

Public Comments on Proposed Ordinance 2018-0241.3

Winery, Brewery Distillery Code Changes

October 7 to December 3, 2019

Auzins, Erin

From: Glen Manheim <gmanheim@frontier.com>
Sent: Monday, October 7, 2019 12:05 PM
To: Auzins, Erin
Subject: Keep commercial businesses out of Sammamish Valley rural neighborhoods and farmland buffer areas

Dear Supervising Legislative Analyst Erin Auzins,

While the current Balducci version of the Adult Beverage Ordinance contains improvements over prior versions, there are still two significant flaws that permanently allow adult beverage retail outlets in the Sammamish Valley Rural Area neighborhoods and important farmland buffer areas. I am requesting that you:

- 1) Remove Demonstration Project Overlay A from the Sammamish Valley.
- 2) Require WBDs in the RA and A zones to conduct all 3 stages of beverage production as defined by the state, and limit sales to only beverages produced on-site.

The wine tourism industry in Woodinville is booming and doesn't need County help in order to grow. There is plenty of space inside the Urban Growth Area for additional beverage retail outlets. In fact, beverage tourism relies on the Valley's verdant open spaces and will be harmed by commercial development of the Valley.

Rampant land price speculation and environmental degradation from upslope toxic runoff are existential threats to the Valley's APD farm businesses. Public health and safety issues are increasing because urban use businesses are operating where commercial infrastructure - such as sewer hookup, left turn lanes, sidewalks and lighting - does not exist. Rewarding code violators and opening the Valley to even more urban use will only increase the negative impacts.

The latest Ordinance attempts to mitigate these damages by limiting the building sizes, parking, and hours of operation of the retail businesses to the point where they will not be able to operate effectively. You've heard as much from them. This approach, together with a lack of clarity in some parts of the Ordinance, will only lead to endless code enforcement battles. None of the goals the Ordinance sets out to solve will be met and we will be right back where we started.

Why is the Council supporting the narrow interests of a handful of code violators and land speculators over the will of the people? Why is the Council skirting the Growth Management Act which protects our designated APD farmland, watershed and Rural Area? Please do the right thing and keep urban use businesses out of the Sammamish Valley Rural Area neighborhoods and farmland buffer areas.

Sincerely,
Glen Manheim
14714 176th Ave NE
Woodinville, WA 98072

Auzins, Erin

From: Jane Manheim <gmanheim@frontier.com>
Sent: Monday, October 7, 2019 12:10 PM
To: Auzins, Erin
Subject: Keep commercial businesses out of Sammamish Valley rural neighborhoods and farmland buffer areas

Dear Supervising Legislative Analyst Erin Auzins,

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The rural feeling of the Sammamish Valley keeps the Country living in the Woodinville Area country. We already have sufficient outlets to get the "Buzz" without more wineries, et al. The rural designation was established years ago to protect the area and allow people to enjoy it, people to grow crops on it and to be a place of respite from the city. Lets keep and honor what previous generations had the foresight to establish for the future.

Sincerely,
Jane Manheim

14714 176th Ave NE
Woodinville, WA 98072

Auzins, Erin

From: Paul Moritz <ryberg3@msn.com>
Sent: Monday, October 7, 2019 12:24 PM
To: Auzins, Erin
Subject: Keep commercial businesses out of Sammamish Valley rural neighborhoods and farmland buffer areas

Dear Supervising Legislative Analyst Erin Auzins,

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Sincerely,
Paul Moritz
13801 171st Ave NE
Redmond, WA 98052

Auzins, Erin

From: Jason Childs <jasonjchilds@yahoo.com>
Sent: Monday, October 7, 2019 1:32 PM
To: Auzins, Erin
Subject: Keep commercial businesses out of Sammamish Valley rural neighborhoods and farmland buffer areas

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The Council should not support code violators and land speculators over the will of the people. Nor should it skirt the Growth Management Act which protects our designated APD farmland, watershed and Rural Area. Please do the right thing and keep urban use businesses out of the Sammamish Valley Rural Area neighborhoods and farmland buffer areas.

Sincerely,
Jason Childs
16454 NE 135th St
Redmond, WA 98052

Auzins, Erin

From: Communications, Comments
Sent: Monday, October 7, 2019 2:07 PM
To: Auzins, Erin
Subject: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>

Submitted from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Submitted at 2:07:22 PM, on Monday, October 7, 2019

Winery_Code:

FromUser: Ben Humphrey

EMail: humphrey.ben@gmail.com

addr1: 5622 NE 59th St

city: Seattle

state: WA

zip: 98105

MessageText: I am not in support of the discontinuation of distillery tasting rooms that do not also make wine or beer.

User IP Address:10.84.2.22

User Software Client:Mozilla/5.0 (Windows NT 10.0; Win64; x64; rv:69.0) Gecko/20100101 Firefox/69.0

Auzins, Erin

From: Communications, Comments
Sent: Monday, October 7, 2019 2:41 PM
To: Auzins, Erin
Subject: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>

Submitted from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Submitted at 2:40:43 PM, on Monday, October 7, 2019

Winery_Code:

FromUser: Elena Blagojevic

EMail: esuhome@hotmail.com

addr1: 1709 211th Way NE

city: Sammamish

state: WA 09874

MessageText: If this ordinance will lead to closure of the off-site wine tasting rooms - I STRONGLY OPPOSE IT!!! I will hurt greatly Washington winemakers, the city of Woodinville and all local business that exist because of the tourist traffic to Woodinville wine tasting rooms. Many local residents make their wine purchases through local tasting rooms ensuring that we buy local wines and support our state economy. As the majority of the vineyards are located in Eastern Washington, it is a great benefit to all of us in greater Seattle area to have remote tasting rooms. I am outraged to learn about the proposed changes and negative impact they may have on local businesses and residents!

