed to work on-site;
- 533 (2) a minimum of one on-site parking stall shall be provided for customers, and
534 additional parking shall be calculated at the rate of one stall per one thousand square feet of
535 floor or outdoor area dedicated to the winery, brewery, distillery facility uses; and
- 536 (3) parking shall be limited to one hundred fifty percent of minimum required
537 for wineries, breweries or distilleries specified in K.C.C. 21A.18.030, except for winery,
538 brewery, distillery facility I business locations licensed to produce by the Washington
539 state Liquor and Cannabis Board before January 1, 2019, without objection from King
540 County during the- license application processes, and that signed a settlement agreement
541 with King County before January 1, 2019, parking spaces exceeding the limits of this
542 section shall be considered nonconforming and may continue, subject to the provisions of

K.C.C. 21A.32.020 through 21A.32.075. Such parking spaces remain subject to all other applicable state and local regulations;

e. The business operator shall obtain an adult beverage business license in accordance with K.C.-C. chapter 6.xx (the new chapter created in section 2 of this ordinance);

f. At least two stages of production of wine, beer, cider or distilled spirits, such as crushing, fermenting, barrel or tank aging, or finishing, as authorized by the Washington state Liquor and Cannabis Board production license, shall occur on-site;

g. Tasting of products shall be limited as follows:

(1) within the area bounded by the urban growth area boundaries of Woodinville and Kirkland on the west, NE 124th Street on the South, Avondale Road NE on the east and Woodinville-Duvall Road NE on the north, product tasting shall not be allowed; and

(2) in all other areas of the county, for products produced on-site, tasting of products may be provided in accordance with state law. The area devoted to tasting shall be included in the aggregated floor area limitation in subsection B.17.a. of this section.

Tastings shall be limited to appointment only; and appointments may only occur Mondays, Tuesdays, Wednesdays and Thursdays, between 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and Sundays, between 11:00 a.m. through 9:00 p.m. All tastings shall be indoors;

h. Incidental retail sales of products produced on-site and merchandise related to the products produced on-site is allowed; and

i. Events may be allowed in accordance with K.C.C. chapter 21A.32.

18. Allowed if consistent with K.C.C. chapter 21A.30.

19.a.(1) The permitting division shall accept applications for a winery, brewery, distillery facility I interim use permit only within five years of the effective date of this ordinance;

(2) A winery, brewery, distillery facility I interim use permit shall be reviewed as a Type II land use decision in accordance with K.C.C. 20.20.020. All application, notice, review and appeal processes in K.C.C. chapter 20.20 shall apply to the review of the winery, brewery, distillery facility I interim use permit. If not exempt under K.C.C. 20.44.040, State Environmental Policy Act review shall be required;

(3) The applicant shall be required to pay a review fee equivalent to the fee applicable to a temporary use permit upon application;

(4) The permitting division shall apply the review criteria for temporary use permits in K.C.C. 21A.44.020 to winery, brewery, distillery facility I interim use permit applications;

(5) If approved, a winery, brewery, distillery facility I interim use permit shall be effective for one year from the date of issuance and may be renewed up to four times annually, subject to the provisions for a temporary use permit provided in K.C.C. 21A.32.120.D.;

(6) No more than one winery, brewery, distillery facility I interim use permit may be issued for any one site, and after the interim use approval has expired, no additional winery, brewery, distillery facility I interim use -may be -permitted on that site; and

(7) A winery, brewery, distillery facility I interim use permit shall, no later

589 than the expiration of the original approval or any extension granted by the permitting
590 division, whichever is later, either:

591 (a) convert to a winery, brewery, distillery facility II or III and comply with
592 the requirements in K.C.C. 21A.08.080; or

593 (b) cease operations and vacate a site;

594 b. Only allowed on sites where the primary use is SIC Industry Group No. 01-
595 Growing and Harvesting Crops or No. 02-Raising Livestock and Small Animals;

596 c. The aggregated floor area of structures and areas for winery, brewery,
597 distillery facility uses shall not exceed one thousand five hundred square feet. Decks that
598 are not occupied and not open to the public are excluded from the calculation for
599 maximum aggregated floor area;

600 d. Structures and parking areas for winery, brewery, distillery facility uses
601 shall be set back a minimum distance of seventy-five feet from interior property lines
602 adjoining rural area and residential zones, unless located in a building designated as
603 historic resource under K.C.C. chapter 20.62;

604 e. No more than one nonresident employee shall be permitted to work on-site;

605 f. On a site with direct access to an arterial;

606 g. Parking shall be provided as follows:

607 (1) in addition to the required parking for the dwelling, one on-site parking
608 stall shall be provided if a nonresident is employed to work on-site;

609 (2) a minimum of one on-site parking stall shall be provided for customers, and
610 additional parking shall be calculated at the rate of one stall per one thousand square feet of
611 floor or outdoor area dedicated to the winery, brewery, distillery facility uses; and

612 (3) parking shall be limited to one hundred fifty percent of minimum required
613 for wineries, breweries or distilleries specified in K.C.C. 21A.18.030, except for winery,
614 brewery, distillery facility I business locations licensed to produce by the Washington
615 state Liquor and Cannabis Board before January 1, 2019, without objection from King
616 County during the license application processes, and that signed a settlement agreement
617 with King County before January 1, 2019, parking spaces exceeding the limits of this
618 section shall be considered nonconforming and may continue, subject to the provisions of
619 K.C.C. 21A.32.020 through 21A.32.075. Such parking spaces remain subject to all other
620 applicable state and local regulations;

621 h. The business operator shall obtain an adult beverage business license in
622 accordance with ~~the adult beverage licensing provision of K.C.-C. chapter 6.xx~~ (the new
623 chapter created in section 2 of this ordinance);

624 i. At least two stages of production of wine, beer, cider or distilled spirits, such
625 as crushing, fermenting, barrel or tank aging, or finishing, as authorized by the
626 Washington state Liquor and Cannabis Board production license, shall occur on-site;

627 j. Structures and areas for non-agricultural winery, brewery, distillery facility
628 uses shall be located on portions of agricultural lands that are unsuitable for agricultural
629 purposes, such as areas within the already developed portion of such agricultural lands
630 that are not available for direct agricultural production, or areas without prime
631 agricultural soils;

632 k. Product tasting shall not be allowed; ~~and~~

633 l. Incidental retail sales of products produced on-site and merchandise related
634 to the products produced on-site is allowed;

m. Special events shall not be allowed; and

n. Sixty percent or more of the products processed must be grown in the Puget Sound counties. At the time of the initial application under the adult beverage licensing provisions of K.C.C. chapter 6.xx (the new chapter created in section 2 of this ordinance), the applicant shall submit a projection of the source of products to be produced.

SECTION 196. Ordinance 10870, Section 334, as amended, and K.C.C. 21A.08.070 are each hereby amended to read as follows:

A. Retail land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (30)
*	Building Materials and Hardware Stores		P23						P2	P	P		
*	Retail Nursery, Garden Center and Farm Supply Stores	P1 C1			P1 C1				P	P	P		
*	Forest Products Sales	P3 and 4	P4		P3 and 4						P		

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*	Department and Variety Stores						C14 a	P14	P5	P	P		
54	Food Stores						C15 a	P15	P	P	P	C	P6
*	Agricultural Product Sales (28)							P25	P25	P25	P25	P2 5	P25
*	Farmers Market	P24	P2 4		P24	P24	P24	P24	P24	P24	P24	P2 4	P24
*	Motor Vehicle and Boat Dealers										P8		P
553	Auto Supply Stores									P9	P9		P
554	Gasoline Service Stations								P	P	P		P
56	Apparel and Accessory Stores									P	P		
*	Furniture and Home Furnishings Stores									P	P		
58	Eating and Drinking Places				P21 C19		P20 C16	P20 P16	P10	P	P	P	P
<u>*</u>	<u>Remote</u> <u>Tasting</u> <u>Room (13)</u>									<u>P7</u>	<u>P7</u>		
*	Drug Stores						C15	P15	P	P	P	C	

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*	Marijuana retailer									P26 C2 7	P26 C2 7		
592	Liquor Stores	((P13))			((P13))	((P13))			((P13))	P	P		
593	Used Goods: Antiques/ Secondhand Shops									P	P		
*	Sporting Goods and Related Stores			P2 2	P22	P22	P22	P22	P22	P	P	P2 2	P22
*	Book, Stationery, Video and Art Supply Stores						C15 a	P15	P	P	P		
*	Jewelry Stores									P	P		
*	Monuments, Tombstones , and Gravestones										P		
*	Hobby, Toy, Game Shops								P	P	P		
*	Photographi c and Electronic Shops								P	P	P		
*	Fabric Shops									P	P		

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598	Fuel Dealers									C1 1	P		P
*	Florist Shops						C15 a	P15	P	P	P	P	
*	Personal Medical Supply Stores									P	P		
*	Pet Shops								P	P	P		
*	Bulk Retail									P	P		
*	Auction Houses										P12		P
*	Livestock Sales (28)												P

B. Development conditions.

1.a. As a permitted use, covered sales areas shall not exceed a total area of two thousand square feet, unless located in a building designated as historic resource under K.C.C. chapter 20.62. With a conditional uses permit, covered sales areas of up to three thousand five hundred square feet may be allowed. Greenhouses used for the display of merchandise other than plants shall be considered part of the covered sales area.

Uncovered outdoor areas used to grow or display trees, shrubs, or other plants are not considered part of the covered sales area;

b. The site area shall be at least four and one-half acres;

c. Sales may include locally made arts and crafts; and

d. Outside lighting is permitted if no off-site glare is allowed.

2. Only hardware stores.

3.a. Limited to products grown on site.

b. Covered sales areas shall not exceed a total area of five hundred square feet.

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- 657 4. No permanent structures or signs.
- 658 5. Limited to SIC Industry No. 5331-Variety Stores, and further limited to a
659 maximum of two thousand square feet of gross floor area.
- 660 6. Limited to a maximum of five thousand square feet of gross floor area.
- 661 7. ~~((Repealed)) Off-street parking is limited to a maximum of one space per~~
662 ~~fifty square feet of tasting and retail areas.~~
- 663 8. Excluding retail sale of trucks exceeding one-ton capacity.
- 664 9. Only the sale of new or reconditioned automobile supplies is permitted.
- 665 10. Excluding SIC Industry No. 5813-Drinking Places.
- 666 11. No outside storage of fuel trucks and equipment.
- 667 12. Excluding vehicle and livestock auctions.
- 668 13. ~~((Only as accessory to a winery or SIC Industry No. 2082-Malt Beverages,~~
669 ~~and limited to sales of products produced on site and incidental items where the majority~~
670 ~~of sales are generated from products produced on site))~~ Permitted as part of the
671 demonstration project authorized by section 29 of this ordinance.
- 672 14.a. Not in R-1 and limited to SIC Industry No. 5331-Variety Stores, limited to
673 a maximum of five thousand square feet of gross floor area, and subject to K.C.C.
674 21A.12.230; and
- 675 b. Before filing an application with the department, the applicant shall hold a
676 community meeting in accordance with K.C.C. 20.20.035.
- 677 15.a. Not permitted in R-1 and limited to a maximum of five thousand square
678 feet of gross floor area and subject to K.C.C. 21A.12.230; and

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679 b. Before filing an application with the department, the applicant shall hold a
680 community meeting in accordance with K.C.C. 20.20.035.

681 16.a. Not permitted in R-1 and excluding SIC Industry No. 5813-Drinking
682 Places, and limited to a maximum of five thousand square feet of gross floor area and
683 subject to K.C.C. 21A.12.230, except as provided in subsection B.20. of this section; and

684 b. Before filing an application with the department, the applicant shall hold a
685 community meeting in accordance with K.C.C. 20.20.035.

686 17. Repealed.

687 18. Repealed.

688 19. Only as:

689 a. an accessory use to a permitted manufacturing or retail land use, limited to
690 espresso stands to include sales of beverages and incidental food items, and not to include
691 drive-through sales; or

692 b. an accessory use to a recreation or multiuse park, limited to a total floor area
693 of three thousand five hundred square feet.

694 20. Only as:

695 a. an accessory use to a recreation or multiuse park; or

696 b. an accessory use to a park and limited to a total floor area of one thousand
697 five hundred square feet.

698 21. Accessory to a park, limited to a total floor area of seven hundred fifty
699 square feet.

700 22. Only as an accessory use to:

701 a. a large active recreation and multiuse park in the urban growth area; or

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b. a park, or a recreation or multiuse park in the RA zones, and limited to a total floor area of seven hundred and fifty square feet.

23. Only as accessory to SIC Industry Group No. 242-Sawmills and SIC Industry No. 2431-Millwork and;

a. limited to lumber milled on site; and

b. the covered sales area is limited to two thousand square feet. The covered sales area does not include covered areas used to display only milled lumber.

24. Requires at least five farmers selling their own products at each market and the annual value of sales by farmers should exceed the annual sales value of nonfarmer vendors.

25. Limited to sites located within the urban growth area and:

a. The sales area shall be limited to three hundred square feet and must be removed each evening;

b. There must be legal parking that is easily available for customers; and

c. The site must be in an area that is easily accessible to the public, will accommodate multiple shoppers at one time and does not infringe on neighboring properties.

26.a. Per lot, limited to a maximum aggregated total of two thousand square feet of gross floor area devoted to, and in support of, the retail sale of marijuana.

b. Notwithstanding subsection B.26.a. of this section, the maximum aggregated total gross floor area devoted to, and in support of, the retail sale of marijuana may be increased to up to three thousand square feet if the retail outlet devotes at least five hundred square feet to the sale, and the support of the sale, of medical marijuana, and

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the operator maintains a current medical marijuana endorsement issued by the Washington state Liquor and Cannabis Board.

c. Any lot line of a lot having any area devoted to retail marijuana activity must be one thousand feet or more from any lot line of any other lot having any area devoted to retail marijuana activity; and a lot line of a lot having any area devoted to new retail marijuana activity may not be within one thousand feet of any lot line of any lot having any area devoted to existing retail marijuana activity.

d. Whether a new retail marijuana activity complies with this locational requirement shall be determined based on the date a conditional use permit application submitted to the department of local services, permitting division, became or was deemed complete, and:

(1) if a complete conditional use permit application for the proposed retail marijuana use was not submitted, or if more than one conditional use permit application became or was deemed complete on the same date, then the director shall determine compliance based on the date the Washington state Liquor and Cannabis Board issues a Notice of Marijuana Application to King County;

(2) if the Washington state Liquor and Cannabis Board issues more than one Notice of Marijuana Application on the same date, then the director shall determine compliance based on the date either any complete building permit or change of use permit application, or both, were submitted to the department declaring retail marijuana activity as an intended use;

(3) if more than one building permit or change of use permit application was submitted on the same date, or if no building permit or change of use permit application

was submitted, then the director shall determine compliance based on the date a complete business license application was submitted; and

(4) if a business license application was not submitted or more than one business license application was submitted, then the director shall determine compliance based on the totality of the circumstances, including, but not limited to, the date that a retail marijuana license application was submitted to the Washington state Liquor and Cannabis Board identifying the lot at issue, the date that the applicant entered into a lease or purchased the lot at issue for the purpose of retail marijuana use and any other facts illustrating the timing of substantial investment in establishing a licensed retail marijuana use at the proposed location.

e. Retail marijuana businesses licensed by the Washington state Liquor and Cannabis Board and operating within one thousand feet of each other as of August 14, 2016, and retail marijuana businesses that do not require a permit issued by King County, that received a Washington state Liquor and Cannabis Board license to operate in a location within one thousand feet of another licensed retail marijuana business prior to August 14, 2016, and that King County did not object to within the Washington state Liquor and Cannabis Board marijuana license application process, shall be considered nonconforming and may remain in their current location, subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

(1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months;
and

(2) the gross floor area of a nonconforming retail outlet may be increased up to the limitations in subsection B.26.a. and B.26.b. of this section.

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771 27. Per lot, limited to a maximum aggregated total of five thousand square feet
772 gross floor area devoted to, and in support of, the retail sale of marijuana, and;

773 a. Any lot line of a lot having any area devoted to retail marijuana activity must
774 be one thousand feet or more from any lot line of any other lot having any area devoted to
775 retail marijuana activity; and any lot line of a lot having any area devoted to new retail
776 marijuana activity may not be within one thousand feet of any lot line of any lot having any
777 area devoted to existing retail marijuana activity; and

778 b. Whether a new retail marijuana activity complies with this locational
779 requirement shall be determined based on the date a conditional use permit application
780 submitted to the department of local services, permitting division, became or was deemed
781 complete, and:

782 (1) if a complete conditional use permit application for the proposed retail
783 marijuana use was not submitted, or if more than one conditional use permit application
784 became or was deemed complete on the same date, then the director shall determine
785 compliance based on the date the Washington state Liquor and Cannabis Board issues a
786 Notice of Marijuana Application to King County;

787 (2) if the Washington state Liquor and Cannabis Board issues more than one
788 Notice of Marijuana Application on the same date, then the director shall determine
789 compliance based on the date either any complete building permit or change of use permit
790 application, or both, were submitted to the department declaring retail marijuana activity as
791 an intended use;

792 (3) if more than one building permit or change of use permit application was
793 submitted on the same date, or if no building permit or change of use permit application

was submitted, then the director shall determine compliance based on the date a complete business license application was submitted; and

(4) if a business license application was not submitted or more than one business license application was submitted, then the director shall determine compliance based on the totality of the circumstances, including, but not limited to, the date that a retail marijuana license application was submitted to the Washington state Liquor and Cannabis Board identifying the lot at issue, the date that the applicant entered into a lease or purchased the lot at issue for the purpose of retail marijuana use, and any other facts illustrating the timing of substantial investment in establishing a licensed retail marijuana use at the proposed location; and

c. Retail marijuana businesses licensed by the Washington state Liquor and Cannabis Board and operating within one thousand feet of each other as of August 14, 2016, and retail marijuana businesses that do not require a permit issued by King County, that received a Washington state Liquor and Cannabis Board license to operate in a location within one thousand feet of another licensed retail marijuana business prior to August 14, 2016, and that King County did not object to within the Washington state Liquor and Cannabis Board marijuana license application process, shall be considered nonconforming and may remain in their current location, subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

(1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months; and

(2) the gross floor area of a nonconforming retail outlet may be increased up to the limitations in subsection B.27. of this section, subject to K.C.C. 21A.42.190.

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817 28. If the agricultural product sales or livestock sales is associated with
818 agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

819 SECTION 1720. Ordinance 10870, Section 335, as amended, and K.C.C.
820 21A.08.080 are each hereby amended to read as follows:

821 A. Manufacturing land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1- 8	R12- 48	NB	CB	RB	O	I (11)
20	Food and Kindred Products (28)								P2	P2	P2 C		P2 C
*	<u>Winery/Brewery/Distillery Facility I</u>				<u>P30</u>	<u>P30</u>							
*((/2082 /2085))	Winery/Brewery/Distillery Facility II	P3 <u>C3</u>			P3 <u>C3</u> C((42)) <u>3430</u>	<u>((P3))</u>			P17 <u>C17</u>	P17 <u>C17</u>	<u>P29</u> <u>C29</u>		<u>P29P31</u> <u>C31</u>
*	<u>Winery/Brewery/Distillery Facility III</u>	<u>C12</u>			<u>C12</u>	<u>C12</u>			<u>C29</u>	<u>C29</u>	<u>C29</u>		<u>C29C31</u>
*	Materials Processing Facility		P13 C	P14 C15	P16 C								P
22	Textile Mill Products												C
23	Apparel and other Textile Products										C		P
24	Wood Products, except furniture	P4 P18	P4 P18 C5		P4 P18 C5	P4					C6		P
25	Furniture and Fixtures		P19		P19						C		P
26	Paper and Allied Products												C
27	Printing and Publishing								P7	P7	P7C	P7C	P
*	Marijuana Processor I	P20			P27					P21 C22	P21 C22		

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*	Marijuana Processor II									P23 C24	P23 C24		P25 C26
28	Chemicals and Allied Products												C
2911	Petroleum Refining and Related Industries												C
30	Rubber and Misc. Plastics Products												C
31	Leather and Leather Goods										C		P
32	Stone, Clay, Glass and Concrete Products									P6	P9		P
33	Primary Metal Industries												C
34	Fabricated Metal Products												P
35	Industrial and Commercial Machinery												P
351-55	Heavy Machinery and Equipment												C
357	Computer and Office Equipment										C	C	P
36	Electronic and other Electric Equipment										C		P
374	Railroad Equipment												C
376	Guided Missile and Space Vehicle Parts												C
379	Miscellaneous Transportation Vehicles												C
38	Measuring and Controlling Instruments										C	C	P
39	Miscellaneous Light Manufacturing										C		P
*	Motor Vehicle and Bicycle Manufacturing												C

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*	Aircraft, Ship and Boat Building												P10C
7534	Tire Retreading										C		P
781-82	Movie Production/Distribution										P		P

822 B. Development conditions.

823 1. Repealed.

824 2. Except slaughterhouses.

825 3.a. ~~((Limited to ((wineries, SIC Industry No. 2082 Malt Beverages and SIC~~
826 ~~Industry No. 2085 Distilled and Blended Liquors))~~ winery, brewery, distillery facility II
827 uses;

828 ~~b.))~~ In the A zone, only allowed on sites where the primary use is SIC Industry
829 Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small
830 Animals;

831 ~~((c. In the RA, A and UR zones, e))~~ b. Only allowed on lots of at least ((four))
832 two and one-half acres;

833 ~~((d.))~~ c. The aggregated floor area ((devoted to all processing)) of structures
834 and areas for winery, brewery, distillery facility uses shall not exceed three thousand five
835 hundred square feet, unless located in ((a building)) whole or in part in a structure
836 designated as historic resource under K.C.C. chapter 20.62, in which case the aggregated
837 floor area of structures and areas devoted to winery, brewery, distillery facility uses shall
838 not exceed five thousand square feet. Decks that are not occupied and not open to the
839 public are excluded from the calculation for maximum aggregated floor area;

840 ~~((e.))~~ d. Structures and parking areas ((used)) for ((processing)) winery,
841 brewery, distillery facility uses shall maintain a minimum distance of seventy-five feet

842 from interior property lines adjoining rural area and residential zones, unless located in a
843 building designated as historic resource under K.C.C. chapter 20.62. As part of the
844 review of a conditional use permit, the setback may be reduced to twenty-five feet if there
845 is sufficient screening between the proposed use and adjacent rural area and residential
846 zones;

847 ~~((f.))~~ e. In the A zones, ((S))sixty percent or more of the products processed
848 must be grown ~~((in the Puget Sound counties))~~ on-site. At the time of the initial
849 application ~~for the adult beverage licensing provisions of under~~ K.C.C. chapter 6.xx (the
850 new chapter created in section 2 of this ordinance), the applicant shall submit a projection
851 of the source of products to be produced; ~~((and))~~

852 ~~((g.))~~ f. At least two stages of production of wine, beer, cider or distilled
853 spirits, such as crushing, fermenting, barrel or tank aging, or finishing, as authorized by
854 the Washington state Liquor and Cannabis Board production license, shall occur on-site;

855 g. –In the A zone, structures and areas for non-agricultural winery, brewery,
856 distillery facility uses shall be located on portions of agricultural lands that are unsuitable
857 for agricultural purposes, such as areas within the already developed portion of such
858 agricultural lands that are not available for direct agricultural production, or areas without
859 prime agricultural soils;

860 hh. Tasting of products produced ~~on-on-~~site may be provided in accordance
861 with state law. The area devoted to tasting shall be included in the aggregated floor area
862 limitation in subsection B.3.~~((c.))~~ d. of this section. Hours of operation for on-site tasting
863 of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays,
864 tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays,

Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;

i. Incidental retail sales of products produced on-site and merchandise related to the products produced on-site is allowed;

ij. On a site with direct access to an arterial;

kj. Off-street parking is limited to a maximum of one space per 50 square feet of tasting and retail area, one hundred and fifty percent of the minimum requirement for wineries, breweries or distilleries specified in K.C.C. 21A.18.030 except for winery, brewery, distillery facility II business locations licensed to produce by the Washington state Liquor and Cannabis Board before January 1, 2019, without objection from King County during the license application processes, and that signed a settlement agreement with King County before January 1, 2019, parking spaces exceeding the limits of this section shall be considered nonconforming and may continue, subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075. Such parking spaces remain subject to all other applicable state and local regulations;

lk. The business operator shall obtain an adult beverage business license in accordance with ~~the adult beverage licensing provision of~~ K.C.C. chapter 6.xx (the new chapter created in section 2 of this ordinance); and

lm. Events may be allowed with an approved temporary use permit under K.C.C. chapter 21A.32.

4. Limited to rough milling and planing of products grown on-site with portable equipment.

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- 887 5. Limited to SIC Industry Group No. 242-Sawmills and SIC Industry No.
888 2431-Millwork. For RA zoned sites, if using lumber or timber grown off-site, the
889 minimum site area is four and one-half acres.
- 890 6. Limited to uses found in SIC Industry No. 2434-Wood Kitchen Cabinets and
891 No. 2431-Millwork, (excluding planing mills).
- 892 7. Limited to photocopying and printing services offered to the general public.
- 893 8. Only within enclosed buildings, and as an accessory use to retail sales.
- 894 9. Only within enclosed buildings.
- 895 10. Limited to boat building of craft not exceeding forty-eight feet in length.
- 896 11. For I-zoned sites located outside the urban growth area designated by the
897 King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C.
898 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for
899 rural industrial uses as set forth in K.C.C. chapter 21A.12.
- 900 12.a. ~~((Limited to ((wineries, SIC Industry No. 2082 Malt Beverages and SIC~~
901 ~~Industry No. 2085 Distilled and Blended Liquors;))~~ winery, brewery, distillery facility III
902 uses;
- 903 b. ~~((1) Except as provided in subsection B.12.b.(2) of this section, t))~~The
904 aggregated floor area of structures and areas for ~~((wineries, breweries and distilleries and~~
905 ~~any accessory))~~ winery, brewery, distillery facility uses shall not exceed a total of eight
906 thousand square feet~~((:)), except that ((F))~~the floor area may be increased by up to an
907 additional eight thousand square feet of underground storage that is constructed
908 completely below natural grade, not including required exits and access points, if the
909 underground storage is at least one foot below the surface and is not visible above

ground. Decks that are not occupied and not open to the public are excluded from the calculation for maximum aggregated floor area; ~~((and~~

~~(2) On Vashon-Maury Island, the total floor area of structures for wineries, breweries and distilleries and any accessory uses may not exceed six thousand square feet, including underground storage;))~~

~~((e-))~~ b. Only allowed on lots of at least ~~The minimum site area is~~ four and one-half acres. If the aggregated floor area of structures for winery, brewery, distillery uses exceeds six thousand square feet, including underground storage, the minimum site area shall be ten acres;

~~c.d.~~ Wineries, breweries and distilleries shall comply with Washington state Department of Ecology and King County board of health regulations for water usage and wastewater disposal, and must connect to an existing Group A water system or an existing Group B water system if a Group A water system is not available ~~((– Wineries, breweries and distilleries using water from exempt wells shall install a water meter));~~

~~d. Off-street parking is limited to one hundred and fifty percent of the minimum requirement for wineries, breweries or distilleries specified in K.C.C. 21A.18.030;))~~

~~((e-))~~ d. Structures and parking areas ~~((used for processing))~~ for winery, brewery distillery facility uses shall be set back a minimum distance of seventy-five feet from interior property lines ~~((adjacent to))~~ adjoining rural area and residential zones, unless ~~((the processing is))~~ located in a building designated as historic resource under K.C.C. chapter 20.62. As part of the review of the conditional use permit, the setback

932 may be reduced to twenty-five feet if there is sufficient screening between the proposed
933 use and adjacent rural area and residential zones;

934 ~~((f.)) e.~~ ~~((The minimum site area is four and one half acres. If the total floor~~
935 ~~area of structures for wineries, breweries and distilleries and any accessory uses exceed~~
936 ~~six thousand square feet, including underground storage:~~

937 ~~(1) the minimum site area is ten acres; and~~

938 ~~(2) a minimum of two and one half acres of the site shall be used for the~~
939 ~~growing of agricultural products;~~

940 ~~g. The facility shall be limited to processing agricultural products and))~~ In the
941 A zone, sixty percent or more of the products processed must be grown ~~((in the Puget~~
942 ~~Sound counties))~~ on-site. At the time of the initial application for the adult beverage
943 licensing provisions of under K.C.C. chapter 6.xx (the new chapter created in section 2 of
944 this ordinance), the applicant shall submit a projection of the source of products to be
945 processed; ~~((and))~~

946 fg. At least two stages of production of wine, beer, cider or distilled spirits,
947 such as crushing, fermenting, barrel or tank aging, or finishing, as authorized by the
948 Washington state Liquor and Cannabis Board production license, shall occur on-site;

949 g. In the A zone, structures and areas for non-agricultural winery, brewery,
950 distillery facility uses shall be located on portions of agricultural lands that are unsuitable
951 for agricultural purposes, such as areas within the already developed portion of such
952 agricultural lands that are not available for direct agricultural production, or areas without
953 prime agricultural soils;

h. Tasting of products produced ~~on~~on-site may be provided in accordance with state law. The area devoted to tasting shall be included in the aggregated floor area limitation in subsection B.12.~~((b.))~~a. and eb. of this section. Hours of operation for on-site tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;

i. Incidental retail sales of products produced on-site and merchandise related to the products produced on-site is allowed;

ji. On a site with direct access to an arterial;

k. Off-street parking maximums shall be determined through the conditional use permit process, and the parking ratio for the tasting and retail areas should be limited to a maximum of one space per fifty square feet of tasting and retail areas;

lj. The business operator shall obtain an adult beverage business license in accordance with ~~the adult beverage licensing provision of~~ K.C.C. chapter 6.xx (the new chapter created in section 2 of this ordinance); and

km. Events may be allowed with an approved temporary use permit under K.C.C. chapter 21A.32.

13. Only on the same lot or same group of lots under common ownership or documented legal control, which includes, but is not limited to, fee simple ownership, a long-term lease or an easement:

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a. as accessory to a primary forestry use and at a scale appropriate to process the organic waste generated on the site; or

b. as a continuation of a sawmill or lumber manufacturing use only for that period to complete delivery of products or projects under contract at the end of the sawmill or lumber manufacturing activity.

14. Only on the same lot or same group of lots under common ownership or documented legal control, which includes, but is not limited to, fee simple ownership, a long-term lease or an easement:

a. as accessory to a primary mineral use; or

b. as a continuation of a mineral processing use only for that period to complete delivery of products or projects under contract at the end of mineral extraction.

15. Continuation of a materials processing facility after reclamation in accordance with an approved reclamation plan.

16. Only a site that is ten acres or greater and that does not use local access streets that abut lots developed for residential use.

17.a. ~~((Limited to ((wineries, SIC Industry No. 2082 Malt Beverages and SIC Industry No. 2085 Distilled and Blended Liquors;))~~ winery, brewery, distillery facility II uses;

~~b.))~~ The aggregated floor area ~~((devoted to all processing))~~ of structures and areas for winery, brewery, distillery facility uses shall not exceed three thousand five hundred square feet, unless located in ~~((a building))~~ whole or in part in a structure designated as historic resource under K.C.C. chapter 20.62, in which case the aggregated floor area of structures and areas devoted to winery, brewery, distillery facility uses shall

not exceed five thousand square feet. Decks that are not occupied and not open to the public are excluded from the calculation for maximum aggregated floor area;

~~((c.))~~ b. Structures and parking areas ((used for processing)) for winery, brewery, distillery facility uses shall maintain a minimum distance of seventy-five feet from interior property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62. As part of the review of a conditional use permit, the setback may be reduced to twenty-five feet if there is sufficient screening between the proposed use and adjacent rural area and residential zones; ((and))

~~((d.))~~ c. Tasting and retail sale of products produced on site, and merchandise related to the products produced on-site, may be provided in accordance with state law. The area devoted to tasting shall be included in the aggregated floor area limitation in subsection B.((18.b.))17.a.b. of this section;

d. Off-street parking for the tasting and retail areas shall be limited to a maximum of one space per fifty square feet of tasting and retail areas;

ee. The business operator shall obtain an adult beverage business license pursuant to in accordance with the adult beverage licensing provisions of K.C.C. chapter 6.xx (the new chapter created in section 2 of this ordinance); and

ff. Events may be allowed with an approved temporary use permit under K.C.C. chapter 21A.32.

18. Limited to:

a. SIC Industry Group No. 242-Sawmills and SIC Industry No. 2431-

Millwork, as follows:

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- 1022 (1) If using lumber or timber grown off-site, the minimum site area is four
1023 and one-half acres;
- 1024 (2) The facility shall be limited to an annual production of no more than one
1025 hundred fifty thousand board feet;
- 1026 (3) Structures housing equipment used in the operation shall be located at
1027 least one-hundred feet from adjacent properties with residential or rural area zoning;
- 1028 (4) Deliveries and customer visits shall be limited to the hours of 8:00 a.m. to
1029 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;
- 1030 (5) In the RA zone, the facility's driveway shall have adequate entering sight
1031 distance required by the 2007 King County Road Design and Construction Standards. An
1032 adequate turn around shall be provided on-site to prevent vehicles from backing out on to
1033 the roadway that the driveway accesses; and
- 1034 (6) Outside lighting is limited to avoid off-site glare; and
- 1035 b. SIC Industry No. 2411-Logging.
- 1036 19. Limited to manufacture of custom made wood furniture or cabinets.
- 1037 20.a. Only allowed on lots of at least four and one-half acres;
- 1038 b. Only as an accessory use to a Washington state Liquor Control Board
1039 licensed marijuana production facility on the same lot;
- 1040 c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;
- 1041 d. Only with documentation that the operator has applied for a Puget Sound
1042 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1043 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

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1044 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1045 are imported onto the site; and

1046 e. Accessory marijuana processing uses allowed under this section are subject
1047 to all limitations applicable to marijuana production uses under K.C.C. 21A.08.090.

1048 21.a. Only in the CB and RB zones located outside the urban growth area;

1049 b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1050 c. Only with documentation that the operator has applied for a Puget Sound

1051 Clean Air Agency Notice of Construction Permit. All department permits issued to either

1052 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1053 Clean Air Agency Notice of Construction Permit be approved before marijuana products

1054 are imported onto the site;

1055 d. Per lot, the aggregated total gross floor area devoted to the use of, and in
1056 support of, processing marijuana together with any separately authorized production of
1057 marijuana shall be limited to a maximum of two thousand square feet; and

1058 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
1059 every marijuana-related entity occupying space in addition to the two-thousand-square-
1060 foot threshold area on that lot shall obtain a conditional use permit as set forth in
1061 subsection B.22. of this section.

1062 22.a. Only in the CB and RB zones located outside the urban growth area;

1063 b. Per lot, the aggregated total gross floor area devoted to the use of, and in
1064 support of, processing marijuana together with any separately authorized production of
1065 marijuana shall be limited to a maximum of thirty thousand square feet;

1066 c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.; and

d. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before marijuana products are imported onto the site.

23.a. Only in the CB and RB zones located inside the urban growth area;

b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before marijuana products are imported onto the site;

d. Per lot, the aggregated total gross floor area devoted to the use of, and in support of, processing marijuana together with any separately authorized production of marijuana shall be limited to a maximum of two thousand square feet; and

e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and every marijuana-related entity occupying space in addition to the two-thousand-square-foot threshold area on that lot shall obtain a conditional use permit as set forth in subsection B.24. of this section.

24.a. Only in the CB and RB zones located inside the urban growth area;

b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either

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1090 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1091 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1092 are imported onto the site; and

1093 d. Per lot, the aggregated total gross floor area devoted to the use of, and in
1094 support of, processing marijuana together with any separately authorized production of
1095 marijuana shall be limited to a maximum of thirty thousand square feet.

1096 25.a. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1097 b. Only with documentation that the operator has applied for a Puget Sound
1098 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1099 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1100 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1101 are imported onto the site; and

1102 c. Per lot, limited to a maximum aggregate total of two thousand square feet of
1103 gross floor area devoted to, and in support of, the processing of marijuana together with
1104 any separately authorized production of marijuana.

1105 26.a. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1106 b. Only with documentation that the operator has applied for a Puget Sound
1107 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1108 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1109 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1110 are imported onto the site; and

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1111 c. Per lot, limited to a maximum aggregate total of thirty thousand square feet of
1112 gross floor area devoted to, and in support of, the processing of marijuana together with
1113 any separately authorized production of marijuana.

1114 27.a. Marijuana processors in all RA zoned areas except for Vashon-Maury
1115 Island, that do not require a conditional use permit issued by King County, that receive a
1116 Washington state Liquor and Cannabis Board license business prior to October 1, 2016,
1117 and that King County did not object to within the Washington state Liquor and Cannabis
1118 Board marijuana license application process, shall be considered nonconforming as to
1119 subsection B.27.e. of this section, subject to the provisions of K.C.C. 21A.32.020 through
1120 21A.32.075 for nonconforming uses;

1121 b. Only with a lighting plan that complies with K.C.C. 21A.12.220.G.;

1122 c. Only with documentation that the operator has applied for a Puget Sound
1123 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1124 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1125 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1126 are imported onto the site;

1127 d. Only allowed on lots of at least four and on-half acres on Vashon-Maury
1128 Island;

1129 e. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,
1130 except on Vashon-Maury Island;

1131 f. Only as an accessory use to a Washington state Liquor Cannabis Board
1132 licensed marijuana production facility on the same lot; and

g. Accessory marijuana processing uses allowed under this section are subject to all limitations applicable to marijuana production uses under K.C.C. 21A.08.090.

28. If the food and kindred products manufacturing or processing is associated with agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

29.a. Tasting and retail sales of products produced on site, and merchandise related to the products produced on-site, may be provided in accordance with state law;

b. Structures and parking areas for winery, brewery, distillery facility uses shall maintain a minimum distance of seventy-five feet from interior property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62. As part of the review of a conditional use permit, the setback may be reduced to twenty-five feet if there is sufficient screening between the proposed use and adjacent rural area and residential zones;

c. For winery, brewery, distillery facility uses that do not require a conditional use permit, off-street parking for the tasting and retail areas shall be limited to a maximum of one space per fifty square feet of tasting and retail areas. For winery, brewery, distillery facility uses that do require a conditional use permit, off-street parking maximums shall be determined through the conditional use permit process, and the parking ratio for the tasting and retail areas should be limited to a maximum of one space per fifty square feet of tasting and retail areas;

d. The business operator shall obtain an adult beverage business license pursuant to in accordance with the adult beverage licensing provisions of K.C.C. chapter 6.xx (the new chapter created in section 2 of this ordinance); and

be. Events may be allowed with an approved temporary use permit under K.C.C.

chapter 21A.32.

~~30. a. Limited to winery, brewery, distillery facility I uses;~~

~~b. The aggregated floor area of structures and areas for the winery, brewery, distillery use shall not exceed one thousand five hundred square feet;~~

~~c. Structures and parking areas for winery, brewery, distillery uses shall be set back a minimum distance of seventy five feet from property lines adjacent to rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;~~

~~d. No more than one nonresident employee shall be permitted to work on-site;~~

~~e. One on-site parking place shall be provided if a nonresident is employed to work on site;~~

~~f. The business operator shall obtain an adult beverage business license in accordance with the adult beverage licensing provision of K.C. C. chapter 6.xx (the new chapter created in section 2 of this ordinance); and~~

~~g. No product tasting, retail sale or events requiring a temporary use permit under K.C.C. chapter 21A.32 shall be allowed.~~

3130.a. Limited to winery, brewery, distillery facility II uses;

~~b. Only allowed on lots of at least ~~four~~two and one-half acres;~~

be. The aggregated floor area of structures and areas for winery, brewery, distillery facility uses shall not exceed three thousand five hundred square feet, unless located in whole or in part in a structure designated as historic resource under K.C.C. chapter 20.62, in which case the aggregated floor area of structures and areas devoted to winery, brewery, distillery facility uses shall not exceed five thousand square feet. Decks

that are not occupied and not open to the public are excluded from the calculation for maximum aggregated floor area;

~~cd.~~ Structures and parking areas for winery, brewery, distillery facility uses shall maintain a minimum distance of seventy-five feet from interior property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62. As part of the review of the conditional use permit, the setback may be reduced to twenty-five feet if there is sufficient screening between the proposed use and adjacent rural area and residential zones;

~~de.~~ Tasting of products produced on-site may be provided in accordance with state law. The area devoted to tasting shall be included in the floor area limitation in subsection B.30.eb. of this section. Hours of operation for on-site tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;

e. Incidental retail sales of products produced on-site and merchandise related to the products produced on-site is allowed;

~~ff.~~ On a site with direct access to a public roadway;

~~gg.~~ Off-street parking for tasting and retail areas is limited to a maximum of one space per fifty square feet of tasting and retail areas is limited to one hundred and fifty percent of the minimum requirement for wineries, breweries or distilleries specified in K.C.C. 21A.18.030, except for winery, brewery, distillery facility II business locations licensed to produce by the Washington state Liquor and Cannabis Board before January 1, 2019, without objection from King County during the license application processes,

1202 and that signed a settlement agreement with King County before January 1, 2019, parking
1203 spaces exceeding the limits of this section shall be considered nonconforming and may
1204 continue, subject to K.C.C. 21A.32.020 through 21A.32.075. Such parking spaces
1205 remain subject to all other applicable state and local regulations;

1206 hh. The business operator shall obtain an adult beverage business license in
1207 accordance with ~~the adult beverage licensing provision of~~ K.C.C. chapter 6.xx (the new
1208 chapter created in section 2 of this ordinance); ~~and~~

1209 ii. Events may be allowed with an approved temporary use permit under K.C.C.
1210 chapter 21A.32; and

1211 j. At least two stages of production of wine, beer, cider or distilled spirits, such
1212 as crushing, fermenting, barrel or tank aging, or finishing, as authorized by the
1213 Washington state Liquor and Cannabis Board production license, shall occur on-site.

1214 31.a. Limited to businesses with non-retail brewery and distillery production
1215 licenses from the Washington state Liquor and Cannabis board. Wineries and remote
1216 tasting rooms for wineries shall not be allowed;

1217 b. Tasting and retail sale of products produced on site, and merchandise related
1218 to the products produced on-site, may be provided in accordance with state law. The area
1219 devoted to tasting shall not exceed one thousand five hundred square feet;

1220 c. Structures and parking areas for winery, brewery, distillery facility uses shall
1221 maintain a minimum distance of seventy-five feet from interior property lines adjoining
1222 rural area and residential zones, unless located in a building designated as historic
1223 resource under K.C.C. chapter 20.62. As part of the review of a conditional use permit,
1224 the setback may be reduced to twenty-five feet if there is sufficient screening between the

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proposed use and adjacent rural area and residential zones;

d. For winery, brewery, distillery facility uses that do not require a conditional use permit, off-street parking for the tasting and retail areas shall be limited to a maximum of one space per fifty square feet of tasting and retail areas. For winery, brewery, distillery facility uses that do require a conditional use permit, off-street parking maximums shall be determined through the conditional use permit process, and the parking ratio for the tasting and retail areas should be limited to a maximum of one space per fifty square feet of tasting and retail areas;

e. The business operator shall obtain an adult beverage business license in accordance with ~~the adult beverage licensing provisions of K.C.C. chapter 6.xx~~ (the new chapter created in section 2 of this ordinance); and

f. Events may be allowed with an approved temporary use permit under K.C.C. chapter 21A.32.

SECTION ~~4821~~. Ordinance 10870, Section 336, as amended, and K.C.C. 21A.08.090 are each hereby amended to read as follows:

A. Resource land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1- 8	R12 -48	NB	CB	RB	O	I
	AGRICULTURE:												
01	Growing and Harvesting Crops	P	P		P	P	P						P
02	Raising Livestock and	P	P		P	P							P

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	Small Animals (6)												
*	Agricultural Activities	P24 C	P24 C		P24 C	P24 C							
*	Agricultural Support Services	P25 C	P25 C		P26 C	P26 C	P26 C		P27 C28	P27 C28			
*	Marijuana producer	P15 C22			P16 C17					P18 C19	P18 C19		P20 C21
*	Agriculture Training Facility	C10											
*	Agriculture-related special needs camp	P12											
*	Agricultural Anaerobic Digester	P13											
	FORESTRY:												
08	Growing & Harvesting Forest Production	P	P	P7	P	P	P						P
*	Forest Research		P		P	P						P2	P
	FISH AND WILDLIFE MANAGEMENT:												
0921	Hatchery/Fish Preserve (1)	P	P		P	P	C						P
0273	Aquaculture (1)	P	P		P	P	C						P
*	Wildlife Shelters	P	P		P	P							
	MINERAL:												
10,12,14	Mineral Extraction and Processing		P9 C	P C1 1									
2951, 3271, 3273	Asphalt/Concrete Mixtures and Block		P8 C1 1	P8 C1 1									P
	ACCESSORY USES:												
*	Resource Accessory	P3	P4	P5	P3	P3							P4

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	Uses	P23											
*	Farm Worker Housing	P14			P14								

- 1241 B. Development conditions.
- 1242 1. May be further subject to K.C.C. chapter 21A.25.
- 1243 2. Only forest research conducted within an enclosed building.
- 1244 3. Farm residences in accordance with K.C.C. 21A.08.030.
- 1245 4. Excluding housing for agricultural workers.
- 1246 5. Limited to either maintenance or storage facilities, or both, in conjunction
- 1247 with mineral extraction or processing operation.
- 1248 6. Allowed in accordance with K.C.C. chapter 21A.30.
- 1249 7. Only in conjunction with a mineral extraction site plan approved in
- 1250 accordance with K.C.C. chapter 21A.22.
- 1251 8. Only on the same lot or same group of lots under common ownership or
- 1252 documented legal control, which includes, but is not limited to, fee simple ownership, a
- 1253 long-term lease or an easement:
- 1254 a. as accessory to a primary mineral extraction use;
- 1255 b. as a continuation of a mineral processing only for that period to complete
- 1256 delivery of products or projects under contract at the end of a mineral extraction; or
- 1257 c. for a public works project under a temporary grading permit issued in
- 1258 accordance with K.C.C. 16.82.152.
- 1259 9. Limited to mineral extraction and processing:
- 1260 a. on a lot or group of lots under common ownership or documented legal
- 1261 control, which includes but is not limited to, fee simple ownership, a long-term lease or
- 1262 an easement;

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1263 b. that are located greater than one-quarter mile from an established residence;
1264 and

1265 c. that do not use local access streets that abut lots developed for residential
1266 use.

1267 10. Agriculture training facilities are allowed only as an accessory to existing
1268 agricultural uses and are subject to the following conditions:

1269 a. The impervious surface associated with the agriculture training facilities
1270 shall comprise not more than ten percent of the allowable impervious surface permitted
1271 under K.C.C. 21A.12.040;

1272 b. New or the expansion of existing structures, or other site improvements,
1273 shall not be located on class 1, 2 or 3 soils;

1274 c. The director may require reuse of surplus structures to the maximum extent
1275 practical;

1276 d. The director may require the clustering of new structures with existing
1277 structures;

1278 e. New structures or other site improvements shall be set back a minimum
1279 distance of seventy-five feet from property lines adjoining rural area and residential
1280 zones;

1281 f. Bulk and design of structures shall be compatible with the architectural style
1282 of the surrounding agricultural community;

1283 g. New sewers shall not be extended to the site;

1284 h. Traffic generated shall not impede the safe and efficient movement of
1285 agricultural vehicles, nor shall it require capacity improvements to rural roads;

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i. Agriculture training facilities may be used to provide educational services to the surrounding rural/agricultural community or for community events. Property owners may be required to obtain a temporary use permit for community events in accordance with K.C.C. chapter 21A.32;

j. Use of lodging and food service facilities shall be limited only to activities conducted in conjunction with training and education programs or community events held on site;

k. Incidental uses, such as office and storage, shall be limited to those that directly support education and training activities or farm operations; and

l. The King County agriculture commission shall be notified of and have an opportunity to comment upon all proposed agriculture training facilities during the permit process in accordance with K.C.C. chapter 21A.40.

11. Continuation of mineral processing and asphalt/concrete mixtures and block uses after reclamation in accordance with an approved reclamation plan.

12.a. Activities at the camp shall be limited to agriculture and agriculture-oriented activities. In addition, activities that place minimal stress on the site's agricultural resources or activities that are compatible with agriculture are permitted.

(1) passive recreation;

(2) training of individuals who will work at the camp;

(3) special events for families of the campers; and

(4) agriculture education for youth.

b. Outside the camp center, as provided for in subsection B.12.e. of this section, camp activities shall not preclude the use of the site for agriculture and

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agricultural related activities, such as the processing of local food to create value-added products and the refrigeration and storage of local agricultural products. The camp shall be managed to coexist with agriculture and agricultural activities both onsite and in the surrounding area.

c. A farm plan shall be required for commercial agricultural production to ensure adherence to best management practices and soil conservation.

d.(1) The minimum site area shall be five hundred acres. Unless the property owner has sold or transferred the development rights as provided in subsection B.12.c.(3) of this section, a minimum of five hundred acres of the site must be owned by a single individual, corporation, partnership or other legal entity and must remain under the ownership of a single individual, corporation, partnership or other legal entity for the duration of the operation of the camp.

(2) Nothing in subsection B.12.d.(1) of this section prohibits the property owner from selling or transferring the development rights for a portion or all of the site to the King County farmland preservation program or, if the development rights are extinguished as part of the sale or transfer, to a nonprofit entity approved by the director;

e. The impervious surface associated with the camp shall comprise not more than ten percent of the allowable impervious surface permitted under K.C.C. 21A.12.040;

f. Structures for living quarters, dining facilities, medical facilities and other nonagricultural camp activities shall be located in a camp center. The camp center shall be no more than fifty acres and shall be depicted on a site plan. New structures for nonagricultural camp activities shall be clustered with existing structures;

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1331 g. To the extent practicable, existing structures shall be reused. The applicant
1332 shall demonstrate to the director that a new structure for nonagricultural camp activities
1333 cannot be practicably accommodated within an existing structure on the site, though
1334 cabins for campers shall be permitted only if they do not already exist on site;

1335 h. Camp facilities may be used to provide agricultural educational services to
1336 the surrounding rural and agricultural community or for community events. If required
1337 by K.C.C. chapter 21A.32, the property owner shall obtain a temporary use permit for
1338 community events;

1339 i. Lodging and food service facilities shall only be used for activities related to
1340 the camp or for agricultural education programs or community events held on site;

1341 j. Incidental uses, such as office and storage, shall be limited to those that
1342 directly support camp activities, farm operations or agricultural education programs;

1343 k. New nonagricultural camp structures and site improvements shall maintain a
1344 minimum set-back of seventy-five feet from property lines adjoining rural area and
1345 residential zones;

1346 l. Except for legal nonconforming structures existing as of January 1, 2007,
1347 camp facilities, such as a medical station, food service hall and activity rooms, shall be of
1348 a scale to serve overnight camp users;

1349 m. Landscaping equivalent to a type III landscaping screen, as provided for in
1350 K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures
1351 and site improvements located within two hundred feet of an adjacent rural area and
1352 residential zoned property not associated with the camp;

1353 n. New sewers shall not be extended to the site;

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- 1354 o. The total number of persons staying overnight shall not exceed three
1355 hundred;
- 1356 p. The length of stay for any individual overnight camper, not including camp
1357 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;
- 1358 q. Traffic generated by camp activities shall not impede the safe and efficient
1359 movement of agricultural vehicles nor shall it require capacity improvements to rural
1360 roads;
- 1361 r. If the site is adjacent to an arterial roadway, access to the site shall be
1362 directly onto the arterial unless the county road engineer determines that direct access is
1363 unsafe;
- 1364 s. If direct access to the site is via local access streets, transportation
1365 management measures shall be used to minimize adverse traffic impacts;
- 1366 t. Camp recreational activities shall not involve the use of motor vehicles
1367 unless the motor vehicles are part of an agricultural activity or are being used for the
1368 transportation of campers, camp personnel or the families of campers. Camp personnel
1369 may use motor vehicles for the operation and maintenance of the facility. Client-specific
1370 motorized personal mobility devices are allowed; and
- 1371 u. Lights to illuminate the camp or its structures shall be arranged to reflect the
1372 light away from any adjacent property.
- 1373 13. Limited to digester receiving plant and animal and other organic waste from
1374 agricultural activities, and including electrical generation, as follows:
- 1375 a. the digester must be included as part of a Washington state Department of
1376 Agriculture approved dairy nutrient plan;

1377 b. the digester must process at least seventy percent livestock manure or other
1378 agricultural organic material from farms in the vicinity, by volume;

1379 c. imported organic waste-derived material, such as food processing waste,
1380 may be processed in the digester for the purpose of increasing methane gas production for
1381 beneficial use, but not shall exceed thirty percent of volume processed by the digester;
1382 and

1383 d. the use must be accessory to an operating dairy or livestock operation.

1384 14. Farm worker housing. Either:

1385 a. Temporary farm worker housing subject to the following conditions:

1386 (1) The housing must be licensed by the Washington state Department of
1387 Health under chapter 70.114A RCW and chapter 246-358 WAC;

1388 (2) Water supply and sewage disposal systems must be approved by the
1389 Seattle King County department of health;

1390 (3) To the maximum extent practical, the housing should be located on
1391 nonfarmable areas that are already disturbed and should not be located in the floodplain
1392 or in a critical area or critical area buffer; and

1393 (4) The property owner shall file with the department of executive services,
1394 records and licensing services division, a notice approved by the department identifying
1395 the housing as temporary farm worker housing and that the housing shall be occupied
1396 only by agricultural employees and their families while employed by the owner or
1397 operator or on a nearby farm. The notice shall run with the land; [or]

1398 b. Housing for agricultural employees who are employed by the owner or
1399 operator of the farm year-round as follows:

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- 1400 (1) Not more than:
- 1401 (a) one agricultural employee dwelling unit on a site less than twenty acres;
- 1402 (b) two agricultural employee dwelling units on a site of at least twenty
- 1403 acres and less than fifty acres;
- 1404 (c) three agricultural employee dwelling units on a site of at least fifty acres
- 1405 and less than one-hundred acres; and
- 1406 (d) four agricultural employee dwelling units on a site of at least one-
- 1407 hundred acres, and one additional agricultural employee dwelling unit for each additional
- 1408 one hundred acres thereafter;
- 1409 (2) If the primary use of the site changes to a nonagricultural use, all
- 1410 agricultural employee dwelling units shall be removed;
- 1411 (3) The applicant shall file with the department of executive services, records
- 1412 and licensing services division, a notice approved by the department that identifies the
- 1413 agricultural employee dwelling units as accessory and that the dwelling units shall only
- 1414 be occupied by agricultural employees who are employed by the owner or operator year-
- 1415 round. The notice shall run with the land. The applicant shall submit to the department
- 1416 proof that the notice was filed with the department of executive services, records and
- 1417 licensing services division, before the department approves any permit for the
- 1418 construction of agricultural employee dwelling units;
- 1419 (4) An agricultural employee dwelling unit shall not exceed a floor area of
- 1420 one thousand square feet and may be occupied by no more than eight unrelated
- 1421 agricultural employees;

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- 1422 (5) To the maximum extent practical, the housing should be located on
1423 nonfarmable areas that are already disturbed;
- 1424 (6) One off-street parking space shall be provided for each agricultural
1425 employee dwelling unit; and
- 1426 (7) The agricultural employee dwelling units shall be constructed in
1427 compliance with K.C.C. Title 16.
- 1428 15. Marijuana production by marijuana producers licensed by the Washington
1429 state Liquor and Cannabis Board is subject to the following standards:
- 1430 a. Only allowed on lots of at least four and one-half acres;
- 1431 b. With a lighting plan, only if required by and that complies with K.C.C.
1432 21A.12.220.G.;
- 1433 c. Only with documentation that the operator has applied for a Puget Sound
1434 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1435 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1436 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1437 are imported onto the site;
- 1438 d. Production is limited to outdoor, indoor within marijuana greenhouses, and
1439 within structures that are nondwelling unit structures that exist as of October 1, 2013,
1440 subject to the size limitations in subsection B.15.e. of this section;
- 1441 e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1442 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
1443 aggregated total of two thousand square feet and shall be located within a fenced area or

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1444 marijuana greenhouse that is no more than ten percent larger than that combined area, or
1445 may occur in nondwelling unit structures that exist as of October 1, 2013;

1446 f. Outdoor production area fencing as required by the Washington state Liquor
1447 and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall
1448 maintain a minimum street setback of fifty feet and a minimum interior setback of thirty
1449 feet; and

1450 g. If the two-thousand-square-foot-per-lot threshold of plant canopy combined
1451 with area used for processing under K.C.C. 21A.08.080 is exceeded, each and every
1452 marijuana-related entity occupying space in addition to the two-thousand-square-foot
1453 threshold area on that lot shall obtain a conditional use permit as set forth in subsection
1454 B.22. of this section.

1455 16. Marijuana production by marijuana producers licensed by the Washington
1456 state Liquor and Cannabis Board is subject to the following standards:

1457 a. Marijuana producers in all RA zoned areas except for Vashon-Maury Island,
1458 that do not require a conditional use permit issued by King County, that receive a
1459 Washington state Liquor and Cannabis Board license business prior to October 1, 2016,
1460 and that King County did not object to within the Washington state Liquor and Cannabis
1461 Board marijuana license application process, shall be considered nonconforming as to
1462 subsection B.16.d. and h. of this section, subject to the provisions of K.C.C. 21A.32.020
1463 through 21A.32.075 for nonconforming uses;

1464 b. In all rural area zones, only with a lighting plan that complies with K.C.C.
1465 21A.12.220.G.;

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- 1466 c. Only allowed on lots of at least four and one-half acres on Vashon-Maury
1467 Island;
- 1468 d. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,
1469 except on Vashon-Maury Island;
- 1470 e. Only with documentation that the operator has applied for a Puget Sound
1471 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1472 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1473 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1474 are imported onto the site;
- 1475 f. Production is limited to outdoor, indoor within marijuana greenhouses, and
1476 within nondwelling unit structures that exist as of October 1, 2013, subject to the size
1477 limitations in subsection B.16.g. of this section; and
- 1478 g. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1479 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
1480 aggregated total of two thousand square feet and shall be located within a fenced area or
1481 marijuana greenhouse, that is no more than ten percent larger than that combined area, or
1482 may occur in nondwelling unit structures that exist as of October 1, 2013;
- 1483 h. Outdoor production area fencing as required by the Washington state Liquor
1484 and Cannabis Board and marijuana greenhouses shall maintain a minimum street setback
1485 of fifty feet and a minimum interior setback of one hundred feet; and a minimum setback
1486 of one hundred fifty feet from any existing residence; and
- 1487 i. If the two-thousand-square-foot-per-lot threshold of plant canopy within
1488 fenced areas or marijuana greenhouses is exceeded, each and every marijuana-related

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entity occupying space in addition to the two-thousand-square-foot threshold area on that lot shall obtain a conditional use permit as set forth in subsection B.17. of this section.

17. Marijuana production by marijuana producers licensed by the Washington state Liquor and Cannabis Board is subject to the following standards:

a. Only allowed on lots of at least four and one-half acres on Vashon-Maury Island;

b. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres, except on Vashon-Maury Island;

c. In all rural area zones, only with a lighting plan that complies with K.C.C. 21A.12.220.G.;

d. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before marijuana products are imported onto the site;

e. Production is limited to outdoor and indoor within marijuana greenhouses subject to the size limitations in subsection B.17.f. of this section;

f. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum aggregated total of thirty thousand square feet and shall be located within a fenced area or marijuana greenhouse that is no more than ten percent larger than that combined area; and

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1511 g. Outdoor production area fencing as required by the Washington state Liquor
1512 and Cannabis Board, and marijuana greenhouses shall maintain a minimum street setback
1513 of fifty feet and a minimum interior setback of one hundred feet, and a minimum setback
1514 of one hundred fifty feet from any existing residence.

1515 18.a. Production is limited to indoor only;

1516 b. With a lighting plan only as required by and that complies with K.C.C.
1517 21A.12.220.G.;

1518 c. Only with documentation that the operator has applied for a Puget Sound
1519 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1520 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1521 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1522 are imported onto the site; and

1523 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1524 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1525 aggregated total of two thousand square feet and shall be located within a building or
1526 tenant space that is no more than ten percent larger than the plant canopy and separately
1527 authorized processing area; and

1528 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
1529 every marijuana-related entity occupying space in addition to the two-thousand-square
1530 foot threshold area on that parcel shall obtain a conditional use permit as set forth in
1531 subsection B.19. of this section.

1532 19.a. Production is limited to indoor only;

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- 1533 b. With a lighting plan only as required by and that complies with K.C.C.
1534 21A.12.220.G.;
- 1535 c. Only with documentation that the operator has applied for a Puget Sound
1536 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1537 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1538 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1539 are imported onto the site; and
- 1540 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1541 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1542 aggregated total of thirty thousand square feet and shall be located within a building or
1543 tenant space that is no more than ten percent larger than the plant canopy and separately
1544 authorized processing area.
- 1545 20.a. Production is limited to indoor only;
- 1546 b. With a lighting plan only as required by and that complies with K.C.C.
1547 21A.12.220.G.;
- 1548 c. Only with documentation that the operator has applied for a Puget Sound
1549 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1550 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1551 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1552 are imported onto the site;
- 1553 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1554 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1555 aggregated total of two thousand square feet and shall be located within a building or

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1556 tenant space that is no more than ten percent larger than the plant canopy and separately
1557 authorized processing area; and

1558 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
1559 every marijuana-related entity occupying space in addition to the two-thousand-square-
1560 foot threshold area on that lot shall obtain a conditional use permit as set forth in
1561 subsection B.21. of this section.

1562 21.a. Production is limited to indoor only;

1563 b. With a lighting plan only as required by and that complies with K.C.C.
1564 21A.12.220.G.;

1565 c. Only with documentation that the operator has applied for a Puget Sound
1566 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1567 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1568 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1569 are imported onto the site; and

1570 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1571 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1572 aggregated total of thirty thousand square feet and shall be located within a building or
1573 tenant space that is no more than ten percent larger than the plant canopy and separately
1574 authorized processing area.

1575 22. Marijuana production by marijuana producers licensed by the Washington
1576 state Liquor and Cannabis Board is subject to the following standards:

1577 a. With a lighting plan only as required by and that complies with K.C.C.
1578 21A.12.220.G.;

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- 1579 b. Only allowed on lots of at least four and one-half acres;
- 1580 c. Only with documentation that the operator has applied for a Puget Sound
1581 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1582 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1583 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1584 are imported onto the site;
- 1585 d. Production is limited to outdoor, indoor within marijuana greenhouses, and
1586 within structures that are nondwelling unit structures that exist as of October 1, 2013,
1587 subject to the size limitations in subsection B.22. e. and f. of this section;
- 1588 e. On lots less than ten acres, per lot, the plant canopy, as defined in WAC 314-
1589 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be
1590 limited to a maximum aggregated total of five thousand square feet and shall be located
1591 within a fenced area or marijuana greenhouse that is no more than ten percent larger than
1592 that combined area, or may occur in nondwelling unit structures that exist as of October 1,
1593 2013;
- 1594 f. On lots ten acres or more, per lot, the plant canopy, as defined in WAC 314-
1595 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be
1596 limited to a maximum aggregated total of ten thousand square feet, and shall be located
1597 within a fenced area or marijuana greenhouse that is no more than ten percent larger than
1598 that combined area, or may occur in nondwelling unit structures that exist as of October 1,
1599 2013; and
- 1600 g. Outdoor production area fencing as required by the Washington state Liquor
1601 and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall maintain

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a minimum street setback of fifty feet and a minimum interior setback of one hundred feet, and a minimum setback of one hundred fifty feet from any existing residence.

23. The storage and processing of non-manufactured source separated organic waste that originates from agricultural operations and that does not originate from the site, if:

- a. agricultural is the primary use of the site;
- b. the storage and processing are in accordance with best management practices included in an approved farm plan; and
- c. except for areas used for manure storage, the areas used for storage and processing do not exceed three acres and ten percent of the site.

24.a. For activities relating to the processing of crops or livestock for commercial purposes, including associated activities such as warehousing, storage, including refrigeration, and other similar activities and excluding ((wineries, SIC Industry No. 2085—~~Distilled and Blended Liquors and SIC Industry No. 2082—Malt Beverages~~)) winery, brewery, distillery facility I, II and III:

(1) limited to agricultural products and sixty percent or more of the products processed must be grown in the Puget Sound counties. At the time of initial application, the applicant shall submit a projection of the source of products to be produced;

(2) in the RA and UR zones, only allowed on sites of at least four and one-half acres;

(3) (a) as a permitted use, the floor area devoted to all processing shall not exceed two thousand square feet, unless located in a building designated as an historic resource under K.C.C. chapter 20.62. The agricultural technical review committee, as

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1625 established in K.C.C. 21A.42.300, may review and approve an increase in the processing
1626 floor area as follows: up to three thousand five hundred square feet of floor area may be
1627 devoted to all processing in the RA zones or on farms less than thirty-five acres located in
1628 the A zones or up to seven thousand square feet on farms greater than thirty-five acres in
1629 the A zone; and

1630 (b) as a permitted use, the floor area devoted to all warehousing,
1631 refrigeration, storage or other similar activities shall not exceed two thousand square feet,
1632 unless located in a building designated as historic resource under K.C.C. chapter 20.62.

1633 The agricultural technical review committee, as established in K.C.C. 21A.42.300, may
1634 review and approve an increase of up to three thousand five hundred square feet of floor
1635 area devoted to all warehouseing, storage, including refrigeration, or other similar
1636 activities in the RA zones or on farms less than thirty-five acres located in the A zones or
1637 up to seven thousand square feet on farms greater than thirty-five acres in the A zone;

1638 (4) in the A zone, structures and areas used for processing, warehousing,
1639 refrigeration, storage and other similar activities shall be located on portions of
1640 agricultural lands that are unsuitable for other agricultural purposes, such as areas within
1641 the already developed portion of such agricultural lands that are not available for direct
1642 agricultural production, or areas without prime agricultural soils; and

1643 (5) structures and areas used for processing, warehousing, storage, including
1644 refrigeration, and other similar activities shall maintain a minimum distance of seventy-
1645 five feet from property lines adjoining rural area and residential zones, unless located in a
1646 building designated as historic resource under K.C.C. chapter 20.62.

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- 1647 b. For activities relating to the retail sale of agricultural products, except
1648 livestock:
- 1649 (1) sales shall be limited to agricultural products and locally made arts and
1650 crafts;
- 1651 (2) in the RA and UR zones, only allowed on sites at least four and one-
1652 half acres;
- 1653 (3) as a permitted use, the covered sales area shall not exceed two thousand
1654 square feet, unless located in a building designated as a historic resource under K.C.C.
1655 chapter 20.62. The agricultural technical review committee, as established in K.C.C.
1656 21A.42.300, may review and approve an increase of up to three thousand five hundred
1657 square feet of covered sales area;
- 1658 (4) forty percent or more of the gross sales of agricultural product sold
1659 through the store must be sold by the producers of primary agricultural products;
- 1660 (5) sixty percent or more of the gross sales of agricultural products sold
1661 through the store shall be derived from products grown or produced in the Puget Sound
1662 counties. At the time of the initial application, the applicant shall submit a reasonable
1663 projection of the source of product sales;
- 1664 (6) tasting of products, in accordance with applicable health regulations, is
1665 allowed;
- 1666 (7) storage areas for agricultural products may be included in a farm store
1667 structure or in any accessory building; and
- 1668 (8) outside lighting is permitted if there is no off-site glare.
- 1669 c. Retail sales of livestock is permitted only as accessory to raising livestock.

- 1670 d. Farm operations, including quipment repair and related facilities, except
1671 that:
- 1672 (1) the repair of tools and machinery is limited to those necessary for the
1673 operation of a farm or forest;
- 1674 (2) in the RA and UR zones, only allowed on sites of at least four and one-
1675 half acres;
- 1676 (3) the size of the total repair use is limited to one percent of the farm size in
1677 the A zone, and up to one percent of the size in other zones, up to a maximum of five
1678 thousand square feet unless located within an existing farm structure, including but not
1679 limited to barns, existing as of December 31, 2003; and
- 1680 (4) Equipment repair shall not be permitted in the Forest zone.
- 1681 e. The agricultural technical review committee, as established in K.C.C.
1682 21A.42.300, may review and approve reductions of minimum site sizes in the rural and
1683 residential zones and minimum setbacks from rural and residential zones.
- 1684 25. The department may review and approve establishment of agricultural
1685 support services in accordance with the code compliance review process in K.C.C.
1686 21A.42.300 only if:
- 1687 a. project is sited on lands that are unsuitable for direct agricultural production
1688 based on size, soil conditions or other factors and cannot be returned to productivity by
1689 drainage maintenance; and
- 1690 b. the proposed use is allowed under any Farmland Preservation Program
1691 conservation easement and zoning development standards.

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- 1692 26. The agricultural technical review committee, as established in K.C.C.
1693 21A.42.300, may review and approve establishment of agricultural support services only
1694 if the project site:
- 1695 a. adjoins or is within six hundred sixty feet of the agricultural production
 - 1696 district;
 - 1697 b. has direct vehicular access to the agricultural production district;
 - 1698 c. except for farmworker housing, does not use local access streets that abut
 - 1699 lots developed for residential use; and
 - 1700 b. has a minimum lot size of four and one-half acres.
- 1701 27. The agricultural technical review committee, as established in K.C.C.
1702 21A.42.300, may review and approve establishment of agricultural support services only
1703 if the project site:
- 1704 a. is outside the urban growth area,
 - 1705 b. adjoins or is within six hundred sixty feet of the agricultural production
 - 1706 district,
 - 1707 c. has direct vehicular access to the agricultural production district,
 - 1708 d. except for farmworker housing, does not use local access streets that abut
 - 1709 lots developed for residential use; and
 - 1710 e. has a minimum lot size of four and one-half acres.
- 1711 28. Only allowed on properties that are outside the urban growth area.
- 1712 SECTION 1922. Ordinance 10870, Section 407, as amended, and K.C.C.
1713 21A.18.030 are each hereby amended to read as follows:

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1714 A. Except as modified in K.C.C. 21A.18.070. B((-)). through D., off-street
 1715 parking areas shall contain at a minimum the number of parking spaces as stipulated in
 1716 the following table. Off-street parking ratios expressed as number of spaces per square
 1717 feet means the usable or net square footage of floor area, exclusive of non-public areas.
 1718 Non-public areas include but are not limited to building maintenance areas, storage areas,
 1719 closets or restrooms. If the formula for determining the number of off-street parking
 1720 spaces results in a fraction, the number of off-street parking spaces shall be rounded to
 1721 the nearest whole number with fractions of 0.50 or greater rounding up and fractions
 1722 below 0.50 rounding down.

LAND USE	MINIMUM PARKING SPACES REQUIRED
RESIDENTIAL (K.C.C. 21A.08.030.A):	
Single detached/Townhouse	2.0 per dwelling unit
Apartment:	
Studio units	1.2 per dwelling unit
One bedroom units	1.5 per dwelling unit
Two bedroom units	1.7 per dwelling unit
Three bedroom units or larger	2.0 per dwelling unit
Mobile home park	2.0 per dwelling unit
Senior citizen assisted	1 per 2 dwelling or sleeping units
Community residential facilities	1 per two bedrooms

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Dormitory, including religious	1 per two bedrooms
Hotel/Motel including organizational hotel/lodging	1 per bedroom
Bed and breakfast guesthouse	1 per guest room, plus 2 per facility
RECREATION/CULTURAL (K.C.C. 21A.08.040.A):	
Recreation/culture uses:	1 per 300 square feet
Exceptions:	
Bowling center	5 per lane
Golf course	3 per hole, plus 1 per 300 square feet of club house facilities
Tennis Club	4 per tennis court plus 1 per 300 square feet of clubhouse facility
Golf driving range	1 per tee
Park/playfield/paintball	(director)
Theater	1 per 3 fixed seats
Conference center	1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per bedroom, whichever results in the greater number of spaces.

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LAND USE	MINIMUM PARKING SPACES REQUIRED
GENERAL SERVICES (K.C.C. 21A.08.050.A):	
General services uses:	1 per 300 square feet
Exceptions:	
Funeral home/Crematory	1 per 50 square feet of chapel area
Daycare I	2 per facility
Daycare II	2 per facility, plus 1 space for each 20 children
Churches, synagogue, temple	1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes
Outpatient and Veterinary clinic offices	1 per 300 square feet of office, labs and examination rooms
Nursing and personal care Facilities	1 per 4 beds
Hospital	1 per bed
Elementary schools	1 per classroom, plus 1 per 50 students
Secondary schools	
Middle/junior high schools	1 per classroom, plus 1 per 50 students
High schools	1 per classroom, plus 1 per 10 students

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High schools with stadiums	greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium
Vocational schools	1 per classroom, plus 1 per five students
Specialized instruction Schools	1 per classroom, plus 1 per two students
Artist Studios	.9 per 1,000 square feet of area used for studios
GOVERNMENT/BUSINESS SERVICES (K.C.C. 21A.08.060.A):	
Government/business services uses:	1 per 300 square feet
Exceptions:	
Public agency yard	1 per 300 square feet of offices, plus <u>0.9</u> per 1,000 square feet of indoor storage or repair areas
Public agency archives	<u>0.9</u> per 1000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas
Courts	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas
Police facility	(director)

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Fire facility	(director)
Construction and trade	1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area
Warehousing and storage	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area
Self-service storage	1 per 3,500 square feet of storage area, plus 2 for any resident director's unit
Outdoor advertising services	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area
Heavy equipment repair	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair areas
Office	1 per 300 square feet
LAND USE	MINIMUM PARKING SPACES REQUIRED
RETAIL/WHOLESALE (K.C.C. 21A.08.070.A):	
Retail trade uses:	1 per 300 square feet
Exceptions:	
Food stores, less than 15,000 square feet	3 plus 1 per 350 square feet

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Gasoline service stations w/o grocery	3 per facility, plus 1 per service bay
Gasoline service stations w/grocery, no service bays	1 per facility, plus 1 per 300 square feet of store
Restaurants	1 per 75 square feet in dining or lounge areas
<u>Remote tasting rooms</u>	<u>1 per 300 square feet of tasting and retail areas</u>
Wholesale trade uses	0.9 per 1000 square feet
Retail and wholesale trade mixed use	1 per 300 square feet
MANUFACTURING (K.C.C. 21A.08.080.A):	
Manufacturing uses	0.9 per 1,000 square feet
Winery/Brewery/ <u>Distillery Facility</u> <u>II and III</u>	0.9 per 1,000 square feet, plus 1 per ((50)) <u>300</u> square feet of tasting <u>and</u> <u>retail areas</u>
RESOURCES (K.C.C. 21A.08.090.A):	
Resource uses	(director)
REGIONAL (K.C.C. 21A.08.100.A):	

Regional uses	(director)

1723 B. An applicant may request a modification of the minimum required number of
1724 parking spaces by providing that parking demand can be met with a reduced parking
1725 requirement. In such cases, the director may approve a reduction of up to fifty percent of
1726 the minimum required number of spaces.

1727 C. When the county has received a shell building permit application, off-street
1728 parking requirements shall be based on the possible tenant improvements or uses
1729 authorized by the zone designation and compatible with the limitations of the shell
1730 permit. When the range of possible uses result in different parking requirements, the
1731 director will establish the amount of parking based on a likely range of uses.

1732 D. Where other provisions of this code stipulate maximum parking allowed or
1733 reduced minimum parking requirements, those provisions shall apply.

1734 E. In any development required to provide six or more parking spaces, bicycle
1735 parking shall be provided. Bicycle parking shall be bike rack or locker-type parking
1736 facilities unless otherwise specified.

1737 1. Off-street parking areas shall contain at least one bicycle parking space for
1738 every twelve spaces required for motor vehicles except as follows:

1739 a. The director may reduce bike rack parking facilities for patrons when it is
1740 demonstrated that bicycle activity will not occur at that location.

1741 b. The director may require additional spaces when it is determined that the
1742 use or its location will generate a high volume of bicycle activity. Such a determination
1743 will include but not be limited to the following uses:

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- 1744 (1) Park/playfield,
1745 (2) Marina,
1746 (3) Library/museum/arboretum,
1747 (4) Elementary/secondary school,
1748 (5) Sports club, or
1749 (6) Retail business (when located along a developed bicycle trail or
1750 designated bicycle route).
- 1751 2. Bicycle facilities for patrons shall be located within 100 feet of the building
1752 entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a
1753 structure attached to the pavement.
- 1754 3. All bicycle parking and storage shall be located in safe, visible areas that do
1755 not impede pedestrian or vehicle traffic flow, and shall be well lit for nighttime use.
- 1756 4. When more than ten people are employed on site, enclosed locker-type
1757 parking facilities for employees shall be provided. The director shall allocate the
1758 required number of parking spaces between bike rack parking and enclosed locker-type
1759 parking facilities.
- 1760 5. One indoor bicycle storage space shall be provided for every two dwelling
1761 units in townhouse and apartment residential uses, unless individual garages are provided
1762 for every unit. The director may reduce the number of bike rack parking spaces if indoor
1763 storage facilities are available to all residents.

1764 SECTION 203. Ordinance 10870, Section 536, as amended, and K.C.C.
1765 21A.30.080 are each hereby amended to read as follows:

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1766 In the R, UR, NB, CB and RB zones, residents of a dwelling unit may conduct one
1767 or more home occupations as accessory activities, only if:

1768 A. The total floor area of the dwelling unit devoted to all home occupations shall
1769 not exceed twenty percent of the floor area of the dwelling unit.

1770 B. Areas within garages and storage buildings shall not be considered part of the
1771 dwelling unit and may be used for activities associated with the home occupation;

1772 C. All the activities of the home occupation or occupations shall be conducted
1773 indoors, except for those related to growing or storing of plants used by the home
1774 occupation or occupations;

1775 D. A home occupation or occupations is not limited in the number of employees
1776 that remain off-site. No more than one nonresident employee shall be permitted to work
1777 on-site for the home occupation or occupations;

1778 E. The following uses, by the nature of their operation or investment, tend to
1779 increase beyond the limits permitted for home occupations. Therefore, the following shall
1780 not be permitted as home occupations:

- 1781 1. Automobile, truck and heavy equipment repair;
- 1782 2. ((Autobody)) Auto body work or painting;
- 1783 3. Parking and storage of heavy equipment;
- 1784 4. Storage of building materials for use on other properties;
- 1785 5. Hotels, motels or organizational lodging;
- 1786 6. Dry cleaning;
- 1787 7. Towing services;

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- 1788 8. Trucking, storage or self service, except for parking or storage of one
1789 commercial vehicle used in home occupation; ~~((and))~~
- 1790 9. Veterinary clinic; ~~((and))~~
- 1791 10. Recreational marijuana processor, recreational marijuana producer or
1792 recreational marijuana retailer; and
- 1793 11. Winery, brewery, distillery facility I, II, and III, and remote tasting room,
1794 except that home occupation adult beverage businesses operating under an active
1795 Washington state Liquor and Cannabis Board production license issued for their current
1796 location before January 1, 2019, and where King County did not object to the location
1797 during the Washington state Liquor and Cannabis Board license application process, shall
1798 be considered legally nonconforming and allowed to remain in their current location
1799 subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is currently in compliance
1800 with or is brought into compliance with the home occupation requirements of this section
1801 within one year of the effective date of this ordinance. Such businesses remain subject to
1802 all other applicable state and local regulations. The business operator for a
1803 nonconforming home occupation shall obtain an adult beverage business license in
1804 accordance with the adult beverage licensing provisions of K.C.C. chapter 6.xx (the new
1805 chapter created in section 2 of this ordinance).
- 1806 F. In addition to required parking for the dwelling unit, on-site parking is provided
1807 as follows:
- 1808 1. One stall for each nonresident employed by the home occupations; and
1809 2. One stall for patrons when services are rendered on-site;
- 1810 G. Sales are limited to:

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- 1811 1. Mail order sales;
- 1812 2. Telephone, Internet or other electronic commerce sales with off-site delivery;
- 1813 and
- 1814 3. Items accessory to a service provided to patrons who receive services on the
- 1815 premises;
- 1816 H. On-site services to patrons are arranged by appointment;
- 1817 I. The home occupation or occupations use or store a vehicle for pickup of
- 1818 materials used by the home occupation or occupations or the distribution of products from
- 1819 the site, only if:
- 1820 1. No more than one such a vehicle is allowed; and
- 1821 2. The vehicle is not stored within any required setback areas of the lot or on
- 1822 adjacent streets; and
- 1823 3. The vehicle does not exceed an equivalent licensed gross vehicle weight of one
- 1824 ton;
- 1825 J. The home occupation or occupations do not:
- 1826 1. Use electrical or mechanical equipment that results in a change to the
- 1827 occupancy type of the structure or structures used for the home occupation or occupations;
- 1828 or
- 1829 2. Cause visual or audible interference in radio or television receivers, or
- 1830 electronic equipment located off-premises or fluctuations in line voltage off-premises;
- 1831 ~~((and))~~
- 1832 K. There shall be no exterior evidence of a home occupation, other than growing or
- 1833 storing of plants under subsection C. of this section or a permitted sign, that would cause

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1834 the premises to differ from its residential character. Exterior evidence includes, but is not
1835 limited to, lighting, the generation or emission of noise, fumes or vibrations as determined
1836 by using normal senses from any lot line or on average increase vehicular traffic by more
1837 than four additional vehicles at any given time;

1838 L. Customer visits and deliveries shall be limited to the hours of 8:00 a.m. to 7:00
1839 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends; and

1840 M. Uses not allowed as home occupations may be allowed as a home industry
1841 under K.C.C. 21A.30.090.

1842 SECTION 214. Ordinance 15606, Section 20, as amended, and K.C.C.
1843 21A.30.085 are each hereby amended to read as follows:

1844 In the A, F and RA zones, residents of a dwelling unit may conduct one or more
1845 home occupations as accessory activities, under the following provisions:

1846 A. The total floor area of the dwelling unit devoted to all home occupations shall
1847 not exceed twenty percent of the dwelling unit.

1848 B. Areas within garages and storage buildings shall not be considered part of the
1849 dwelling unit and may be used for activities associated with the home occupation;

1850 C. Total outdoor area of all home occupations shall be permitted as follows:

1851 1. For any lot less than one acre: Four hundred forty square feet; and

1852 2. For lots one acre or greater: One percent of the area of the lot, up to a
1853 maximum of five thousand square feet.

1854 D. Outdoor storage areas and parking areas related to home occupations shall be:

1855 1. No less than twenty-five feet from any property line; and

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1856 2. Screened along the portions of such areas that can be seen from an adjacent
1857 parcel or roadway by the:

1858 a. planting of Type II landscape buffering; or

1859 b. use of existing vegetation that meets or can be augmented with additional
1860 plantings to meet the intent of Type II landscaping((-));

1861 E. A home occupation or occupations is not limited in the number of employees
1862 that remain off-site. Regardless of the number of home occupations, the number of
1863 nonresident employees is limited to no more than three who work on-site at the same time
1864 and no more than three who report to the site but primarily provide services off-site((-));

1865 F. In addition to required parking for the dwelling unit, on-site parking is provided
1866 as follows:

1867 1. One stall for each nonresident employed on-site; and

1868 2. One stall for patrons when services are rendered on-site;

1869 G. Sales are limited to:

1870 1. Mail order sales;

1871 2. Telephone, Internet or other electronic commerce sales with off-site delivery;

1872 3. Items accessory to a service provided to patrons who receive services on the
1873 premises;

1874 4. Items grown, produced or fabricated on-site; and

1875 5. On sites five acres or larger, items that support agriculture, equestrian or
1876 forestry uses except for the following:

1877 a. motor vehicles and parts (North American Industrial Classification System
1878 ("NAICS" Code 441);

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- 1879 b. electronics and appliances (NAICS Code 443); and
- 1880 c. building material and garden equipments and supplies (NAICS Code 444);
- 1881 H. The home occupation or occupations do not:
- 1882 1. Use electrical or mechanical equipment that results in a change to the
- 1883 occupancy type of the structure or structures used for the home occupation or occupations;
- 1884 2. Cause visual or audible interference in radio or television receivers, or
- 1885 electronic equipment located off-premises or fluctuations in line voltage off-premises; or
- 1886 3. Increase average vehicular traffic by more than four additional vehicles at any
- 1887 given time;
- 1888 I. Customer visits and deliveries shall be limited to the hours of 8:00 a.m. to 7:00
- 1889 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;
- 1890 J. The following uses, by the nature of their operation or investment, tend to
- 1891 increase beyond the limits permitted for home occupations. Therefore, the following shall
- 1892 not be permitted as home occupations:
- 1893 1. Hotels, motels or organizational lodging;
- 1894 2. Dry cleaning((:));
- 1895 3. Automotive towing services, automotive wrecking services and tow-in parking
- 1896 lots; ((and))
- 1897 4. Recreational marijuana processor, recreational marijuana producer or
- 1898 recreational marijuana retailer((-)); and
- 1899 5. Winery, brewery, distillery facility I, II, and III, and remote tasting room,
- 1900 except that home occupation adult beverage businesses operating under an active
- 1901 Washington state Liquor and Cannabis Board production license issued for their current

location before January 1, 2019, and where King County did not object to the location during the Washington state Liquor and Cannabis Board license application process, shall be considered legally nonconforming and allowed to remain in their current location subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is currently in compliance with or is brought into compliance with the home occupation requirements of this section within one year of the effective date of this ordinance. Such businesses remain subject to all other applicable state and local regulations. The business operator for a nonconforming home occupation shall obtain an adult beverage business license in accordance with ~~the adult beverage licensing provisions of K.C.C. chapter 6.xx (the new chapter created in section 2 of this ordinance);~~

K. Uses not allowed as home occupation may be allowed as a home industry under K.C.C. chapter 21A.30; and

L. The home occupation or occupations may use or store vehicles, as follows:

1. The total number of vehicles for all home occupations shall be:
 - a. for any lot five acres or less: two;
 - b. for lots greater than five acres: three; and
 - c. for lots greater than ten acres: four;
2. The vehicles are not stored within any required setback areas of the lot or on adjacent streets; and
3. The parking area for the vehicles shall not be considered part of the outdoor storage area provided for in subsection C. of this section.