User IP Address:10.84.2.22

User Software Client:Mozilla/5.0 (Windows NT 10.0; WOW64; Trident/7.0; Touch; rv:11.0) like Gecko

Auzins, Erin

From: Andrew Brinkhaus <igotvertigo@hotmail.com>
Sent: Monday, October 7, 2019 8:27 PM
To: Auzins, Erin
Subject: Keep commercial businesses out of Sammamish Valley rural neighborhoods and farmland buffer areas

Dear Supervising Legislative Analyst Erin Auzins,

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Sincerely,
Andrew Brinkhaus
18100 NE 95th St Apt ii1041
Redmond, WA 98052

Auzins, Erin

From: Communications, Comments
Sent: Monday, October 7, 2019 10:44 PM
To: Auzins, Erin
Subject: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>

Submitted from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Submitted at 10:44:04 PM, on Monday, October 7, 2019

Winery_Code:

FromUser: Alexander Batishchev

EMail: abatishchev@gmail.com

addr1: 33306 NE 42nd St

city: Carnation

state: WA

zip: 98014

MessageText: Hello.

I strongly oppose the proposed changes. What language to use to express my objection? I oppose in the strongest terms. Why? Because it makes no sense to curb the wine tasting business on King County. Literally zero.

All arguments to save the environment made by local farmers are basically nonsense. Who's saying, farmers? Oh, please. This is the industry that loves to pollute the environment. Just drive to Eastern Washington near all year around, look and smell how much this industry cares about the environment.

Actually those are local land owners who don't care about anything other than their land, farms, property price, or whatever.

Who's interests are you pursuing here exactly? The public interest of hundreds of thousands of people or of the private interest of tens of local land owners?

Regardless whether they're rich or not, their interest must not overshadow the interest of the rest of the county's population. Are you a democratic stronghold or what? Be it!

Wine making and tasting industry brings in taxes, funds for this county. How much revenue bring in the few of these farms? I don't think it's anywhere comparable.

That being said, stay away from the tasting rooms in Woodinville. Spent your energy and time, means taxpayers' money, on something really necessary. There are so many issues in this county that truly require the attention of local elected officials. This one is not one of those.

Thank you.

User IP Address:10.84.2.22

User Software Client:Mozilla/5.0 (X11; Linux x86_64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/77.0.3865.92 Safari/537.36

Auzins, Erin

From: Robert Kaminski <robert.kaminski91@gmail.com>
Sent: Tuesday, October 8, 2019 9:15 AM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

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Sincerely,
Robert Kaminski
6057 6th Ave NE
Seattle, WA 98115

Auzins, Erin

From: Dominique France <dfrance2009@gmail.com>
Sent: Tuesday, October 8, 2019 9:15 AM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

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Sincerely,
Dominique France
14267 157th Pl NE
Woodinville, WA 98072

Auzins, Erin

From: Noah France <Noah@Chermak.com>
Sent: Tuesday, October 8, 2019 9:15 AM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

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Sincerely,
Noah France
14267 157th PI NE
Woodinville, WA 98072

Auzins, Erin

From: Kaleigh Flynn-Rozanski <kcflynnrozanski@gmail.com>
Sent: Tuesday, October 8, 2019 9:20 AM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

Dear council members. We implore you to think of the community, our farmers, and our environment before anything else. This expansion can be detrimental to all.

While the current Balducci version of the Adult Beverage Ordinance contains improvements over prior versions, there are still two significant flaws that permanently allow adult beverage retail outlets in the Sammamish Valley Rural Area neighborhoods and important farmland buffer areas. I am requesting that you:

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Sincerely,
Kaleigh Flynn-Rozanski
810 2nd Ave Apt 1
Kirkland, WA 98033

Auzins, Erin

From: Amanda Swann <amalou83@mac.com>
Sent: Tuesday, October 8, 2019 9:32 AM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

Hello,

I know you are putting a lot of thought and hours into hearing from both sides of the Adult Beverage Ordinance, so I wanted to take a moment and encourage you to read one more.

We have watched the Woodinville area change drastically in the past 10 years, and it breaks my heart. It used to be you could drive on 202, enjoy seeing the farms and valley. Now as you drive through the area you have to be highly aware of people who are out drinking their day away, who may or may not be watching where they are going. I don't have a problem with people going out to have some fun and grab a drink with friends, but the idea that these are "tasting rooms" seems to be a misnomer. Instead it is more like you are buying a flight of wine or a bottle and enjoying it. This wine is not even from the valley, it is being shipped in. This valley has already lost some awesome farms because of how hard it is to be in the agriculture industry, but with the property surrounding them becoming something other than farmland we are polluting the area. We want the farms in the area to succeed, buying our produce close to home is best for everyone, the environment and our health. Please consider reducing the impact on the land by minimizing the area for the drinking facilities and parking lots required to house those businesses so that we can continue to get local produce. Once the land has been taken away from rural farmland there is no going back.

Thanks,
Amanda

Sincerely,
Amanda Swann
10821 NE 147th Lane, P201
Bothell, WA 98011

Auzins, Erin

From: Carolyn Vache <cvache@comcast.net>
Sent: Tuesday, October 8, 2019 9:38 AM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

Dear King County Council members,

Do any of you listen to what people who live in the area are saying about this issue?

I feel AS IF NO ONE IS LISTENING AND YOU DO NOT CARE. THE NEXT ELECTION WILL BE CRUCIAL TO GETTING ALL OF YOU REMOVED FROM OFFICE.