SECTION 225. Ordinance 10870, Section 537, as amended, and K.C.C. 21A.30.090 are each hereby amended to read as follows:

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- 1925 A resident may establish a home industry as an accessory activity, as follows:
- 1926 A. The site area is one acre or greater;
- 1927 B. The area of the dwelling unit used for the home industry does not exceed fifty
- 1928 percent of the floor area of the dwelling unit.
- 1929 C. Areas within attached garages and storage buildings shall not be considered part
- 1930 of the dwelling unit for purposes of calculating allowable home industry area but may be
- 1931 used for storage of goods associated with the home industry;
- 1932 D. No more than six nonresidents who work on-site at the time;
- 1933 E. In addition to required parking for the dwelling unit, on-site parking is provided
- 1934 as follows:
- 1935 1. One stall for each nonresident employee of the home industry; and
- 1936 2. One stall for customer parking;
- 1937 F. Additional customer parking shall be calculated for areas devoted to the home
- 1938 industry at the rate of one stall per:
- 1939 1. One thousand square feet of building floor area; and
- 1940 2. Two thousand square feet of outdoor work or storage area;
- 1941 G. Sales are limited to items produced on-site, except for items collected, traded
- 1942 and occasionally sold by hobbyists, such as coins, stamps, and antiques;
- 1943 H. Ten feet of Type I landscaping are provided around portions of parking and
- 1944 outside storage areas that are otherwise visible from adjacent properties or public rights-of-
- 1945 way;
- 1946 I. The department ensures compatibility of the home industry by:

REDLINE – FOR ILLUSTRATIVE PURPOSES ONLY

1947 1. Limiting the type and size of equipment used by the home industry to those that
1948 are compatible with the surrounding neighborhood;
1949 2. Providing for setbacks or screening as needed to protect adjacent residential
1950 properties;
1951 3. Specifying hours of operation;
1952 4. Determining acceptable levels of outdoor lighting; and
1953 5. Requiring sound level tests for activities determined to produce sound levels
1954 that may be in excess of those in K.C.C. chapter 12.88; ~~((and))~~
1955 J. Recreational marijuana processors, recreational marijuana producers and
1956 recreational marijuana retailers shall not be allowed as home industry; and
1957 K. Winery, brewery, distillery facility I, II, and III, and remote tasting room shall
1958 not be allowed as home industry, except that home industry adult beverage businesses
1959 operating under an active Washington state Liquor and Cannabis Board production
1960 license issued for their current location prior to before January 1, 2019, and where King
1961 County did not object to the location during the Washington state Liquor and Cannabis
1962 Board license application process, shall be considered legally nonconforming and
1963 allowed to remain in their current location subject to the provisions of K.C.C. 21A.32.020
1964 through 21A.32.075 if the use is currently in compliance with or is brought into
1965 compliance with the home industry requirements of this section within one year of the
1966 effective date of this ordinance. Such businesses remain subject to all other applicable
1967 state and local regulations. The business operator for a nonconforming home industry
1968 shall obtain an adult beverage business license in accordance with the adult beverage

~~licensing provisions of K.C.C. chapter 6.xx (the new chapter created in section 2 of this ordinance).~~

SECTION 236. Ordinance 10870, Section 547, as amended, and K.C.C. 21A.32.100 are each hereby amended to read as follows:

Except as provided by K.C.C. 21A.32.110, a temporary use permit shall be required for any of the following:

A. A use not otherwise permitted in the zone that can be made compatible for a period of up to sixty days a year; ~~((or))~~

B. The expansion of an established use that:

1. Is otherwise allowed in the zone;
2. Is not inconsistent with the original land use approval;
3. Exceeds the scope of the original land use approval; and
4. Can be made compatible with the zone for a period of up to sixty days a year~~((.)); or~~

C. Events at a winery, brewery, distillery facility or remote tasting room that include one or more of the following activities:

1. Exceeds the permitted building occupancy;
2. Utilizes portable toilets;
3. Utilizes parking that exceeds the maximum number of spaces allowed by this Title on-site or utilizes off-site parking;
4. Utilizes temporary stages;
5. Utilizes temporary tents or canopies that require a permit;

1992 6. Utilizes traffic control for public rights-of-way; or

1993 7. Extends beyond stated hours of operation.

1994 SECTION 2327. Ordinance 10870, Section 549, as amended, and K.C.C.

1995 21A.32.120 are each hereby amended to read as follows:

1996 Except as otherwise provided in this chapter or in K.C.C. chapter 21A.45,
1997 temporary use permits shall be limited in duration and frequency as follows:

1998 A. The temporary use permit shall be effective for one year from the date of
1999 issuance and may be renewed annually as provided in subsection D. of this section;

2000 B.1. The temporary use shall not exceed a total of sixty days in any three-
2001 hundred ~~and~~ sixty-five day period. This ~~((requirement))~~ subsection B.1.
2002 applies only to the days that the event or events actually take place.

2003
2004 2. For a winery, brewery, distillery facility II and III in the A ~~((or RA))~~
2005 zone ~~((s))~~, the temporary use shall not exceed a total of two events per month and all
2006 event parking ~~((for the events))~~ must be accommodated on site or managed through a
2007 parking management plan approved by the director. This subsection B.2. applies only to
2008 the days that the event or events actually take place;

2009 3. For a winery, brewery, distillery facility II and III in the RA zones, the
2010 temporary use shall not exceed a total of twenty-four days in any three-hundred-sixty-
2011 five-day period and all event parking must be accommodated on site or managed through
2012 a parking management plan approved by the director. This subsection B.3. applies only
2013 to the days that the event or events actually take place;

2014 4. For a winery, brewery, distillery facility II in the A or RA zones, in addition

to all other relevant facts, the department shall consider building occupancy and parking limitations during permit review, and ~~shall~~ condition the number of guests allowed for a temporary use based on ~~those~~ limitations. ~~The department shall not~~ authorize attendance of more than one hundred ~~twenty-five~~ fifty guests.

~~554.~~ For a winery, brewery, distillery facility III in the A or RA zones, in addition to all other relevant facts, the department shall consider building occupancy and parking limitations during permit review, and ~~shall~~ condition the number of guests allowed for a temporary use based on ~~those~~ limitations. ~~The department shall not~~ authorize attendance of more than two hundred fifty guests.

~~665.~~ Events ~~that require a temporary use permit are prohibited~~ for any winery, brewery, distillery facility I ~~in the RA zone~~, any nonconforming winery, brewery, distillery facility home occupation, and any nonconforming winery, brewery, distillery facility home industry ~~shall be limited to two per year, and limited to a maximum of fifty guests. If the event complies with this chapter, a temporary use permit is not required for a special event for~~ a winery, brewery, distillery facility I ~~in the RA zone~~, a nonconforming home occupation winery, brewery, distillery facility or a nonconforming home industry winery, brewery, distillery facility.

~~76.~~ Special events shall not be permitted for any winery, brewery, distillery facility I in the A zone. The permitting division shall not issue temporary use permits to winery, brewery, distillery facility I uses in the A zone.

C. The temporary use permit shall specify a date upon which the use shall be terminated and removed; and

D. A temporary use permit may be renewed annually for up to a total of five consecutive years as follows:

1. The applicant shall make a written request and pay the applicable permit extension fees for renewal of the temporary use permit at least seventy days before the end of the permit period;

2. The department must determine that the temporary use is being conducted in compliance with the conditions of the temporary use permit;

3. The department must determine that site conditions have not changed since the original temporary permit was issued; and

4. At least forty-five days before the end of the permit period, the department shall notify property owners within five hundred feet of the property boundaries that a temporary use permit extension has been requested and contact information to request additional information or to provide comments on the proposed extension.

SECTION 28. The King County executive shall conduct a demonstration project to create and evaluate a remote tasting room demonstration project A as provided for in, and consistent with, section 29 of this ordinance.

NEW SECTION. SECTION 2429. There is hereby added to K.C.C. chapter 21A.55 a new section to read as follows:

A. ~~1. There is hereby created the Sammamish Valley and Vashon Town Center wine and adult beverage remote tasting room demonstration project A.~~ The purpose of the remote tasting room demonstration project A is to:

1. Support agriculture and synergistic development of mixed use ~~wine and~~ adult beverage facilities in order to boost agritourism and ~~both the~~ areas' reputations as food

and adult-beverage destinations;

2. ~~The demonstration project will e~~Enable the county to determine if expanded wine and adult beverage-based uses can be permitted while maintaining the core functions and purposes of the Rural Area and Agricultural ~~Production District~~ zones;

~~3. The expected benefits from the demonstration projects include: developing a clear picture of~~Determine the impacts and benefits of the ~~wine and~~ adult beverage industry ~~impacts on and benefits to~~ Rural Area and Agricultural ~~Production District~~ zoned ~~communities~~ areas, including the impacts and benefits of the industry on Agricultural Production Districts, and including those properties where the demonstration project sites are located and the surrounding areas;

~~4. Provide an~~ opportunity for additional exposure for locally sourced and produced agricultural products; and

~~5. and the~~Identify and evaluate ~~opportunity to identify and evaluate~~ potential ~~substantive~~ changes to countywide land use regulations to support the development of additional areas of unincorporated King County that may benefit from growth in ~~wine and adult beverage industry~~ agritourism.

B. ~~The~~A remote tasting room demonstration project shall only be implemented on a site identified in Attachment A to this ordinance.

C. The use that the permitting division may approve under the remote tasting room demonstration project A shall include only a "remote tasting room" as defined in section 13 of this ordinance.

D.1. An application for a ~~demonstration project~~ remote tasting room under this section may be submitted in conjunction with an application for an adult beverage

business license or a building permit.

2. Requests shall be submitted to the permitting division in writing, together with any supporting documentation and must illustrate how the proposal meets the criteria in subsection F. of this section.

3. An application for a remote tasting room under this section shall be reviewed as a Type I land use decision in accordance with K.C.C. 20.20.020.

E. The department of local services, permitting division, shall administer the demonstration project, and shall ~~shall be approved or denied~~ administratively by the department of permitting and environmental review ~~thea remote tasting room application under this section~~ based upon compliance with ~~the criteria in~~ subsections ~~D. and E~~F. of

this section. Approval or denial of a remote tasting room application shall not be construed as applying to any other development application either within the demonstration project area or elsewhere in the county.

~~—— C. The use that the department may approve pursuant to this Sammamish Valley and Vashon Town Center wine and beverage tourism demonstration project A shall include only the following: Remote tasting room as defined in section 12 of this ordinance.~~

~~DF.1. This section allows establishment and operation of a remote tasting room use.~~

~~—— 2. A~~ remote tasting room under this section ~~emonstration project remote tasting room use~~ may be approved, subject to the following:

a. One or more winery, brewery, distillery facility I, II or III may operate within one remote tasting room;

b. The aggregated total space devoted to ~~tasting and retail activity~~remote
tasting room activities shall be limited to one thousand square feet of gross floor area, not
including areas devoted to storage, restrooms, and similar nonpublic areas;

c. Notwithstanding subsection ~~D.2.F.1.~~b. of this section, an additional five
hundred square feet of immediately adjacent outdoor space may be used for tasting,
subject to applicable state regulations limiting sale, service and consumption of alcoholic
beverages;

~~————d. The site must have direct access to an arterial;~~

~~————e. The remote tasting room site shall not be used as a winery, brewery,
distillery facility I, II or III production facility;~~

df. Incidental retail sales of products and merchandise related to the products
being tasted is allowed;

ge. The hours of operation for the tasting room shall be limited as follows:
Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to
11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours
shall be limited to 11:00 a.m. through 9:00 p.m.;

hf. Each business operator shall obtain an adult beverage business license in
accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this
ordinance)~~An adult beverage business license is required, in accordance with K.C.C.~~
~~Title 6;~~

ig. ~~Each~~A remote tasting room business operator ~~may not operate without~~shall
have proof of Washington state Liquor and Cannabis Board approval;

jh. Events shall be limited to two per year, and limited to no more than fifty

2129 guests. As long as the event complies with this section, a temporary use permit is not
2130 required for a special event.~~Events that require a temporary use permit shall be prohibited~~
2131 ~~at remote tasting rooms; and~~

2132 ki. Off-street parking shall be provided in accordance with the parking ratios
2133 for remote tasting room uses in K.C.C. 21A.18.030. Off-Street parking is limited to a
2134 maximum of one space per fifty square feet of tasting and retail areas.~~limited to one~~
2135 ~~hundred fifty percent of minimum required for retail trade uses in accordance with~~
2136 ~~K.C.C. 21A.18.030; and~~

2137 j. The use shall be consistent with general health, safety and public welfare
2138 standards, and shall not violate state or federal law.

2139 ~~—— E.1. To be eligible to use the provisions of this section, a remote tasting room~~
2140 ~~must be located on a demonstration project site identified in Attachment A to this~~
2141 ~~ordinance.~~

2142 ~~2. Projects proposed in accordance with this section must be consistent with~~
2143 ~~general health, safety and public welfare standards, and must not violate state or federal~~
2144 ~~law.~~

2145 ~~—— 3. The criteria in this subsection supersedes~~ other variance, modification or
2146 waiver criteria ~~and provisions~~ of K.C.C. Title 21A.

2147 3. Remote tasting room uses approved in accordance with this section may
2148 continue as long as an underlying business license or renewal is maintained, and subject
2149 to the nonconformance provisions of K.C.C. chapter 21A.32.

2150
2151 ~~—— F.1. Projects proposed in accordance with this section may be submitted in~~

~~conjunction with an application for an adult beverage business license or a building permit.~~

~~2. Requests shall be submitted to the department in writing, together with any supporting documentation and must illustrate how the proposal meets the criteria in subsections D. and E. of this section.~~

~~3. A director's decision regarding a remote tasting room application shall be treated as a Type I land use decision in accordance with K.C.C. 20.20.020.~~

G. ~~Remote tasting room demonstration project~~Demonstration project
~~Applications in accordance with this section may shall~~ be accepted by the ~~department of permitting and environmental review~~permitting division ~~only within~~for three years ~~from~~
~~of~~ the effective date of this ordinance. Complete applications submitted before the end of the three years shall be reviewed and decided on by the permitting division. ~~Remote tasting room uses approved in accordance with this section may continue as long as an underlying business license or renewal is maintained, and subject to the nonconformance provisions of K.C.C. chapter 21A.32.~~

~~HH.~~ Starting Oone year after the effective date of this ordinance, and ~~on an annual basis~~each year for ~~three~~four years thereafter, the ~~director~~executive shall prepare and transmit to the council preliminary evaluations of remote tasting room demonstration project A. These preliminary evaluation reports shall include:

1. compile a list of remote tasting room demonstration project applications submitted, reviewed and decided;

2. Comments received from neighboring residents, including ~~and related~~ code complaints, if any, related to the applications received and approved, or the

demonstration project;

3. Comments received from neighboring cities and community service areas;

4. Comments received from project applicants attempting to utilize the demonstration project, including the application and review process, and the criteria for approving remote tasting rooms;

5. Comments received from customers of the project applicants' businesses;

6. A description of known interactions or relationships between projects approved under the demonstration project and nearby agricultural users and lands, such as additional exposure for local agricultural products;

7. An inventory of remaining parcels or properties available for development under the demonstration project; and

8. Any known recommended code changes that would further the purposes of the demonstration project.

~~II. After considering the information compiled under subsection H. of this section, the executive may submit additional proposed legislation extending or otherwise amending this ordinance within three~~ Within ninety days of five years of after the
effective date of this ordinance, the permitting division shall prepare a draft final report and proposed permanent code changes that includes the information compiled under subsection H. of this section, and include the following:

1. Evaluation of the parking requirements, including whether the parking ratios required in K.C.C. chapter 21A.18 for production facilities and for remote tasting rooms provide sufficient, but not excessive, parking;

2. Description of the industry standards for tasting room hours for wineries,

breweries and distilleries; evaluation of the tasting room hours allowed under the demonstration project, and the benefits or negative impacts of these hours relative to the purposes of the demonstration project;

3. Outreach to those projects approved through the demonstration project, with requested information to include, at a minimum:

a. when they were approved by the permitting division;

b. when they opened subsequent to that approval;

c. whether they are still operating at the time of the final report; and

d. any recommendations on final regulations;

4. Evaluation of the permit review timelines for the demonstration project applications; and

5. A recommendation on permanent code changes, or further demonstration project requirements, regarding remote tasting rooms.

J. The permitting division shall include a public comment period for the permitting division's draft evaluation described in subsection I. of this section. The public comment period shall last at least forty-five days beginning with the date of publication in the newspapers of record for the demonstration project areas identified in Attachment A to this ordinance. As part of the public comment period, the permitting division shall:

1. Publish notice of the draft evaluation's availability in each newspaper of record, including locations where the draft evaluation is available;

2. Send notice and request for comment to the water districts for the demonstration project areas identified in Attachment A to this ordinance;

2221 3. Request comments from any developer that has applied for approval under
2222 the demonstration project;

2223 4. Provide a copy at the local libraries for the demonstration project areas
2224 identified in Attachment A to this ordinance;

2225 5. Post an electronic copy on the permitting division's website; and

2226 6. Send electronic notice to the clerk of the council, who shall retain the original
2227 email and provide an electronic copy to all councilmembers, the council chief of staff and
2228 the lead staff for the local services, regional roads and bridges committee, or its
2229 successor.

2230 K. After the public comment period has ended, the permitting division shall
2231 prepare a final evaluation of the remote tasting room demonstration project A,
2232 incorporating or responding to the comments received. Within sixty days of the end of
2233 the public comment period, the executive shall file a final evaluation report, a motion that
2234 should accept the report, and an ordinance that implements any proposed permanent code
2235 changes.

2236 L. For each preliminary evaluation, and the final report and proposed legislation,
2237 the reports shall be filed in the form of a paper original and an electronic copy with the
2238 clerk of the council, who shall retain the original and provide an electronic copy to all
2239 councilmembers, the council chief of staff and the lead staff for the local services,
2240 regional roads and bridges committee, or its successor.

2241 SECTION 30. The King County executive shall conduct a demonstration project
2242 to create and evaluate a special event demonstration project B as provided for in, and
2243 consistent with, section 31 of this ordinance.

NEW SECTION. SECTION ~~2531~~. There is hereby added to K.C.C. chapter 21A.55 a new section to read as follows:

~~A.1. There is hereby created the Sammamish Valley wine and adult beverage tourism district demonstration project B.~~ The purpose of the special events demonstration project B is to:

1. Support agriculture and synergistic development of ~~mixed-use wine and~~ adult beverage facilities in order to boost agritourism and the ~~area's~~ Sammamish valley's reputation as a food and adult beverage destination;

2. The demonstration project will eEnable the county to determine if the number of special events held at expanded wine and adult beverage ~~based uses~~ facilities can be increased while maintaining the core functions and purposes of the Rural Area and Agricultural ~~Production District~~ zones;

3. The expected benefits from the demonstration projects include: developing a clear picture of wine and adult beverage industry Identify the impacts ~~on~~ and benefits ~~to~~ of adult beverage industry special events on surrounding Rural Area and Agricultural ~~Production District~~ zoned communities; including Agricultural Production Districts, properties where the demonstration projects are located, and surrounding areas;

4. Provide ~~the an~~ opportunity for additional exposure for locally sourced and produced agricultural products; and

5. and the opportunity to identify Identify and evaluate potential ~~substantive~~ changes to countywide land use regulations to support the development of additional areas of unincorporated King County that may benefit from growth in ~~wine and adult beverage industry~~ agritourism.

2267 B. A special event demonstration project shall only be implemented on a site
2268 identified in Attachment B to this ordinance.

2269 C. As part of the demonstration project B, the permitting division may, for a
2270 winery, brewery, distillery facility III, consolidate temporary use review for special
2271 events under K.C.C. 21A.32.100 through 21A.32.140, with conditional use review under
2272 K.C.C. 21A.44.040, and applicable to those uses under K.C.C. 21A.08.080;

2273 D.1. Demonstration project B applications shall include review of:

2274 a. a conditional use permit, or conditional use permit modification or
2275 expansion, for a winery, brewery, distillery facility III; and

2276 b. a temporary use permit for special events associated with the winery,
2277 brewery, distillery facility III.

2278 2. The joint conditional use permit and temporary use permit application shall
2279 include a request in writing to apply for the special event demonstration project, together
2280 with supporting documentation and must illustrate how the proposal meets the criteria in
2281 subsection F. and G. of this section and the criteria in K.C.C. 21A.44.020 and
2282 21A.44.040.

2283 3. As part of the joint conditional use and temporary use permit review process,
2284 the applicant shall be required to pay all required fees for a conditional use permit. The
2285 temporary use permit fees in K.C.C. 27.10.170.D. shall be waived for the joint permit
2286 review process.

2287 4. An application for a special event demonstration project under this section
2288 shall be reviewed as a Type II land use decision in accordance with K.C.C. 20.20.020.
2289 As part of the joint conditional use and temporary use permit review, the review

procedures in K.C.C. chapters 20.20, 20.44 and 21A.42 shall be applied, and compliance with K.C.C. 21A.44.020 and K.C.C. 21A.44.040 shall be met.

5. Any deadline in this subsection shall be adjusted to include the time for appeal of all or any portion of the project approval.

E. The department of local services, permitting division, shall administer the demonstration project, and ~~A wine and beverage tourism demonstration project B~~ application to modify development standards for on-site winery, brewery, distillery facility ~~III wedding and events~~ shall approve or deny the special event demonstration project under this section as part of a joint conditional use permit and temporary use permit based upon compliance with subsections F. and G. of this section. ~~be administratively approved by the department of permitting and environmental review, and upon such an approval K.C.C. chapter 21A.42 review procedures shall be applied. Demonstration project uses may be approved and conditioned by the department if compliant with the criteria in K.C.C. 21A.44.040.~~ Approval or denial of a special event demonstration project ~~of the proposed demonstration project~~ shall not be construed as applying to any other development application either within the demonstration project area or elsewhere in the county, and shall not render uses authorized under this section "otherwise permitted in the zone" under K.C.C. 21A.32.100.A.

€F.1. A special event demonstration project shall be subject to all King County Code provisions except that permitting division may waive ~~The director shall waive the~~ following development regulations during the joint conditional use permit and temporary use permit review ~~under demonstration project B:~~

1a. K.C.C. 21A.32.100 through 21A.32.140; and

~~2. K.C.C. 21A.44.020; and~~

~~3b. K.C.C. 21A.08.080.B.12.4.;~~

2. A temporary use permit approved under this demonstration project may be renewed up to four times annually in accordance with K.C.C. 21A.32.120.D. After a special event demonstration project temporary use permit expires, the permitting division shall review any subsequent temporary use permit application for the demonstration project site in accordance with all applicable temporary use review processes and any future events shall be subject to all regulations in place at the time a complete application is submitted.

~~D.1. A demonstration project authorized by this section allows a winery, brewery, distillery facility III operator to obtain authorization for on-site weddings and similar uses pursuant to conditional use review mechanisms in K.C.C. 21A.44.040, and applicable to those uses under K.C.C. 21A.08.080.A. and B.;~~

~~2. Demonstration project conditional use permits are subject to all King County Code provisions, including but not limited to, K.C.C. chapters 21A.42 and 20.20, except those specifically excluded by subsection C. of this section,;~~

~~E.1. Demonstration project applications made in accordance with this section may only be submitted in relation to an application for a winery, brewery, distillery facility III conditional use permit or winery, brewery, distillery facility conditional use permit modification or expansion.~~

~~2. Demonstration project applications shall be submitted to the department in writing before or in conjunction with an application for a winery, brewery, distillery facility III conditional use permit or an application for a winery, brewery, distillery~~

2336 ~~facility III conditional use permit modification or expansion. The supporting~~
2337 ~~documentation must illustrate how the proposal meets the criteria in K.C.C. 21A.44.040.~~
2338 ~~_____ 3. A demonstration project conditional use permit, conditional use modification~~
2339 ~~or conditional use expansion decision shall be treated as a Type II land use decision in~~
2340 ~~accordance with K.C.C. 20.20.020.~~

2341 ~~FG.1. To be eligible to use the provisions of this section, a demonstration project~~
2342 ~~must be located on a demonstration project site identified in Attachment B to this~~
2343 ~~ordinance. Approval of a special event demonstration project authorized by this section~~
2344 ~~shall impose conditions regarding:~~

2345 ~~_____ a. the number of guests allowed for a temporary use, which shall be subject to~~
2346 ~~building occupancy limits, but in no case more than two hundred fifty guests;~~

2347 ~~_____ b. parking limits or parking plan;~~

2348 ~~_____ c. the number of events allowed per year, which shall occur on no more than~~
2349 ~~sixty days per year; and~~

2350 ~~_____ d. reasonable measures to provide notification to the permitting division and~~
2351 ~~the public on the time, date, duration and size of special events authorized under the~~
2352 ~~demonstration project, which could include, but is not limited to, posting the information~~
2353 ~~on the operator's website or on-site.~~

2354 ~~_____ 2. During the duration of the special event demonstration project, and only for~~
2355 ~~the purposes of the special event demonstration project, parcels within the special event~~
2356 ~~demonstration project area identified in Attachment B to this ordinance may not be~~
2357 ~~consolidated to meet the minimum lot size required for a winery, brewery, distillery~~
2358 ~~facility III.~~

2359 ~~23. Demonstration project applications~~ Special event demonstration projects
2360 shall ~~must~~ be consistent with general health, safety and public welfare standards, and
2361 ~~must~~ shall not violate state or federal law.

2362 ~~HG. Special event D~~ demonstration project applications ~~authorized by this section~~
2363 shall be ~~filed with the department of permitting and environmental review~~ accepted by the
2364 permitting division ~~within for~~ three years ~~of from~~ the effective date of this ordinance.

2365 Complete applications submitted before the end of the three years shall be reviewed and
2366 decided on by the permitting division.

2367 ~~Conditional uses permitted under this section are subject to the nonconformance~~
2368 ~~provisions of K.C.C. Title 21A.32. Any deadline in this subsection shall be adjusted to~~
2369 ~~include the time for appeal of all or any portion of the project approval.~~

2370 ~~IH. One~~ Beginning one year after the effective date of this ordinance, and ~~on an~~
2371 ~~annual basis~~ each year for ~~three~~ four years thereafter, the executive shall prepare and
2372 transmit to the council preliminary evaluations of special event demonstration project B.
2373 These preliminary evaluation reports shall include:

2374 ~~1. director shall compile a~~ A list of demonstration project applications submitted,
2375 reviewed and decided;

2376 ~~2. , an evaluation of the impacts of wedding and similar uses authorized~~
2377 ~~pursuant to demonstration project conditional use permits, and related~~ Comments received
2378 from neighboring residents, including code complaints, if any, related to the applications
2379 received and approved, or the demonstration project;

2380 3. Comments received from neighboring cities and community service areas;

2381 4. Comments received from project applicants attempting to utilize the

demonstration project, including the application and review process, and the criteria for approving special event demonstration projects;

5. Comments received from customers of the project applicants' businesses;

6. A description of known interactions or relationships between projects approved under the demonstration project and nearby agricultural users and lands, such as additional exposure for local agricultural products;

7. An inventory of remaining parcels or properties available for development under the demonstration project;

8. A description of the number and size of the events and the parking plans approved through the joint conditional use permit and temporary use permit process; and

9. Any known recommended code changes that would further the purposes of the demonstration project.

~~J.~~ ~~The executive may submit additional~~ Within ninety days of five years after the effective date of this ordinance, the permitting division shall prepare a draft final report and proposed ~~legislation~~ permanent code changes, that includes the ~~reflecting~~ information compiled under subsection ~~HI.~~ of this section-, and includes the following: within three years of the effective date of this ordinance.

1. Evaluation of water use by winery, brewery, distillery facility III uses, including amount of water used, impacts to watershed basins, impacts to public water systems, and whether these facilities should be required to connect to a Group A or Group B system;

2. Evaluation of the parking requirements, including whether the parking ratios required in K.C.C. chapter 21A.18 for production facilities, associated tasting rooms, and

special events provide sufficient, but not excessive, parking;

3. Outreach to those applicants with projects approved through the demonstration project, with requested information to include, at a minimum:

a. when they were approved by the permitting division;

b. when they opened subsequent to that approval;

c. whether they are still operating at the time of the final report; and

d. any recommendations on final regulations;

4. An evaluation of the requirements for temporary use permits for special events for all winery, brewery, distillery facilities, home occupations, home industries, and remote tasting rooms. This shall include, at a minimum:

a. an evaluation of the minimum requirements for obtaining a temporary use permit established in K.C.C. 21A.32.100 and 21A.32.120, and whether they should be modified;

b. an evaluation of what is considered an "industry standard event" for a winery, brewery, distillery facility or remote tasting room. As a guideline, an "industry standard event" may mean an event that is essential to the operation of the business and is directly related to the business, such as a release party or dinner for club members. The evaluation shall include recommendations on what types of industry standard events should require a temporary use permit, based on the scale of the event or any other factor the executive deems relevant;

c. an evaluation of what is not an "industry standard event," such as renting out space for an event that is unrelated to the business. Those types of events typically require a temporary use permit;

2428 d. a recommended set of specific temporary use permit triggers related to
2429 special events for winery, brewery, distillery facilities, nonconforming home occupations
2430 and home industries and remote tasting rooms;

2431 e. a recommendation of the maximum number of special events that should be
2432 allowed for winery, brewery, distillery facilities, nonconforming home occupations and
2433 home industries and remote tasting rooms;

2434 f. a description of the current temporary use permit review process, and an
2435 evaluation of and recommendations for simplification of the temporary use permit review
2436 process, including, but not limited to, code requirements, internal process and procedures,
2437 and fees;

2438 g. an evaluation of the current two per year limit on events that may be held
2439 without a permit, and whether that limitation should be modified;

2440 h. an evaluation of the limits on the number of guests in K.C.C. 21A.32.120,
2441 and whether those limitations should be modified; and

2442 i. an evaluation of the public notice requirements for special events allowed for
2443 winery, brewery, and distillery facilities, and whether those requirements should be
2444 modified;

2445 5. Evaluation of the consolidated permit review process, including permit
2446 review timelines for the demonstration project applications compared to review times for
2447 similar types of projects that do not use the demonstration project allowance for
2448 consolidated review under this section, the cost to the applicant and the cost for the
2449 county to administer and review the demonstration project applications;

2450 6. Evaluation of stormwater and surface water issues within Overlay B, impacts

on downstream properties and agricultural land, and potential remedies for identified stormwater and surface water issues; and

7. A recommendation on permanent code changes, or further demonstration project requirements, regarding special events.

K. The permitting division shall include a public comment period for the draft evaluation described in subsection J. of this section. The public comment period shall be at least forty-five days beginning with the date of publication in the newspapers of record for the demonstration project areas identified in Attachment B to this ordinance. As part of the public comment period, the permitting division shall:

1. Publish notice of the draft evaluation's availability in each newspaper of record, including locations where the draft evaluation is available;

2. Send notice and request for comment to the water districts for the demonstration project areas identified in Attachment B to this ordinance;

3. Request comments from any developer that has applied for approval under the demonstration project;

4. Provide a copy at the local libraries for the demonstration project areas identified in Attachment B to this ordinance;

5. Post an electronic copy on the permitting division's website; and

6. Send electronic notice to the clerk of the council, who shall retain the original email and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the local services, regional roads and bridges committee, or its successor.

L. After the public comment period has ended, the permitting division shall

2474 prepare a final evaluation of the special event demonstration project B, incorporating or
2475 responding to the comments received. Within sixty days of the end of the end of the
2476 public comment period, the executive shall file a final evaluation report, a motion that
2477 should accept the report, and an ordinance that implements any proposed permanent code
2478 changes.

2479 M. For each preliminary evaluation, and the final report and proposed legislation,
2480 the reports shall be filed in the form of a paper original and an electronic copy with the
2481 clerk of the council, who shall retain the original and provide an electronic copy to all
2482 councilmembers, the council chief of staff and the lead staff for the local services,
2483 regional roads and bridges committee, or its successor.

2484 SECTION 2632. Ordinance 13623, Section 37, as amended, and K.C.C.
2485 23.32.010 are each hereby amended to read as follows:

2486 A.1. Civil fines and civil penalties for civil code violations shall be imposed for
2487 remedial purposes and shall be assessed for each violation identified in a citation, notice
2488 and order, voluntary compliance agreement or stop work order pursuant to the following
2489 schedule:

a. citations, except for winery, brewery, distillery facility I,

II and III and remote tasting room:

(1) with no previous similar code violations \$100

(2) with no previous code violations of K.C.C. chapter \$125

12.86 within the past twelve months

(3) with one previous code violation of K.C.C. chapter \$250

12.86 within the past twelve months

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(4) with one or more previous similar code violations, or \$500
with two previous code violations of K.C.C. chapter 12.86
within the past twelve months

(5) with two or more previous violations of K.C.C. Title Double the
10, or three or more previous code violations of K.C.C. chapter rate of the
12.86 within the past twelve months previous
penalty

b. citations for violations of winery, brewery, distillery
facility I, II and III and remote tasting room zoning conditions,
including but not limited to unapproved events;

(1) with no previous similar code violations \$500

(2) with one or more previous similar code violations \$1,000
within the past twelve months;

c. violation of notice and orders and stop work orders:

(1) stop work order basic penalty \$500

(2) voluntary compliance agreement and notice and order \$25
basic penalty

(3) additional initial penalties may be added in the
following amounts for violations where there is:

(a) public health risk \$15

(b) environmental damage risk \$15

(c) damage to property risk \$15

(d) one previous similar code violation \$25

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(e) two previous similar code violations \$50

(f) three or more previous similar code violations \$75

(g) economic benefit to person responsible for violation \$25

~~((e-))~~ d. cleanup restitution payment: as specified in K.C.C.
23.02.140.

~~((d-))~~ e. reinspection following the issuance of a notice and
order, if the violation has not been abated in accordance with
the notice and order:

(1) first reinspection, which shall occur no sooner than the \$150
day following the date compliance is required by the notice and
order

(2) second reinspection, which shall occur no sooner than \$300
fourteen days following the first reinspection

(3) third reinspection, which shall occur no sooner than \$450
fourteen days following the second reinspection

(4) reinspection after the third reinspection, which shall \$450
only be conducted immediately preceding an administrative or
court ordered abatement or at the direction of the prosecuting
attorney for the purpose of presenting evidence in the course of
litigation or administrative hearing against the person
responsible for code compliance

2490 2. For the purposes of this section, previous similar code violations that can
2491 serve as a basis for a higher level of civil penalties include violations of the same chapter

of the King County Code. Any citation, stop work order or notice and order previously issued by the department shall not constitute a previous code violation for the purposes of this section if that stop work order or notice and order was appealed and subsequently reversed.

B. The penalties assessed pursuant to this section for any failure to comply with a notice and order or voluntary compliance agreement shall be assessed daily, according to the schedule in subsection A of this section, for the first thirty days following the date the notice and order or voluntary compliance agreement required the code violations to have been cured. If after thirty days the person responsible for code compliance has failed to satisfy the notice and order or voluntary compliance agreement, penalties shall be assessed daily at a rate of double the rate for the first thirty days. Penalties may be assessed daily until the person responsible for code compliance has fully complied with the notice and order.

C. Penalties based on violation of a stop work order shall be assessed, according to the schedule in subsection A. of this section, for each day the department determines that work or activity was done in violation of the stop work order.

D. Citations and cleanup restitution payments shall only be subject to a one-time civil penalty.

E. The director may suspend the imposition of additional civil penalties if the person responsible for code compliance has entered into a voluntary compliance agreement. If the person responsible for code compliance enters into a voluntary compliance agreement and cures the code violations, the director may also waive all or part of the accrued civil penalties in accordance with K.C.C. 23.32.050. Penalties shall

begin to accrue again pursuant to the terms of the voluntary compliance agreement if any necessary permits applied for are denied, canceled or not pursued, or if corrective action identified in the voluntary compliance agreement is not completed as specified.

F. The civil penalties in this section are in addition to, and not in lieu of, any penalties, sanctions, restitution or fines provided for in any other provisions of law.

SECTION 33. A. The executive shall transmit a report and proposed ordinance that evaluates the efficacy of the regulations for winery, brewery, distillery facilities and remote tasting rooms adopted as part of this ordinance. The report shall include, at a minimum:

1. An evaluation of the effectiveness of the citation and civil fine structure in K.C.C. 23.32.010 adopted for winery, brewery, distillery and remote tasting room uses as part of this ordinance, and a recommended citation and civil fine structure, if the evaluation finds that the current structure is not effective or could be modified to increase effectiveness;

2. An evaluation of the impacts that urban uses within urban growth area have on rural character and adjacent rural areas outside the urban growth area, and recommendations for how to reduce impact of those urban uses;

3. Analysis of product content requirement adopted as part of this ordinance for winery, brewery distillery facilities in the Agriculture zone. Include, at a minimum, an evaluation of requiring sixty percent of product content to be grown on-site, sixty percent of product content to be grown in Puget Sound Counties, or allowing these facilities as agricultural accessory uses in accordance with WAC 365-196-815, and a recommendation for how these facilities should be regulated in the Agriculture zone to

2538 comply with the requirements for agricultural production areas under the Growth
2539 Management Act; and

2540 4. Analysis of winery, brewery, distillery facility I as interim use in the
2541 Agriculture zone, and evaluation of the effectiveness of the regulations adopted by this
2542 ordinance, the impacts to the agricultural production districts, and any recommended
2543 changes to the regulations regarding winery, brewery, distillery facility and remote
2544 tasting rooms, adopted by this ordinance.

2545 B. The report and proposed ordinance shall be transmitted to the council with a
2546 motion that should accept the report and a proposed ordinance making recommended code
2547 changes, concurrently with the final evaluations required in sections 29 and 31 of this
2548 ordinance, in the form of a paper original and an electronic copy to the clerk of the
2549 council, who shall retain the original and provide an electronic copy to all
2550 councilmembers, the council chief of staff and the lead staff for the local services,
2551 regional roads and bridges committee, or its successor.

2552 SECTION 2734. Severability. If any provision of this ordinance or its
2553 application to any person or circumstance is held invalid, the remainder of the ordinance
2554 or the application of the provision to other persons or circumstances is not affected."

2555
2556 Strike Attachment A, Demonstration Project Overlay A - Remote Tasting Rooms
2557 Exhibits 1 & 2 and insert Attachment A, Map Amendment #1 – Remote Tasting Room
2558 Demonstration Project A dated March 11, 2019

2559
2560 Strike Attachment B, Demonstration Project Overlay B - Winery, Brewery, Distillery III

Events, and insert Attachment B, Map Amendment #2 – Special Event Demonstration
Project B dated March 11, 2019

The clerk of the council is instructed to insert the final enact number in Attachments A
and B where the Proposed Ordinance number is referenced.

EFFECT: This striking amendment makes the following changes to the Proposed Ordinance:

Substantive Changes

1. Adds additional findings to further establish the record for the proposed changes to existing code.
2. Business license requirements:
 - a. Requires a business license for nonconforming home occupations and home industries.
 - b. Recognizes the difference in product content requirements for a WBD I in the A zone (60% on-site versus 60% Puget Sound Counties)
 - c. Prohibits issuance of a business license for a WBD I interim use for more than 5 years on any one site.
3. Modifies the definition of remote tasting room:
 - a. To allow distilleries and breweries to qualify as a remote tasting room, recognizing the difference in state licensing allowances.
 - b. Prohibits liquor licenses that are considered “retail licenses” by the state Liquor and Cannabis Board under a remote tasting room.
4. Modifies the definition of WBD I:
 - a. To allow limited retail and tasting. These activities are further limited by the development conditions discussed below.
 - b. Prohibits liquor licenses that are considered “retail licenses” by the state Liquor and Cannabis Board under a WBD I use.
5. Adds an new definition for WBD I interim use permit:
 - a. A term-limited permit for a winery, brewery, distillery facility I in the A zone.
 - b. One-time approval, effective for one year, with four annual renewals possible for up to five years.
 - c. After the interim use permit or any renewals have expired, use is required to either comply with zoning conditions for a winery, brewery, distillery facility II or III use, and meet the requirements of one of those uses, or cease operations and vacate the site.
 - d. Applications for a winery, brewery, distillery facility I interim use permit

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- 2601 may only be accepted by the permitting division within five years of the
2602 effective date of this ordinance.
- 2603 e. The time limitations on a winery, brewery, distillery facility I interim use
2604 permit do not apply to agricultural uses such as vineyards and orchards.
- 2605 6. Modifies the definitions for WBD II and III:
- 2606 a. Prohibits liquor licenses that are considered “retail licenses” by the state
2607 Liquor and Cannabis Board under a WBD II or III use.
- 2608 7. Adds remote tasting room to the Retail Land Use Table, and permits it in the CB
2609 and RB zone with a development condition that the parking is limited to a
2610 maximum of 1 space per 50 square feet of tasting and retail area.
- 2611 8. For WBD I:
- 2612 a. Moved from the Manufacturing Land Use Table to the Residential Land
2613 Use Table, and permitted as a Residential Accessory Use, either outright
2614 with development conditions, or with a conditional use permit with
2615 development conditions.
- 2616 b. In the A zone:
- 2617 i. Accessory to agricultural use and residential use.
- 2618 ii. Allow WBD I as an interim use – must apply within 5 years of
2619 effective date of this ordinance, and is only authorized for up to 5
2620 years, with criteria.
- 2621 iii. Maximum building size is 1,500sf. Excludes decks not open to the
2622 public.
- 2623 iv. Tasting not allowed on-site.
- 2624 v. Retail sales of on-site products allowed.
- 2625 vi. Direct access to an arterial required.
- 2626 vii. 60% of product to be processed must be grown in Puget Sound
2627 Counties.
- 2628 viii. On-site production required. Requires production to include two or
2629 more of the stages of production: crushing, fermentation, barrel or
2630 tank aging, or finishing
- 2631 ix. Non-agricultural facility uses must be on portion of the property
2632 unsuitable for agricultural production purposes.
- 2633 x. Parking requirements: One stall for non-resident employee, plus
2634 parking for customers: minimum 1, plus 1:1,000sf of area
2635 dedicated to WBD facility uses. Maximum parking allowed is
2636 150% of the minimum required.
- 2637 xi. Add provision for grandfathering for number existing parking
2638 spaces (compliance with development standards required)
- 2639 xii. Requires 75 foot setback of buildings and parking areas from
2640 interior property lines that adjoin RA or R zoned property.
- 2641 c. In the RA zone:
- 2642 i. Allowed as a residential accessory use.
- 2643 ii. Tastings not allowed in defined area in/adjacent to Sammamish
2644 Valley
- 2645 iii. Tastings allowed in other areas, by appointment only, indoors only,
2646 and within these hours: Mon-Th 11am to 7pm and Fri-Sun 11am to

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- 2647 9pm
2648 iv. Sale of items produced on-site allowed.
2649 v. Requires production to include two or more of the stages of
2650 production: crushing, fermentation, barrel or tank aging, or
2651 finishing.
2652 vi. Adds parking requirements for customers: minimum 1, plus
2653 1:1,000sf of area dedicated to WBD facility uses. Maximum
2654 parking allowed is 150% of the minimum required.
2655 vii. Add provision for grandfathering for number existing parking
2656 spaces (compliance with development standards required)
2657 viii. Allows 75 foot setback from RA and R zoned properties to be
2658 reduced to 25 feet with a CUP and subject to screening
2659 requirements. Applies this setback to interior property lines only.
2660 9. For WBD II:
2661 a. In A zone:
2662 i. Excludes decks not open to the public from the maximum square
2663 footage limit.
2664 ii. Requires production to include two or more of the stages of
2665 production: crushing, fermentation, barrel or tank aging, or
2666 finishing.
2667 iii. Add provision for grandfathering for number existing parking
2668 spaces (compliance with development standards required)
2669 iv. Allows 75 foot setback from RA and R zoned properties to be
2670 reduced to 25 feet with a CUP and subject to screening
2671 requirements. Applies this setback to interior property lines only.
2672 b. In RA zone:
2673 i. Excludes decks not open to the public from the maximum square
2674 footage limit.
2675 ii. Requires production to include two or more of the stages of
2676 production: crushing, fermentation, barrel or tank aging, or
2677 finishing.
2678 iii. Modifies maximum parking requirements, from 150% of the
2679 minimum, to a maximum for tasting and retail areas of 1 space per
2680 50 square feet of such areas.
2681 iv. Add provision for grandfathering for number existing parking
2682 spaces (compliance with development standards required)
2683 v. Allows 75 foot setback from RA and R zoned properties to be
2684 reduced to 25 feet with a CUP and subject to screening
2685 requirements. Applies this setback to interior property lines only.
2686 c. In NB and CB zones:
2687 i. Excludes decks not open to the public from the maximum square
2688 footage limit.
2689 ii. Sets maximum parking for tasting and retail areas to 1 per 50
2690 square feet of tasting and retail area
2691 iii. Allows 75 foot setback from RA and R zoned properties to be
2692 reduced to 25 feet with a CUP and subject to screening

2693 requirements. Applies this setback to interior property lines only.

2694 d. In RB zone:

2695 i. Adds a maximum parking of 1:50 square feet of tasting and retail
2696 areas. If a CUP is required, this is a “should”.

2697 ii. Require a 75 foot setback from RA and R zoned properties, but
2698 allow that to be reduced to 25 feet with a CUP and subject to
2699 screening requirements. Applies this setback to interior property
2700 lines only.

2701 e. In the I zone:

2702 i. Limited to breweries and distilleries. Wineries and remote tasting
2703 rooms prohibited.

2704 ii. Limits the tasting area to a maximum of 1,500 square feet.

2705 iii. Adds a maximum parking of 1:50 square feet of tasting and retail
2706 areas. If a CUP is required, this is a “should”.

2707 iv. Require a 75 foot setback from RA and R zoned properties, but
2708 allow that to be reduced to 25 feet with a CUP and subject to
2709 screening requirements. Applies this setback to interior property
2710 lines only.

2711 10. For WBD III:

2712 a. In A zone and RA zone:

2713 i. Excludes decks not open to the public from the maximum square
2714 footage limit.

2715 ii. Requires production to include two or more of the stages of
2716 production: crushing, fermentation, barrel or tank aging, or
2717 finishing.

2718 iii. Maximum parking determined through the CUP. Maximum
2719 parking for tasting and retail should be limited to 1:50 square feet.

2720 iv. Add provision for grandfathering for number existing parking
2721 spaces (compliance with development standards required).

2722 v. Allows 75 foot setback from RA and R zoned properties to be
2723 reduced to 25 feet with a CUP and subject to screening
2724 requirements. Applies this setback to interior property lines only.

2725 b. In NB and CB zones:

2726 i. Maximum parking determined through the CUP. Maximum
2727 parking for tasting and retail should be limited to 1:50 square feet.

2728 ii. Require a 75 foot setback from RA and R zoned properties, but
2729 allow that to be reduced to 25 feet with a CUP and subject to
2730 screening requirements. Applies this setback to interior property
2731 lines only.

2732 c. In RB zone:

2733 i. Maximum parking determined through the CUP. Maximum
2734 parking for tasting and retail should be limited to 1:50 square feet.

2735 ii. Require a 75 foot setback from RA and R zoned properties, but
2736 allow that to be reduced to 25 feet with a CUP and subject to
2737 screening requirements. Applies this setback to interior property
2738 lines only.

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- 2739 d. In the I zone:
- 2740 i. Limited to breweries and distilleries. Wineries and remote tasting
- 2741 rooms prohibited.
- 2742 ii. Limits the tasting area to a maximum of 1,500 square feet.
- 2743 iii. Maximum parking determined through the CUP. Maximum
- 2744 parking for tasting and retail should be limited to 1:50 square feet.
- 2745 iv. Require a 75 foot setback from RA and R zoned properties, but
- 2746 allow that to be reduced to 25 feet with a CUP and subject to
- 2747 screening requirements. Applies this setback to interior property
- 2748 lines only.
- 2749 11. Prohibits WBD I, II and III in the Urban Reserve zone.
- 2750 12. In the parking ratio table:
- 2751 a. Adds a remote tasting room with a minimum parking ratio of 1 space per
- 2752 300 square feet of tasting and retail areas.
- 2753 b. For WBD facilities, applies the minimum ratio to WBD III, and adds that
- 2754 the 1 space per 300 square foot requirement is for retail areas in addition
- 2755 to tasting areas.
- 2756 13. For home occupations and home industries, allows for existing businesses to have
- 2757 a process to be considered a legally nonconforming home occupation or home
- 2758 industry, within one year of the effective date of this ordinance. Allowed for
- 2759 businesses with a liquor license prior to January 1, 2019, where King County did
- 2760 not object to the issuance of the liquor license. Requires such businesses to obtain
- 2761 a business license, and to comply with all other state and local regulations.
- 2762 14. For WBD and remote tasting rooms, establishes a set of criteria for when a special
- 2763 event requires a temporary use permit from the County. Events that have one or
- 2764 more of the following will require a temporary use permit:
- 2765 a. Exceeds the permitted building occupancy.
- 2766 b. Utilizes portable toilets.
- 2767 c. Utilizes parking that exceeds the maximum number of spaces allowed or
- 2768 utilizes off-site parking.
- 2769 d. Utilizes temporary stages.
- 2770 e. Utilizes temporary tents or canopies that require a permit.
- 2771 f. Utilizes traffic control for public rights-of-way.
- 2772 g. Extends beyond stated hours of operation.
- 2773 15. For special events in the A and RA zones, raises the maximum number of guests
- 2774 from 125 to 150.
- 2775 16. For special events for WBD I in the RA zone, home occupation and home
- 2776 industry uses, specifies that 2 events per year can occur without a temporary use
- 2777 permit, and sets a maximum number of guests at 50 people.
- 2778 17. Prohibits special events for WBD I in the A zone.
- 2779 18. Rewrites much of the remote tasting room demonstration project A for
- 2780 consistency with other demonstration projects. Also modifies the substantive
- 2781 requirements in the following ways:
- 2782 a. Allows a third area in the demonstration project – Fall City Rural Town
- 2783 CB zoning.
- 2784 b. Modifies the Vashon Rural Town area to reduce the scope just to the CB

- 2785 zoned areas.
- 2786 c. Removes the requirement that access be to an arterial. In effect, all of the
- 2787 Sammamish Valley area is accessed from an arterial, and for Fall City and
- 2788 Vashon Rural Towns, the CB zoning is generally on an arterial or within a
- 2789 block of the arterial. These areas allow higher intensity uses already.
- 2790 d. Removes the requirement that production is prohibited.
- 2791 e. Allows two events per year, maximum 50 guests, without a temporary use
- 2792 permit.
- 2793 f. Extends the demonstration project from 3 to 5 years. Applications may
- 2794 only be submitted within 3 years, and then after 5 years, the Executive is
- 2795 required to start the evaluation process.
- 2796 g. Requires the annual evaluations for 4 years, to be transmitted to the
- 2797 Council with a motion accepting the report, and expanded to include:
- 2798 i. Comments received from neighboring residents (in addition to
- 2799 code complaints).
- 2800 ii. Comments received from neighboring cities and Community
- 2801 Service Areas.
- 2802 iii. Comments received from applicants on the application and review
- 2803 process and the criteria for approving a remote tasting room.
- 2804 iv. Comments received from customers of the remote tasting rooms
- 2805 approved.
- 2806 v. A description of how the remote tasting rooms interact with nearby
- 2807 agricultural users and lands, including additional exposure for local
- 2808 agricultural products.
- 2809 vi. An inventory of remaining properties that could be developed
- 2810 under the demonstration project.
- 2811 vii. Known recommended code changes that would further the
- 2812 purposes of the demonstration project.
- 2813 h. Expands the final evaluation to start after the 5 years has completed. The
- 2814 substance of the evaluation includes:
- 2815 i. The information required for the annual reports.
- 2816 ii. Evaluation of parking ratios.
- 2817 iii. Evaluation of the tasting hours.
- 2818 iv. Outreach and information from project applicants on the efficacy
- 2819 of the demonstration project.
- 2820 v. Evaluation of review timelines for the demonstration project.
- 2821 vi. Recommended permanent code changes or further demonstration
- 2822 projects.
- 2823 i. For the final evaluation, require a public comment period on a draft report,
- 2824 which includes publishing a notice in area newspapers, requesting
- 2825 comments from water purveyors, requesting comments from project
- 2826 applicants, providing a copy of the draft report at local libraries, posting a
- 2827 copy to Permitting's website, and filing a copy with the clerk of the
- 2828 Council. The public comment period is 45 days.
- 2829 j. After the public comment period is over, a final report incorporating the
- 2830 public comments is required to be transmitted to the Council within 90

- 2831 days, along with a motion to accept the report and a proposed ordinance
2832 that makes permanent code changes.
- 2833 19. Rewrites much of the special event demonstration project B for consistency with
2834 other demonstration projects. Also modifies the substantive requirements in the
2835 following ways:
- 2836 a. Instead of incorporating special events (that would normally require a
2837 temporary use permit) into the review of the conditional use permit, the
2838 reviews of the two permits would be consolidated. The conditional use
2839 permit for the WBD III, which is already required for that facility in the
2840 RA zone, would continue on past the demonstration project. The
2841 temporary use permit would be subject to the requirement to renew it each
2842 year, and then after the demonstration project ends and the temporary use
2843 permit approved under the demonstration project expires, the businesses
2844 would be required to obtain a new temporary use permit under the code in
2845 place at the time of complete application in the future.
 - 2846 b. The fees for the consolidated conditional use permit and temporary use
2847 permit would be reduced by exempting the projects from the temporary
2848 use permit.
 - 2849 c. The joint process would require public notice, review under SEPA, and
2850 compliance with the criteria for a conditional use permit and temporary
2851 use permit.
 - 2852 d. The temporary use permit approval would be required to have conditions
2853 regarding the number of guests allowed, parking plan, and the number of
2854 events required, which is limited to a maximum of 60 days per year.
 - 2855 e. Prohibits consolidation of parcels to meet the minimum lot size for a
2856 WBD III in order to utilize the demonstration project.
 - 2857 f. Extends the demonstration project from 3 to 5 years. Applications may
2858 only be submitted within 3 years, and then after 5 years, the Executive is
2859 required to start the evaluation process.
 - 2860 g. Requires the annual evaluations for 4 years, to be transmitted to the
2861 Council with a motion accepting the report, and expanded to include:
 - 2862 i. Comments received from neighboring residents (in addition to
2863 code complaints).
 - 2864 ii. Comments received from neighboring cities and Community
2865 Service Areas.
 - 2866 iii. Comments received from applicants on the application and review
2867 process and the criteria for approving a remote tasting room.
 - 2868 iv. Comments received from customers of the special events joint
2869 review process approved.
 - 2870 v. A description of how the businesses in the demonstration project
2871 interact with nearby agricultural users and lands, including
2872 additional exposure for local agricultural products.
 - 2873 vi. An inventory of remaining properties that could be developed
2874 under the demonstration project.
 - 2875 vii. A description of the number and size of the events and the parking
2876 plans approved through the joint conditional use permit and

- 2877 temporary use permit process
- 2878 viii. Known recommended code changes that would further the
- 2879 purposes of the demonstration project.
- 2880 h. Expands the final evaluation to start after the 5 years has completed. The
- 2881 substance of the evaluation includes:
- 2882 i. The information required for the annual reports.
- 2883 ii. Evaluation of water use by WBD III.
- 2884 iii. Evaluation of parking ratios.
- 2885 iv. Outreach and information from project applicants on the efficacy
- 2886 of the demonstration project.
- 2887 v. Evaluation of special events for the adult beverage industry.
- 2888 vi. Evaluation of review timelines for the demonstration project and
- 2889 comparison to projects that did not use the demonstration project.
- 2890 vii. Evaluation of stormwater and surface water issues.
- 2891 viii. Recommended permanent code changes or further demonstration
- 2892 projects.
- 2893 i. For the final evaluation, require a public comment period on a draft report,
- 2894 which includes publishing a notice in area newspapers, requesting
- 2895 comments from water purveyors, requesting comments from project
- 2896 applicants, providing a copy of the draft report at local libraries, posting a
- 2897 copy to Permitting's website, and filing a copy with the clerk of the
- 2898 Council. The public comment period is 45 days.
- 2899 j. After the public comment period is over, a final report incorporating the
- 2900 public comments is required to be transmitted to the Council within 90
- 2901 days, along with a motion to accept the report and a proposed ordinance
- 2902 that makes permanent code changes.
- 2903 20. An evaluation is added to the ordinance, required to be transmitted in conjunction
- 2904 with the final evaluation reports and recommended code changes for the two
- 2905 demonstration projects. This evaluation is required to include:
- 2906 a. An evaluation of the effectiveness of the citation and civil fine structure.
- 2907 b. An evaluation of the impacts that urban uses have on rural character and
- 2908 adjacent rural areas.
- 2909 c. An analysis of product content requirement adopted as part of this
- 2910 ordinance for winery, brewery distillery facilities in the Agriculture zone.
- 2911 d. An analysis of winery, brewery, distillery facility I as interim use in the
- 2912 Agriculture zone.
- 2913 21. Attaches new versions of Attachments A and B to make them map amendments
- 2914 as required for demonstration projects.

2915

2916 **Technical Changes**

2917

- 2918 22. Modifies the definitions of WBD I, II and III to use consistent terminology.
- 2919 23. Adds tasting and retail allowances in the permitted use tables for each use for
- 2920 consistency.
- 2921 24. Engrosses changes made by other ordinances that have been adopted since this
- 2922 Proposed Ordinance was transmitted by the Executive.

REDLINE – FOR ILLUSTRATIVE PURPOSES ONLY

- 2923 25. Updates references to reflect the re-organization and creation of the Department
2924 of Local Services.
2925 26. Incorporates the changes made by Striking Amendment S1 that made clarifying
2926 edits, and corrected drafting errors so that the Proposed Ordinance matched the
2927 Executive’s intent.

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3/11/19

Draft Chair's Striker

ea

Sponsor: Lambert, Balducci

Proposed No.: 2018-0241

STRIKING AMENDMENT TO PROPOSED ORDINANCE 2018-0241, VERSION

1

On page 1, beginning on line 16, strike everything through page 49, line 923, and insert:

"BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. The Growth Management Act, including RCW 36.70A.130, requires that King County take action to review, and if needed, revise its Comprehensive Plan and development regulations implementing the Comprehensive Plan.

B. The existing regulations for wineries and breweries were last substantively amended by Ordinance 14781 in 2003. Distilleries were added as a permitted use, with the same development conditions as wineries and breweries, with Ordinance 17539 in 2013. No other substantive regulatory changes for wineries, breweries and distilleries (collectively "the adult beverage industry") have occurred since 2003. Since that time King County has encountered unprecedented economic and population growth, resulting in major changes to the adult beverage industry and causing concerns about land speculation in some areas of the county, while leaving others in need of economic stimulation.

C. Population growth, combined with the growing popularity of small producers

19 and local sourcing within the adult beverage industry has created a need for: clarification
20 regarding core industry functions versus other types of more intensive on-site special
21 events that may help a developing business thrive and consideration of the planning
22 requirements of the Growth Management Act, including economic growth, rural
23 character and protection for water resources and Agricultural and Industrial zoned areas.
24 Changes in state regulations have also occurred, driving a need to bring adult beverage
25 industry development regulations up to date with state licensing allowances. In particular,
26 a state winery allowance for off-site tasting created confusion for business owners
27 regarding the interplay between state licensing requirements and county land use
28 regulations.

29 D. This ordinance follows a multiyear study of the adult beverage industry,
30 which included the 2016 King County Sammamish Valley Wine and Beverage Study.
31 The study period was necessary to evaluate existing zoning regulations for the adult
32 beverage industry in light of changes in industry practices, state licensing allowances and
33 the growing popularity of adult beverage industry across King County and the state of
34 Washington.

35 E. The changes made by this ordinance will help King County to prepare for and
36 support the future of the adult beverage industry as it evolves in the region, to better
37 implement and comply with the policies of the King County Comprehensive Plan
38 ("Comprehensive Plan" or "Plan"), Countywide Planning Policies and the Growth
39 Management Act, and to minimize the ambiguities in existing development regulations
40 that were identified in the study period. The changes are intended to improve clarity,
41 administrative efficiencies and enforceability while avoiding confusion for the industry

users that may have been caused by lack of consistency with state regulatory systems. The ordinance adds additional protection for the Agricultural zone and provides guidance on enhancing economic activity in the Rural Area zones while also honoring and protecting rural character.

F. King County continues to support and foster agriculture, especially within the five designated Agricultural Production Districts. King County also supports the adult beverage industry and recognizes the synergistic relationship between the agricultural and the adult beverage industries. The ordinance aims to establish a strong foundation for moving both industries into the future. There is a historical and continuing crossover between the agricultural industry and the adult beverage industry, including factors such as agricultural uses providing aesthetic value and raw materials that support the adult beverage industry; and the exposure, opportunity and market demand for agricultural products that the adult beverage industry provides for the agricultural industry. This ordinance recognizes competing and complimentary interests between the two industries, and aims to provide a balance consistent with the Growth Management Act and the Comprehensive Plan.

G. Consistent with Comprehensive Plan policies R-610, R-615 R-633 and R-677b, the adult beverage industry uses allowed by the ordinance support development of new markets for local agricultural products and help ensure that agricultural production districts continue to be economically viable and farmed into the future. By promoting complimentary relationships with the adult beverage industry, these regulations will help to improve access to locally grown agricultural products throughout King County.

H. Economic development polices in the Comprehensive Plan, including ED-

102, ED-103 and ED-106 recognize that the Rural Area and Natural Resource Lands have a role in economic activity in the county. The ordinance aims to implement these Comprehensive Plan Policies and is focused on protecting the economic value of the natural environment through traditional land use controls such as minimum lot size limitations and structural and other impervious surface limitations in Rural Area and Agricultural zones. The ordinance creates space for new kinds of small, limited-scope businesses, such as tasting rooms, and small wineries, breweries and distilleries that are visually compatible with rural character and provide cultural opportunities to enhance the region's quality of life and economic vitality.

I. Comprehensive Plan policies ED-601 through ED-606, which are part of the rural economic strategies plan, call for a "sustainable and vibrant rural economy that allows rural residents to live and work throughout the Rural Area and Natural Resource Lands." By creating clear direction regarding scope and intensity limits for adult beverage industry uses, this ordinance protects rural character while encouraging new economic and employment opportunities for rural residents. The Comprehensive Plan "recognizes the value of home-based business, recreation and tourism, and commercial and industrial clusters for their ability to provide job opportunities in the Rural Area and Natural Resource Lands, and help sustain the rural economic base." This ordinance takes advantage of the existing, organically developing adult beverage industry to implement this policy in a variety of ways. The Plan directs the County to explore opportunities to support agricultural tourism and to encourage value-added programs related to the production of food specifically including specialty beverages such as beer, distilled beverages, and wine in the county. The ordinance carefully follows this directive, and

88 was developed over several years as the County considered existing and proposed
89 regulations, balancing the differing needs and emerging trends of the agricultural and
90 adult beverage businesses. The ordinance adds flexibility, maintains existing size and
91 scale limits on adult beverage industry uses in the Agricultural zone and the rural area
92 and adds new limits to enhance open and green space values and preserve the natural
93 aesthetic which helps both industries grow.

94 J. The Comprehensive Plan addresses the Growth Management Act's
95 requirement to plan for industrial uses. Plan Policy ED-211 encourages the county to
96 "support programs and strategies to preserve and plan for an adequate supply of industrial
97 and commercial land," including through "[p]reventing the encroachment of
98 non-industrial uses on industrially-zoned land and the rezoning of industrial land to other
99 uses." This ordinance recognizes that although King County has a finite amount of
100 industrial land available, at their highest levels of intensity, some adult beverage
101 businesses can grow to a level of mechanization, volume and intensity suited for the
102 Industrial zone, but avoids funneling smaller, less mechanized, community-serving
103 businesses into the county's limited Industrial zoned areas. Those smaller scale adult
104 beverage industry uses are appropriately placed in more aesthetically pleasing areas,
105 where rural community consumers and a healthy population of visitors to the County's
106 many regional recreation and tourism opportunities can support economic success. This
107 ordinance aims to avoid bringing low-impact, low-intensity adult beverage uses into
108 limited Industrial zone spaces that are reserved for more intensive industrial uses.

109 K. Comprehensive Plan Policy ED-212 states "King County shall encourage and
110 support community based and community led efforts to support and retain existing small

businesses." Although rapid industry growth has resulted in some adult beverage businesses becoming incompatible with rural character, this ordinance honors the sometimes competing Comprehensive Plan policies to support and retain existing small businesses with equally important policy to protect rural character by setting clear scope and size limits to protect the Agricultural zone and Rural Area zone. In the specific case of the previously untested remote tasting room use, which was recently created within state licensing provisions, the ordinance allows some small businesses to continue within limited rural area demonstration projects but also makes space available for tasting rooms in Community Business and Regional Business zones for those businesses that wish to expand their scope.

L. The Growth Management Act requires that rural development be contained and controlled to ensure the protection of rural character, assure the visual compatibility of rural development with the surrounding Rural Area and Natural Resource Lands, protect environmentally critical areas and habitat, and protect against conflicts with natural resource uses, such as farming, forestry, and mining. Proximity to existing agricultural uses and rural area recreational destinations provide the raw materials and customer base to allow traditional small-scale adult beverage industry uses to thrive. The adult beverage industry relies on all of these elements to succeed. For example, the definition of agriculture in the Growth Management Act includes viticulture, an essential component of a winery use. Viticulture, and agricultural practices related to brewery and distillery uses and their associated processing and sales activities, are all examples of things the Comprehensive Plan requires the county to protect.

133 M. The Comprehensive Plan, describes rural character and notes that King
134 County "...recognizes that each of its rural communities has distinct and unique
135 characteristics." For instance, "...residents of Vashon-Maury Island, accessible only by
136 ferry, sea or air, enjoy an island's leisurely and scenic lifestyle..." while "...[i]n the
137 Snoqualmie Valley, farming is still the mainstay...". The Sammamish valley, which was
138 a study area during development of this ordinance, has its own distinctively rural
139 character, despite its close proximity to urban incorporated areas and to the city of
140 Woodinville's popular, concentrated winery district. Some of the regulations adopted as
141 part of this ordinance, such as the various allowances for tasting associated with winery,
142 brewery, distillery production facilities, vary across the different rural communities in
143 unincorporated King County. Individual rural communities take different positions and
144 have different priorities, and this is reflected in some of the regulations, while generally a
145 county-wide lens was used for analyzing potential regulatory impacts on the wider rural
146 area and natural resource lands.

147 N. Comprehensive Plan Policy R-201 defines the characteristics of rural
148 character and the rural area. Four of these characteristics are particularly relevant to the
149 changes made in this ordinance: "b. Commercial and noncommercial farming, forestry,
150 fisheries, mining, home-occupations and home industries," "d. Community small-town
151 atmosphere, safety, and locally owned small businesses," "h. Traditional rural land uses
152 of a size and scale that blend with historic rural development," and "i. Rural uses that do
153 not include primarily urban-serving facilities."

154 O. Public testimony on this ordinance was consistent with Comprehensive Plan
155 policy goals and included discussion of adult beverage industry uses as being community

156 gathering places, rural residents desire to take advantage of economic opportunities
157 created by the adult beverage industry and the need for solid customer bases to allow
158 small businesses to thrive.

159 P. The county is required to balance protecting rural character and agricultural
160 resources over diverse communities, with creating space for rural industries to thrive
161 within those communities. Existing and proposed regulations on the adult beverage
162 industry are designed for a size and scale appropriate for the rural communities they are
163 located in, and add protections for the Agriculture zone and agricultural production
164 district as well as measures that enhance enforceability of the regulations. This ordinance
165 aims to implement Comprehensive Plan Policy R-204, which encourages
166 "...establishment of new rural resource-based uses, with appropriate site management
167 and that protects habitat resources..." and Comprehensive Plan Policy R-205 which states
168 uses that "...include those relating to agriculture, forestry, mineral extraction, and
169 fisheries, such as the raising of livestock, growing of crops, creating value-added
170 products, and sale of agricultural products; small-scale cottage industries; and
171 recreational and small-scale tourism uses that rely on a rural location..." are appropriate
172 in the Rural Area zones.

173 Q. Comprehensive Plan Policy R-324 describes the type of nonresidential use
174 appropriate for the Rural Area. These include uses that "[p]rovide convenient local
175 products and services for nearby residents," "[r]equire location in a Rural Area,"
176 "[s]upport natural resource-based industries" or "[p]rovide recreational and tourism
177 opportunities that are compatible with the surrounding Rural Area," as long as the use is
178 "sited, sized and landscaped to complement rural character" and "prevent impacts to the

environment and function with rural services including on-site wastewater disposal." This ordinance implements the Plan by creating clear regulations for the adult beverage industry, requiring uses to be sited, sized and landscaped to complement rural character, and by creating a business license so adult beverage industry uses can be better evaluated. Adult beverage uses provide convenient local products for rural residents, support agricultural resource-based industries, and provide new regional recreational and tourism opportunities.

R. Other development regulations, including stormwater management, impervious surface, critical area and landscaping requirements, remain in place and are unchanged by this ordinance.

S. During the study period preceding adoption of this ordinance many adult beverage industry uses were found to be unaware of local health and building codes.

T. This ordinance establishes a business license for the adult beverage industry to provide greater certainty about where adult beverage uses are located, so that King County agencies can more easily educate business owners and verify that they are in compliance with county land use, health and safety regulations.

U. K.C.C. chapter 21A.55 authorizes demonstration projects, "as a mechanism to test and evaluate alternative development standards and processes prior to amending King County policies and regulations." Two demonstration projects are established by this ordinance. The first demonstration evaluates the presence of remote tasting rooms in Rural Area zoned land in the Sammamish valley, and within the Vashon Rural Town and Fall City Rural Town. The second demonstration evaluates incorporating rural industry-supporting special events through a joint conditional use permit and temporary use permit

review process for winery, brewery, distillery facility III, and applies to Rural Area zoned land in the Sammamish valley. Those two demonstrations are located in areas where businesses are supported by nearby small-scale agriculture and proximity to consumers, and rely on a pastoral setting and a rural sense of community for economic viability and traditional rural-based activities. The criteria for site selection for the two demonstration projects were based on existing levels of development on the property, lot size, current zoning, availability of arterial access, proximity to Agricultural zoned areas and agricultural production districts, proximity to local and rural industry-supportive uses and to areas in need of economic stimulus and availability of arterial access. These criteria implement Comprehensive Plan policy direction to protect agricultural lands and rural character, and to provide rural economic opportunities. State Route 202, state Route 203 and Vashon Highway SW are designated arterials designed to carry significant traffic loads and are not expected to reflect measurable impacts over loads already generated by Rural Area residents and businesses. These selected locations are ideal places to test the demonstration projects' ability to support businesses that are primarily nonurban in nature, and to evaluate their positive and negative impacts before adopting potential countywide regulations.

V. Public testimony on this ordinance included discussion of congestion on local roads caused by population growth. With that concern in mind, the ordinance requires the largest winery, brewery, distillery facilities to be sited where there is direct access to an arterial, and that remote tasting rooms be tested where related vehicle trips will be directed to an existing state highway. Comprehensive Plan Policy T-310 states "state highway facilities and arterial roads are designed to accommodate higher traffic volumes,

at higher speeds than local roads," and the county should "encourage such traffic to use highways or arterials whenever possible." This ordinance implements the Plan's directive by requiring larger and previously untested uses to utilize arterial roads.

W. Parcels chosen for the remote tasting room demonstration project A in the Sammamish valley are located directly on an arterial. Parcels chosen for the remote tasting room demonstration project A on Vashon-Maury Island and in Fall City are zoned Community Business, and are inside the boundaries of the designed Rural Town. The parcel selection complies with the policies in the Comprehensive Plan. For instance, the Comprehensive Plan states that "[t]he purposes of Rural Town designations within the Comprehensive Plan are to recognize existing concentrations of higher density and economic activity in Rural Areas and to allow modest growth of residential and economic uses to keep them economically viable into the future." Comprehensive Plan Policy R-507 states, in part, "Rural Towns serve as activity centers for the Rural Area and Natural Resource Lands and may be served by a range of utilities and services, and may include several or all of the following land uses, if supported by necessary utilities and other services and if scaled and designed to protect rural character: a. Retail, commercial, and industrial uses to serve the surrounding Rural Area and Natural Resource Lands population...c. Other retail, commercial, and industrial uses, such as resource industries, tourism, commercial recreation, and light industry." Tasting rooms are similar to other, more intensive uses contained within the stated categories and may be appropriately located in Rural Towns.

X. The county is committed to providing fair, accurate and consistent enforcement of the regulations adopted by this ordinance. The executive expects to

engage on-call consultants to conduct outreach and provide technical assistance to businesses required to comply with the new regulations. It is anticipated that some businesses may take several months to come into compliance. For businesses progressing toward compliance with the ordinance, the county does not intend to begin enforcement proceedings for a minimum of six months after the effective date of this ordinance.

SECTION 2. Sections 3 through 11 of this ordinance should constitute a new chapter in K.C.C. Title 6.

NEW SECTION. SECTION 3. There is hereby added to the chapter established in section 2 of this ordinance a new section to read as follows:

It is the purpose of this chapter to establish business licensing standards for adult beverage businesses located in unincorporated King County, in order to promote and protect the health, safety and general welfare of unincorporated King County's residents.

NEW SECTION. SECTION 4. There is hereby added to the chapter established in section 2 of this ordinance a new section to read as follows:

For the purpose of this chapter, unless the context clearly requires otherwise, "adult beverage business" means a winery, brewery, distillery or cidery, and remote tasting rooms for any of those businesses. A nonconforming home occupation and a nonconforming home industry is an "adult beverage business" for the purposes of this section.

NEW SECTION. SECTION 5. There is hereby added to the chapter established in section 2 of this ordinance a new section to read as follows:

A person or entity shall not operate or maintain an adult beverage business in

unincorporated King County unless the business has obtained a business license issued by the director as provided by this chapter. A current adult beverage business license issued under this chapter shall be prominently displayed on the licensed premises. The adult beverage business licensee shall comply with all applicable laws.

NEW SECTION. SECTION 6. There is hereby added to the chapter established in section 2 of this ordinance a new section to read as follows:

An application for an adult beverage business license or license renewal must be submitted in the name of the person, the persons or the entity proposing to operate the business. The application shall be signed by each person, or a responsible principal or officer of the entity proposing to operate the business, certified as true under penalty of perjury. All applications shall be submitted on a form supplied by the director, and shall include the following:

A. The full name and current residential, email and mailing address of each person, including all partners if the applicant is a partnership, and all officers or principals if the applicant is a corporation or limited liability company, and the Universal Business Identifier number, the identity of the registered agent and the address of the principal office, if the applicant is a corporation or limited liability company;

B. The name, street address and telephone number of the adult beverage business;

C. A copy of the Washington state Liquor and Cannabis Board non-retail liquor license or non-retail liquor license with retail endorsement associated with the business address; and

D. For businesses in the A zone, a signed statement that at least sixty percent of

the products to be used by the business are grown on-site, as prescribed under K.C.C. 21A.08.030 and 21A.08.080, or for winery, brewery, distillery I businesses in the A zone, that at least sixty percent of the products to be used by the business are grown in Puget Sound counties, as defined in K.C.C. chapter 21A.06.

NEW SECTION. SECTION 7. There is hereby added to the chapter established in section 2 of this ordinance a new section to read as follows:

An applicant for an adult beverage business license or renewal under this chapter shall pay an application fee at the time of application submittal. The nonrefundable application fee for an adult beverage business license or renewal is one hundred dollars.

NEW SECTION. SECTION 8. There is hereby added to the chapter established in section 2 of this ordinance a new section to read as follows:

The director shall deny, suspend or revoke a license issued under this chapter if the Washington state Liquor and Cannabis Board does not issue a license to the business, or if the department of local services, permitting division receives notice that the state license issued to the business is suspended or revoked, or was not reissued. A business owner whose application for a business license has been denied or whose license has been suspended or revoked may appeal the decision to the office of the hearing examiner in accordance with K.C.C. 6.01.150.

NEW SECTION. SECTION 9. There is hereby added to the chapter established in section 2 of this ordinance a new section to read as follows:

An adult beverage business license expires one year from the date the business license is issued by the department of local services, permitting division. To avoid a lapse in the effectiveness of a license, an application to renew a license must be submitted to

the director, on a form provided by the director, at least thirty days before the expiration of the business license. An adult beverage business license renewal expires one year from the previous license's expiration date.

NEW SECTION. SECTION 10. There is hereby added to the chapter established in section 2 of this ordinance a new section to read as follows:

A business license for a winery, brewery, distillery facility I interim use shall not be issued or renewed for more than five years on any one site.

NEW SECTION. SECTION 11. There is hereby added to the chapter established in section 2 of this ordinance a new section to read as follows:

Within thirty days of the director's receipt of a complete adult beverage business license application, the director shall issue or deny the license. Within thirty days of the director's receipt of a complete renewal application, the director shall issue or deny the renewal.

SECTION 12. Ordinance 15974, Section 5, and K.C.C. 21A.06.1427 are each hereby repealed.

NEW SECTION. SECTION 13. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Remote tasting room: 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 chapter 314-02 WAC, except as specifically set forth in this chapter.

NEW SECTION. SECTION 14. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Winery, brewery, distillery facility I: 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, 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 product tasting or retail sale of merchandise as authorized by state law is limited. "Winery, brewery, distillery facility I" does not include any retail liquor licenses that would be authorized by chapter 314-02 WAC.

NEW SECTION. SECTION 15. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Winery, brewery, distillery facility I interim use permit: A term-limited permit for a winery, brewery, distillery facility I in the Agriculture zone. A winery, brewery, distillery facility I interim use permit is a one-time approval, effective for one year, with four annual renewals possible for up to five years. After the interim use permit or any renewals have expired, a winery, brewery, distillery facility I interim use is required to either comply with zoning conditions for a winery, brewery, distillery facility II or III use, and meet the requirements of one of those uses, or cease operations and vacate the site. Applications for a winery, brewery, distillery facility I interim use permit may only be

accepted by the permitting division within five years of the effective date of this ordinance.

The time limitations on a winery, brewery, distillery facility I interim use permit do not apply to agricultural uses such as vineyards and orchards.

NEW SECTION. SECTION 16. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Winery, brewery, distillery facility II: 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, 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 product tasting 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 chapter 314-02 WAC.

NEW SECTION. SECTION 17. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Winery, brewery, distillery facility III: 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, 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 product tasting and sales as authorized by state law and sales of merchandise related to products available as authorized by state

386 law. "Winery, brewery, distillery facility III" does not include any retail liquor licenses that
 387 would be authorized by chapter 314-02 WAC.

388 SECTION 18. Ordinance 10870, Section 330, as amended, and K.C.C.

389 21A.08.030 are each hereby amended to read as follows:

390 A. Residential land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	DWELLING UNITS, TYPES:												
*	Single Detached	P C12	P2		P C12	P C12	P C12	P C12	P15				
*	Townhouse				C4	C4	P11 C12	P	P3	P3	P3	P3	
*	Apartment				C4	C4	P5 C5	P	P3	P3	P3	P3	
*	Mobile Home Park				S13		C8	P					
*	Cottage Housing						P15						
	GROUP RESIDENCES:												
*	Community Residential Facility-I				C	C	P14.a C	P	P3	P3	P3	P3	
*	Community Residential Facility-II						P14.b	P	P3	P3	P3	P3	
*	Dormitory				C6	C6	C6	P					
*	Senior Citizen Assisted Housing					P4	P4	P	P3	P3	P3	P3	
	ACCESSORY USES:												

*	Residential Accessory Uses	P7 <u>P19</u>	P7		P7 <u>P17</u> <u>C17</u>	P7	P7	P7	P7	P7	P7	P7	
*	Home Occupation	P18	P18		P18	P18	P18	P18	P18	P18	P18	P18	
*	Home Industry	C			C	C	C						
	TEMPORARY LODGING:												
7011	Hotel/Motel (1)									P	P	P	
*	Bed and Breakfast Guesthouse	P9			P9	P9	P9	P9	P9	P10	P10		
7041	Organization Hotel/Lodging Houses										P		

B. Development conditions.

1. Except bed and breakfast guesthouses.

2. In the forest production district, the following conditions apply:

a. Site disturbance associated with development of any new residence shall be limited to three acres. Site disturbance shall mean all land alterations including, but not limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage disposal systems and driveways. Additional site disturbance for agriculture, including raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be approved only if a farm management plan is prepared in accordance with K.C.C. chapter 21A.30. Animal densities shall be based on the area devoted to animal care and not the total area of the lot;

b. A forest management plan shall be required for any new residence in the forest production district, that shall be reviewed and approved by the King County department of natural resources and parks before building permit issuance; and

c. The forest management plan shall incorporate a fire protection element that includes fire safety best management practices developed by the department.

3. Only as part of a mixed use development subject to the conditions of K.C.C. chapter 21A.14, except that in the NB zone on properties with a land use designation of commercial outside of center (CO) in the urban areas, stand-alone townhouse developments are permitted subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060 and 21A.14.180.

4. Only in a building listed on the National Register as an historic site or designated as a King County landmark subject to K.C.C. chapter 21A.32.

5.a. In the R-1 zone, apartment units are permitted, if:

(1) At least fifty percent of the site is constrained by unbuildable critical areas. For purposes of this subsection, unbuildable critical areas includes wetlands, aquatic areas and slopes forty percent or steeper and associated buffers; and

(2) The density does not exceed a density of eighteen units per acre of net buildable area.

b. In the R-4 through R-8 zones, apartment units are permitted if the density does not exceed a density of eighteen units per acre of net buildable area.

c. If the proposal will exceed base density for the zone in which it is proposed, a conditional use permit is required.

6. Only as accessory to a school, college, university or church.

7.a. Accessory dwelling units:

(1) Only one accessory dwelling per primary single detached dwelling unit;

(2) Only in the same building as the primary dwelling unit on:

428 (a) an urban lot that is less than five thousand square feet in area;
429 (b) except as otherwise provided in subsection B.7.a.(5) of this section, a
430 rural lot that is less than the minimum lot size; or
431 c. a lot containing more than one primary dwelling;

432 (3) The primary dwelling unit or the accessory dwelling unit shall be owner
433 occupied;

434 (4)(a) Except as otherwise provided in subsection B.7.a.(5) of this section,
435 one of the dwelling units shall not exceed one thousand square feet of heated floor area
436 except when one of the dwelling units is wholly contained within a basement or attic; and

437 (b) When the primary and accessory dwelling units are located in the same
438 building, or in multiple buildings connected by a breezeway or other structure, only one
439 entrance may be located on each street;

440 (5) On a site zoned RA:

441 (a) If one transferable development right is purchased from the Rural Area
442 or Natural Resource Lands under K.C.C. chapter 21A.37, the smaller of the dwelling
443 units is permitted a maximum floor area up to one thousand five hundred square feet; and

444 (b) If one transferable development right is purchased from the Rural Area
445 or Natural Resource Lands under K.C.C. chapter 21A.37, a detached accessory dwelling
446 unit is allowed on an RA-5 zoned lot that is at least two and one-half acres and less than
447 three and three-quarters acres;

448 (6) One additional off-street parking space shall be provided;

449 (7) The accessory dwelling unit shall be converted to another permitted use or
450 shall be removed if one of the dwelling units ceases to be owner occupied; and

(8) An applicant seeking to build an accessory dwelling unit shall file a notice approved by the department of executive services, records and licensing services division, that identifies the dwelling unit as accessory. The notice shall run with the land. The applicant shall submit proof that the notice was filed before the department shall approve any permit for the construction of the accessory dwelling unit. The required contents and form of the notice shall be set forth in administrative rules. If an accessory dwelling unit in a detached building in the rural zone is subsequently converted to a primary unit on a separate lot, neither the original lot nor the new lot may have an additional detached accessory dwelling unit constructed unless the lot is at least twice the minimum lot area required in the zone; and

(9) Accessory dwelling units and accessory living quarters are not allowed in the F zone.

b. One single or twin engine, noncommercial aircraft shall be permitted only on lots that abut, or have a legal access that is not a county right-of-way, to a waterbody or landing field, but only if there are:

- (1) no aircraft sales, service, repair, charter or rental; and
- (2) no storage of aviation fuel except that contained in the tank or tanks of the aircraft.

c. Buildings for residential accessory uses in the RA and A zone shall not exceed five thousand square feet of gross floor area, except for buildings related to agriculture or forestry.