Best regards,

Carolyn Vache, homeowner for over 30 years

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Sincerely,

Carolyn Vache
17723 NE 133rd St
Redmond, WA 98052

Auzins, Erin

From: Sabrina Poor <sabrinajoypoor@gmail.com>
Sent: Tuesday, October 8, 2019 9:53 AM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

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Sincerely,
Sabrina Poor
13305 Ne 171st St Apt L176
Woodinville, WA 98072

Auzins, Erin

From: Stephanie Sullivan <stephanie@gynex.com>
Sent: Tuesday, October 8, 2019 1:28 PM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

While the current Balducci version of the Adult Beverage Ordinance contains improvements over prior versions, there are still two significant flaws that permanently allow adult beverage retail outlets in the Sammamish Valley Rural Area neighborhoods and important farmland buffer areas. I am requesting that you:

- 1) Remove Demonstration Project Overlay A from the Sammamish Valley.
- 2) Require WBDs in the RA and A zones to conduct all 3 stages of beverage production as defined by the state, and limit sales to only beverages produced on-site.

The wine tourism industry in Woodinville is booming and doesn't need County help in order to grow. There is plenty of space inside the Urban Growth Area for additional beverage retail outlets. In fact, beverage tourism relies on the Valley's verdant open spaces and will be harmed by commercial development of the Valley.

Rampant land price speculation and environmental degradation from upslope toxic runoff are existential threats to the Valley's APD farm businesses. Public health and safety issues are increasing because urban use businesses are operating where commercial infrastructure - such as sewer hookup, left turn lanes, sidewalks and lighting - does not exist. Rewarding code violators and opening the Valley to even more urban use will only increase the negative impacts.

The latest Ordinance attempts to mitigate these damages by limiting the building sizes, parking, and hours of operation of the retail businesses to the point where they will not be able to operate effectively. You've heard as much from them. This approach, together with a lack of clarity in some parts of the Ordinance, will only lead to endless code enforcement battles. None of the goals the Ordinance sets out to solve will be met and we will be right back where we started.

Why is the Council supporting the narrow interests of a handful of code violators and land speculators over the will of the people? Why is the Council skirting the Growth Management Act which protects our designated APD farmland, watershed and Rural Area? Please do the right thing and keep urban use businesses out of the Sammamish Valley Rural Area neighborhoods and farmland buffer areas.

Sincerely,
Stephanie Sullivan
16219 NE 135th St
Redmond, WA 98052

Auzins, Erin

From: Rajee ramachandran <rajee.nair@gmail.com>
Sent: Tuesday, October 8, 2019 1:46 PM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

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Sincerely,
Rajee ramachandran
16904 NE 130th St
Redmond, WA 98052

Auzins, Erin

From: Stephen Douglas <stevedouglas44@gmail.com>
Sent: Tuesday, October 8, 2019 1:54 PM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

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Sincerely,
Stephen Douglas
18521 NE 191st Street
Woodinville, WA 98077

Auzins, Erin

From: Steven Doe <stevenadoe@hotmail.com>
Sent: Tuesday, October 8, 2019 1:55 PM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

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Sincerely,
Steven Doe
13324 174th Ave NE
Redmond, WA 98052

Auzins, Erin

From: Vincent Tseng <vince747@live.com>
Sent: Tuesday, October 8, 2019 2:15 PM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

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Sincerely,
Vincent Tseng
13524 157th CT NE
REDMOND, WA 98052

Auzins, Erin

From: KIm Prince <kim.k.prince@comcast.net>
Sent: Tuesday, October 8, 2019 4:26 PM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

While the current Balducci version of the Adult Beverage Ordinance contains improvements over prior versions, there are still two significant flaws that permanently allow adult beverage retail outlets in the Sammamish Valley Rural Area neighborhoods and important farmland buffer areas. I am requesting that you:

- 1) One of the parcels (the most Northerly) is located in The Farm Community, the lot and house are subject to our CC&R's, they pay dues to The Farm Association and have the rights to use Farm amenities. How can you remove a parcel from our community? Is this an error? Remove Demonstration Project Overlay A from the Sammamish Valley. It is flawed and serves the violators, in this case The Farm real estate was recently purchased by Cave B.
- 2) Require WBDs in the RA and A zones to conduct all 3 stages of beverage production as defined by the state, and limit sales to only beverages produced on-site.

There is plenty of space inside the Urban Growth Area for additional beverage retail outlets. In fact, beverage tourism relies on the Valley's ambience, the flower market, lavender farm, small local farms and farm stands. The large growing wine industry.

Land speculation and environmental degradation from upslope toxic runoff are existential threats to the Valley's APD farm businesses. Public health and safety issues are increasing because urban use businesses are operating where commercial infrastructure - such as sewer hookup, left turn lanes, sidewalks and lighting - does not exist. Rewarding code violators and opening the Valley to even more urban use will only increase the negative impacts.

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Sincerely,
KIm Prince
14343 157th Ave NE
Woodinville, WA 98072

Auzins, Erin

From: Aslaug Haraldsdottir <aslaug.haraldsdottir@comcast.net>
Sent: Tuesday, October 8, 2019 4:27 PM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

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Sincerely,
Aslaug Haraldsdottir
14255 157th PI NE
Woodinville, WA 98072

Auzins, Erin

From: Joan Kelleher <jpkelleher@comcast.net>
Sent: Tuesday, October 8, 2019 4:29 PM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

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Sincerely,
Joan Kelleher
14634 138th Way NE
Woodinville, WA 98072

Auzins, Erin

From: Karin Hsiao <karin.hsiao@gmail.com>
Sent: Tuesday, October 8, 2019 7:51 PM
To: Balducci, Claudia
Cc: kcexec@kingcounty.gov; Dembowski, Rod; Dunn, Reagan; von Reichbauer, Pete; Gossett, Larry; Lambert, Kathy; McDermott, Joe; Kohl-Welles, Jeanne; Upthegrove, Dave; Balducci, Claudia; Auzins, Erin; Wolf, Karen
Subject: Beverage ordinance -- Sammamish Valley

Dear Councilmember Balducci,

First of all, I want to thank you for the work you have done on the Beverage Ordinance.

I attended Monday's COW meeting and listened carefully to the public testimony and Council discussion on the Beverage Ordinance, and to your statement that preceded the vote. I left the meeting discouraged and disillusioned, and have spent the last 24-plus hours trying to put my finger on why I feel the way I do.