8. Mobile home parks shall not be permitted in the R-1 zones.

9. Only as accessory to the permanent residence of the operator, and:

474 a. Serving meals shall be limited to paying guests; and

475 b. The number of persons accommodated per night shall not exceed five,

476 except that a structure that satisfies the standards of the International Building Code as

477 adopted by King County for R-1 occupancies may accommodate up to ten persons per

478 night.

479 10. Only if part of a mixed use development, and subject to the conditions of

480 subsection B.9. of this section.

481 11. Townhouses are permitted, but shall be subject to a conditional use permit if

482 exceeding base density.

483 12. Required before approving more than one dwelling on individual lots,

484 except on lots in subdivisions, short subdivisions or binding site plans approved for

485 multiple unit lots, and except as provided for accessory dwelling units in subsection B.7.

486 of this section.

487 13. No new mobile home parks are allowed in a rural zone.

488 14.a. Limited to domestic violence shelter facilities.

489 b. Limited to domestic violence shelter facilities with no more than eighteen

490 residents or staff.

491 15. Only in the R4-R8 zones limited to:

492 a. developments no larger than one acre;

493 b. not adjacent to another cottage housing development such that the total

494 combined land area of the cottage housing developments exceeds one acre;

495 c. All units must be cottage housing units with no less than three units and no

496 more than sixteen units, provided that if the site contains an existing home that is not

being demolished, the existing house is not required to comply with the height limitation in K.C.C. 21A.12.020.B.25. or the floor area and footprint limits in K.C.C. 21A.14.025.B; and

d. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

16. The development for a detached single-family residence shall be consistent with the following:

a. The lot must have legally existed before March 1, 2005;

b. The lot has a Comprehensive Plan land use designation of Rural Neighborhood Commercial Center or Rural Area; and

c. The standards of this title for the RA-5 zone shall apply.

17. ~~((Repealed.))~~ a. The aggregated floor area of structures and areas for winery, brewery, distillery facility uses shall not exceed one thousand five hundred square feet;

b. Structures and parking areas for winery, brewery, distillery facility uses shall be set back a minimum distance of seventy-five feet from interior property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62. As part of the review of a conditional use permit, the setback may be reduced to twenty-five feet if there is sufficient screening between the proposed use and adjacent rural area and residential zones;

c. No more than one nonresident employee shall be permitted to work on-site;

d. Parking shall be provided as follows:

(l) in addition to the required parking for the dwelling, one on-site parking

520 stall shall be provided if a nonresident is employed to work on-site;

521 (2) a minimum of one on-site parking stall shall be provided for customers, and
522 additional parking shall be calculated at the rate of one stall per one thousand square feet of
523 floor or outdoor area dedicated to the winery, brewery, distillery facility uses; and

524 (3) parking shall be limited to one hundred fifty percent of minimum required
525 for wineries, breweries or distilleries specified in K.C.C. 21A.18.030, except for winery,
526 brewery, distillery facility I business locations licensed to produce by the Washington
527 state Liquor and Cannabis Board before January 1, 2019, without objection from King
528 County during the license application processes, and that signed a settlement agreement
529 with King County before January 1, 2019, parking spaces exceeding the limits of this
530 section shall be considered nonconforming and may continue, subject to the provisions of
531 K.C.C. 21A.32.020 through 21A.32.075. Such parking spaces remain subject to all other
532 applicable state and local regulations;

533 e. The business operator shall obtain an adult beverage business license in
534 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this
535 ordinance);

536 f. At least two stages of production of wine, beer, cider or distilled spirits, such
537 as crushing, fermenting, barrel or tank aging, or finishing, as authorized by the
538 Washington state Liquor and Cannabis Board production license, shall occur on-site;

539 g. Tasting of products shall be limited as follows:

540 (1) within the area bounded by the urban growth area boundaries of
541 Woodinville and Kirkland on the west, NE 124th Street on the South, Avondale Road NE
542 on the east and Woodinville-Duvall Road NE on the north, product tasting shall not be

543 allowed; and

544 (2) in all other areas of the county, for products produced on-site, tasting of
545 products may be provided in accordance with state law. The area devoted to tasting shall
546 be included in the aggregated floor area limitation in subsection B.17.a. of this section.
547 Tastings shall be limited to appointment only; and appointments may only occur
548 Mondays, Tuesdays, Wednesdays and Thursdays, between 11:00 a.m. through 7:00 p.m.
549 and Fridays, Saturdays and Sundays, between 11:00 a.m. through 9:00 p.m. All tastings
550 shall be indoors;

551 h. Incidental retail sales of products produced on-site and merchandise related
552 to the products produced on-site is allowed; and

553 i. Events may be allowed in accordance with K.C.C. chapter 21A.32.

554 18. Allowed if consistent with K.C.C. chapter 21A.30.

555 19.a.(1) The permitting division shall accept applications for a winery, brewery,
556 distillery facility I interim use permit only within five years of the effective date of this
557 ordinance;

558 (2) A winery, brewery, distillery facility I interim use permit shall be
559 reviewed as a Type II land use decision in accordance with K.C.C. 20.20.020. All
560 application, notice, review and appeal processes in K.C.C. chapter 20.20 shall apply to
561 the review of the winery, brewery, distillery facility I interim use permit. If not exempt
562 under K.C.C. 20.44.040, State Environmental Policy Act review shall be required;

563 (3) The applicant shall be required to pay a review fee equivalent to the fee
564 applicable to a temporary use permit upon application;

565 (4) The permitting division shall apply the review criteria for temporary use

permits in K.C.C. 21A.44.020 to winery, brewery, distillery facility I interim use permit applications;

(5) If approved, a winery, brewery, distillery facility I interim use permit shall be effective for one year from the date of issuance and may be renewed up to four times annually, subject to the provisions for a temporary use permit provided in K.C.C. 21A.32.120.D.;

(6) No more than one winery, brewery, distillery facility I interim use permit may be issued for any one site, and after the interim use approval has expired, no additional winery, brewery, distillery facility I interim use may be permitted on that site; and

(7) A winery, brewery, distillery facility I interim use permit shall, no later than the expiration of the original approval or any extension granted by the permitting division, whichever is later, either:

(a) convert to a winery, brewery, distillery facility II or III and comply with the requirements in K.C.C. 21A.08.080; or

(b) cease operations and vacate a site;

b. Only allowed on sites where the primary use is SIC Industry Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small Animals;

c. The aggregated floor area of structures and areas for winery, brewery, distillery facility uses shall not exceed one thousand five hundred square feet. Decks that are not occupied and not open to the public are excluded from the calculation for maximum aggregated floor area;

d. Structures and parking areas for winery, brewery, distillery facility uses

589 shall be set back a minimum distance of seventy-five feet from interior property lines
590 adjoining rural area and residential zones, unless located in a building designated as
591 historic resource under K.C.C. chapter 20.62;

592 e. No more than one nonresident employee shall be permitted to work on-site;

593 f. On a site with direct access to an arterial;

594 g. Parking shall be provided as follows:

595 (1) in addition to the required parking for the dwelling, one on-site parking
596 stall shall be provided if a nonresident is employed to work on-site;

597 (2) a minimum of one on-site parking stall shall be provided for customers, and
598 additional parking shall be calculated at the rate of one stall per one thousand square feet of
599 floor or outdoor area dedicated to the winery, brewery, distillery facility uses; and

600 (3) parking shall be limited to one hundred fifty percent of minimum required
601 for wineries, breweries or distilleries specified in K.C.C. 21A.18.030, except for winery,
602 brewery, distillery facility I business locations licensed to produce by the Washington
603 state Liquor and Cannabis Board before January 1, 2019, without objection from King
604 County during the license application processes, and that signed a settlement agreement
605 with King County before January 1, 2019, parking spaces exceeding the limits of this
606 section shall be considered nonconforming and may continue, subject to the provisions of
607 K.C.C. 21A.32.020 through 21A.32.075. Such parking spaces remain subject to all other
608 applicable state and local regulations;

609 h. The business operator shall obtain an adult beverage business license in
610 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this
611 ordinance);

i. At least two stages of production of wine, beer, cider or distilled spirits, such as crushing, fermenting, barrel or tank aging, or finishing, as authorized by the Washington state Liquor and Cannabis Board production license, shall occur on-site;

j. Structures and areas for non-agricultural winery, brewery, distillery facility uses shall be located on portions of agricultural lands that are unsuitable for agricultural purposes, such as areas within the already developed portion of such agricultural lands that are not available for direct agricultural production, or areas without prime agricultural soils;

k. Product tasting shall not be allowed;

l. Incidental retail sales of products produced on-site and merchandise related to the products produced on-site is allowed;

m. Special events shall not be allowed; and

n. Sixty percent or more of the products processed must be grown in the Puget Sound counties. At the time of the initial application under K.C.C. chapter 6.xx (the new chapter created in section 2 of this ordinance), the applicant shall submit a projection of the source of products to be produced.

SECTION 19. Ordinance 10870, Section 334, as amended, and K.C.C. 21A.08.070 are each hereby amended to read as follows:

A. Retail land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			RURA L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1- 8	R12 -48	NB	CB	RB	O	I (30)

*	Building Materials and Hardware Stores		P2 3						P2	P	P		
*	Retail Nursery, Garden Center and Farm Supply Stores	P1 C1			P1 C1				P	P	P		
*	Forest Products Sales	P3 and 4	P4		P3 and 4						P		
*	Department and Variety Stores						C14 a	P14	P5	P	P		
54	Food Stores						C15 a	P15	P	P	P	C	P6
*	Agricultural Product Sales (28)							P25	P25	P25	P25	P2 5	P25
*	Farmers Market	P24	P2 4		P24	P24	P24	P24	P24	P24	P24	P2 4	P24
*	Motor Vehicle and Boat Dealers										P8		P
553	Auto Supply Stores									P9	P9		P
554	Gasoline Service Stations								P	P	P		P

56	Apparel and Accessory Stores									P	P		
*	Furniture and Home Furnishings Stores									P	P		
58	Eating and Drinking Places				P21 C19		P20 C16	P20 P16	P10	P	P	P	P
<u>*</u>	<u>Remote</u> <u>Tasting</u> <u>Room (13)</u>									<u>P7</u>	<u>P7</u>		
*	Drug Stores						C15	P15	P	P	P	C	
*	Marijuana retailer									P26 C2 7	P26 C2 7		
592	Liquor Stores	((P13))			((P13))	((P13))			((P13))	P	P		
593	Used Goods: Antiques/ Secondhand Shops									P	P		
*	Sporting Goods and Related Stores			P2 2	P22	P22	P22	P22	P22	P	P	P2 2	P22
*	Book, Stationery, Video and Art Supply Stores						C15 a	P15	P	P	P		

*	Jewelry Stores									P	P		
*	Monuments, Tombstones , and Gravestones										P		
*	Hobby, Toy, Game Shops								P	P	P		
*	Photographi c and Electronic Shops								P	P	P		
*	Fabric Shops									P	P		
598	Fuel Dealers									C1 1	P		P
*	Florist Shops						C15 a	P15	P	P	P	P	
*	Personal Medical Supply Stores									P	P		
*	Pet Shops								P	P	P		
*	Bulk Retail									P	P		
*	Auction Houses										P12		P
*	Livestock Sales (28)												P

631 B. Development conditions.

632 1.a. As a permitted use, covered sales areas shall not exceed a total area of two
633 thousand square feet, unless located in a building designated as historic resource under
634 K.C.C. chapter 20.62. With a conditional uses permit, covered sales areas of up to three
635 thousand five hundred square feet may be allowed. Greenhouses used for the display of

636 merchandise other than plants shall be considered part of the covered sales area.

637 Uncovered outdoor areas used to grow or display trees, shrubs, or other plants are not

638 considered part of the covered sales area;

639 b. The site area shall be at least four and one-half acres;

640 c. Sales may include locally made arts and crafts; and

641 d. Outside lighting is permitted if no off-site glare is allowed.

642 2. Only hardware stores.

643 3.a. Limited to products grown on site.

644 b. Covered sales areas shall not exceed a total area of five hundred square feet.

645 4. No permanent structures or signs.

646 5. Limited to SIC Industry No. 5331-Variety Stores, and further limited to a

647 maximum of two thousand square feet of gross floor area.

648 6. Limited to a maximum of five thousand square feet of gross floor area.

649 7. ~~((Repealed))~~ Off-street parking is limited to a maximum of one space per

650 fifty square feet of tasting and retail areas.

651 8. Excluding retail sale of trucks exceeding one-ton capacity.

652 9. Only the sale of new or reconditioned automobile supplies is permitted.

653 10. Excluding SIC Industry No. 5813-Drinking Places.

654 11. No outside storage of fuel trucks and equipment.

655 12. Excluding vehicle and livestock auctions.

656 13. ~~((Only as accessory to a winery or SIC Industry No. 2082 Malt Beverages,~~

657 ~~and limited to sales of products produced on site and incidental items where the majority~~

~~of sales are generated from products produced on-site))~~ Permitted as part of the demonstration project authorized by section 29 of this ordinance.

14.a. Not in R-1 and limited to SIC Industry No. 5331-Variety Stores, limited to a maximum of five thousand square feet of gross floor area, and subject to K.C.C. 21A.12.230; and

b. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

15.a. Not permitted in R-1 and limited to a maximum of five thousand square feet of gross floor area and subject to K.C.C. 21A.12.230; and

b. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

16.a. Not permitted in R-1 and excluding SIC Industry No. 5813-Drinking Places, and limited to a maximum of five thousand square feet of gross floor area and subject to K.C.C. 21A.12.230, except as provided in subsection B.20. of this section; and

b. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

17. Repealed.

18. Repealed.

19. Only as:

a. an accessory use to a permitted manufacturing or retail land use, limited to espresso stands to include sales of beverages and incidental food items, and not to include drive-through sales; or

b. an accessory use to a recreation or multiuse park, limited to a total floor area of three thousand five hundred square feet.

20. Only as:

- a. an accessory use to a recreation or multiuse park; or
- b. an accessory use to a park and limited to a total floor area of one thousand five hundred square feet.

21. Accessory to a park, limited to a total floor area of seven hundred fifty square feet.

22. Only as an accessory use to:

- a. a large active recreation and multiuse park in the urban growth area; or
- b. a park, or a recreation or multiuse park in the RA zones, and limited to a total floor area of seven hundred and fifty square feet.

23. Only as accessory to SIC Industry Group No. 242-Sawmills and SIC Industry No. 2431-Millwork and;

- a. limited to lumber milled on site; and
- b. the covered sales area is limited to two thousand square feet. The covered sales area does not include covered areas used to display only milled lumber.

24. Requires at least five farmers selling their own products at each market and the annual value of sales by farmers should exceed the annual sales value of nonfarmer vendors.

25. Limited to sites located within the urban growth area and:

- a. The sales area shall be limited to three hundred square feet and must be removed each evening;

703 b. There must be legal parking that is easily available for customers; and

704 c. The site must be in an area that is easily accessible to the public, will

705 accommodate multiple shoppers at one time and does not infringe on neighboring

706 properties.

707 26.a. Per lot, limited to a maximum aggregated total of two thousand square feet

708 of gross floor area devoted to, and in support of, the retail sale of marijuana.

709 b. Notwithstanding subsection B.26.a. of this section, the maximum

710 aggregated total gross floor area devoted to, and in support of, the retail sale of marijuana

711 may be increased to up to three thousand square feet if the retail outlet devotes at least

712 five hundred square feet to the sale, and the support of the sale, of medical marijuana, and

713 the operator maintains a current medical marijuana endorsement issued by the

714 Washington state Liquor and Cannabis Board.

715 c. Any lot line of a lot having any area devoted to retail marijuana activity

716 must be one thousand feet or more from any lot line of any other lot having any area

717 devoted to retail marijuana activity; and a lot line of a lot having any area devoted to new

718 retail marijuana activity may not be within one thousand feet of any lot line of any lot

719 having any area devoted to existing retail marijuana activity.

720 d. Whether a new retail marijuana activity complies with this locational

721 requirement shall be determined based on the date a conditional use permit application

722 submitted to the department of local services, permitting division, became or was deemed

723 complete, and:

724 (1) if a complete conditional use permit application for the proposed retail

725 marijuana use was not submitted, or if more than one conditional use permit application

became or was deemed complete on the same date, then the director shall determine compliance based on the date the Washington state Liquor and Cannabis Board issues a Notice of Marijuana Application to King County;

(2) if the Washington state Liquor and Cannabis Board issues more than one Notice of Marijuana Application on the same date, then the director shall determine compliance based on the date either any complete building permit or change of use permit application, or both, were submitted to the department declaring retail marijuana activity as an intended use;

(3) if more than one building permit or change of use permit application was submitted on the same date, or if no building permit or change of use permit application was submitted, then the director shall determine compliance based on the date a complete business license application was submitted; and

(4) if a business license application was not submitted or more than one business license application was submitted, then the director shall determine compliance based on the totality of the circumstances, including, but not limited to, the date that a retail marijuana license application was submitted to the Washington state Liquor and Cannabis Board identifying the lot at issue, the date that the applicant entered into a lease or purchased the lot at issue for the purpose of retail marijuana use and any other facts illustrating the timing of substantial investment in establishing a licensed retail marijuana use at the proposed location.

e. Retail marijuana businesses licensed by the Washington state Liquor and Cannabis Board and operating within one thousand feet of each other as of August 14, 2016, and retail marijuana businesses that do not require a permit issued by King County,

that received a Washington state Liquor and Cannabis Board license to operate in a location within one thousand feet of another licensed retail marijuana business prior to August 14, 2016, and that King County did not object to within the Washington state Liquor and Cannabis Board marijuana license application process, shall be considered nonconforming and may remain in their current location, subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

(1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months;

and

(2) the gross floor area of a nonconforming retail outlet may be increased up to the limitations in subsection B.26.a. and B.26.b. of this section.

27. Per lot, limited to a maximum aggregated total of five thousand square feet gross floor area devoted to, and in support of, the retail sale of marijuana, and;

a. Any lot line of a lot having any area devoted to retail marijuana activity must be one thousand feet or more from any lot line of any other lot having any area devoted to retail marijuana activity; and any lot line of a lot having any area devoted to new retail marijuana activity may not be within one thousand feet of any lot line of any lot having any area devoted to existing retail marijuana activity; and

b. Whether a new retail marijuana activity complies with this locational requirement shall be determined based on the date a conditional use permit application submitted to the department of local services, permitting division, became or was deemed complete, and:

(1) if a complete conditional use permit application for the proposed retail marijuana use was not submitted, or if more than one conditional use permit application

became or was deemed complete on the same date, then the director shall determine compliance based on the date the Washington state Liquor and Cannabis Board issues a Notice of Marijuana Application to King County;

(2) if the Washington state Liquor and Cannabis Board issues more than one Notice of Marijuana Application on the same date, then the director shall determine compliance based on the date either any complete building permit or change of use permit application, or both, were submitted to the department declaring retail marijuana activity as an intended use;

(3) if more than one building permit or change of use permit application was submitted on the same date, or if no building permit or change of use permit application was submitted, then the director shall determine compliance based on the date a complete business license application was submitted; and

(4) if a business license application was not submitted or more than one business license application was submitted, then the director shall determine compliance based on the totality of the circumstances, including, but not limited to, the date that a retail marijuana license application was submitted to the Washington state Liquor and Cannabis Board identifying the lot at issue, the date that the applicant entered into a lease or purchased the lot at issue for the purpose of retail marijuana use, and any other facts illustrating the timing of substantial investment in establishing a licensed retail marijuana use at the proposed location; and

c. Retail marijuana businesses licensed by the Washington state Liquor and Cannabis Board and operating within one thousand feet of each other as of August 14, 2016, and retail marijuana businesses that do not require a permit issued by King County,

that received a Washington state Liquor and Cannabis Board license to operate in a location within one thousand feet of another licensed retail marijuana business prior to August 14, 2016, and that King County did not object to within the Washington state Liquor and Cannabis Board marijuana license application process, shall be considered nonconforming and may remain in their current location, subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

(1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months;

and

(2) the gross floor area of a nonconforming retail outlet may be increased up to

the limitations in subsection B.27. of this section, subject to K.C.C. 21A.42.190.

28. If the agricultural product sales or livestock sales is associated with

agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

SECTION 20. Ordinance 10870, Section 335, as amended, and K.C.C.

21A.08.080 are each hereby amended to read as follows:

A. Manufacturing land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (11)
20	Food and Kindred Products (28)								P2	P2	P2 C		P2 C
*((/2082 /2085))	Winery/Brewery/Distillery Facility II	P3 ((C12)) C3			P3 C3 C((12))30	((P3))			P17 C17	P17 C17	P29 C29		P31 C31
* _	Winery/Brewery/Distillery Facility III	C12			C12				C29	C29	C29		C31

*	Materials Processing Facility		P13 C	P14 C15	P16 C								P
22	Textile Mill Products												C
23	Apparel and other Textile Products										C		P
24	Wood Products, except furniture	P4 P18	P4 P18 C5		P4 P18 C5	P4					C6		P
25	Furniture and Fixtures		P19		P19						C		P
26	Paper and Allied Products												C
27	Printing and Publishing								P7	P7	P7C	P7C	P
*	Marijuana Processor I	P20			P27					P21 C22	P21 C22		
*	Marijuana Processor II									P23 C24	P23 C24		P25 C26
28	Chemicals and Allied Products												C
2911	Petroleum Refining and Related Industries												C
30	Rubber and Misc. Plastics Products												C
31	Leather and Leather Goods										C		P
32	Stone, Clay, Glass and Concrete Products									P6	P9		P
33	Primary Metal Industries												C
34	Fabricated Metal Products												P
35	Industrial and Commercial Machinery												P
351-55	Heavy Machinery and Equipment												C
357	Computer and Office Equipment										C	C	P

36	Electronic and other Electric Equipment										C		P
374	Railroad Equipment												C
376	Guided Missile and Space Vehicle Parts												C
379	Miscellaneous Transportation Vehicles												C
38	Measuring and Controlling Instruments										C	C	P
39	Miscellaneous Light Manufacturing										C		P
*	Motor Vehicle and Bicycle Manufacturing												C
*	Aircraft, Ship and Boat Building												P10C
7534	Tire Retreading										C		P
781-82	Movie Production/Distribution										P		P

810 B. Development conditions.

811 1. Repealed.

812 2. Except slaughterhouses.

813 3.a. (~~limited to wineries, SIC Industry No. 2082 Malt Beverages and SIC~~

814 ~~Industry No. 2085 Distilled and Blended Liquors;~~

815 ~~b.))~~ In the A zone, only allowed on sites where the primary use is SIC Industry

816 Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small

817 Animals;

818 (~~e. In the RA and UR zones, or~~) b. Only allowed on lots of at least (~~four~~)

819 two and one-half acres;

820 ~~((d.))~~ c. The aggregated floor area ~~((devoted to all processing))~~ of structures
821 and areas for winery, brewery, distillery facility uses shall not exceed three thousand five
822 hundred square feet, unless located in ~~((a building))~~ whole or in part in a structure
823 designated as historic resource under K.C.C. chapter 20.62, in which case the aggregated
824 floor area of structures and areas devoted to winery, brewery, distillery facility uses shall
825 not exceed five thousand square feet. Decks that are not occupied and not open to the
826 public are excluded from the calculation for maximum aggregated floor area;

827 ~~((e.))~~ d. Structures and parking areas ~~((used))~~ for ~~((processing))~~ winery,
828 brewery, distillery facility uses shall maintain a minimum distance of seventy-five feet
829 from interior property lines adjoining rural area and residential zones, unless located in a
830 building designated as historic resource under K.C.C. chapter 20.62. As part of the
831 review of a conditional use permit, the setback may be reduced to twenty-five feet if there
832 is sufficient screening between the proposed use and adjacent rural area and residential
833 zones;

834 ~~((f.))~~ e. In the A zone, ~~((S))~~ sixty percent or more of the products processed
835 must be grown ~~((in the Puget Sound counties))~~ on-site. At the time of the initial
836 application under K.C.C. chapter 6.xx (the new chapter created in section 2 of this
837 ordinance), the applicant shall submit a projection of the source of products to be
838 produced; ~~((and~~

839 ~~((g.))~~ f. At least two stages of production of wine, beer, cider or distilled spirits,
840 such as crushing, fermenting, barrel or tank aging, or finishing, as authorized by the
841 Washington state Liquor and Cannabis Board production license, shall occur on-site;

g. In the A zone, structures and areas for non-agricultural winery, brewery, distillery facility uses shall be located on portions of agricultural lands that are unsuitable for agricultural purposes, such as areas within the already developed portion of such agricultural lands that are not available for direct agricultural production, or areas without prime agricultural soils;

h. Tasting of products produced on-site may be provided in accordance with state law. The area devoted to tasting shall be included in the aggregated floor area limitation in subsection B.3.c. of this section. Hours of operation for on-site tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;

i. Incidental retail sales of products produced on-site and merchandise related to the products produced on-site is allowed;

j. On a site with direct access to an arterial;

k. Off-street parking is limited to a maximum of one space per 50 square feet of tasting and retail area, except for winery, brewery, distillery facility II business locations licensed to produce by the Washington state Liquor and Cannabis Board before January 1, 2019, without objection from King County during the license application processes, and that signed a settlement agreement with King County before January 1, 2019, parking spaces exceeding the limits of this section shall be considered nonconforming and may continue, subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075. Such parking spaces remain subject to all other applicable state and

865 local regulations;

866 1. The business operator shall obtain an adult beverage business license in
867 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this
868 ordinance); and

869 m. Events may be allowed with an approved temporary use permit under K.C.C.
870 chapter 21A.32.

871 4. Limited to rough milling and planing of products grown on-site with portable
872 equipment.

873 5. Limited to SIC Industry Group No. 242-Sawmills and SIC Industry No.
874 2431-Millwork. For RA zoned sites, if using lumber or timber grown off-site, the
875 minimum site area is four and one-half acres.

876 6. Limited to uses found in SIC Industry No. 2434-Wood Kitchen Cabinets and
877 No. 2431-Millwork, (excluding planing mills).

878 7. Limited to photocopying and printing services offered to the general public.

879 8. Only within enclosed buildings, and as an accessory use to retail sales.

880 9. Only within enclosed buildings.

881 10. Limited to boat building of craft not exceeding forty-eight feet in length.

882 11. For I-zoned sites located outside the urban growth area designated by the
883 King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C.
884 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for
885 rural industrial uses as set forth in K.C.C. chapter 21A.12.

886 12.a. ~~((Limited to wineries, SIC Industry No. 2082-Malt Beverages and SIC~~
887 ~~Industry No. 2085-Distilled and Blended Liquors;~~

888 ~~b. (1) Except as provided in subsection B.12.b.(2) of this section, t))~~The
889 aggregated floor area of structures and areas for ((wineries, breweries and distilleries and
890 ~~any accessory)) winery, brewery, distillery facility~~ uses shall not exceed a total of eight
891 thousand square feet~~((:)), except that ((F))~~the floor area may be increased by up to an
892 additional eight thousand square feet of underground storage that is constructed
893 completely below natural grade, not including required exits and access points, if the
894 underground storage is at least one foot below the surface and is not visible above
895 ground. Decks that are not occupied and not open to the public are excluded from the
896 calculation for maximum aggregated floor area; ((and

897 ~~(2) On Vashon-Maury Island, the total floor area of structures for wineries,~~
898 ~~breweries and distilleries and any accessory uses may not exceed six thousand square~~
899 ~~feet, including underground storage;))~~

900 ~~((e-))~~ b. Only allowed on lots of at least four and one-half acres. If the
901 aggregated floor area of structures for winery, brewery, distillery uses exceeds six
902 thousand square feet, including underground storage, the minimum site area shall be ten
903 acres;

904 c. Wineries, breweries and distilleries shall comply with Washington state
905 Department of Ecology and King County board of health regulations for water usage and
906 wastewater disposal, and must connect to an existing Group A water system or an
907 existing Group B water system if a Group A water system is not available ((-Wineries,
908 ~~breweries and distilleries using water from exempt wells shall install a water meter;~~

909 ~~d. Off street parking is limited to one hundred and fifty percent of the~~
910 ~~minimum requirement for wineries, breweries or distilleries specified in K.C.C.~~
911 ~~21A.18.030;))~~

912 ~~((e.))~~ d. Structures and parking areas ~~((used for processing))~~ for winery,
913 brewery distillery facility uses shall be set back a minimum distance of seventy-five feet
914 from interior property lines ~~((adjacent to))~~ adjoining rural area and residential zones,
915 unless ~~((the processing is))~~ located in a building designated as historic resource under
916 K.C.C. chapter 20.62. As part of the review of the conditional use permit, the setback
917 may be reduced to twenty-five feet if there is sufficient screening between the proposed
918 use and adjacent rural area and residential zones;

919 ~~((f.))~~ e. ((The minimum site area is four and one half acres. If the total floor
920 area of structures for wineries, breweries and distilleries and any accessory uses exceed
921 six thousand square feet, including underground storage:

922 ~~((1) the minimum site area is ten acres; and~~
923 ~~((2) a minimum of two and one half acres of the site shall be used for the~~
924 ~~growing of agricultural products;~~

925 ~~g. The facility shall be limited to processing agricultural products and))~~ In the
926 A zone, sixty percent or more of the products processed must be grown ~~((in the Puget~~
927 ~~Sound counties))~~ on-site. At the time of the initial application under K.C.C. chapter 6.xx
928 (the new chapter created in section 2 of this ordinance), the applicant shall submit a
929 projection of the source of products to be processed; ~~((and))~~

930 f. At least two stages of production of wine, beer, cider or distilled spirits, such
931 as crushing, fermenting, barrel or tank aging, or finishing, as authorized by the
932 Washington state Liquor and Cannabis Board production license, shall occur on-site;

933 g. In the A zone, structures and areas for non-agricultural winery, brewery,
934 distillery facility uses shall be located on portions of agricultural lands that are unsuitable
935 for agricultural purposes, such as areas within the already developed portion of such
936 agricultural lands that are not available for direct agricultural production, or areas without
937 prime agricultural soils;

938 h. Tasting of products produced on-site may be provided in accordance with
939 state law. The area devoted to tasting shall be included in the aggregated floor area
940 limitation in subsection B.12.((b-))a. and b. of this section. Hours of operation for on-site
941 tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and
942 Thursdays, tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and
943 Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m.
944 through 9:00 p.m.;

945 i. Incidental retail sales of products produced on-site and merchandise related
946 to the products produced on-site is allowed;

947 j. On a site with direct access to an arterial;

948 k. Off-street parking maximums shall be determined through the conditional
949 use permit process, and the parking ratio for the tasting and retail areas should be limited
950 to a maximum of one space per fifty square feet of tasting and retail areas;

951 l. The business operator shall obtain an adult beverage business license in
952 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this

953 ordinance); and

954 m. Events may be allowed with an approved temporary use permit under K.C.C.

955 chapter 21A.32.

956 13. Only on the same lot or same group of lots under common ownership or
957 documented legal control, which includes, but is not limited to, fee simple ownership, a
958 long-term lease or an easement:

959 a. as accessory to a primary forestry use and at a scale appropriate to process
960 the organic waste generated on the site; or

961 b. as a continuation of a sawmill or lumber manufacturing use only for that
962 period to complete delivery of products or projects under contract at the end of the
963 sawmill or lumber manufacturing activity.

964 14. Only on the same lot or same group of lots under common ownership or
965 documented legal control, which includes, but is not limited to, fee simple ownership, a
966 long-term lease or an easement:

967 a. as accessory to a primary mineral use; or

968 b. as a continuation of a mineral processing use only for that period to
969 complete delivery of products or projects under contract at the end of mineral extraction.

970 15. Continuation of a materials processing facility after reclamation in
971 accordance with an approved reclamation plan.

972 16. Only a site that is ten acres or greater and that does not use local access
973 streets that abut lots developed for residential use.

974 17.a. ~~((Limited to wineries, SIC Industry No. 2082 Malt Beverages and SIC~~
975 ~~Industry No. 2085 Distilled and Blended Liquors;~~

976 ~~b.))~~ The aggregated floor area ((devoted to all processing)) of structures and
977 areas for winery, brewery, distillery facility uses shall not exceed three thousand five
978 hundred square feet, unless located in ~~((a building))~~ whole or in part in a structure
979 designated as historic resource under K.C.C. chapter 20.62, in which case the aggregated
980 floor area of structures and areas devoted to winery, brewery, distillery facility uses shall
981 not exceed five thousand square feet. Decks that are not occupied and not open to the
982 public are excluded from the calculation for maximum aggregated floor area;

983 ~~((c.))~~ b. Structures and parking areas ((used for processing)) for winery,
984 brewery, distillery facility uses shall maintain a minimum distance of seventy-five feet
985 from interior property lines adjoining rural area and residential zones, unless located in a
986 building designated as historic resource under K.C.C. chapter 20.62. As part of the
987 review of a conditional use permit, the setback may be reduced to twenty-five feet if there
988 is sufficient screening between the proposed use and adjacent rural area and residential
989 zones; ((and

990 ~~d.))~~ c. Tasting and retail sale of products produced on site, and merchandise
991 related to the products produced on-site, may be provided in accordance with state law.
992 The area devoted to tasting shall be included in the aggregated floor area limitation in
993 subsection B.~~((18.b.))~~17.a. of this section;

994 d. Off-street parking for the tasting and retail areas shall be limited to a
995 maximum of one space per fifty square feet of tasting and retail areas;

996 e. The business operator shall obtain an adult beverage business license in
997 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this
998 ordinance); and

999 f. Events may be allowed with an approved temporary use permit under K.C.C.
1000 chapter 21A.32.

1001 18. Limited to:

1002 a. SIC Industry Group No. 242-Sawmills and SIC Industry No. 2431-

1003 Millwork, as follows:

1004 (1) If using lumber or timber grown off-site, the minimum site area is four

1005 and one-half acres;

1006 (2) The facility shall be limited to an annual production of no more than one

1007 hundred fifty thousand board feet;

1008 (3) Structures housing equipment used in the operation shall be located at

1009 least one-hundred feet from adjacent properties with residential or rural area zoning;

1010 (4) Deliveries and customer visits shall be limited to the hours of 8:00 a.m. to

1011 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

1012 (5) In the RA zone, the facility's driveway shall have adequate entering sight

1013 distance required by the 2007 King County Road Design and Construction Standards. An

1014 adequate turn around shall be provided on-site to prevent vehicles from backing out on to

1015 the roadway that the driveway accesses; and

1016 (6) Outside lighting is limited to avoid off-site glare; and

1017 b. SIC Industry No. 2411-Logging.

1018 19. Limited to manufacture of custom made wood furniture or cabinets.

1019 20.a. Only allowed on lots of at least four and one-half acres;

1020 b. Only as an accessory use to a Washington state Liquor Control Board

1021 licensed marijuana production facility on the same lot;

1022 c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1023 d. Only with documentation that the operator has applied for a Puget Sound

1024 Clean Air Agency Notice of Construction Permit. All department permits issued to either

1025 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1026 Clean Air Agency Notice of Construction Permit be approved before marijuana products

1027 are imported onto the site; and

1028 e. Accessory marijuana processing uses allowed under this section are subject

1029 to all limitations applicable to marijuana production uses under K.C.C. 21A.08.090.

1030 21.a. Only in the CB and RB zones located outside the urban growth area;

1031 b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1032 c. Only with documentation that the operator has applied for a Puget Sound

1033 Clean Air Agency Notice of Construction Permit. All department permits issued to either

1034 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1035 Clean Air Agency Notice of Construction Permit be approved before marijuana products

1036 are imported onto the site;

1037 d. Per lot, the aggregated total gross floor area devoted to the use of, and in

1038 support of, processing marijuana together with any separately authorized production of

1039 marijuana shall be limited to a maximum of two thousand square feet; and

1040 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and

1041 every marijuana-related entity occupying space in addition to the two-thousand-square-

1042 foot threshold area on that lot shall obtain a conditional use permit as set forth in

1043 subsection B.22. of this section.

1044 22.a. Only in the CB and RB zones located outside the urban growth area;

1045 b. Per lot, the aggregated total gross floor area devoted to the use of, and in
1046 support of, processing marijuana together with any separately authorized production of
1047 marijuana shall be limited to a maximum of thirty thousand square feet;

1048 c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.; and

1049 d. Only with documentation that the operator has applied for a Puget Sound
1050 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1051 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1052 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1053 are imported onto the site.

1054 23.a. Only in the CB and RB zones located inside the urban growth area;

1055 b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1056 c. Only with documentation that the operator has applied for a Puget Sound
1057 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1058 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1059 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1060 are imported onto the site;

1061 d. Per lot, the aggregated total gross floor area devoted to the use of, and in
1062 support of, processing marijuana together with any separately authorized production of
1063 marijuana shall be limited to a maximum of two thousand square feet; and

1064 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
1065 every marijuana-related entity occupying space in addition to the two-thousand-square-
1066 foot threshold area on that lot shall obtain a conditional use permit as set forth in
1067 subsection B.24. of this section.

1068 24.a. Only in the CB and RB zones located inside the urban growth area;
1069 b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;
1070 c. Only with documentation that the operator has applied for a Puget Sound
1071 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1072 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1073 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1074 are imported onto the site; and
1075 d. Per lot, the aggregated total gross floor area devoted to the use of, and in
1076 support of, processing marijuana together with any separately authorized production of
1077 marijuana shall be limited to a maximum of thirty thousand square feet.
1078 25.a. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;
1079 b. Only with documentation that the operator has applied for a Puget Sound
1080 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1081 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1082 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1083 are imported onto the site; and
1084 c. Per lot, limited to a maximum aggregate total of two thousand square feet of
1085 gross floor area devoted to, and in support of, the processing of marijuana together with
1086 any separately authorized production of marijuana.
1087 26.a. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;
1088 b. Only with documentation that the operator has applied for a Puget Sound
1089 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1090 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1091 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1092 are imported onto the site; and

1093 c. Per lot, limited to a maximum aggregate total of thirty thousand square feet of
1094 gross floor area devoted to, and in support of, the processing of marijuana together with
1095 any separately authorized production of marijuana.

1096 27.a. Marijuana processors in all RA zoned areas except for Vashon-Maury
1097 Island, that do not require a conditional use permit issued by King County, that receive a
1098 Washington state Liquor and Cannabis Board license business prior to October 1, 2016,
1099 and that King County did not object to within the Washington state Liquor and Cannabis
1100 Board marijuana license application process, shall be considered nonconforming as to
1101 subsection B.27.e. of this section, subject to the provisions of K.C.C. 21A.32.020 through
1102 21A.32.075 for nonconforming uses;

1103 b. Only with a lighting plan that complies with K.C.C. 21A.12.220.G.;

1104 c. Only with documentation that the operator has applied for a Puget Sound
1105 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1106 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1107 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1108 are imported onto the site;

1109 d. Only allowed on lots of at least four and on-half acres on Vashon-Maury
1110 Island;

1111 e. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,
1112 except on Vashon-Maury Island;

1113 f. Only as an accessory use to a Washington state Liquor Cannabis Board
1114 licensed marijuana production facility on the same lot; and

1115 g. Accessory marijuana processing uses allowed under this section are subject to
1116 all limitations applicable to marijuana production uses under K.C.C. 21A.08.090.

1117 28. If the food and kindred products manufacturing or processing is associated
1118 with agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

1119 29.a. Tasting and retail sales of products produced on site, and merchandise
1120 related to the products produced on-site, may be provided in accordance with state law;

1121 b. Structures and parking areas for winery, brewery, distillery facility uses shall
1122 maintain a minimum distance of seventy-five feet from interior property lines adjoining
1123 rural area and residential zones, unless located in a building designated as historic
1124 resource under K.C.C. chapter 20.62. As part of the review of a conditional use permit,
1125 the setback may be reduced to twenty-five feet if there is sufficient screening between the
1126 proposed use and adjacent rural area and residential zones;

1127 c. For winery, brewery, distillery facility uses that do not require a conditional
1128 use permit, off-street parking for the tasting and retail areas shall be limited to a
1129 maximum of one space per fifty square feet of tasting and retail areas. For winery,
1130 brewery, distillery facility uses that do require a conditional use permit, off-street parking
1131 maximums shall be determined through the conditional use permit process, and the
1132 parking ratio for the tasting and retail areas should be limited to a maximum of one space
1133 per fifty square feet of tasting and retail areas;

1134 d. The business operator shall obtain an adult beverage business license in
1135 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this

1136 ordinance); and

1137 e. Events may be allowed with an approved temporary use permit under K.C.C.
1138 chapter 21A.32.

1139 30.a. Only allowed on lots of at least two and one-half acres;

1140 b. The aggregated floor area of structures and areas for winery, brewery,
1141 distillery facility uses shall not exceed three thousand five hundred square feet, unless
1142 located in whole or in part in a structure designated as historic resource under K.C.C.
1143 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to
1144 winery, brewery, distillery facility uses shall not exceed five thousand square feet. Decks
1145 that are not occupied and not open to the public are excluded from the calculation for
1146 maximum aggregated floor area;

1147 c. Structures and parking areas for winery, brewery, distillery facility uses
1148 shall maintain a minimum distance of seventy-five feet from interior property lines
1149 adjoining rural area and residential zones, unless located in a building designated as
1150 historic resource under K.C.C. chapter 20.62. As part of the review of the conditional use
1151 permit, the setback may be reduced to twenty-five feet if there is sufficient screening
1152 between the proposed use and adjacent rural area and residential zones;

1153 d. Tasting of products produced on-site may be provided in accordance with
1154 state law. The area devoted to tasting shall be included in the floor area limitation in
1155 subsection B.30.b. of this section. Hours of operation for on-site tasting of products shall
1156 be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting room
1157 hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and
1158 Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;

1159 e. Incidental retail sales of products produced on-site and merchandise related
1160 to the products produced on-site is allowed;

1161 f. On a site with direct access to a public roadway;

1162 g. Off-street parking for tasting and retail areas is limited to a maximum of one
1163 space per fifty square feet of tasting and retail areas, except for winery, brewery,
1164 distillery facility II business locations licensed to produce by the Washington state Liquor
1165 and Cannabis Board before January 1, 2019, without objection from King County during
1166 the license application processes, and that signed a settlement agreement with King
1167 County before January 1, 2019, parking spaces exceeding the limits of this section shall
1168 be considered nonconforming and may continue, subject to K.C.C. 21A.32.020 through
1169 21A.32.075. Such parking spaces remain subject to all other applicable state and local
1170 regulations;

1171 h. The business operator shall obtain an adult beverage business license in
1172 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this
1173 ordinance);

1174 i. Events may be allowed with an approved temporary use permit under K.C.C.
1175 chapter 21A.32; and

1176 j. At least two stages of production of wine, beer, cider or distilled spirits, such
1177 as crushing, fermenting, barrel or tank aging, or finishing, as authorized by the
1178 Washington state Liquor and Cannabis Board production license, shall occur on-site.

1179 31.a. Limited to businesses with non-retail brewery and distillery production
1180 licenses from the Washington state Liquor and Cannabis board. Wineries and remote
1181 tasting rooms for wineries shall not be allowed;

b. Tasting and retail sale of products produced on site, and merchandise related to the products produced on-site, may be provided in accordance with state law. The area devoted to tasting shall not exceed one thousand five hundred square feet;

c. Structures and parking areas for winery, brewery, distillery facility uses shall maintain a minimum distance of seventy-five feet from interior property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62. As part of the review of a conditional use permit, the setback may be reduced to twenty-five feet if there is sufficient screening between the proposed use and adjacent rural area and residential zones;

d. For winery, brewery, distillery facility uses that do not require a conditional use permit, off-street parking for the tasting and retail areas shall be limited to a maximum of one space per fifty square feet of tasting and retail areas. For winery, brewery, distillery facility uses that do require a conditional use permit, off-street parking maximums shall be determined through the conditional use permit process, and the parking ratio for the tasting and retail areas should be limited to a maximum of one space per fifty square feet of tasting and retail areas;

e. The business operator shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this ordinance); and

f. Events may be allowed with an approved temporary use permit under K.C.C. chapter 21A.32.

SECTION 21. Ordinance 10870, Section 336, as amended, and K.C.C. 21A.08.090 are each hereby amended to read as follows:

A. Resource land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1- 8	R12 -48	NB	CB	RB	O	I
	AGRICULTURE:												
01	Growing and Harvesting Crops	P	P		P	P	P						P
02	Raising Livestock and Small Animals (6)	P	P		P	P							P
*	Agricultural Activities	P24 C	P24 C		P24 C	P24 C							
*	Agricultural Support Services	P25 C	P25 C		P26 C	P26 C	P26 C		P27 C28	P27 C28			
*	Marijuana producer	P15 C22			P16 C17					P18 C19	P18 C19		P20 C21
*	Agriculture Training Facility	C10											
*	Agriculture-related special needs camp	P12											
*	Agricultural Anaerobic Digester	P13											
	FORESTRY:												
08	Growing & Harvesting Forest Production	P	P	P7	P	P	P						P
*	Forest Research		P		P	P						P2	P
	FISH AND WILDLIFE MANAGEMENT:												
0921	Hatchery/Fish Preserve (1)	P	P		P	P	C						P

0273	Aquaculture (1)	P	P		P	P	C						P
*	Wildlife Shelters	P	P		P	P							
	MINERAL:												
10,12,14	Mineral Extraction and Processing		P9 C	P C1 1									
2951, 3271, 3273	Asphalt/Concrete Mixtures and Block		P8 C1 1	P8 C1 1									P
	ACCESSORY USES:												
*	Resource Accessory Uses	P3 P23	P4	P5	P3	P3							P4
*	Farm Worker Housing	P14			P14								

- 1206 B. Development conditions.
- 1207 1. May be further subject to K.C.C. chapter 21A.25.
- 1208 2. Only forest research conducted within an enclosed building.
- 1209 3. Farm residences in accordance with K.C.C. 21A.08.030.
- 1210 4. Excluding housing for agricultural workers.
- 1211 5. Limited to either maintenance or storage facilities, or both, in conjunction
- 1212 with mineral extraction or processing operation.
- 1213 6. Allowed in accordance with K.C.C. chapter 21A.30.
- 1214 7. Only in conjunction with a mineral extraction site plan approved in
- 1215 accordance with K.C.C. chapter 21A.22.
- 1216 8. Only on the same lot or same group of lots under common ownership or
- 1217 documented legal control, which includes, but is not limited to, fee simple ownership, a
- 1218 long-term lease or an easement:
- 1219 a. as accessory to a primary mineral extraction use;

1220 b. as a continuation of a mineral processing only for that period to complete
1221 delivery of products or projects under contract at the end of a mineral extraction; or
1222 c. for a public works project under a temporary grading permit issued in
1223 accordance with K.C.C. 16.82.152.

1224 9. Limited to mineral extraction and processing:

1225 a. on a lot or group of lots under common ownership or documented legal
1226 control, which includes but is not limited to, fee simple ownership, a long-term lease or
1227 an easement;

1228 b. that are located greater than one-quarter mile from an established residence;
1229 and

1230 c. that do not use local access streets that abut lots developed for residential
1231 use.

1232 10. Agriculture training facilities are allowed only as an accessory to existing
1233 agricultural uses and are subject to the following conditions:

1234 a. The impervious surface associated with the agriculture training facilities
1235 shall comprise not more than ten percent of the allowable impervious surface permitted
1236 under K.C.C. 21A.12.040;

1237 b. New or the expansion of existing structures, or other site improvements,
1238 shall not be located on class 1, 2 or 3 soils;

1239 c. The director may require reuse of surplus structures to the maximum extent
1240 practical;

1241 d. The director may require the clustering of new structures with existing
1242 structures;

1243 e. New structures or other site improvements shall be set back a minimum
1244 distance of seventy-five feet from property lines adjoining rural area and residential
1245 zones;

1246 f. Bulk and design of structures shall be compatible with the architectural style
1247 of the surrounding agricultural community;

1248 g. New sewers shall not be extended to the site;

1249 h. Traffic generated shall not impede the safe and efficient movement of
1250 agricultural vehicles, nor shall it require capacity improvements to rural roads;

1251 i. Agriculture training facilities may be used to provide educational services to
1252 the surrounding rural/agricultural community or for community events. Property owners
1253 may be required to obtain a temporary use permit for community events in accordance
1254 with K.C.C. chapter 21A.32;

1255 j. Use of lodging and food service facilities shall be limited only to activities
1256 conducted in conjunction with training and education programs or community events
1257 held on site;

1258 k. Incidental uses, such as office and storage, shall be limited to those that
1259 directly support education and training activities or farm operations; and

1260 l. The King County agriculture commission shall be notified of and have an
1261 opportunity to comment upon all proposed agriculture training facilities during the permit
1262 process in accordance with K.C.C. chapter 21A.40.

1263 11. Continuation of mineral processing and asphalt/concrete mixtures and block
1264 uses after reclamation in accordance with an approved reclamation plan.

1265 12.a. Activities at the camp shall be limited to agriculture and agriculture-
1266 oriented activities. In addition, activities that place minimal stress on the site's
1267 agricultural resources or activities that are compatible with agriculture are permitted.

1268 (1) passive recreation;
1269 (2) training of individuals who will work at the camp;
1270 (3) special events for families of the campers; and
1271 (4) agriculture education for youth.

1272 b. Outside the camp center, as provided for in subsection B.12.e. of this
1273 section, camp activities shall not preclude the use of the site for agriculture and
1274 agricultural related activities, such as the processing of local food to create value-added
1275 products and the refrigeration and storage of local agricultural products. The camp shall
1276 be managed to coexist with agriculture and agricultural activities both onsite and in the
1277 surrounding area.

1278 c. A farm plan shall be required for commercial agricultural production to
1279 ensure adherence to best management practices and soil conservation.

1280 d.(1) The minimum site area shall be five hundred acres. Unless the property
1281 owner has sold or transferred the development rights as provided in subsection B.12.c.(3)
1282 of this section, a minimum of five hundred acres of the site must be owned by a single
1283 individual, corporation, partnership or other legal entity and must remain under the
1284 ownership of a single individual, corporation, partnership or other legal entity for the
1285 duration of the operation of the camp.

1286 (2) Nothing in subsection B.12.d.(1) of this section prohibits the property
1287 owner from selling or transferring the development rights for a portion or all of the site to

1288 the King County farmland preservation program or, if the development rights are
1289 extinguished as part of the sale or transfer, to a nonprofit entity approved by the director;

1290 e. The impervious surface associated with the camp shall comprise not more
1291 than ten percent of the allowable impervious surface permitted under K.C.C. 21A.12.040;

1292 f. Structures for living quarters, dining facilities, medical facilities and other
1293 nonagricultural camp activities shall be located in a camp center. The camp center shall
1294 be no more than fifty acres and shall depicted on a site plan. New structures for
1295 nonagricultural camp activities shall be clustered with existing structures;

1296 g. To the extent practicable, existing structures shall be reused. The applicant
1297 shall demonstrate to the director that a new structure for nonagricultural camp activities
1298 cannot be practicably accommodated within an existing structure on the site, though
1299 cabins for campers shall be permitted only if they do not already exist on site;

1300 h. Camp facilities may be used to provide agricultural educational services to
1301 the surrounding rural and agricultural community or for community events. If required
1302 by K.C.C. chapter 21A.32, the property owner shall obtain a temporary use permit for
1303 community events;

1304 i. Lodging and food service facilities shall only be used for activities related to
1305 the camp or for agricultural education programs or community events held on site;

1306 j. Incidental uses, such as office and storage, shall be limited to those that
1307 directly support camp activities, farm operations or agricultural education programs;

1308 k. New nonagricultural camp structures and site improvements shall maintain a
1309 minimum set-back of seventy-five feet from property lines adjoining rural area and
1310 residential zones;

1311 l. Except for legal nonconforming structures existing as of January 1, 2007,
1312 camp facilities, such as a medical station, food service hall and activity rooms, shall be of
1313 a scale to serve overnight camp users;

1314 m. Landscaping equivalent to a type III landscaping screen, as provided for in
1315 K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures
1316 and site improvements located within two hundred feet of an adjacent rural area and
1317 residential zoned property not associated with the camp;

1318 n. New sewers shall not be extended to the site;

1319 o. The total number of persons staying overnight shall not exceed three
1320 hundred;

1321 p. The length of stay for any individual overnight camper, not including camp
1322 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

1323 q. Traffic generated by camp activities shall not impede the safe and efficient
1324 movement of agricultural vehicles nor shall it require capacity improvements to rural
1325 roads;

1326 r. If the site is adjacent to an arterial roadway, access to the site shall be
1327 directly onto the arterial unless the county road engineer determines that direct access is
1328 unsafe;

1329 s. If direct access to the site is via local access streets, transportation
1330 management measures shall be used to minimize adverse traffic impacts;

1331 t. Camp recreational activities shall not involve the use of motor vehicles
1332 unless the motor vehicles are part of an agricultural activity or are being used for the
1333 transportation of campers, camp personnel or the families of campers. Camp personnel

1334 may use motor vehicles for the operation and maintenance of the facility. Client-specific
1335 motorized personal mobility devices are allowed; and

1336 u. Lights to illuminate the camp or its structures shall be arranged to reflect the
1337 light away from any adjacent property.

1338 13. Limited to digester receiving plant and animal and other organic waste from
1339 agricultural activities, and including electrical generation, as follows:

1340 a. the digester must be included as part of a Washington state Department of
1341 Agriculture approved dairy nutrient plan;

1342 b. the digester must process at least seventy percent livestock manure or other
1343 agricultural organic material from farms in the vicinity, by volume;

1344 c. imported organic waste-derived material, such as food processing waste,
1345 may be processed in the digester for the purpose of increasing methane gas production for
1346 beneficial use, but not shall exceed thirty percent of volume processed by the digester;
1347 and

1348 d. the use must be accessory to an operating dairy or livestock operation.

1349 14. Farm worker housing. Either:

1350 a. Temporary farm worker housing subject to the following conditions:

1351 (1) The housing must be licensed by the Washington state Department of
1352 Health under chapter 70.114A RCW and chapter 246-358 WAC;

1353 (2) Water supply and sewage disposal systems must be approved by the
1354 Seattle King County department of health;

1355 (3) To the maximum extent practical, the housing should be located on
1356 nonfarmable areas that are already disturbed and should not be located in the floodplain
1357 or in a critical area or critical area buffer; and

1358 (4) The property owner shall file with the department of executive services,
1359 records and licensing services division, a notice approved by the department identifying
1360 the housing as temporary farm worker housing and that the housing shall be occupied
1361 only by agricultural employees and their families while employed by the owner or
1362 operator or on a nearby farm. The notice shall run with the land; [or]

1363 b. Housing for agricultural employees who are employed by the owner or
1364 operator of the farm year-round as follows:

1365 (1) Not more than:

1366 (a) one agricultural employee dwelling unit on a site less than twenty acres;
1367 (b) two agricultural employee dwelling units on a site of at least twenty
1368 acres and less than fifty acres;

1369 (c) three agricultural employee dwelling units on a site of at least fifty acres
1370 and less than one-hundred acres; and

1371 (d) four agricultural employee dwelling units on a site of at least one-
1372 hundred acres, and one additional agricultural employee dwelling unit for each additional
1373 one hundred acres thereafter;

1374 (2) If the primary use of the site changes to a nonagricultural use, all
1375 agricultural employee dwelling units shall be removed;

1376 (3) The applicant shall file with the department of executive services, records
1377 and licensing services division, a notice approved by the department that identifies the

1378 agricultural employee dwelling units as accessory and that the dwelling units shall only
1379 be occupied by agricultural employees who are employed by the owner or operator year-
1380 round. The notice shall run with the land. The applicant shall submit to the department
1381 proof that the notice was filed with the department of executive services, records and
1382 licensing services division, before the department approves any permit for the
1383 construction of agricultural employee dwelling units;

1384 (4) An agricultural employee dwelling unit shall not exceed a floor area of
1385 one thousand square feet and may be occupied by no more than eight unrelated
1386 agricultural employees;

1387 (5) To the maximum extent practical, the housing should be located on
1388 nonfarmable areas that are already disturbed;

1389 (6) One off-street parking space shall be provided for each agricultural
1390 employee dwelling unit; and

1391 (7) The agricultural employee dwelling units shall be constructed in
1392 compliance with K.C.C. Title 16.

1393 15. Marijuana production by marijuana producers licensed by the Washington
1394 state Liquor and Cannabis Board is subject to the following standards:

1395 a. Only allowed on lots of at least four and one-half acres;

1396 b. With a lighting plan, only if required by and that complies with K.C.C.
1397 21A.12.220.G.;

1398 c. Only with documentation that the operator has applied for a Puget Sound
1399 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1400 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1401 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1402 are imported onto the site;

1403 d. Production is limited to outdoor, indoor within marijuana greenhouses, and
1404 within structures that are nondwelling unit structures that exist as of October 1, 2013,
1405 subject to the size limitations in subsection B.15.e. of this section;

1406 e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1407 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
1408 aggregated total of two thousand square feet and shall be located within a fenced area or
1409 marijuana greenhouse that is no more than ten percent larger than that combined area, or
1410 may occur in nondwelling unit structures that exist as of October 1, 2013;

1411 f. Outdoor production area fencing as required by the Washington state Liquor
1412 and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall
1413 maintain a minimum street setback of fifty feet and a minimum interior setback of thirty
1414 feet; and

1415 g. If the two-thousand-square-foot-per-lot threshold of plant canopy combined
1416 with area used for processing under K.C.C. 21A.08.080 is exceeded, each and every
1417 marijuana-related entity occupying space in addition to the two-thousand-square-foot
1418 threshold area on that lot shall obtain a conditional use permit as set forth in subsection
1419 B.22. of this section.

1420 16. Marijuana production by marijuana producers licensed by the Washington
1421 state Liquor and Cannabis Board is subject to the following standards:

1422 a. Marijuana producers in all RA zoned areas except for Vashon-Maury Island,
1423 that do not require a conditional use permit issued by King County, that receive a

1424 Washington state Liquor and Cannabis Board license business prior to October 1, 2016,
1425 and that King County did not object to within the Washington state Liquor and Cannabis
1426 Board marijuana license application process, shall be considered nonconforming as to
1427 subsection B.16.d. and h. of this section, subject to the provisions of K.C.C. 21A.32.020
1428 through 21A.32.075 for nonconforming uses;

1429 b. In all rural area zones, only with a lighting plan that complies with K.C.C.
1430 21A.12.220.G.;

1431 c. Only allowed on lots of at least four and one-half acres on Vashon-Maury
1432 Island;

1433 d. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,
1434 except on Vashon-Maury Island;

1435 e. Only with documentation that the operator has applied for a Puget Sound
1436 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1437 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1438 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1439 are imported onto the site;

1440 f. Production is limited to outdoor, indoor within marijuana greenhouses, and
1441 within nondwelling unit structures that exist as of October 1, 2013, subject to the size
1442 limitations in subsection B.16.g. of this section; and

1443 g. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1444 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
1445 aggregated total of two thousand square feet and shall be located within a fenced area or

marijuana greenhouse, that is no more than ten percent larger than that combined area, or may occur in nondwelling unit structures that exist as of October 1, 2013;

h. Outdoor production area fencing as required by the Washington state Liquor and Cannabis Board and marijuana greenhouses shall maintain a minimum street setback of fifty feet and a minimum interior setback of one hundred feet; and a minimum setback of one hundred fifty feet from any existing residence; and

i. If the two-thousand-square-foot-per-lot threshold of plant canopy within fenced areas or marijuana greenhouses is exceeded, each and every marijuana-related entity occupying space in addition to the two-thousand-square-foot threshold area on that lot shall obtain a conditional use permit as set forth in subsection B.17. of this section.

17. Marijuana production by marijuana producers licensed by the Washington state Liquor and Cannabis Board is subject to the following standards:

a. Only allowed on lots of at least four and one-half acres on Vashon-Maury Island;

b. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres, except on Vashon-Maury Island;

c. In all rural area zones, only with a lighting plan that complies with K.C.C. 21A.12.220.G.;

d. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before marijuana products are imported onto the site;

1469 e. Production is limited to outdoor and indoor within marijuana greenhouses
1470 subject to the size limitations in subsection B.17.f. of this section;

1471 f. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1472 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
1473 aggregated total of thirty thousand square feet and shall be located within a fenced area or
1474 marijuana greenhouse that is no more than ten percent larger than that combined area;
1475 and

1476 g. Outdoor production area fencing as required by the Washington state Liquor
1477 and Cannabis Board, and marijuana greenhouses shall maintain a minimum street setback
1478 of fifty feet and a minimum interior setback of one hundred feet, and a minimum setback
1479 of one hundred fifty feet from any existing residence.

1480 18.a. Production is limited to indoor only;

1481 b. With a lighting plan only as required by and that complies with K.C.C.
1482 21A.12.220.G.;

1483 c. Only with documentation that the operator has applied for a Puget Sound
1484 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1485 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1486 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1487 are imported onto the site; and

1488 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1489 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1490 aggregated total of two thousand square feet and shall be located within a building or

1491 tenant space that is no more than ten percent larger than the plant canopy and separately
1492 authorized processing area; and

1493 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
1494 every marijuana-related entity occupying space in addition to the two-thousand-square
1495 foot threshold area on that parcel shall obtain a conditional use permit as set forth in
1496 subsection B.19. of this section.

1497 19.a. Production is limited to indoor only;

1498 b. With a lighting plan only as required by and that complies with K.C.C.
1499 21A.12.220.G.;

1500 c. Only with documentation that the operator has applied for a Puget Sound
1501 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1502 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1503 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1504 are imported onto the site; and

1505 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1506 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1507 aggregated total of thirty thousand square feet and shall be located within a building or
1508 tenant space that is no more than ten percent larger than the plant canopy and separately
1509 authorized processing area.

1510 20.a. Production is limited to indoor only;

1511 b. With a lighting plan only as required by and that complies with K.C.C.
1512 21A.12.220.G.;

1513 c. Only with documentation that the operator has applied for a Puget Sound
1514 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1515 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1516 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1517 are imported onto the site;

1518 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1519 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1520 aggregated total of two thousand square feet and shall be located within a building or
1521 tenant space that is no more than ten percent larger than the plant canopy and separately
1522 authorized processing area; and

1523 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
1524 every marijuana-related entity occupying space in addition to the two-thousand-square-
1525 foot threshold area on that lot shall obtain a conditional use permit as set forth in
1526 subsection B.21. of this section.

1527 21.a. Production is limited to indoor only;

1528 b. With a lighting plan only as required by and that complies with K.C.C.
1529 21A.12.220.G.;

1530 c. Only with documentation that the operator has applied for a Puget Sound
1531 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1532 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1533 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1534 are imported onto the site; and

1535 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1536 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1537 aggregated total of thirty thousand square feet and shall be located within a building or
1538 tenant space that is no more than ten percent larger than the plant canopy and separately
1539 authorized processing area.

1540 22. Marijuana production by marijuana producers licensed by the Washington
1541 state Liquor and Cannabis Board is subject to the following standards:

1542 a. With a lighting plan only as required by and that complies with K.C.C.
1543 21A.12.220.G.;

1544 b. Only allowed on lots of at least four and one-half acres;

1545 c. Only with documentation that the operator has applied for a Puget Sound
1546 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1547 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1548 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1549 are imported onto the site;

1550 d. Production is limited to outdoor, indoor within marijuana greenhouses, and
1551 within structures that are nondwelling unit structures that exist as of October 1, 2013,
1552 subject to the size limitations in subsection B.22. e. and f. of this section;

1553 e. On lots less than ten acres, per lot, the plant canopy, as defined in WAC 314-
1554 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be
1555 limited to a maximum aggregated total of five thousand square feet and shall be located
1556 within a fenced area or marijuana greenhouse that is no more than ten percent larger than

that combined area, or may occur in nondwelling unit structures that exist as of October 1, 2013;

f. On lots ten acres or more, per lot, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum aggregated total of ten thousand square feet, and shall be located within a fenced area or marijuana greenhouse that is no more than ten percent larger than that combined area, or may occur in nondwelling unit structures that exist as of October 1, 2013; and

g. Outdoor production area fencing as required by the Washington state Liquor and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall maintain a minimum street setback of fifty feet and a minimum interior setback of one hundred feet, and a minimum setback of one hundred fifty feet from any existing residence.

23. The storage and processing of non-manufactured source separated organic waste that originates from agricultural operations and that does not originate from the site, if:

a. agricultural is the primary use of the site;

b. the storage and processing are in accordance with best management practices included in an approved farm plan; and

c. except for areas used for manure storage, the areas used for storage and processing do not exceed three acres and ten percent of the site.

24.a. For activities relating to the processing of crops or livestock for commercial purposes, including associated activities such as warehousing, storage, including refrigeration, and other similar activities and excluding (~~wineries, SIC Industry No. 2085~~

~~Distilled and Blended Liquors and SIC Industry No. 2082 — Malt Beverages))~~ winery,
brewery, distillery facility I, II and III:

(1) limited to agricultural products and sixty percent or more of the products
processed must be grown in the Puget Sound counties. At the time of initial application,
the applicant shall submit a projection of the source of products to be produced;

(2) in the RA and UR zones, only allowed on sites of at least four and one-
half acres;

(3) (a) as a permitted use, the floor area devoted to all processing shall not
exceed two thousand square feet, unless located in a building designated as an historic
resource under K.C.C. chapter 20.62. The agricultural technical review committee, as
established in K.C.C. 21A.42.300, may review and approve an increase in the processing
floor area as follows: up to three thousand five hundred square feet of floor area may be
devoted to all processing in the RA zones or on farms less than thirty-five acres located in
the A zones or up to seven thousand square feet on farms greater than thirty-five acres in
the A zone; and

(b) as a permitted use, the floor area devoted to all warehousing,
refrigeration, storage or other similar activities shall not exceed two thousand square feet,
unless located in a building designated as historic resource under K.C.C. chapter 20.62.
The agricultural technical review committee, as established in K.C.C. 21A.42.300, may
review and approve an increase of up to three thousand five hundred square feet of floor
area devoted to all warehouseing, storage, including refrigeration, or other similar
activities in the RA zones or on farms less than thirty-five acres located in the A zones or
up to seven thousand square feet on farms greater than thirty-five acres in the A zone;

1603 (4) in the A zone, structures and areas used for processing, warehousing,
1604 refrigeration, storage and other similar activities shall be located on portions of
1605 agricultural lands that are unsuitable for other agricultural purposes, such as areas within
1606 the already developed portion of such agricultural lands that are not available for direct
1607 agricultural production, or areas without prime agricultural soils; and

1608 (5) structures and areas used for processing, warehousing, storage, including
1609 refrigeration, and other similar activities shall maintain a minimum distance of seventy-
1610 five feet from property lines adjoining rural area and residential zones, unless located in a
1611 building designated as historic resource under K.C.C. chapter 20.62.

1612 b. For activities relating to the retail sale of agricultural products, except
1613 livestock:

1614 (1) sales shall be limited to agricultural products and locally made arts and
1615 crafts;

1616 (2) in the RA and UR zones, only allowed on sites at least four and one-
1617 half acres;

1618 (3) as a permitted use, the covered sales area shall not exceed two thousand
1619 square feet, unless located in a building designated as a historic resource under K.C.C.
1620 chapter 20.62. The agricultural technical review committee, as established in K.C.C.
1621 21A.42.300, may review and approve an increase of up to three thousand five hundred
1622 square feet of covered sales area;

1623 (4) forty percent or more of the gross sales of agricultural product sold
1624 through the store must be sold by the producers of primary agricultural products;

1625 (5) sixty percent or more of the gross sales of agricultural products sold
1626 through the store shall be derived from products grown or produced in the Puget Sound
1627 counties. At the time of the initial application, the applicant shall submit a reasonable
1628 projection of the source of product sales;

1629 (6) tasting of products, in accordance with applicable health regulations, is
1630 allowed;

1631 (7) storage areas for agricultural products may be included in a farm store
1632 structure or in any accessory building; and

1633 (8) outside lighting is permitted if there is no off-site glare.

1634 c. Retail sales of livestock is permitted only as accessory to raising livestock.

1635 d. Farm operations, including quipment repair and related facilities, except
1636 that:

1637 (1) the repair of tools and machinery is limited to those necessary for the
1638 operation of a farm or forest;

1639 (2) in the RA and UR zones, only allowed on sites of at least four and one-
1640 half acres;

1641 (3) the size of the total repair use is limited to one percent of the farm size in
1642 the A zone, and up to one percent of the size in other zones, up to a maximum of five
1643 thousand square feet unless located within an existing farm structure, including but not
1644 limited to barns, existing as of December 31, 2003; and

1645 (4) Equipment repair shall not be permitted in the Forest zone.

1646 e. The agricultural technical review committee, as established in K.C.C.
1647 21A.42.300, may review and approve reductions of minimum site sizes in the rural and
1648 residential zones and minimum setbacks from rural and residential zones.

1649 25. The department may review and approve establishment of agricultural
1650 support services in accordance with the code compliance review process in K.C.C.
1651 21A.42.300 only if:

1652 a. project is sited on lands that are unsuitable for direct agricultural production
1653 based on size, soil conditions or other factors and cannot be returned to productivity by
1654 drainage maintenance; and

1655 b. the proposed use is allowed under any Farmland Preservation Program
1656 conservation easement and zoning development standards.

1657 26. The agricultural technical review committee, as established in K.C.C.
1658 21A.42.300, may review and approve establishment of agricultural support services only
1659 if the project site:

1660 a. adjoins or is within six hundred sixty feet of the agricultural production
1661 district;

1662 b. has direct vehicular access to the agricultural production district;

1663 c. except for farmworker housing, does not use local access streets that abut
1664 lots developed for residential use; and

1665 b. has a minimum lot size of four and one-half acres.

1666 27. The agricultural technical review committee, as established in K.C.C.
1667 21A.42.300, may review and approve establishment of agricultural support services only
1668 if the project site:

- 1669 a. is outside the urban growth area,
1670 b. adjoins or is within six hundred sixty feet of the agricultural production
1671 district,
1672 c. has direct vehicular access to the agricultural production district,
1673 d. except for farmworker housing, does not use local access streets that abut
1674 lots developed for residential use; and
1675 e. has a minimum lot size of four and one-half acres.

1676 28. Only allowed on properties that are outside the urban growth area.

1677 SECTION 22. Ordinance 10870, Section 407, as amended, and K.C.C.

1678 21A.18.030 are each hereby amended to read as follows:

1679 A. Except as modified in K.C.C. 21A.18.070. B((-)). through D., off-street
1680 parking areas shall contain at a minimum the number of parking spaces as stipulated in
1681 the following table. Off-street parking ratios expressed as number of spaces per square
1682 feet means the usable or net square footage of floor area, exclusive of non-public areas.
1683 Non-public areas include but are not limited to building maintenance areas, storage areas,
1684 closets or restrooms. If the formula for determining the number of off-street parking
1685 spaces results in a fraction, the number of off-street parking spaces shall be rounded to
1686 the nearest whole number with fractions of 0.50 or greater rounding up and fractions
1687 below 0.50 rounding down.

LAND USE	MINIMUM PARKING SPACES REQUIRED
RESIDENTIAL (K.C.C. 21A.08.030.A):	

Single detached/Townhouse	2.0 per dwelling unit
Apartment:	
Studio units	1.2 per dwelling unit
One bedroom units	1.5 per dwelling unit
Two bedroom units	1.7 per dwelling unit
Three bedroom units or larger	2.0 per dwelling unit
Mobile home park	2.0 per dwelling unit
Senior citizen assisted	1 per 2 dwelling or sleeping units
Community residential facilities	1 per two bedrooms
Dormitory, including religious	1 per two bedrooms
Hotel/Motel including organizational hotel/lodging	1 per bedroom
Bed and breakfast guesthouse	1 per guest room, plus 2 per facility
RECREATION/CULTURAL (K.C.C. 21A.08.040.A):	
Recreation/culture uses:	1 per 300 square feet
Exceptions:	
Bowling center	5 per lane
Golf course	3 per hole, plus 1 per 300 square feet of club house facilities

Tennis Club	4 per tennis court plus 1 per 300 square feet of clubhouse facility
Golf driving range	1 per tee
Park/playfield/paintball	(director)
Theater	1 per 3 fixed seats
Conference center	1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per bedroom, whichever results in the greater number of spaces.
LAND USE	MINIMUM PARKING SPACES REQUIRED
GENERAL SERVICES (K.C.C. 21A.08.050.A):	
General services uses:	1 per 300 square feet
Exceptions:	
Funeral home/Crematory	1 per 50 square feet of chapel area
Daycare I	2 per facility
Daycare II	2 per facility, plus 1 space for each 20 children
Churches, synagogue, temple	1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes

Outpatient and Veterinary clinic offices	1 per 300 square feet of office, labs and examination rooms
Nursing and personal care Facilities	1 per 4 beds
Hospital	1 per bed
Elementary schools	1 per classroom, plus 1 per 50 students
Secondary schools	
Middle/junior high schools	1 per classroom, plus 1 per 50 students
High schools	1 per classroom, plus 1 per 10 students
High schools with stadiums	greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium
Vocational schools	1 per classroom, plus 1 per five students
Specialized instruction Schools	1 per classroom, plus 1 per two students
Artist Studios	.9 per 1,000 square feet of area used for studios
GOVERNMENT/BUSINESS SERVICES (K.C.C. 21A.08.060.A):	
Government/business services uses:	1 per 300 square feet
Exceptions:	

Public agency yard	1 per 300 square feet of offices, plus <u>0.9</u> per 1,000 square feet of indoor storage or repair areas
Public agency archives	<u>0.9</u> per 1000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas
Courts	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas
Police facility	(director)
Fire facility	(director)
Construction and trade	1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area
Warehousing and storage	1 per 300 square feet of office, plus <u>0.9</u> per 1,000 square feet of storage area
Self-service storage	1 per 3,500 square feet of storage area, plus 2 for any resident director's unit
Outdoor advertising services	1 per 300 square feet of office, plus <u>0.9</u> per 1,000 square feet of storage area
Heavy equipment repair	1 per 300 square feet of office, plus <u>0.9</u> per 1,000 square feet of indoor repair areas

Office	1 per 300 square feet
LAND USE	MINIMUM PARKING SPACES REQUIRED
RETAIL/WHOLESALE (K.C.C. 21A.08.070.A):	
Retail trade uses:	1 per 300 square feet
Exceptions:	
Food stores, less than 15,000 square feet	3 plus 1 per 350 square feet
Gasoline service stations w/o grocery	3 per facility, plus 1 per service bay
Gasoline service stations w/grocery, no service bays	1 per facility, plus 1 per 300 square feet of store
Restaurants	1 per 75 square feet in dining or lounge areas
<u>Remote tasting rooms</u>	<u>1 per 300 square feet of tasting and retail areas</u>
Wholesale trade uses	<u>0.9</u> per 1000 square feet
Retail and wholesale trade mixed use	1 per 300 square feet
MANUFACTURING (K.C.C. 21A.08.080.A):	
Manufacturing uses	<u>0.9</u> per 1,000 square feet

Winery/Brewery/ <u>Distillery Facility</u> <u>II and III</u>	0.9 per 1,000 square feet, plus 1 per ((50)) 300 square feet of tasting <u>and</u> <u>retail</u> areas
RESOURCES (K.C.C. 21A.08.090.A):	
Resource uses	(director)
REGIONAL (K.C.C. 21A.08.100.A):	
Regional uses	(director)

1688 B. An applicant may request a modification of the minimum required number of
1689 parking spaces by providing that parking demand can be met with a reduced parking
1690 requirement. In such cases, the director may approve a reduction of up to fifty percent of
1691 the minimum required number of spaces.

1692 C. When the county has received a shell building permit application, off-street
1693 parking requirements shall be based on the possible tenant improvements or uses
1694 authorized by the zone designation and compatible with the limitations of the shell
1695 permit. When the range of possible uses result in different parking requirements, the
1696 director will establish the amount of parking based on a likely range of uses.

1697 D. Where other provisions of this code stipulate maximum parking allowed or
1698 reduced minimum parking requirements, those provisions shall apply.

1699 E. In any development required to provide six or more parking spaces, bicycle
1700 parking shall be provided. Bicycle parking shall be bike rack or locker-type parking
1701 facilities unless otherwise specified.

1702 1. Off-street parking areas shall contain at least one bicycle parking space for
1703 every twelve spaces required for motor vehicles except as follows:

1704 a. The director may reduce bike rack parking facilities for patrons when it is
1705 demonstrated that bicycle activity will not occur at that location.

1706 b. The director may require additional spaces when it is determined that the
1707 use or its location will generate a high volume of bicycle activity. Such a determination
1708 will include but not be limited to the following uses:

1709 (1) Park/playfield,

1710 (2) Marina,

1711 (3) Library/museum/arboretum,

1712 (4) Elementary/secondary school,

1713 (5) Sports club, or

1714 (6) Retail business (when located along a developed bicycle trail or
1715 designated bicycle route).

1716 2. Bicycle facilities for patrons shall be located within 100 feet of the building
1717 entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a
1718 structure attached to the pavement.

1719 3. All bicycle parking and storage shall be located in safe, visible areas that do
1720 not impede pedestrian or vehicle traffic flow, and shall be well lit for nighttime use.

1721 4. When more than ten people are employed on site, enclosed locker-type
1722 parking facilities for employees shall be provided. The director shall allocate the
1723 required number of parking spaces between bike rack parking and enclosed locker-type
1724 parking facilities.

1725 5. One indoor bicycle storage space shall be provided for every two dwelling
1726 units in townhouse and apartment residential uses, unless individual garages are provided
1727 for every unit. The director may reduce the number of bike rack parking spaces if indoor
1728 storage facilities are available to all residents.

1729 SECTION 23. Ordinance 10870, Section 536, as amended, and K.C.C.
1730 21A.30.080 are each hereby amended to read as follows:

1731 In the R, UR, NB, CB and RB zones, residents of a dwelling unit may conduct one
1732 or more home occupations as accessory activities, only if:

1733 A. The total floor area of the dwelling unit devoted to all home occupations shall
1734 not exceed twenty percent of the floor area of the dwelling unit.

1735 B. Areas within garages and storage buildings shall not be considered part of the
1736 dwelling unit and may be used for activities associated with the home occupation;

1737 C. All the activities of the home occupation or occupations shall be conducted
1738 indoors, except for those related to growing or storing of plants used by the home
1739 occupation or occupations;

1740 D. A home occupation or occupations is not limited in the number of employees
1741 that remain off-site. No more than one nonresident employee shall be permitted to work
1742 on-site for the home occupation or occupations;

E. The following uses, by the nature of their operation or investment, tend to increase beyond the limits permitted for home occupations. Therefore, the following shall not be permitted as home occupations:

1. Automobile, truck and heavy equipment repair;
2. ~~((Autobody))~~ Auto body work or painting;
3. Parking and storage of heavy equipment;
4. Storage of building materials for use on other properties;
5. Hotels, motels or organizational lodging;
6. Dry cleaning;
7. Towing services;
8. Trucking, storage or self service, except for parking or storage of one commercial vehicle used in home occupation; ~~((and))~~
9. Veterinary clinic; ~~((and))~~
10. Recreational marijuana processor, recreational marijuana producer or recreational marijuana retailer; and
11. Winery, brewery, distillery facility I, II, and III, and remote tasting room, except that home occupation adult beverage businesses operating under an active Washington state Liquor and Cannabis Board production license issued for their current location before January 1, 2019, and where King County did not object to the location during the Washington state Liquor and Cannabis Board license application process, shall be considered legally nonconforming and allowed to remain in their current location subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is currently in compliance with or is brought into compliance with the home occupation requirements of this section

1766 within one year of the effective date of this ordinance. Such businesses remain subject to
1767 all other applicable state and local regulations. The business operator for a
1768 nonconforming home occupation shall obtain an adult beverage business license in
1769 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this
1770 ordinance).

1771 F. In addition to required parking for the dwelling unit, on-site parking is provided
1772 as follows:

1773 1. One stall for each nonresident employed by the home occupations; and

1774 2. One stall for patrons when services are rendered on-site;

1775 G. Sales are limited to:

1776 1. Mail order sales;

1777 2. Telephone, Internet or other electronic commerce sales with off-site delivery;

1778 and

1779 3. Items accessory to a service provided to patrons who receive services on the
1780 premises;

1781 H. On-site services to patrons are arranged by appointment;

1782 I. The home occupation or occupations use or store a vehicle for pickup of
1783 materials used by the home occupation or occupations or the distribution of products from
1784 the site, only if:

1785 1. No more than one such a vehicle is allowed; and

1786 2. The vehicle is not stored within any required setback areas of the lot or on
1787 adjacent streets; and

1788 3. The vehicle does not exceed an equivalent licensed gross vehicle weight of one
1789 ton;

1790 J. The home occupation or occupations do not:

1791 1. Use electrical or mechanical equipment that results in a change to the
1792 occupancy type of the structure or structures used for the home occupation or occupations;
1793 or

1794 2. Cause visual or audible interference in radio or television receivers, or
1795 electronic equipment located off-premises or fluctuations in line voltage off-premises;
1796 ((and))

1797 K. There shall be no exterior evidence of a home occupation, other than growing or
1798 storing of plants under subsection C. of this section or a permitted sign, that would cause
1799 the premises to differ from its residential character. Exterior evidence includes, but is not
1800 limited to, lighting, the generation or emission of noise, fumes or vibrations as determined
1801 by using normal senses from any lot line or on average increase vehicular traffic by more
1802 than four additional vehicles at any given time;

1803 L. Customer visits and deliveries shall be limited to the hours of 8:00 a.m. to 7:00
1804 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends; and

1805 M. Uses not allowed as home occupations may be allowed as a home industry
1806 under K.C.C. 21A.30.090.

1807 SECTION 24. Ordinance 15606, Section 20, as amended, and K.C.C.
1808 21A.30.085 are each hereby amended to read as follows:

1809 In the A, F and RA zones, residents of a dwelling unit may conduct one or more
1810 home occupations as accessory activities, under the following provisions:

1811 A. The total floor area of the dwelling unit devoted to all home occupations shall
1812 not exceed twenty percent of the dwelling unit.

1813 B. Areas within garages and storage buildings shall not be considered part of the
1814 dwelling unit and may be used for activities associated with the home occupation;

1815 C. Total outdoor area of all home occupations shall be permitted as follows:

1816 1. For any lot less than one acre: Four hundred forty square feet; and

1817 2. For lots one acre or greater: One percent of the area of the lot, up to a
1818 maximum of five thousand square feet.