I think it comes down to your statement that you believe the current ordinance strikes a good "balance" between the needs of farms/farmers and winery/brewery/distillery owners in the Valley. I agree that balance always sounds good, like a compromise, something that helps everyone a little bit. But I think you are wrong in this case.

Why are you looking to balance competing needs within this narrow stretch of the valley (Demonstration Project Overlay A)? When you look at the Valley as a whole — or indeed the greater Woodinville area — you can see that there are far more wineries/breweries/distilleries and tasting rooms than there are farms. Moreover, there are additional locations where WBDs could — legally — operate today, without any change to existing code. If some creative work was done on the west side of the Valley, locations could even be opened up to the river and to views of the farmland on the east side without putting that farm land at risk. So in my mind, your efforts to find balance are in fact tipping the scales dramatically and unfairly toward WBDs/tasting rooms.

Also, you flat out stated that you don't believe the farmers, hydrologists and other experts who have testified that the ordinance will put their lands and therefore their livelihoods at risk, to say nothing of the rest of the Valley and the river. I have to ask, on what information do you base your contrary belief? And, as a taxpayer, I would like to know what will happen if you are wrong? Who will be liable for the damage that the farmers and other experts say will result from the development that will inevitably follow passage of the ordinance as it now stands?

There are other things that bother me, as I have stated in previous messages to you and the rest of the Council (the injustice of businesses that have operated illegally for years being "grandfathered in" to the new ordinance; the utter lack of enforcement of existing law, the potential violation of the Growth Management Act), but the above is what has been eating at me since yesterday.

One more thing, and this is where my disillusionment comes in. Although I didn't keep a count, it seemed to me that the public testimony ran at least five to one against passage of the ordinance as it now stands, more if you take out the folks from Vashon Island. And yet eight of the nine of you voted to move the Ordinance forward, with only two, as far as I could tell, voicing any reservations. Something was going on there, but it didn't look like democracy to me.

Karin Hsiao
Unincorporated King County resident
14710 NE 169th Street
Woodinville, WA 98072

Auzins, Erin

From: Susan MacGregor <seesue@gmail.com>
Sent: Tuesday, October 8, 2019 11:06 PM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

While the current Balducci version of the Adult Beverage Ordinance contains improvements over prior versions, there are still two significant flaws that permanently allow adult beverage retail outlets in the Sammamish Valley Rural Area neighborhoods and vitally important farmland buffer areas. I am requesting that you:

- 1) Remove Demonstration Project Overlay A from the Sammamish Valley.
- 2) Require WBDs in the RA and A zones to conduct all 3 stages of beverage production as defined by the state, and limit sales to only beverages produced on-site.

The wine tourism industry in Woodinville is booming and doesn't need County help in order to grow. There is plenty of space inside the Urban Growth Area for additional beverage retail outlets. In fact, beverage tourism relies on the Valley's verdant open spaces and will be harmed by commercial development of the Valley.

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Why is the Council supporting the narrow interests of a handful of code violators and land speculators over the will of the people and the preservation of the valley? Why is the Council skirting the Growth Management Act which protects our designated APD farmland, watershed and Rural Area? Please do the right thing and keep urban use businesses out of the Sammamish Valley Rural Area neighborhoods and farmland buffer areas.

Please keep the Sammamish Valley rural - there aren't many like it left in our region.

Sincerely,
Susan MacGregor
16911 NE 95th
Redmond, WA 98052

Auzins, Erin

From: THOMAS NELSON <thomasnelson@hotmail.com>
Sent: Wednesday, October 9, 2019 10:05 AM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

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Sincerely,
THOMAS NELSON
22325 NE 140th Way
Woodinville, WA 98077

Auzins, Erin

From: justas vilgalys <justasvilgalys@hotmail.com>
Sent: Wednesday, October 9, 2019 10:40 AM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

I cannot believe that King county is allowing blatant rule breakers continue doing business in Sammamish valley. We should not reward them. We should make them close shop and protect the valley.

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Sincerely,
justas vilgalys
18320 NE 204th Ct
Woodinville, WA 98077

Auzins, Erin

From: April Guerre <aprilmg@protonmail.com>
Sent: Wednesday, October 9, 2019 4:39 PM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

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Please do the right thing for Washington's soil and for the future of its climate. While we can't always be at every meeting, Puget Sound's youth and students are watching.

Sincerely,
April Guerre
17610 Woodinville Snohomish Rd NE
Woodinville, WA 98072

Auzins, Erin

From: Communications, Comments
Sent: Wednesday, October 9, 2019 9:35 PM
To: Auzins, Erin
Subject: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>

Submitted from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Submitted at 9:35:04 PM, on Wednesday, October 9, 2019

Winery_Code:

FromUser: Jeff Clayton

EMail: jsclayton4@comcast.net

addr1: 28024 227th PI SE

city: Maple Valley

state: WA

zip: 98038-5140

MessageText: Hello,

I wanted to voice my opinion that this measure should NOT be made a new ordinance in King County. There are thousands of workers, me included that would be harmed by this ordinance. This would also impact the Woodinville wine area tremendously since many tasting rooms do not produce on the West side and only produce in Eastern Washington. Having the tasting room over here makes it easier for consumers to try and purchase our products and to add to the county tax base. Without tasting rooms consumers will lose that ability to try and spend their money in the county. Do not kill off a viable business and do not take away these valuable jobs in the area.

Vote No on the new ordinance.

Sincerely,
Jeff

User IP Address:10.84.2.22

User Software Client:Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko)
Chrome/77.0.3865.90 Safari/537.36

Auzins, Erin

From: amanda uluhan <aaroeschknapp@gmail.com>
Sent: Wednesday, October 9, 2019 9:58 PM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

While the current Balducci version of the Adult Beverage Ordinance contains improvements over prior versions, there are still two significant flaws that permanently allow adult beverage retail outlets in the Sammamish Valley Rural Area neighborhoods and important farmland buffer areas. I am requesting that you:

- 1) Remove Demonstration Project Overlay A from the Sammamish Valley.
- 2) Require WBDs in the RA and A zones to conduct all 3 stages of beverage production as defined by the state, and limit sales to only beverages produced on-site.

The wine tourism industry in Woodinville is booming and doesn't need County help in order to grow. There is plenty of space inside the Urban Growth Area for additional beverage retail outlets. In fact, beverage tourism relies on the Valley's verdant open spaces and will be harmed by commercial development of the Valley.

Rampant land price speculation and environmental degradation from upslope toxic runoff are existential threats to the Valley's APD farm businesses. Public health and safety issues are increasing because urban use businesses are operating where commercial infrastructure - such as sewer hookup, left turn lanes, sidewalks and lighting - does not exist. Rewarding code violators and opening the Valley to even more urban use will only increase the negative impacts.

The latest Ordinance attempts to mitigate these damages by limiting the building sizes, parking, and hours of operation of the retail businesses to the point where they will not be able to operate effectively. You've heard as much from them. This approach, together with a lack of clarity in some parts of the Ordinance, will only lead to endless code enforcement battles. None of the goals the Ordinance sets out to solve will be met and we will be right back where we started.

Why is the Council supporting the narrow interests of a handful of code violators and land speculators over the will of the people? Why is the Council skirting the Growth Management Act which protects our designated APD farmland, watershed and Rural Area? Please do the right thing and keep urban use businesses out of the Sammamish Valley Rural Area neighborhoods and farmland buffer areas.

Sincerely,
amanda uluhan
13325 ne 118th ct
Redmond, WA 98052

Auzins, Erin

From: Jeanne Large <jeannemlarge2010@hotmail.com>
Sent: Thursday, October 10, 2019 11:15 PM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

Raised on a small family farm, I have sensitivity and knowledge of the issues the Sammamish Valley farm community is facing. Codes that limit the use of farmland limit its value and its productivity as well as the commitments of those who invested in and worked hard to develop and retain agriculture. Building tasting rooms and parking lots reduces our ability to produce food and limits the preservation of important agricultural land near where we live. WE NEED MORE LAND AND MORE PEOPLE DEVOTED TO PRODUCING FOOD THAT IS CONSUMED NEAR WHERE IT IS GROWN, NOT LESS! WE DON'T NEED TO BURN MORE FUEL AND POLLUTE MORE AIR IN ORDER TO HAUL FOOD LONG DISTANCES!

While the current Balducci version of the Adult Beverage Ordinance contains improvements over prior versions, there are still two significant flaws that permanently allow adult beverage retail outlets in the Sammamish Valley Rural Area neighborhoods and important farmland buffer areas. I am requesting that you:

- 1) Remove Demonstration Project Overlay A from the Sammamish Valley.
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Sincerely,

Jeanne Large
225 4th Ave A-203
Kirkland, WA 98033

Auzins, Erin

From: Lydia Gladstone <lydiagladstone@msn.com>
Sent: Friday, October 11, 2019 1:25 PM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

While the current Balducci version of the Adult Beverage Ordinance contains improvements over prior versions, there are still two significant flaws that permanently allow adult beverage retail outlets in the Sammamish Valley Rural Area neighborhoods and important farmland buffer areas. I am requesting that you:

- 1) Remove Demonstration Project Overlay A from the Sammamish Valley.
- 2) Require WBDs in the RA and A zones to conduct all 3 stages of beverage production as defined by the state, and limit sales to only beverages produced on-site.
- 3) Environmental impact Statements must be completed.

The wine tourism industry in Woodinville is booming and doesn't need County help in order to grow. There is plenty of space inside the Urban Growth Area for additional beverage retail outlets. In fact, beverage tourism relies on the Valley's verdant open spaces and will be harmed by commercial development of the Valley.

A property (4.8 acres) next door to us at 16408 ne 143th st is being sold as a potential tasting room for \$1.2 million.

" Build your dream equestrian property, family vineyard estate or tasting room. Feasibility study completed."

Rampant land price speculation and environmental degradation from upslope toxic runoff are existential threats to the Valley's APD farm businesses. Public health, safety issues, and insurance rates are increasing because urban use businesses are operating where commercial infrastructure - such as sewer hookup, left turn lanes, sidewalks and lighting - does not exist. Rewarding code violators and opening the Valley to even more urban use will only increase the negative impacts.

The latest Ordinance attempts to mitigate these damages by limiting the building sizes, parking, and hours of operation of the retail businesses to the point where they will not be able to operate effectively. You've heard as much from them. This approach, together with a lack of clarity in some parts of the Ordinance, will only lead to endless code enforcement battles. None of the goals the Ordinance sets out to solve will be met and we will be right back where we started.

Property (4.8 acres) next door to us at 16408 ne 143rd st. is being sold as a potential tasting room for \$1.2 million on Zillow. " Build your dream equestrian property, family vineyard estate or tasting room. Feasibility study completed."

All our insurance, home owners', and liability (umbrella insurance) will sky rocket due to the invasion of population to these "event centers".

Why is the Council supporting the narrow interests of a handful of code violators and land speculators? Why is the Council skirting the Growth Management Act which protects our designated APD farmland, watershed and

Rural Area? Please do the right thing and keep urban use businesses out of the Sammamish Valley Rural Area neighborhoods and farmland buffer areas.