1819 D. Outdoor storage areas and parking areas related to home occupations shall be:

1820 1. No less than twenty-five feet from any property line; and

1821 2. Screened along the portions of such areas that can be seen from an adjacent
1822 parcel or roadway by the:

1823 a. planting of Type II landscape buffering; or

1824 b. use of existing vegetation that meets or can be augmented with additional
1825 plantings to meet the intent of Type II landscaping((-));

1826 E. A home occupation or occupations is not limited in the number of employees
1827 that remain off-site. Regardless of the number of home occupations, the number of
1828 nonresident employees is limited to no more than three who work on-site at the same time
1829 and no more than three who report to the site but primarily provide services off-site((-));

1830 F. In addition to required parking for the dwelling unit, on-site parking is provided
1831 as follows:

1832 1. One stall for each nonresident employed on-site; and

1833 2. One stall for patrons when services are rendered on-site;

1834 G. Sales are limited to:

1835 1. Mail order sales;

1836 2. Telephone, Internet or other electronic commerce sales with off-site delivery;

1837 3. Items accessory to a service provided to patrons who receive services on the

1838 premises;

1839 4. Items grown, produced or fabricated on-site; and

1840 5. On sites five acres or larger, items that support agriculture, equestrian or

1841 forestry uses except for the following:

1842 a. motor vehicles and parts (North American Industrial Classification System

1843 ("NAICS" Code 441);

1844 b. electronics and appliances (NAICS Code 443); and

1845 c. building material and garden equipments and supplies (NAICS Code 444);

1846 H. The home occupation or occupations do not:

1847 1. Use electrical or mechanical equipment that results in a change to the

1848 occupancy type of the structure or structures used for the home occupation or occupations;

1849 2. Cause visual or audible interference in radio or television receivers, or

1850 electronic equipment located off-premises or fluctuations in line voltage off-premises; or

1851 3. Increase average vehicular traffic by more than four additional vehicles at any

1852 given time;

1853 I. Customer visits and deliveries shall be limited to the hours of 8:00 a.m. to 7:00

1854 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

1855 J. The following uses, by the nature of their operation or investment, tend to
1856 increase beyond the limits permitted for home occupations. Therefore, the following shall
1857 not be permitted as home occupations:

- 1858 1. Hotels, motels or organizational lodging;
- 1859 2. Dry cleaning((÷));
- 1860 3. Automotive towing services, automotive wrecking services and tow-in parking
1861 lots; ((and))
- 1862 4. Recreational marijuana processor, recreational marijuana producer or
1863 recreational marijuana retailer((÷)); and
- 1864 5. Winery, brewery, distillery facility I, II, and III, and remote tasting room,
1865 except that home occupation adult beverage businesses operating under an active
1866 Washington state Liquor and Cannabis Board production license issued for their current
1867 location before January 1, 2019, and where King County did not object to the location
1868 during the Washington state Liquor and Cannabis Board license application process, shall
1869 be considered legally nonconforming and allowed to remain in their current location
1870 subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is currently in compliance
1871 with or is brought into compliance with the home occupation requirements of this section
1872 within one year of the effective date of this ordinance. Such businesses remain subject to
1873 all other applicable state and local regulations. The business operator for a
1874 nonconforming home occupation shall obtain an adult beverage business license in
1875 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this
1876 ordinance);

1877 K. Uses not allowed as home occupation may be allowed as a home industry under
1878 K.C.C. chapter 21A.30; and

1879 L. The home occupation or occupations may use or store vehicles, as follows:

1880 1. The total number of vehicles for all home occupations shall be:

1881 a. for any lot five acres or less: two;

1882 b. for lots greater than five acres: three; and

1883 c. for lots greater than ten acres: four;

1884 2. The vehicles are not stored within any required setback areas of the lot or on
1885 adjacent streets; and

1886 3. The parking area for the vehicles shall not be considered part of the outdoor
1887 storage area provided for in subsection C. of this section.

1888 SECTION 25. Ordinance 10870, Section 537, as amended, and K.C.C.
1889 21A.30.090 are each hereby amended to read as follows:

1890 A resident may establish a home industry as an accessory activity, as follows:

1891 A. The site area is one acre or greater;

1892 B. The area of the dwelling unit used for the home industry does not exceed fifty
1893 percent of the floor area of the dwelling unit.

1894 C. Areas within attached garages and storage buildings shall not be considered part
1895 of the dwelling unit for purposes of calculating allowable home industry area but may be
1896 used for storage of goods associated with the home industry;

1897 D. No more than six nonresidents who work on-site at the time;

1898 E. In addition to required parking for the dwelling unit, on-site parking is provided
1899 as follows:

1900 1. One stall for each nonresident employee of the home industry; and
1901 2. One stall for customer parking;
1902 F. Additional customer parking shall be calculated for areas devoted to the home
1903 industry at the rate of one stall per:
1904 1. One thousand square feet of building floor area; and
1905 2. Two thousand square feet of outdoor work or storage area;
1906 G. Sales are limited to items produced on-site, except for items collected, traded
1907 and occasionally sold by hobbyists, such as coins, stamps, and antiques;
1908 H. Ten feet of Type I landscaping are provided around portions of parking and
1909 outside storage areas that are otherwise visible from adjacent properties or public rights-of-
1910 way;
1911 I. The department ensures compatibility of the home industry by:
1912 1. Limiting the type and size of equipment used by the home industry to those that
1913 are compatible with the surrounding neighborhood;
1914 2. Providing for setbacks or screening as needed to protect adjacent residential
1915 properties;
1916 3. Specifying hours of operation;
1917 4. Determining acceptable levels of outdoor lighting; and
1918 5. Requiring sound level tests for activities determined to produce sound levels
1919 that may be in excess of those in K.C.C. chapter 12.88; ~~((and))~~
1920 J. Recreational marijuana processors, recreational marijuana producers and
1921 recreational marijuana retailers shall not be allowed as home industry; and

1922 K. Winery, brewery, distillery facility I, II, and III, and remote tasting room shall
1923 not be allowed as home industry, except that home industry adult beverage businesses
1924 operating under an active Washington state Liquor and Cannabis Board production
1925 license issued for their current location before January 1, 2019, and where King County
1926 did not object to the location during the Washington state Liquor and Cannabis Board
1927 license application process, shall be considered legally nonconforming and allowed to
1928 remain in their current location subject to K.C.C. 21A.32.020 through 21A.32.075 if the
1929 use is currently in compliance with or is brought into compliance with the home industry
1930 requirements of this section within one year of the effective date of this ordinance. Such
1931 businesses remain subject to all other applicable state and local regulations. The business
1932 operator for a nonconforming home industry shall obtain an adult beverage business license
1933 in accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this
1934 ordinance).

1935 SECTION 26. Ordinance 10870, Section 547, as amended, and K.C.C. 21A.32.100
1936 are each hereby amended to read as follows:

1937 Except as provided by K.C.C. 21A.32.110, a temporary use permit shall be
1938 required for any of the following:

1939 A. A use not otherwise permitted in the zone that can be made compatible for a
1940 period of up to sixty days a year; ~~((or))~~

1941 B. The expansion of an established use that:

1942 1. Is otherwise allowed in the zone;

1943 2. Is not inconsistent with the original land use approval;

1944 3. Exceeds the scope of the original land use approval; and

1945 4. Can be made compatible with the zone for a period of up to sixty days a year;
1946 or

1947 C. Events at a winery, brewery, distillery facility or remote tasting room that
1948 include one or more of the following activities:

1949 1. Exceeds the permitted building occupancy;

1950 2. Utilizes portable toilets;

1951 3. Utilizes parking that exceeds the maximum number of spaces allowed by this

1952 Title on-site or utilizes off-site parking;

1953 4. Utilizes temporary stages;

1954 5. Utilizes temporary tents or canopies that require a permit;

1955 6. Utilizes traffic control for public rights-of-way; or

1956 7. Extends beyond stated hours of operation.

1957 SECTION 27. Ordinance 10870, Section 549, as amended, and K.C.C.

1958 21A.32.120 are each hereby amended to read as follows:

1959 Except as otherwise provided in this chapter or in K.C.C. chapter 21A.45,
1960 temporary use permits shall be limited in duration and frequency as follows:

1961 A. The temporary use permit shall be effective for one year from the date of
1962 issuance and may be renewed annually as provided in subsection D. of this section;

1963 B.1. The temporary use shall not exceed a total of sixty days in any three-
1964 hundred~~((and))~~-sixty-five-day period. This ~~((requirement))~~ subsection B.1. applies only
1965 to the days that the event or events actually take place.

1966 2. For a winery, brewery, distillery facility II and III in the A ~~((or RA))~~

1967 zone~~((s))~~, the temporary use shall not exceed a total of two events per month and all

event parking (~~((for the events))~~) must be accommodated on site or managed through a parking management plan approved by the director. This subsection B.2. applies only to the days that the event or events actually take place;

3. For a winery, brewery, distillery facility II and III in the RA zone, the temporary use shall not exceed a total of twenty-four days in any three-hundred-sixty-five-day period and all event parking must be accommodated on site or managed through a parking management plan approved by the director. This subsection B.3. applies only to the days that the event or events actually take place;

4. For a winery, brewery, distillery facility II in the A or RA zones, in addition to all other relevant facts, the department shall consider building occupancy and parking limitations during permit review, and shall condition the number of guests allowed for a temporary use based on those limitations. The department shall not authorize attendance of more than one hundred fifty guests.

5. For a winery, brewery, distillery facility III in the A or RA zones, in addition to all other relevant facts, the department shall consider building occupancy and parking limitations during permit review, and shall condition the number of guests allowed for a temporary use based on those limitations. The department shall not authorize attendance of more than two hundred fifty guests.

6. Events for any winery, brewery, distillery facility I in the RA zone, any nonconforming winery, brewery, distillery facility home occupation, and any nonconforming winery, brewery, distillery facility home industry shall be limited to two per year, and limited to a maximum of fifty guests. If the event complies with this chapter, a temporary use permit is not required for a special event for a winery, brewery,

1991 distillery facility I in the RA zone, a nonconforming home occupation winery, brewery,
1992 distillery facility or a nonconforming home industry winery, brewery, distillery facility.
1993 7. Special events shall not be permitted for any winery, brewery, distillery
1994 facility I in the A zone. The permitting division shall not issue temporary use permits to
1995 winery, brewery, distillery facility I uses in the A zone.

1996 C. The temporary use permit shall specify a date upon which the use shall be
1997 terminated and removed; and

1998 D. A temporary use permit may be renewed annually for up to a total of five
1999 consecutive years as follows:

2000 1. The applicant shall make a written request and pay the applicable permit
2001 extension fees for renewal of the temporary use permit at least seventy days before the
2002 end of the permit period;

2003 2. The department must determine that the temporary use is being conducted in
2004 compliance with the conditions of the temporary use permit;

2005 3. The department must determine that site conditions have not changed since
2006 the original temporary permit was issued; and

2007 4. At least forty-five days before the end of the permit period, the department
2008 shall notify property owners within five hundred feet of the property boundaries that a
2009 temporary use permit extension has been requested and contact information to request
2010 additional information or to provide comments on the proposed extension.

2011 SECTION 28. The King County executive shall conduct a demonstration project
2012 to create and evaluate a remote tasting room demonstration project A as provided for in,
2013 and consistent with, section 29 of this ordinance.

2014 NEW SECTION. SECTION 29. There is hereby added to K.C.C. chapter
2015 21A.55 a new section to read as follows:

2016 A. The purpose of the remote tasting room demonstration project A is to:

2017 1. Support agriculture and synergistic development of mixed use adult beverage
2018 facilities in order to boost agritourism and the areas' reputations as food and adult-
2019 beverage destinations;

2020 2. Enable the county to determine if expanded adult beverage-based uses can be
2021 permitted while maintaining the core functions and purposes of the Rural Area and
2022 Agricultural zones;

2023 3. Determine the impacts and benefits of the adult beverage industry on Rural
2024 Area and Agricultural zoned areas, including the impacts and benefits of the industry on
2025 Agricultural Production Districts, and including those properties where the demonstration
2026 project sites are located and the surrounding areas;

2027 4. Provide an opportunity for additional exposure for locally sourced and
2028 produced agricultural products; and

2029 5. Identify and evaluate potential changes to countywide land use regulations to
2030 support the development of additional areas of unincorporated King County that may
2031 benefit from growth in agritourism.

2032 B. The demonstration project shall only be implemented on a site identified in
2033 Attachment A to this ordinance.

2034 C. The use that the permitting division may approve under the remote tasting
2035 room demonstration project A shall include only "remote tasting room" as defined in
2036 section 13 of this ordinance.

2037 D.1. An application for a remote tasting room under this section may be submitted
2038 in conjunction with an application for an adult beverage business license or a building
2039 permit.

2040 2. Requests shall be submitted to the permitting division in writing, together
2041 with any supporting documentation and must illustrate how the proposal meets the
2042 criteria in subsection F. of this section.

2043 3. An application for a remote tasting room under this section shall be reviewed
2044 as a Type I land use decision in accordance with K.C.C. 20.20.020.

2045 E. The department of local services, permitting division, shall administer the
2046 demonstration project, and shall approve or deny a remote tasting room application under
2047 this section based upon compliance with subsection F. of this section. Approval or denial
2048 of a remote tasting room application shall not be construed as applying to any other
2049 development application either within the demonstration project area or elsewhere in the
2050 county.

2051 F.1. A remote tasting room under this section may be approved, subject to the
2052 following:

2053 a. One or more winery, brewery, distillery facility I, II or III may operate
2054 within one remote tasting room;

2055 b. The aggregated total space devoted to remote tasting room activities shall be
2056 limited to one thousand square feet of gross floor area, not including areas devoted to
2057 storage, restrooms, and similar nonpublic areas;

2058 c. Notwithstanding subsection F.1.b. of this section, an additional five hundred
2059 square feet of immediately adjacent outdoor space may be used for tasting, subject to

2060 applicable state regulations limiting sale, service and consumption of alcoholic
2061 beverages;

2062 d. Incidental retail sales of products and merchandise related to the products
2063 being tasted is allowed;

2064 e. The hours of operation for the tasting room shall be limited as follows:
2065 Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to
2066 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours
2067 shall be limited to 11:00 a.m. through 9:00 p.m.;

2068 f. Each business operator shall obtain an adult beverage business license in
2069 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this
2070 ordinance);

2071 g. Each remote tasting room business operator shall have proof of Washington
2072 state Liquor and Cannabis Board approval;

2073 h. Events shall be limited to two per year, and limited to no more than fifty
2074 guests. As long as the event complies with this section, a temporary use permit is not
2075 required for a special event;

2076 i. Off-street parking shall be provided in accordance with the parking ratios
2077 for remote tasting room uses in K.C.C. 21A.18.030. Off-Street parking is limited to a
2078 maximum of one space per fifty square feet of tasting and retail areas; and

2079 j. The use shall be consistent with general health, safety and public welfare
2080 standards, and shall not violate state or federal law.

2081 2. This section supersedes other variance, modification or waiver criteria of
2082 K.C.C. Title 21A.

2083 3. Remote tasting room uses approved in accordance with this section may
2084 continue as long as an underlying business license or renewal is maintained, and subject
2085 to the nonconformance provisions of K.C.C. chapter 21A.32.

2086 G. Demonstration project applications shall be accepted by the permitting
2087 division for three years from the effective date of this ordinance. Complete applications
2088 submitted before the end of the three years shall be reviewed and decided on by the
2089 permitting division.

2090 H. Starting one year after the effective date of this ordinance, and each year for
2091 four years thereafter, the executive shall prepare and transmit to the council preliminary
2092 evaluations of remote tasting room demonstration project A. These preliminary
2093 evaluation reports shall include:

2094 1. A list of remote tasting room demonstration project applications submitted,
2095 reviewed and decided;

2096 2. Comments received from neighboring residents, including code complaints, if
2097 any, related to the applications received and approved or the demonstration project;

2098 3. Comments received from neighboring cities and community service areas;

2099 4. Comments received from project applicants attempting to utilize the
2100 demonstration project, including the application and review process, and the criteria for
2101 approving remote tasting rooms;

2102 5. Comments received from customers of the project applicants' businesses;

2103 6. A description of known interactions or relationships between projects
2104 approved under the demonstration project and nearby agricultural users and lands, such
2105 as additional exposure for local agricultural products;

2106 7. An inventory of remaining parcels or properties available for development
2107 under the demonstration project; and

2108 8. Any known recommended code changes that would further the purposes of
2109 the demonstration project.

2110 I. Within ninety days of five years after the effective date of this ordinance, the
2111 permitting division shall prepare a draft final report and proposed permanent code
2112 changes that includes the information compiled under subsection H. of this section, and
2113 include the following:

2114 1. Evaluation of the parking requirements, including whether the parking ratios
2115 required in K.C.C. chapter 21A.18 for production facilities and for remote tasting rooms
2116 provide sufficient, but not excessive, parking;

2117 2. Description of the industry standards for tasting room hours for wineries,
2118 breweries and distilleries; evaluation of the tasting room hours allowed under the
2119 demonstration project, and the benefits or negative impacts of these hours relative to the
2120 purposes of the demonstration project;

2121 3. Outreach to those projects approved through the demonstration project, with
2122 requested information to include, at a minimum:

2123 a. when they were approved by the permitting division;

2124 b. when they opened subsequent to that approval;

2125 c. whether they are still operating at the time of the final report; and

2126 d. any recommendations on final regulations;

2127 4. Evaluation of the permit review timelines for the demonstration project
2128 applications; and

2129 5. A recommendation on permanent code changes, or further demonstration
2130 project requirements, regarding remote tasting rooms.

2131 J. The permitting division shall include a public comment period for the
2132 permitting division's draft evaluation described in subsection I. of this section. The
2133 public comment period shall last at least forty-five days beginning with the date of
2134 publication in the newspapers of record for the demonstration project areas identified in
2135 Attachment A to this ordinance. As part of the public comment period, the permitting
2136 division shall:

2137 1. Publish notice of the draft evaluation's availability in each newspaper of
2138 record, including locations where the draft evaluation is available;

2139 2. Send notice and request for comment to the water districts for the
2140 demonstration project areas identified in Attachment A to this ordinance;

2141 3. Request comments from any developer that has applied for approval under
2142 the demonstration project;

2143 4. Provide a copy at the local libraries for the demonstration project areas
2144 identified in Attachment A to this ordinance;

2145 5. Post an electronic copy on the permitting division's website; and

2146 6. Send electronic notice to the clerk of the council, who shall retain the original
2147 email and provide an electronic copy to all councilmembers, the council chief of staff and
2148 the lead staff for the local services, regional roads and bridges committee, or its
2149 successor.

2150 K. After the public comment period has ended, the permitting division shall
2151 prepare a final evaluation of the remote tasting room demonstration project A,

incorporating or responding to the comments received. Within sixty days of the end of the public comment period, the executive shall file a final evaluation report, a motion that should accept the report, and an ordinance that implements any proposed permanent code changes.

L. For each preliminary evaluation, and the final report and proposed legislation, the reports shall be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the local services, regional roads and bridges committee, or its successor.

SECTION 30. The King County executive shall conduct a demonstration project to create and evaluate a special event demonstration project B as provided for in, and consistent with, section 31 of this ordinance.

NEW SECTION. SECTION 31. There is hereby added to K.C.C. chapter 21A.55 a new section to read as follows:

A. The purpose of the special events demonstration project B is to:

1. Support agriculture and synergistic development of adult beverage facilities in order to boost agritourism and the Sammamish valley's reputation as a food and adult beverage destination;

2. Enable the county to determine if the number of special events held at adult beverage-facilities can be increased while maintaining the core functions and purposes of the Rural Area and Agricultural zones;

3. Identify the impacts and benefits of adult beverage industry special events on Rural Area and Agricultural zoned communities including Agricultural Production

2175 Districts, properties where the demonstration projects are located, and surrounding areas;

2176 4. Provide an opportunity for additional exposure for locally sourced and

2177 produced agricultural products; and

2178 5. Identify and evaluate potential changes to countywide land use regulations to

2179 support the development of additional areas of unincorporated King County that may

2180 benefit from growth in agritourism.

2181 B. A special event demonstration project shall only be implemented on a site

2182 identified in Attachment B to this ordinance.

2183 C. As part of the demonstration project B, the permitting division may, for a

2184 winery, brewery, distillery facility III, consolidate temporary use review for special

2185 events under K.C.C. 21A.32.100 through 21A.32.140, with conditional use review under

2186 K.C.C. 21A.44.040, and applicable to those uses under K.C.C. 21A.08.080;

2187 D.1. Demonstration project B applications shall include review of:

2188 a. a conditional use permit, or conditional use permit modification or

2189 expansion, for a winery, brewery, distillery facility III; and

2190 b. a temporary use permit for special events associated with the winery,

2191 brewery, distillery facility III.

2192 2. The joint conditional use permit and temporary use permit application shall

2193 include a request in writing to apply for the special event demonstration project, together

2194 with supporting documentation and must illustrate how the proposal meets the criteria in

2195 subsection F. and G. of this section and the criteria in K.C.C. 21A.44.020 and

2196 21A.44.040.

2197 3. As part of the joint conditional use and temporary use permit review process,

2198 the applicant shall be required to pay all required fees for a conditional use permit. The
2199 temporary use permit fees in K.C.C. 27.10.170.D. shall be waived for the joint permit
2200 review process.

2201 4. An application for a special event demonstration project under this section
2202 shall be reviewed as a Type II land use decision in accordance with K.C.C. 20.20.020. As
2203 part of the joint conditional use and temporary use permit review, the review procedures
2204 in K.C.C. chapters 20.20, 20.44 and 21A.42 shall be applied, and compliance with K.C.C.
2205 21A.44.020 and K.C.C. 21A.44.040 shall be met.

2206 5. Any deadline in this subsection shall be adjusted to include the time for
2207 appeal of all or any portion of the project approval.

2208 E. The department of local services, permitting division, shall administer the
2209 demonstration project, and shall approve or deny the special event demonstration project
2210 under this section as part of a joint conditional use permit and temporary use permit
2211 based upon compliance with subsections F. and G. of this section. Approval or denial of
2212 a special event demonstration project shall not be construed as applying to any other
2213 development application either within the demonstration project area or elsewhere in the
2214 county, and shall not render uses authorized under this section "otherwise permitted in
2215 the zone" under K.C.C. 21A.32.100.A.

2216 F.1. A special event demonstration project shall be subject to all King County
2217 Code provisions except that permitting division may waive the following development
2218 regulations during the joint conditional use permit and temporary use permit review:

- 2219 a. K.C.C. 21A.32.100 through 21A.32.140; and
2220 b. K.C.C. 21A.08.080.B.12.1.;

2221 2. A temporary use permit approved under this demonstration project may be
2222 renewed up to four times annually in accordance with K.C.C. 21A.32.120.D. After a
2223 special event demonstration project temporary use permit expires, the permitting division
2224 shall review any subsequent temporary use permit application for the demonstration
2225 project site in accordance with all applicable temporary use review processes and any
2226 future events shall be subject to all regulations in place at the time a complete application
2227 is submitted.

2228 G. Approval of a special event demonstration project authorized by this section
2229 shall impose conditions regarding:

2230 a. the number of guests allowed for a temporary use, which shall be subject to
2231 building occupancy limits, but in no case more than two hundred fifty guests;

2232 b. parking limits or parking plan;

2233 c. the number of events allowed per year, which shall occur on no more than
2234 sixty days per year; and

2235 d. reasonable measures to provide notification to the permitting division and
2236 the public on the time, date, duration and size of special events authorized under the
2237 demonstration project, which could include, but is not limited to, posting the information
2238 on the operator's website or on-site.

2239 2. During the duration of the special event demonstration project, and only for
2240 the purposes of the special event demonstration project, parcels within the special event
2241 demonstration project area identified in Attachment B to this ordinance may not be
2242 consolidated to meet the minimum lot size required for a winery, brewery, distillery
2243 facility III.

2244 3. Special event demonstration projects shall be consistent with general health,
2245 safety and public welfare standards, and shall not violate state or federal law.

2246 H. Special event demonstration project applications shall be accepted by the
2247 permitting division for three years from the effective date of this ordinance. Complete
2248 applications submitted before the end of the three years shall be reviewed and decided on
2249 by the permitting division.

2250 I. Beginning one year after the effective date of this ordinance, and each year for
2251 four years thereafter, the executive shall prepare and transmit to the council preliminary
2252 evaluations of special event demonstration project B. These preliminary evaluation
2253 reports shall include:

- 2254 1. A list of demonstration project applications submitted, reviewed and decided;
- 2255 2. Comments received from neighboring residents, including code complaints, if
2256 any, related to the applications received and approved, or the demonstration project;
- 2257 3. Comments received from neighboring cities and community service areas;
- 2258 4. Comments received from project applicants attempting to utilize the
2259 demonstration project, including the application and review process, and the criteria for
2260 approving special event demonstration projects;
- 2261 5. Comments received from customers of the project applicants' businesses;
- 2262 6. A description of known interactions or relationships between projects
2263 approved under the demonstration project and nearby agricultural users and lands, such
2264 as additional exposure for local agricultural products;
- 2265 7. An inventory of remaining parcels or properties available for development
2266 under the demonstration project;

2267 8. A description of the number and size of the events and the parking plans
2268 approved through the joint conditional use permit and temporary use permit process; and

2269 9. Any known recommended code changes that would further the purposes of
2270 the demonstration project.

2271 J. Within ninety days of five years after the effective date of this ordinance, the
2272 permitting division shall prepare a draft final report and proposed permanent code
2273 changes, that includes the information compiled under subsection I. of this section, and
2274 includes the following:

2275 1. Evaluation of water use by winery, brewery, distillery facility III uses,
2276 including amount of water used, impacts to watershed basins, impacts to public water
2277 systems, and whether these facilities should be required to connect to a Group A or
2278 Group B system;

2279 2. Evaluation of the parking requirements, including whether the parking ratios
2280 required in K.C.C. chapter 21A.18 for production facilities, associated tasting rooms, and
2281 special events provide sufficient, but not excessive, parking;

2282 3. Outreach to those applicants with projects approved through the
2283 demonstration project, with requested information to include, at a minimum:

- 2284 a. when they were approved by the permitting division;
2285 b. when they opened subsequent to that approval;
2286 c. whether they are still operating at the time of the final report; and
2287 d. any recommendations on final regulations;

2288 4. An evaluation of the requirements for temporary use permits for special
2289 events for all winery, brewery, distillery facilities, home occupations, home industries,

2290 and remote tasting rooms. This shall include, at a minimum:

2291 a. an evaluation of the minimum requirements for obtaining a temporary use

2292 permit established in K.C.C. 21A.32.100 and 21A.32.120, and whether they should be

2293 modified;

2294 b. an evaluation of what is considered an "industry standard event" for a

2295 winery, brewery, distillery facility or remote tasting room. As a guideline, an "industry

2296 standard event" may mean an event that is essential to the operation of the business and is

2297 directly related to the business, such as a release party or dinner for club members. The

2298 evaluation shall include recommendations on what types of industry standard events

2299 should require a temporary use permit, based on the scale of the event or any other factor

2300 the executive deems relevant;

2301 c. an evaluation of what is not an "industry standard event," such as renting out

2302 space for an event that is unrelated to the business. Those types of events typically

2303 require a temporary use permit;

2304 d. a recommended set of specific temporary use permit triggers related to

2305 special events for winery, brewery, distillery facilities, nonconforming home occupations

2306 and home industries and remote tasting rooms;

2307 e. a recommendation of the maximum number of special events that should be

2308 allowed for winery, brewery, distillery facilities, nonconforming home occupations and

2309 home industries and remote tasting rooms;

2310 f. a description of the current temporary use permit review process, and an

2311 evaluation of and recommendations for simplification of the temporary use permit review

2312 process, including, but not limited to, code requirements, internal process and procedures,

2313 and fees;

2314 g. an evaluation of the current two per year limit on events that may be held

2315 without a permit, and whether that limitation should be modified;

2316 h. an evaluation of the limits on the number of guests in K.C.C. 21A.32.120,

2317 and whether those limitations should be modified; and

2318 i. an evaluation of the public notice requirements for special events allowed for

2319 winery, brewery, and distillery facilities, and whether those requirements should be

2320 modified;

2321 5. Evaluation of the consolidated permit review process, including permit

2322 review timelines for the demonstration project applications compared to review times for

2323 similar types of projects that do not use the demonstration project allowance for

2324 consolidated review under this section, the cost to the applicant and the cost for the

2325 county to administer and review the demonstration project applications;

2326 6. Evaluation of stormwater and surface water issues within Overlay B, impacts

2327 on downstream properties and agricultural land, and potential remedies for identified

2328 stormwater and surface water issues; and

2329 7. A recommendation on permanent code changes, or further demonstration

2330 project requirements, regarding special events.

2331 K. The permitting division shall include a public comment period for the draft

2332 evaluation described in subsection J. of this section. The public comment period shall be

2333 at least forty-five days beginning with the date of publication in the newspapers of record

2334 for the demonstration project areas identified in Attachment B to this ordinance. As part

2335 of the public comment period, the permitting division shall:

2336 1. Publish notice of the draft evaluation's availability in each newspaper of
2337 record, including locations where the draft evaluation is available;

2338 2. Send notice and request for comment to the water districts for the
2339 demonstration project areas identified in Attachment B to this ordinance;

2340 3. Request comments from any developer that has applied for approval under
2341 the demonstration project;

2342 4. Provide a copy at the local libraries for the demonstration project areas
2343 identified in Attachment B to this ordinance;

2344 5. Post an electronic copy on the permitting division's website; and

2345 6. Send electronic notice to the clerk of the council, who shall retain the original
2346 email and provide an electronic copy to all councilmembers, the council chief of staff and
2347 the lead staff for the local services, regional roads and bridges committee, or its
2348 successor.

2349 L. After the public comment period has ended, the permitting division shall
2350 prepare a final evaluation of the special event demonstration project B, incorporating or
2351 responding to the comments received. Within sixty days of the end of the end of the
2352 public comment period, the executive shall file a final evaluation report, a motion that
2353 should accept the report, and an ordinance that implements any proposed permanent code
2354 changes.

2355 M. For each preliminary evaluation, and the final report and proposed legislation,
2356 the reports shall be filed in the form of a paper original and an electronic copy with the
2357 clerk of the council, who shall retain the original and provide an electronic copy to all
2358 councilmembers, the council chief of staff and the lead staff for the local services,

2359 regional roads and bridges committee, or its successor.

2360 SECTION 32. Ordinance 13623, Section 37, as amended, and K.C.C. 23.32.010

2361 are each hereby amended to read as follows:

2362 A.1. Civil fines and civil penalties for civil code violations shall be imposed for
2363 remedial purposes and shall be assessed for each violation identified in a citation, notice
2364 and order, voluntary compliance agreement or stop work order pursuant to the following
2365 schedule:

a. citations, except for winery, brewery, distillery facility I,

II and III and remote tasting room:

(1) with no previous similar code violations	\$100
(2) with no previous code violations of K.C.C. chapter 12.86 within the past twelve months	\$125
(3) with one previous code violation of K.C.C. chapter 12.86 within the past twelve months	\$250
(4) with one or more previous similar code violations, or with two previous code violations of K.C.C. chapter 12.86 within the past twelve months	\$500
(5) with two or more previous violations of K.C.C. Title 10, or three or more previous code violations of K.C.C. chapter 12.86 within the past twelve months	Double the rate of the previous penalty

b. citations for violations of winery, brewery, distillery facility I, II and III and remote tasting room zoning conditions, including but not limited to unapproved events;

(1) with no previous similar code violations \$500

(2) with one or more previous similar code violations \$1,000

within the past twelve months;

c. violation of notice and orders and stop work orders:

(1) stop work order basic penalty \$500

(2) voluntary compliance agreement and notice and order \$25

basic penalty

(3) additional initial penalties may be added in the following amounts for violations where there is:

(a) public health risk \$15

(b) environmental damage risk \$15

(c) damage to property risk \$15

(d) one previous similar code violation \$25

(e) two previous similar code violations \$50

(f) three or more previous similar code violations \$75

(g) economic benefit to person responsible for violation \$25

~~((e))~~ d. cleanup restitution payment: as specified in K.C.C.

23.02.140.

~~((d))~~ e. reinspection following the issuance of a notice and order, if the violation has not been abated in accordance with the notice and order:

(1) first reinspection, which shall occur no sooner than the day following the date compliance is required by the notice and order \$150

(2) second reinspection, which shall occur no sooner than fourteen days following the first reinspection \$300

(3) third reinspection, which shall occur no sooner than fourteen days following the second reinspection \$450

(4) reinspection after the third reinspection, which shall only be conducted immediately preceding an administrative or court ordered abatement or at the direction of the prosecuting attorney for the purpose of presenting evidence in the course of litigation or administrative hearing against the person responsible for code compliance \$450

2366 2. For the purposes of this section, previous similar code violations that can
2367 serve as a basis for a higher level of civil penalties include violations of the same chapter
2368 of the King County Code. Any citation, stop work order or notice and order previously
2369 issued by the department shall not constitute a previous code violation for the purposes of
2370 this section if that stop work order or notice and order was appealed and subsequently
2371 reversed.

2372 B. The penalties assessed pursuant to this section for any failure to comply with a
2373 notice and order or voluntary compliance agreement shall be assessed daily, according to
2374 the schedule in subsection A of this section, for the first thirty days following the date the
2375 notice and order or voluntary compliance agreement required the code violations to have
2376 been cured. If after thirty days the person responsible for code compliance has failed to
2377 satisfy the notice and order or voluntary compliance agreement, penalties shall be
2378 assessed daily at a rate of double the rate for the first thirty days. Penalties may be
2379 assessed daily until the person responsible for code compliance has fully complied with
2380 the notice and order.

2381 C. Penalties based on violation of a stop work order shall be assessed, according
2382 to the schedule in subsection A. of this section, for each day the department determines
2383 that work or activity was done in violation of the stop work order.

2384 D. Citations and cleanup restitution payments shall only be subject to a one-time
2385 civil penalty.

2386 E. The director may suspend the imposition of additional civil penalties if the
2387 person responsible for code compliance has entered into a voluntary compliance
2388 agreement. If the person responsible for code compliance enters into a voluntary
2389 compliance agreement and cures the code violations, the director may also waive all or
2390 part of the accrued civil penalties in accordance with K.C.C. 23.32.050. Penalties shall
2391 begin to accrue again pursuant to the terms of the voluntary compliance agreement if any
2392 necessary permits applied for are denied, canceled or not pursued, or if corrective action
2393 identified in the voluntary compliance agreement is not completed as specified.

F. The civil penalties in this section are in addition to, and not in lieu of, any penalties, sanctions, restitution or fines provided for in any other provisions of law.

SECTION 33. A. The executive shall transmit a report and proposed ordinance that evaluates the efficacy of the regulations for winery, brewery, distillery facilities and remote tasting rooms adopted as part of this ordinance. The report shall include, at a minimum:

1. An evaluation of the effectiveness of the citation and civil fine structure in K.C.C. 23.32.010 adopted for winery, brewery, distillery and remote tasting room uses as part of this ordinance, and a recommended citation and civil fine structure, if the evaluation finds that the current structure is not effective or could be modified to increase effectiveness;

2. An evaluation of the impacts that urban uses within urban growth area have on rural character and adjacent rural areas outside the urban growth area, and recommendations for how to reduce impact of those urban uses;

3. Analysis of product content requirement adopted as part of this ordinance for winery, brewery distillery facilities in the Agriculture zone. Include, at a minimum, an evaluation of requiring sixty percent of product content to be grown on-site, sixty percent of product content to be grown in Puget Sound Counties, or allowing these facilities as agricultural accessory uses in accordance with WAC 365-196-815, and a recommendation for how these facilities should be regulated in the Agriculture zone to comply with the requirements for agricultural production areas under the Growth Management Act; and

4. Analysis of winery, brewery, distillery facility I as interim use in the

2417 Agriculture zone, and evaluation of the effectiveness of the regulations adopted by this
2418 ordinance, the impacts to the agricultural production districts, and any recommended
2419 changes to the regulations regarding winery, brewery, distillery facility and remote
2420 tasting rooms, adopted by this ordinance.

2421 B. The report and proposed ordinance shall be transmitted to the council with a
2422 motion that should accept the report and a proposed ordinance making recommended code
2423 changes, concurrently with the final evaluations required in sections 29 and 31 of this
2424 ordinance, in the form of a paper original and an electronic copy to the clerk of the
2425 council, who shall retain the original and provide an electronic copy to all
2426 councilmembers, the council chief of staff and the lead staff for the local services,
2427 regional roads and bridges committee, or its successor.

2428 SECTION 34. Severability. If any provision of this ordinance or its application
2429 to any person or circumstance is held invalid, the remainder of the ordinance or the
2430 application of the provision to other persons or circumstances is not affected."

2431

2432 Strike Attachment A, Demonstration Project Overlay A - Remote Tasting Rooms
2433 Exhibits 1 & 2 and insert Attachment A, Map Amendment #1 – Remote Tasting Room
2434 Demonstration Project A dated March 11, 2019

2435

2436 Strike Attachment B, Demonstration Project Overlay B - Winery, Brewery, Distillery III
2437 Events, and insert Attachment B, Map Amendment #2 – Special Event Demonstration
2438 Project B dated March 11, 2019

2439

The clerk of the council is instructed to insert the final enact number in Attachments A and B where the Proposed Ordinance number is referenced.

EFFECT: This striking amendment makes the following changes to the Proposed Ordinance:

Substantive Changes

1. Adds additional findings to further establish the record for the proposed changes to existing code.
2. Business license requirements:
 - a. Requires a business license for nonconforming home occupations and home industries.
 - b. Recognizes the difference in product content requirements for a WBD I in the A zone (60% on-site versus 60% Puget Sound Counties)
 - c. Prohibits issuance of a business license for a WBD I interim use for more than 5 years on any one site.
3. Modifies the definition of remote tasting room:
 - a. To allow distilleries and breweries to qualify as a remote tasting room, recognizing the difference in state licensing allowances.
 - b. Prohibits liquor licenses that are considered “retail licenses” by the state Liquor and Cannabis Board under a remote tasting room.
4. Modifies the definition of WBD I:
 - a. To allow limited retail and tasting. These activities are further limited by the development conditions discussed below.
 - b. Prohibits liquor licenses that are considered “retail licenses” by the state Liquor and Cannabis Board under a WBD I use.
5. Adds an new definition for WBD I interim use permit:
 - a. A term-limited permit for a winery, brewery, distillery facility I in the A zone.
 - b. One-time approval, effective for one year, with four annual renewals possible for up to five years.
 - c. After the interim use permit or any renewals have expired, use is required to either comply with zoning conditions for a winery, brewery, distillery facility II or III use, and meet the requirements of one of those uses, or cease operations and vacate the site.
 - d. Applications for a winery, brewery, distillery facility I interim use permit may only be accepted by the permitting division within five years of the effective date of this ordinance.
 - e. The time limitations on a winery, brewery, distillery facility I interim use permit do not apply to agricultural uses such as vineyards and orchards.
6. Modifies the definitions for WBD II and III:

- 2482 a. Prohibits liquor licenses that are considered “retail licenses” by the state
2483 Liquor and Cannabis Board under a WBD II or III use.
- 2484 7. Adds remote tasting room to the Retail Land Use Table, and permits it in the CB
2485 and RB zone with a development condition that the parking is limited to a
2486 maximum of 1 space per 50 square feet of tasting and retail area.
- 2487 8. For WBD I:
- 2488 a. Moved from the Manufacturing Land Use Table to the Residential Land
2489 Use Table, and permitted as a Residential Accessory Use, either outright
2490 with development conditions, or with a conditional use permit with
2491 development conditions.
- 2492 b. In the A zone:
- 2493 i. Accessory to agricultural use and residential use.
- 2494 ii. Allow WBD I as an interim use – must apply within 5 years of
2495 effective date of this ordinance, and is only authorized for up to 5
2496 years, with criteria.
- 2497 iii. Maximum building size is 1,500sf. Excludes decks not open to the
2498 public.
- 2499 iv. Tasting not allowed on-site.
- 2500 v. Retail sales of on-site products allowed.
- 2501 vi. Direct access to an arterial required.
- 2502 vii. 60% of product to be processed must be grown in Puget Sound
2503 Counties.
- 2504 viii. On-site production required. Requires production to include two or
2505 more of the stages of production: crushing, fermentation, barrel or
2506 tank aging, or finishing
- 2507 ix. Non-agricultural facility uses must be on portion of the property
2508 unsuitable for agricultural production purposes.
- 2509 x. Parking requirements: One stall for non-resident employee, plus
2510 parking for customers: minimum 1, plus 1:1,000sf of area
2511 dedicated to WBD facility uses. Maximum parking allowed is
2512 150% of the minimum required.
- 2513 xi. Add provision for grandfathering for number existing parking
2514 spaces (compliance with development standards required)
- 2515 xii. Requires 75 foot setback of buildings and parking areas from
2516 interior property lines that adjoin RA or R zoned property.
- 2517 c. In the RA zone:
- 2518 i. Allowed as a residential accessory use.
- 2519 ii. Tastings not allowed in defined area in/adjacent to Sammamish
2520 Valley
- 2521 iii. Tastings allowed in other areas, by appointment only, indoors only,
2522 and within these hours: Mon-Th 11am to 7pm and Fri-Sun 11am to
2523 9pm
- 2524 iv. Sale of items produced on-site allowed.
- 2525 v. Requires production to include two or more of the stages of
2526 production: crushing, fermentation, barrel or tank aging, or
2527 finishing.

- 2528 vi. Adds parking requirements for customers: minimum 1, plus
2529 1:1,000sf of area dedicated to WBD facility uses. Maximum
2530 parking allowed is 150% of the minimum required.
- 2531 vii. Add provision for grandfathering for number existing parking
2532 spaces (compliance with development standards required)
- 2533 viii. Allows 75 foot setback from RA and R zoned properties to be
2534 reduced to 25 feet with a CUP and subject to screening
2535 requirements. Applies this setback to interior property lines only.
- 2536 9. For WBD II:
- 2537 a. In A zone:
- 2538 i. Excludes decks not open to the public from the maximum square
2539 footage limit.
- 2540 ii. Requires production to include two or more of the stages of
2541 production: crushing, fermentation, barrel or tank aging, or
2542 finishing.
- 2543 iii. Add provision for grandfathering for number existing parking
2544 spaces (compliance with development standards required)
- 2545 iv. Allows 75 foot setback from RA and R zoned properties to be
2546 reduced to 25 feet with a CUP and subject to screening
2547 requirements. Applies this setback to interior property lines only.
- 2548 b. In RA zone:
- 2549 i. Excludes decks not open to the public from the maximum square
2550 footage limit.
- 2551 ii. Requires production to include two or more of the stages of
2552 production: crushing, fermentation, barrel or tank aging, or
2553 finishing.
- 2554 iii. Modifies maximum parking requirements, from 150% of the
2555 minimum, to a maximum for tasting and retail areas of 1 space per
2556 50 square feet of such areas.
- 2557 iv. Add provision for grandfathering for number existing parking
2558 spaces (compliance with development standards required)
- 2559 v. Allows 75 foot setback from RA and R zoned properties to be
2560 reduced to 25 feet with a CUP and subject to screening
2561 requirements. Applies this setback to interior property lines only.
- 2562 c. In NB and CB zones:
- 2563 i. Excludes decks not open to the public from the maximum square
2564 footage limit.
- 2565 ii. Sets maximum parking for tasting and retail areas to 1 per 50
2566 square feet of tasting and retail area
- 2567 iii. Allows 75 foot setback from RA and R zoned properties to be
2568 reduced to 25 feet with a CUP and subject to screening
2569 requirements. Applies this setback to interior property lines only.
- 2570 d. In RB zone:
- 2571 i. Adds a maximum parking of 1:50 square feet of tasting and retail
2572 areas. If a CUP is required, this is a “should”.
- 2573 ii. Require a 75 foot setback from RA and R zoned properties, but

2574 allow that to be reduced to 25 feet with a CUP and subject to
2575 screening requirements. Applies this setback to interior property
2576 lines only.
2577 e. In the I zone:
2578 i. Limited to breweries and distilleries. Wineries and remote tasting
2579 rooms prohibited.
2580 ii. Limits the tasting area to a maximum of 1,500 square feet.
2581 iii. Adds a maximum parking of 1:50 square feet of tasting and retail
2582 areas. If a CUP is required, this is a “should”.
2583 iv. Require a 75 foot setback from RA and R zoned properties, but
2584 allow that to be reduced to 25 feet with a CUP and subject to
2585 screening requirements. Applies this setback to interior property
2586 lines only.