Sincerely,
Lydia Gladstone
16511 NE 145th st
Woodinville, WA 98072

Auzins, Erin

From: Communications, Comments
Sent: Friday, October 11, 2019 2:55 PM
To: Auzins, Erin
Subject: FW: Sammamish River Valley - Support for Wineries on Ag zoned property

From: Dave Otto <dgosb@yahoo.com>
Sent: Tuesday, October 8, 2019 12:57 PM
To: Communications, Comments <council@kingcounty.gov>
Subject: Sammamish River Valley - Support for Wineries on Ag zoned property

To Whom it may concern,

I have been a resident of Woodinville for the last 4 years. In this short time, many things have changed, mostly for the better. Being situated on the outskirts of the Seattle metropolitan area, the days of Woodinville being in the "sticks" like it was in the 1980s and 1990s are long gone. The area's economy has been growing since the tech era kicked into high gear in the mid-90s, giving people opportunities that they could only dream about: good paying jobs in relatively safe conditions that results in creating economic opportunities for restaurants, bars, grocery stores, boutiques, car dealers, mechanics, etc... It also creates traffic, demand for housing and industrial sites on precious land that puts pressure on rural land and open spaces. More change is coming. Seattle will only continue to grow out into the rural districts in the coming years. The main question is how to manage this growth in a way that doesn't take away too much from the character of the area and make it another mindless, listless metropolitan area that has no soul.

As part of the planning council for the rural areas of King County, you have a difficult task. NIMBY folks want it the way it was 25 years ago. Developers and real estate speculators are pounding at your door to develop any piece of open space into a strip mall or new housing. Young families and the growing population are creating escalating home and retail real estate prices that benefits those who bought a few years ago, but are potentially hurting new market entrants like young families or college grads looking to start a family with high levels of debt. Everyone has a concern.

This is why I am writing, as a concerned citizen. For the last several years, the council has debated whether wineries operating outside of the previously rural designated zones along 202 in unincorporated King County can remain or should be shut down and put into compliance with old zoning ordinances. As someone who enjoys the ambiance and feeling that has been created with the wineries in this part of the county and within the Woodinville city limits, it seems it would be a huge mistake to chase good businesses that have carved out a niche in a rural area that keeps to the spirit of the setting and actually improves it for human use, without creating a concrete jungle. If we are to maintain a semi-rural paradise within a growing metropolitan area, these should be the model for doing it right.

I am strongly requesting that the council work with the property owners along 202, to keep what they've developed and work with them to model a growth model for other potential businesses that would be on this stretch, that keeps to the character of the area. Zoning should be amended to allow for controlled growth and businesses that will not create an urban zone that will destroy the rural character of the area. The current businesses are not ruining the area.

Thank you for your consideration,

David Otto
Woodinville, WA

Auzins, Erin

From: Communications, Comments
Sent: Friday, October 11, 2019 2:55 PM
To: Auzins, Erin
Subject: FW: Woodinville wineries

From: Bob Owen <zephyr5555@hotmail.com>
Sent: Monday, October 7, 2019 12:24 PM
To: Communications, Comments <council@kingcounty.gov>
Subject: Woodinville wineries

Dear Council members,

I am a King County voter. I enjoy trips to Woodinville wine country.

This vibrant area has grown because of widespread public interest and support.

It includes large corporate wine making facilities, smaller warehouse based production facilities with tasting rooms, tasting rooms representing wineries from east of the mountains, breweries and distilleries with sales and tasting rooms, wine dealers representing wine from around the world, bakeries, restaurants and coffee places dedicated to keeping the wine folks and others in the community fed and watered.

These businesses have grown and thrived organically, creating transportation and access challenges.

Attempting to administratively manage this growth after the fact of such growth is neither fair nor smart. The winery and tasting room situation requires careful study, and ample grandfathering provisions. These businesses have been great long term neighbors and community supporters. Asking them to help create appropriate regulations for their area and businesses is a smart next step.

Thank you for your time,

Bob Owen
206-324-3495

Auzins, Erin

From: Communications, Comments
Sent: Friday, October 11, 2019 10:31 PM
To: Auzins, Erin
Subject: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>

Submitted from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Submitted at 10:30:51 PM, on Friday, October 11, 2019

Winery_Code:

FromUser: Venlin J.Chan

EEmail: venlinjosephchan@yahoo.com

addr1: 16338 140th Place NE

city: Woodinville

state: WA

zip: 98072

MessageText: Greeting,
Re: 2018-0241 Version 2 , Amendment 3
Dunn-1 TUP for events

Please delete the word of " existing " in line 51 so as to give the benefit/advantage to more lot owner of size bigger than 8 acres with access using arterial.

The amendment 3 as it is only applies to 5 existing WBDs.

I am an owner of 11.41 acres on arterial of 140th Place NE Woodinville.

I have withheld myself from starting a WBD business for years waiting for the code finalization. My WBD business plan includes a vital activity of holding events.

Thank you and regards,

Joseph Chan

User IP Address:10.84.2.22

User Software Client:Mozilla/5.0 (Windows NT 6.1; WOW64) AppleWebKit/537.36 (KHTML, like Gecko)

Chrome/77.0.3865.90 Safari/537.36

Auzins, Erin

From: Communications, Comments
Sent: Saturday, October 12, 2019 11:48 AM
To: Auzins, Erin
Subject: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>

Submitted from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Submitted at 11:48:25 AM, on Saturday, October 12, 2019

Winery_Code:

FromUser: Norman LeMoine

EMail: nllemoine@blarg.net

addr1: 342 22nd Ave E

city: Seattle

state: WA

zip: 98112

MessageText: I am very concerned about the proposed changes in land use codes to allow wine/beer industry use of agricultural land near Woodinville. I would hate to see another travesty as we have witnessed in the Rainier Valley. I appreciate any help from the Council in preserving agricultural land. Please let me know of pertinent information and ways to become involved in decision-making regarding this issue.

User IP Address:10.84.2.22

User Software Client:Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko)
Chrome/77.0.3865.90 Safari/537.36

Auzins, Erin

From: Communications, Comments
Sent: Monday, October 14, 2019 9:41 AM
To: Auzins, Erin
Subject: FW: 2018-0241 Version 2 , Amendment 3 Dunn-1 TUP for events

From: VenLin Joseph Chan <venlinjosephchan@yahoo.com>
Sent: Friday, October 11, 2019 10:38 PM
To: Communications, Comments <council@kingcounty.gov>
Subject: 2018-0241 Version 2 , Amendment 3 Dunn-1 TUP for events

Dear Councilmembers,

On the 2018-0241 Version 2 , Amendment 3 Dunn-1 TUP for events

Please delete the word of " existing " in line 51 so as to give the benefit/advantage to more lot owner of size bigger than 8 acres with access using arterial.

The amendment 3 as it is only applies to 5 existing WBDs.

I am an owner of 11.41 acres on arterial of 140th Place NE Woodinville.

I have withheld myself from starting a WBD business for years waiting for the code finalization. My WBD business plan includes a vital activity of holding events.

Thank you and regards,

Joseph Chan

Auzins, Erin

From: Nancy Anderson <nancyhuhtelinanderson@gmail.com>
Sent: Monday, October 14, 2019 11:15 AM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

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The wine tourism industry in Woodinville is booming and doesn't need County help in order to grow. There is plenty of space inside the Urban Growth Area for additional beverage retail outlets. In fact, beverage tourism relies on the Valley's verdant open spaces and will be harmed by commercial development of the Valley.

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Sincerely,
Nancy Anderson
26657 SE 31st St.
Sammamish, WA 98075

Auzins, Erin

From: Nancy Anderson <nancyhuhtelinanderson@gmail.com>
Sent: Monday, October 14, 2019 11:15 AM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

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Sincerely,
Nancy Anderson
26657 SE 31st St.
Sammamish, WA 98075

Auzins, Erin

From: Kathleen Forman <pkforman@juno.com>
Sent: Saturday, October 19, 2019 10:36 AM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

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Sincerely,
Kathleen Forman
17120 117th Ct NE
Bothell, WA 98011

Auzins, Erin

From: Paul Forman <pkforman@juno.com>
Sent: Saturday, October 19, 2019 10:37 AM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

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Sincerely,
Paul Forman
17120 117th Ct NE
Bothell, WA 98011

Auzins, Erin

From: Rose Marie Gai <peproni@aol.com>
Sent: Sunday, October 20, 2019 9:04 AM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

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Sincerely,
Rose Marie Gai
18109 155th Ave NE
Woodinville, WA 98072

Auzins, Erin

From: Debra Ohman <debbieandjerry@yahoo.com>
Sent: Thursday, October 24, 2019 11:10 PM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

Wasn't it Executive Constantine, who pointed to farms like the Root Connection as proof that urban agriculture could work, supported by county laws and regulations? Does the county still support local farming? The Sammamish Valley is incredibly rich and fertile. Encroaching development that isn't legal, where they have to ask for laws to be changed to make it legal, rewards rule breaking and penalizes hard working farmers and their customers. I'm disappointed in my elected representatives.

While the current Balducci version of the Adult Beverage Ordinance contains improvements over prior versions, there are still two significant flaws that permanently allow adult beverage retail outlets in the Sammamish Valley Rural Area neighborhoods and important farmland buffer areas. I am requesting that you:

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Sincerely,
Debra Ohman

11404 NE 103rd Place
Kirkland, WA 98033

Auzins, Erin

From: Communications, Comments
Sent: Friday, November 1, 2019 8:09 AM
To: Auzins, Erin
Subject: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>

Submitted from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Submitted at 8:09:17 AM, on Friday, November 1, 2019

Winery_Code:

FromUser: Lori Johnson

EMail: lori@wafoodtrucks.org

addr1: 336 36th st #212

addr2: Bellingham, WA 98225

city: bellingham

state: WA

zip: 98225

MessageText: By severely limiting the customer base at winery/brewery events, you are also limiting the customer base for the food trucks that have become very accustomed to providing the food option for these non-food establishments and this will hurt the mobile food industry here in Washington.

User IP Address:10.84.2.22

User Software Client:Mozilla/5.0 (Windows NT 6.3; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko)

Chrome/76.0.3809.132 Safari/537.36

Auzins, Erin

From: Communications, Comments
Sent: Friday, November 1, 2019 9:23 AM
To: Auzins, Erin
Subject: Form submission from: <https://kingcounty.gov/council/issues/winery-code.aspx>

Submitted from: <https://kingcounty.gov/council/issues/winery-code.aspx>
Submitted at 9:23:22 AM, on Friday, November 1, 2019

Winery_Code:

FromUser: Kevin Scott

EMail: kevin@k2scott.com

addr1: 15020 Northeast 144th Street

city: Redmond

state: WA

zip: 98052

MessageText: Please be advised that under the proposed ordinance, Parcel number 2481600120 which is currently included in the Remote Tasting Demonstration Project A does not meet the criteria required as having direct access to an arterial road. While this parcel does adjoin the arterial, it's access is via a residential street (NE 144th St) and therefore should be excluded from the Demonstration project.

User IP Address:10.84.2.22

User Software Client:Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko)
Chrome/78.0.3904.87 Safari/537.36

Auzins, Erin

From: Communications, Comments
Sent: Sunday, November 3, 2019 7:49 PM
To: Auzins, Erin
Subject: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>

Submitted from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Submitted at 7:48:54 PM, on Sunday, November 3, 2019

Winery_Code:

FromUser: Greg Wagner

EEmail: theultimatemelt@live.com

addr1: 4957 Lakemont Blvd SE, Suite C-4, #261

city: Bellevue

state: WA

zip: 98006

MessageText: By severely limiting the customer base at winery & brewery events, you are also limiting the customer base for the food trucks that have become very accustomed to providing the food options for these non-food establishments and this will hurt the very popular mobile food industry here in King County.