2587 10. For WBD III:

2588 a. In A zone and RA zone:
2589 i. Excludes decks not open to the public from the maximum square
2590 footage limit.
2591 ii. Requires production to include two or more of the stages of
2592 production: crushing, fermentation, barrel or tank aging, or
2593 finishing.
2594 iii. Maximum parking determined through the CUP. Maximum
2595 parking for tasting and retail should be limited to 1:50 square feet.
2596 iv. Add provision for grandfathering for number existing parking
2597 spaces (compliance with development standards required).
2598 v. Allows 75 foot setback from RA and R zoned properties to be
2599 reduced to 25 feet with a CUP and subject to screening
2600 requirements. Applies this setback to interior property lines only.
2601 b. In NB and CB zones:
2602 i. Maximum parking determined through the CUP. Maximum
2603 parking for tasting and retail should be limited to 1:50 square feet.
2604 ii. Require a 75 foot setback from RA and R zoned properties, but
2605 allow that to be reduced to 25 feet with a CUP and subject to
2606 screening requirements. Applies this setback to interior property
2607 lines only.
2608 c. In RB zone:
2609 i. Maximum parking determined through the CUP. Maximum
2610 parking for tasting and retail should be limited to 1:50 square feet.
2611 ii. Require a 75 foot setback from RA and R zoned properties, but
2612 allow that to be reduced to 25 feet with a CUP and subject to
2613 screening requirements. Applies this setback to interior property
2614 lines only.
2615 d. In the I zone:
2616 i. Limited to breweries and distilleries. Wineries and remote tasting
2617 rooms prohibited.
2618 ii. Limits the tasting area to a maximum of 1,500 square feet.
2619 iii. Maximum parking determined through the CUP. Maximum

2620 parking for tasting and retail should be limited to 1:50 square feet.

2621 iv. Require a 75 foot setback from RA and R zoned properties, but

2622 allow that to be reduced to 25 feet with a CUP and subject to

2623 screening requirements. Applies this setback to interior property

2624 lines only.

2625 11. Prohibits WBD I, II and III in the Urban Reserve zone.

2626 12. In the parking ratio table:

2627 a. Adds a remote tasting room with a minimum parking ratio of 1 space per

2628 300 square feet of tasting and retail areas.

2629 b. For WBD facilities, applies the minimum ratio to WBD III, and adds that

2630 the 1 space per 300 square foot requirement is for retail areas in addition

2631 to tasting areas.

2632 13. For home occupations and home industries, allows for existing businesses to have

2633 a process to be considered a legally nonconforming home occupation or home

2634 industry, within one year of the effective date of this ordinance. Allowed for

2635 businesses with a liquor license prior to January 1, 2019, where King County did

2636 not object to the issuance of the liquor license. Requires such businesses to obtain

2637 a business license, and to comply with all other state and local regulations.

2638 14. For WBD and remote tasting rooms, establishes a set of criteria for when a special

2639 event requires a temporary use permit from the County. Events that have one or

2640 more of the following will require a temporary use permit:

2641 a. Exceeds the permitted building occupancy.

2642 b. Utilizes portable toilets.

2643 c. Utilizes parking that exceeds the maximum number of spaces allowed or

2644 utilizes off-site parking.

2645 d. Utilizes temporary stages.

2646 e. Utilizes temporary tents or canopies that require a permit.

2647 f. Utilizes traffic control for public rights-of-way.

2648 g. Extends beyond stated hours of operation.

2649 15. For special events in the A and RA zones, raises the maximum number of guests

2650 from 125 to 150.

2651 16. For special events for WBD I in the RA zone, home occupation and home

2652 industry uses, specifies that 2 events per year can occur without a temporary use

2653 permit, and sets a maximum number of guests at 50 people.

2654 17. Prohibits special events for WBD I in the A zone.

2655 18. Rewrites much of the remote tasting room demonstration project A for

2656 consistency with other demonstration projects. Also modifies the substantive

2657 requirements in the following ways:

2658 a. Allows a third area in the demonstration project – Fall City Rural Town

2659 CB zoning.

2660 b. Modifies the Vashon Rural Town area to reduce the scope just to the CB

2661 zoned areas.

2662 c. Removes the requirement that access be to an arterial. In effect, all of the

2663 Sammamish Valley area is accessed from an arterial, and for Fall City and

2664 Vashon Rural Towns, the CB zoning is generally on an arterial or within a

2665 block of the arterial. These areas allow higher intensity uses already.

- 2666 d. Removes the requirement that production is prohibited.
- 2667 e. Allows two events per year, maximum 50 guests, without a temporary use
- 2668 permit.
- 2669 f. Extends the demonstration project from 3 to 5 years. Applications may
- 2670 only be submitted within 3 years, and then after 5 years, the Executive is
- 2671 required to start the evaluation process.
- 2672 g. Requires the annual evaluations for 4 years, to be transmitted to the
- 2673 Council with a motion accepting the report, and expanded to include:
- 2674 i. Comments received from neighboring residents (in addition to
- 2675 code complaints).
- 2676 ii. Comments received from neighboring cities and Community
- 2677 Service Areas.
- 2678 iii. Comments received from applicants on the application and review
- 2679 process and the criteria for approving a remote tasting room.
- 2680 iv. Comments received from customers of the remote tasting rooms
- 2681 approved.
- 2682 v. A description of how the remote tasting rooms interact with nearby
- 2683 agricultural users and lands, including additional exposure for local
- 2684 agricultural products.
- 2685 vi. An inventory of remaining properties that could be developed
- 2686 under the demonstration project.
- 2687 vii. Known recommended code changes that would further the
- 2688 purposes of the demonstration project.
- 2689 h. Expands the final evaluation to start after the 5 years has completed. The
- 2690 substance of the evaluation includes:
- 2691 i. The information required for the annual reports.
- 2692 ii. Evaluation of parking ratios.
- 2693 iii. Evaluation of the tasting hours.
- 2694 iv. Outreach and information from project applicants on the efficacy
- 2695 of the demonstration project.
- 2696 v. Evaluation of review timelines for the demonstration project.
- 2697 vi. Recommended permanent code changes or further demonstration
- 2698 projects.
- 2699 i. For the final evaluation, require a public comment period on a draft report,
- 2700 which includes publishing a notice in area newspapers, requesting
- 2701 comments from water purveyors, requesting comments from project
- 2702 applicants, providing a copy of the draft report at local libraries, posting a
- 2703 copy to Permitting's website, and filing a copy with the clerk of the
- 2704 Council. The public comment period is 45 days.
- 2705 j. After the public comment period is over, a final report incorporating the
- 2706 public comments is required to be transmitted to the Council within 90
- 2707 days, along with a motion to accept the report and a proposed ordinance
- 2708 that makes permanent code changes.
- 2709 19. Rewrites much of the special event demonstration project B for consistency with
- 2710 other demonstration projects. Also modifies the substantive requirements in the
- 2711 following ways:

- 2712 a. Instead of incorporating special events (that would normally require a
2713 temporary use permit) into the review of the conditional use permit, the
2714 reviews of the two permits would be consolidated. The conditional use
2715 permit for the WBD III, which is already required for that facility in the
2716 RA zone, would continue on past the demonstration project. The
2717 temporary use permit would be subject to the requirement to renew it each
2718 year, and then after the demonstration project ends and the temporary use
2719 permit approved under the demonstration project expires, the businesses
2720 would be required to obtain a new temporary use permit under the code in
2721 place at the time of complete application in the future.
- 2722 b. The fees for the consolidated conditional use permit and temporary use
2723 permit would be reduced by exempting the projects from the temporary
2724 use permit.
- 2725 c. The joint process would require public notice, review under SEPA, and
2726 compliance with the criteria for a conditional use permit and temporary
2727 use permit.
- 2728 d. The temporary use permit approval would be required to have conditions
2729 regarding the number of guests allowed, parking plan, and the number of
2730 events required, which is limited to a maximum of 60 days per year.
- 2731 e. Prohibits consolidation of parcels to meet the minimum lot size for a
2732 WBD III in order to utilize the demonstration project.
- 2733 f. Extends the demonstration project from 3 to 5 years. Applications may
2734 only be submitted within 3 years, and then after 5 years, the Executive is
2735 required to start the evaluation process.
- 2736 g. Requires the annual evaluations for 4 years, to be transmitted to the
2737 Council with a motion accepting the report, and expanded to include:
- 2738 i. Comments received from neighboring residents (in addition to
2739 code complaints).
- 2740 ii. Comments received from neighboring cities and Community
2741 Service Areas.
- 2742 iii. Comments received from applicants on the application and review
2743 process and the criteria for approving a remote tasting room.
- 2744 iv. Comments received from customers of the special events joint
2745 review process approved.
- 2746 v. A description of how the businesses in the demonstration project
2747 interact with nearby agricultural users and lands, including
2748 additional exposure for local agricultural products.
- 2749 vi. An inventory of remaining properties that could be developed
2750 under the demonstration project.
- 2751 vii. A description of the number and size of the events and the parking
2752 plans approved through the joint conditional use permit and
2753 temporary use permit process
- 2754 viii. Known recommended code changes that would further the
2755 purposes of the demonstration project.
- 2756 h. Expands the final evaluation to start after the 5 years has completed. The
2757 substance of the evaluation includes:

- 2758 i. The information required for the annual reports.
2759 ii. Evaluation of water use by WBD III.
2760 iii. Evaluation of parking ratios.
2761 iv. Outreach and information from project applicants on the efficacy
2762 of the demonstration project.
2763 v. Evaluation of special events for the adult beverage industry.
2764 vi. Evaluation of review timelines for the demonstration project and
2765 comparison to projects that did not use the demonstration project.
2766 vii. Evaluation of stormwater and surface water issues.
2767 viii. Recommended permanent code changes or further demonstration
2768 projects.
2769 i. For the final evaluation, require a public comment period on a draft report,
2770 which includes publishing a notice in area newspapers, requesting
2771 comments from water purveyors, requesting comments from project
2772 applicants, providing a copy of the draft report at local libraries, posting a
2773 copy to Permitting's website, and filing a copy with the clerk of the
2774 Council. The public comment period is 45 days.
2775 j. After the public comment period is over, a final report incorporating the
2776 public comments is required to be transmitted to the Council within 90
2777 days, along with a motion to accept the report and a proposed ordinance
2778 that makes permanent code changes.
2779 20. An evaluation is added to the ordinance, required to be transmitted in conjunction
2780 with the final evaluation reports and recommended code changes for the two
2781 demonstration projects. This evaluation is required to include:
2782 a. An evaluation of the effectiveness of the citation and civil fine structure.
2783 b. An evaluation of the impacts that urban uses have on rural character and
2784 adjacent rural areas.
2785 c. An analysis of product content requirement adopted as part of this
2786 ordinance for winery, brewery distillery facilities in the Agriculture zone.
2787 d. An analysis of winery, brewery, distillery facility I as interim use in the
2788 Agriculture zone.
2789 21. Attaches new versions of Attachments A and B to make them map amendments
2790 as required for demonstration projects.
2791

2792 **Technical Changes**

- 2793
2794 22. Modifies the definitions of WBD I, II and III to use consistent terminology.
2795 23. Adds tasting and retail allowances in the permitted use tables for each use for
2796 consistency.
2797 24. Engrosses changes made by other ordinances that have been adopted since this
2798 Proposed Ordinance was transmitted by the Executive.
2799 25. Updates references to reflect the re-organization and creation of the Department
2800 of Local Services.
2801 26. Incorporates the changes made by Striking Amendment S1 that made clarifying
2802 edits, and corrected drafting errors so that the Proposed Ordinance matched the
2803 Executive's intent.

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Map Amendment # 1- Remote Tasting Room Demonstration Project A**Sammamish Valley near the City of Woodinville, Vashon Rural Town, and Fall City Rural Town****AMENDMENT TO THE KING COUNTY ZONING ATLAS**

Amend Sections 14 and 23, Township 26, Range 5, and Sections 29, 30, 31 and 32, Township 23, Range 3, and Sections 14 and 15, Township 24, Range 7, as follows:

ZONING

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

Parcel	Current Zoning	Area
2481600120	RA-2.5	Sammamish Valley
3404700026	RA-2.5	Sammamish Valley
3404700027	RA-2.5	Sammamish Valley
3404700030	RA-2.5-SO	Sammamish Valley
3404700031	RA-2.5-SO	Sammamish Valley
3404700035	RA-2.5-SO	Sammamish Valley
3404700040	RA-2.5-SO	Sammamish Valley
3404700041	RA-2.5-SO	Sammamish Valley
3404700043	RA-2.5-SO	Sammamish Valley
3404700050	RA-2.5-SO	Sammamish Valley
3404700055	RA-2.5-SO	Sammamish Valley
3404700057	RA-2.5-SO	Sammamish Valley
3407700006	RA-2.5-SO	Sammamish Valley
2846200005	CB-P-SO	Vashon Rural Town
2846200010	CB-P-SO	Vashon Rural Town
2846200025	CB-P-SO	Vashon Rural Town
2846200030	CB-P-SO	Vashon Rural Town

Parcel	Current Zoning	Area
2846200040	CB-P-SO	Vashon Rural Town
2846200050	CB-P-SO	Vashon Rural Town
2846200065	CB-P-SO	Vashon Rural Town
2846200070	CB-P-SO	Vashon Rural Town
2846200075	CB-P-SO	Vashon Rural Town
2846200080	CB-P-SO	Vashon Rural Town
2846200085	CB-P-SO	Vashon Rural Town
2846200086	CB-P-SO	Vashon Rural Town
2846200090	CB-P-SO	Vashon Rural Town
2846200092	CB-P-SO	Vashon Rural Town
2846200100	CB-P-SO	Vashon Rural Town
2846200105	CB-P-SO	Vashon Rural Town
2846200110	CB-P-SO	Vashon Rural Town
2846200115	CB-P-SO	Vashon Rural Town
2923039068	CB-P-SO	Vashon Rural Town
2923039094	CB-P-SO	Vashon Rural Town
2923039106	CB-P-SO	Vashon Rural Town
2923039113	CB-P-SO	Vashon Rural Town
2923039114	CB-P-SO	Vashon Rural Town
2923039121	CB-P-SO	Vashon Rural Town
2923039135	CB-P-SO	Vashon Rural Town
2923039136	CB-P-SO	Vashon Rural Town
2923039147	CB-P-SO	Vashon Rural Town
2923039158	CB-P-SO	Vashon Rural Town
2923039160	CB-P-SO	Vashon Rural Town
2923039161	CB-P-SO	Vashon Rural Town
2923039183	CB-P-SO	Vashon Rural Town
2923039198	CB-P-SO	Vashon Rural Town
2923039291	CB-P-SO	Vashon Rural Town
2923039295	CB-P-SO	Vashon Rural Town
3023039036	CB-P-SO	Vashon Rural Town
3023039039	CB-P-SO	Vashon Rural Town
3023039041	CB-P-SO	Vashon Rural Town
3023039050	CB-P-SO	Vashon Rural Town
3023039051	CB-P-SO	Vashon Rural Town
3023039054	CB-P-SO	Vashon Rural Town
3023039056	CB-P-SO	Vashon Rural Town
3023039061	CB-P-SO	Vashon Rural Town
3023039062	CB-P-SO	Vashon Rural Town
3023039073	CB-P-SO	Vashon Rural Town

Parcel	Current Zoning	Area
3023039090	CB-P-SO	Vashon Rural Town
3023039097	CB-P-SO	Vashon Rural Town
3023039108	CB-P-SO	Vashon Rural Town
3023039111	CB-P-SO	Vashon Rural Town
3023039122	CB-P-SO	Vashon Rural Town
3023039125	CB-P-SO	Vashon Rural Town
3023039160	CB-P-SO	Vashon Rural Town
3023039161	CB-P-SO	Vashon Rural Town
3023039187	CB-P-SO	Vashon Rural Town
3023039204	CB-P-SO	Vashon Rural Town
3123039004	CB-P-SO	Vashon Rural Town
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3123039011	CB-P-SO	Vashon Rural Town
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3123039033	CB-P-SO	Vashon Rural Town
3123039035	CB-P-SO	Vashon Rural Town
3123039041	CB-P-SO	Vashon Rural Town
3123039053	CB-P-SO	Vashon Rural Town
3123039055	CB-P-SO	Vashon Rural Town
3123039059	CB-P-SO	Vashon Rural Town
3123039061	CB-P-SO	Vashon Rural Town
3123039067	CB-P-SO	Vashon Rural Town
3123039071	CB-P-SO	Vashon Rural Town
3123039072	CB-P-SO	Vashon Rural Town
3123039075	CB-P-SO	Vashon Rural Town
3123039086	CB-P-SO	Vashon Rural Town
3123039087	CB-P-SO	Vashon Rural Town
3123039088	CB-P-SO	Vashon Rural Town
3123039107	CB-P-SO	Vashon Rural Town
3123039126	CB-P-SO	Vashon Rural Town
3123039130	CB-P-SO	Vashon Rural Town
3123039131	CB-P-SO	Vashon Rural Town
3123039134	CB-P-SO	Vashon Rural Town
3123039135	CB-P-SO	Vashon Rural Town
3123039166	CB-P-SO	Vashon Rural Town
3223039016	CB-P-SO	Vashon Rural Town
3223039017	CB-P-SO	Vashon Rural Town
3223039018	CB-P-SO	Vashon Rural Town
3223039019	CB-P-SO	Vashon Rural Town
3223039020	CB-P-SO	Vashon Rural Town

Parcel	Current Zoning	Area
3223039021	CB-P-SO	Vashon Rural Town
3223039022	CB-P-SO	Vashon Rural Town
3223039023	CB-P-SO	Vashon Rural Town
3223039024	CB-P-SO	Vashon Rural Town
3223039076	CB-P-SO	Vashon Rural Town
3223039083	CB-P-SO	Vashon Rural Town
3223039091	CB-P-SO	Vashon Rural Town
3223039092	CB-P-SO	Vashon Rural Town
3223039103	CB-P-SO	Vashon Rural Town
3223039112	CB-P-SO	Vashon Rural Town
3223039113	CB-P-SO	Vashon Rural Town
3223039114	CB-P-SO	Vashon Rural Town
3223039133	CB-P-SO	Vashon Rural Town
8883500000	CB-P-SO	Vashon Rural Town
8884400010	CB-P-SO	Vashon Rural Town
8884400020	CB-P-SO	Vashon Rural Town
0943100005	CB-SO	Fall City Rural Town
0943100420	CB-SO	Fall City Rural Town
1424079050	CB-P-SO	Fall City Rural Town
1524079004	CB-SO	Fall City Rural Town
1524079006	CB-SO	Fall City Rural Town
1524079007	CB-SO	Fall City Rural Town
1524079059	CB-SO	Fall City Rural Town
1524079079	CB-SO	Fall City Rural Town
1524079182	CB-SO	Fall City Rural Town
2475900005	CB-SO	Fall City Rural Town
2475900025	CB-SO	Fall City Rural Town
2475900030	CB-SO	Fall City Rural Town
2475900050	CB-SO	Fall City Rural Town
2475900052	CB-SO	Fall City Rural Town
2475900054	CB-SO	Fall City Rural Town
2475900065	CB-SO	Fall City Rural Town
2475900075	CB-SO	Fall City Rural Town
2475900080	CB-SO	Fall City Rural Town
2475900085	CB-SO	Fall City Rural Town
2475900105	CB-SO	Fall City Rural Town
2475900110	CB-SO	Fall City Rural Town
2475900120	CB-SO	Fall City Rural Town
2475900125	CB-SO	Fall City Rural Town
2475900140	CB-SO	Fall City Rural Town

Parcel	Current Zoning	Area
2475900155	CB-SO	Fall City Rural Town
2475900170	CB-SO	Fall City Rural Town
2475900190	CB-SO	Fall City Rural Town
2475900194	CB-SO	Fall City Rural Town
2475900195	CB-SO	Fall City Rural Town
2475900210	CB-SO	Fall City Rural Town
2475900240	CB-SO	Fall City Rural Town
2475900250	CB-SO	Fall City Rural Town
2475900265	CB-SO	Fall City Rural Town
2475900266	CB-SO	Fall City Rural Town
2475900280	CB-SO	Fall City Rural Town
2475900285	CB-SO	Fall City Rural Town
2475900305	CB-SO	Fall City Rural Town
2475900320	CB-SO	Fall City Rural Town
2475900330	CB-SO	Fall City Rural Town
2475900340	CB-SO	Fall City Rural Town
2475900355	CB-SO	Fall City Rural Town
2475900356	CB-SO	Fall City Rural Town
2475900370	CB-SO	Fall City Rural Town
2475900385	CB-SO	Fall City Rural Town
2475900395	CB-SO	Fall City Rural Town
2475900405	CB-SO	Fall City Rural Town
2475900445	CB-SO	Fall City Rural Town
2475900460	CB-P-SO	Fall City Rural Town
2475900805	CB-SO	Fall City Rural Town
2475900807	CB-SO	Fall City Rural Town
2475900810	CB-SO	Fall City Rural Town
6730700005	CB-SO	Fall City Rural Town
6730700050	CB-SO	Fall City Rural Town
6730700060	CB-SO	Fall City Rural Town
6730700075	CB-SO	Fall City Rural Town
6730700081	CB-SO	Fall City Rural Town
6730700275	CB-SO	Fall City Rural Town
6730700285	CB-SO	Fall City Rural Town
6730700305	CB-SO	Fall City Rural Town
6730700315	CB-SO	Fall City Rural Town

22

23 Apply the Demonstration Project (-DPA) established in Ordinance XXXXX (Proposed
24 Ordinance 2018-0241), Section 28, to only the portion of the following parcels indicated
25 in the chart and on the accompanying map. Make no other changes to the land use
26 designation or zoning:

27

Parcel Number	Current Zoning	Area	Portion
3023039096	CB-P-SO & RA-5	Vashon Rural Town	Only the portion that is zoned CB-P-SO. Excludes portion zoned RA-5
3123039128	CB-P-SO & R-8-SO	Vashon Rural Town	Only the portion that is zoned CB-P-SO. Excludes portion zoned R-8-SO
3123039132	CB-P-SO & R-8-SO	Vashon Rural Town	Only the portion that is zoned CB-P-SO. Excludes portion zoned R-8-SO

28











29

30 Effect: Amends the zoning atlas to apply the Remote Tasting Room Demonstration
 31 Project A to all or a portion of 176 parcels within the Sammamish Valley near the City of
 32 Woodinville, Vashon Rural Town, and Fall City Rural Town.

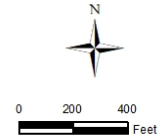
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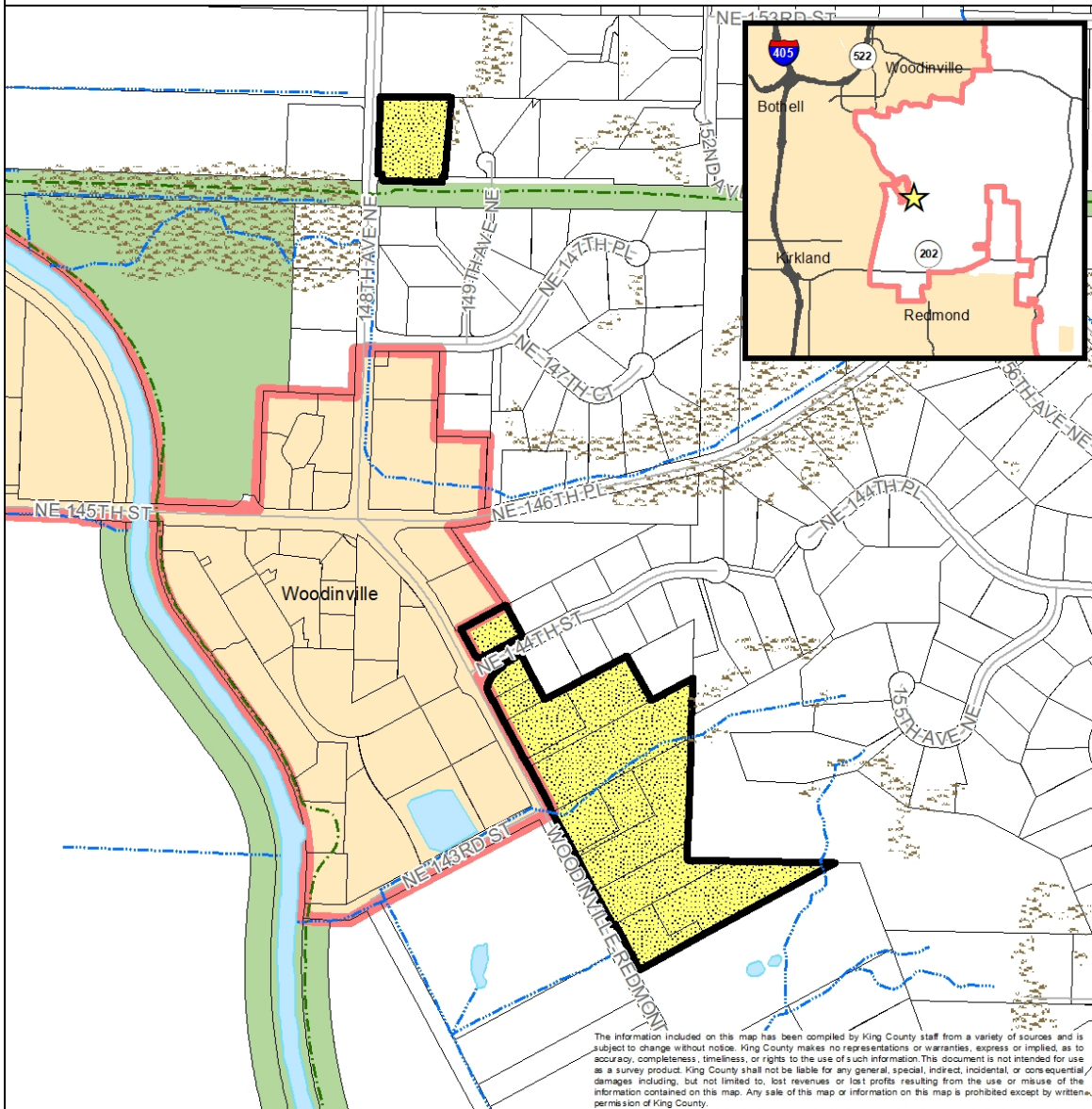
Demonstration Project Overlay A: Sammamish Valley

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

Date: 3/4/2019













 **King County**

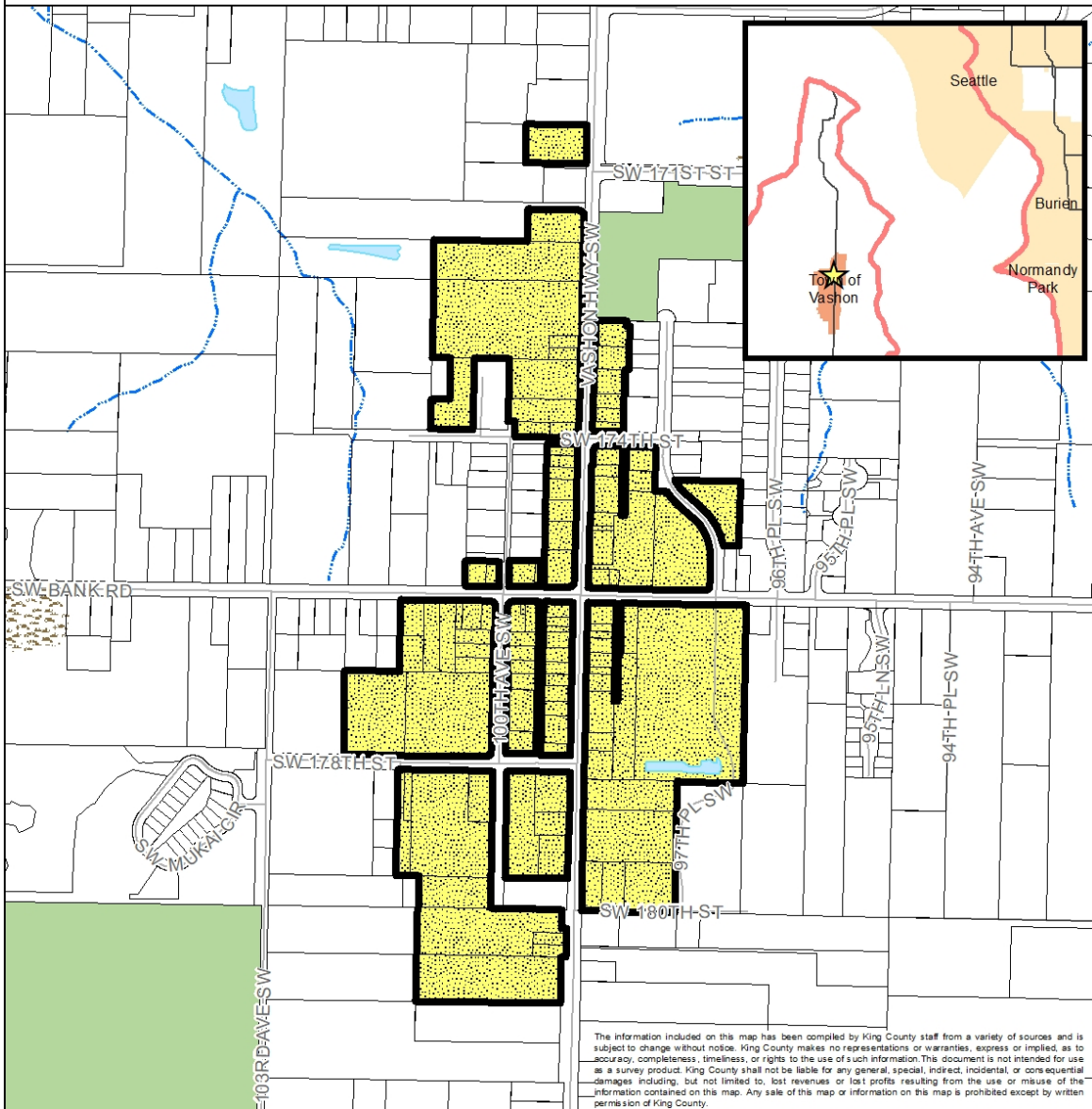
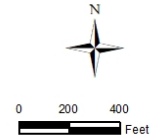


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







Demonstration Project Overlay A: Vashon

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

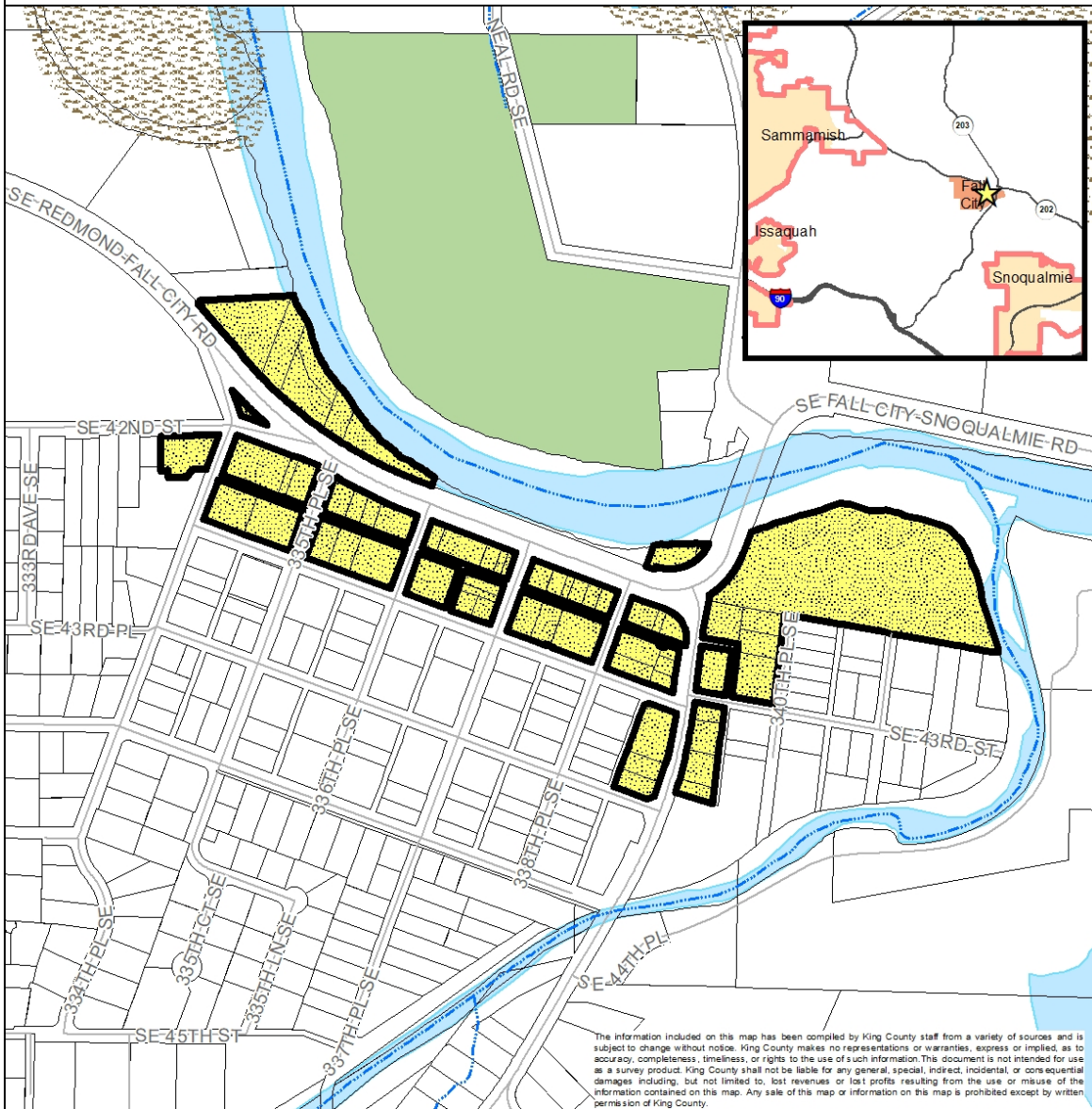
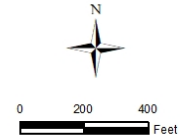
Date: 3/4/2019



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



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Map Amendment # 2- Special Event Demonstration Project B

Sammamish Valley between the City of Woodinville and City of Redmond

AMENDMENT TO THE KING COUNTY ZONING ATLAS

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

ZONING

Apply the Demonstration Project (-DPA) established in Ordinance XXXXX (Proposed Ordinance 2018-0241), Section 29, to the following parcels. Make no other changes to the land use designation or zoning:

Parcel	Current Zoning
2326059009	RA-2.5-SO
2326059017	RA-2.5-SO
2326059019	RA-2.5-SO
2326059021	RA-2.5-SO
2326059026	RA-2.5-SO
2326059033	RA-2.5-SO
2326059045	RA-2.5-SO
2326059046	RA-2.5-SO
2326059054	RA-2.5-SO
2326059059	RA-2.5-SO
2326059064	RA-2.5-SO
2326059067	RA-2.5-SO
2326059071	RA-2.5-SO
2326059094	RA-2.5-SO
2326059100	RA-2.5-SO
2326059101	RA-2.5-SO
2326059102	RA-2.5-SO
2326059103	RA-2.5-SO
2326059104	RA-2.5-SO

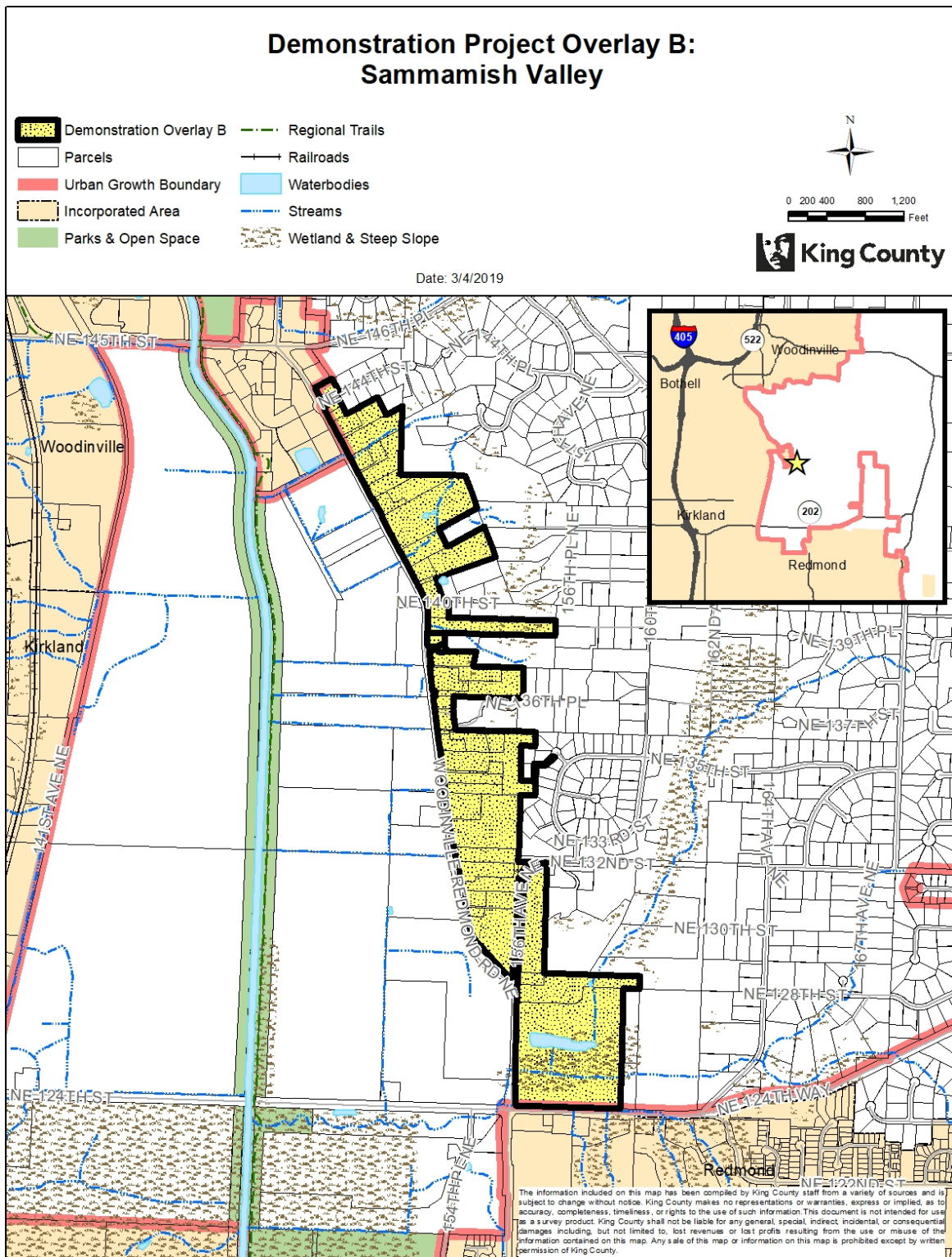
2481600120	RA-2.5
2626059005	RA-2.5-SO
2626059036	RA-2.5-SO
2626059045	RA-2.5-SO
2626059056	RA-2.5-SO
2626059058	RA-5-SO
2626059072	RA-2.5-SO
2626059080	RA-5-SO
2626059083	RA-5-SO
2626059094	RA-2.5-SO
2944010280	RA-2.5-SO
3404700026	RA-2.5
3404700027	RA-2.5
3404700030	RA-2.5-SO
3404700031	RA-2.5-SO
3404700035	RA-2.5-SO
3404700040	RA-2.5-SO
3404700041	RA-2.5-SO
3404700043	RA-2.5-SO
3404700050	RA-2.5-SO
3404700055	RA-2.5-SO
3404700057	RA-2.5-SO
3404700060	RA-2.5-SO
3404700075	RA-2.5-SO
3404700080	RA-2.5-SO
3404700081	RA-2.5-SO
3404700086	RA-2.5-SO
232605TRCT	RA-2.5-SO
294401TRCT	RA-2.5-SO

20

21 Effect: Amends the zoning atlas to apply the Special Event Demonstration Project A to
22 48 parcels within the Sammamish Valley between the City of Woodinville and City of
23 Redmond.

24

25



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3/11/19

Title

ea

Sponsor: Lambert, Balducci

Proposed No.: 2018-0241

TITLE AMENDMENT TO PROPOSED ORDINANCE 2018-0241, VERSION 1

On page 1, strike lines 1 through 15, and insert:

"AN ORDINANCE relating to planning and permitting;
amending Ordinance 10870, Section 330, as amended, and
K.C.C. 21A.08.030, Ordinance 10870, Section 334, as
amended, and K.C.C. 21A.08.070, Ordinance 10870,
Section 335, as amended, and K.C.C. 21A.08.080,
Ordinance 10870, Section 336, as amended, and K.C.C.
21A.08.090, Ordinance 10870, Section 407, as amended,
and K.C.C. 21A.18.030, Ordinance 10870, Section 536, as
amended, and K.C.C. 21A.30.080, Ordinance 15606,
Section 20, as amended, and K.C.C. 21A.30.085,
Ordinance 10870, Section 537, as amended, and K.C.C.
21A.30.090, Ordinance 10870, Section 547, as amended,
and K.C.C. 21A.32.100, Ordinance 10870, Section 549, as
amended, and K.C.C. 21A.32.120 and Ordinance 13623,
Section 37, as amended, and K.C.C. 23.32.010, adding new
sections to K.C.C. chapter 21A.06, adding new sections to

19 K.C.C. chapter 21A.55, adding a new chapter to K.C.C.
20 Title 6, repealing Ordinance 15974, Section 5, and K.C.C.
21 21A.06.1427 and prescribing penalties."
22 **EFFECT: *Title Amendment T2 conforms the Title to the changes made by Striking***
23 ***Amendment S2.***