User IP Address:10.84.2.22

User Software Client:Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko)
Chrome/70.0.3538.102 Safari/537.36 Edge/18.18362

From: [Serena Glover](#)
To: [Auzins, Erin](#)
Subject: Data for Adult Beverage Ordinance Record
Date: Monday, November 11, 2019 10:32:56 AM
Attachments: [FoSV 11-10-19 Response Letter to Adult Beverage Ordinance 2018 -0241.pdf](#)

Erin,

Please submit this document to the record for the Adult Beverage Ordinance 2018-0241.

Thanks,

Serena Glover
ED, Friends of Sammamish Valley
425-985-2992

Memo To: Chair Dembowski and King County Councilmembers
CC: Executive Dow Constantine, Erin Auzins, Karen Wolfe
From: Friends of Sammamish Valley
Date: November 10, 2019
RE: WBDs: The “Problem” is Enforcement – Not the Current Code

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable. The premise that Proposed Ordinance 2018-0241 “tightens-up” current code is also flawed. Unfortunately, some comments made during the Oct 7, 2019 COW meeting tend to accept these premises, which on closer examination are not supported by facts or data. (Exhibit D).

The problem is *not* in the current code; it’s in the failure to enforce it.

Existing code for adult beverage businesses is clear. (Exhibit A). Specifically, code states: “**sales are limited to products produced on-site.**” The eight Sammamish Valley violators all truck in product from their production facilities in Eastern Washington or elsewhere. None of them produce on site.

Code enforcement can deal with the eight Sammamish Valley violators using this one clause alone. A new ordinance is not needed.

Home occupation code complaints can also be dealt with using existing code. Some home occupation breweries in the South Sound have generated complaints because on-site drinking has grown to a scale that disrupts neighbors. Home occupation requirements that “sales of on-site services to patrons are arranged by appointment” and “one parking stall for patrons when services are rendered on-site” and “closing hours of 5pm on weekdays and 7pm on weekends” are sufficient to contain a small Rural Area home occupation brewery from turning into a full-scale pub. (Exhibit A).

Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code.

Under the guise of “tightening up” code, the Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments – businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. (Exhibit B). The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County’s Comprehensive Plan and the GMA. (Exhibit C).

The Proposed Ordinance also increases WBD building sizes and reduces WBD minimum lot size from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage. (Exhibit B). A new analysis conducted on just one square mile of Rural Area reveals that 40 parcels could be converted to WBDs with up to 328,500 sq. ft. of alcohol production and sales space. (Exhibit F). The impact of the Proposed Ordinance throughout King County Rural and Agricultural Areas is significant.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. **Remote tasting rooms are not allowed at all under the existing code and should not be permitted in the Rural Area in the first**

place. Not to mention that of some of these constraints are extremely difficult to enforce once customers are on-site.

The Proposed Ordinance is completely inconsistent with decades of carefully upheld land use policy. It rewards a handful of persistent violators, some of whom have already proposed even broader commercial development for the Sammamish Valley farmland. (Exhibit E). **Rewarding violators drives further land speculation. The County must take a very strong stand against the violators and speculators by upholding the Urban Growth Boundary, or our farmland and Rural Area buffers will be lost forever.**

There may be some room for limited discrete improvements in the current code. **But a 100+ page, extremely confusing Ordinance that in effect opens up Rural and Agricultural Areas to retail development does not improve the current code.** Nor does it solve the real problem – lack of code enforcement.

Numerous constituencies including farmers, environmental organizations, legally operating businesses and residents from throughout the County have extensively documented all the negative impacts of the current violators and the Proposed Ordinance. **Adoption of the Proposed Ordinance could cause much harm before a court or the Growth Management Hearings Board would be able to intervene.**

Please vote NO on the Proposed Ordinance.

Exhibit A: Current King County Zoning

Definitions

“Wineries”, “Breweries” and “Distilleries” are defined, classified and regulated as manufacturing facilities. The primary activity of these facilities is manufacturing of wine, beer and distilled spirits. Any winery, brewery or distillery that requires a conditional use permit is “limited to processing agricultural products”.

Zoning Conditions

Businesses manufacturing wine, beer, and liquor (“Adult Beverages”) on Rural and Agricultural sites must meet certain conditions:

- On sites zoned Agricultural, manufacturing of Adult Beverages is allowed only as an accessory use. The primary use of the site must be farming or raising livestock. An “accessory use” is defined as being subordinate and incidental to the primary use.
- In both Rural and Agricultural Areas, floor area of structures used for processing may not exceed 3,500 square feet unless a conditional use permit is obtained. The area devoted to tasting shall be included in the floor area limitation.
- In Rural Areas the minimum lot size is 4.5 acres for facilities up to 3,500 square feet.
- Sixty percent or more of the products processed on Rural and Agricultural sites must be grown in Puget Sound counties.
- Whenever a conditional use permit is required, the following conditions must be met:
 - If the total floor area of structures exceeds 6,000 square feet in Rural and Agricultural Areas:
 - The minimum site size (two or more lots under common ownership) is ten acres; and
 - At least two and one-half acres of the site must be used for growing agricultural products.
 - The facility shall be limited to processing agricultural products and sixty percent or more of the products processed must be grown in Puget Sound Counties.
 - Except on Vashon-Maury Island, the total maximum floor area for processing and all accessory uses is 8,000 square feet. A below-grade basement up to 8,000 square feet is also allowed. (Structure size limits exclude historic structures). On Vashon-Maury Island the floor area for processing and all accessory uses, including below-grade basements is limited to a total of 6,000 square feet (total above and below-grade).
 - Off-street parking is limited to one hundred and fifty percent of the minimum requirement. The minimum requirement is 0.9 of a space per 1,000 square feet of manufacturing area, plus 1 space per 50 square feet of tasting area.

- Structures and areas used for processing must be set back a minimum of seventy-five feet from property lines adjacent to rural area and residential zones (excluding historic structures).

Tastings and Sales

- Manufacturing facilities may offer tastings of beverages produced on site. Beverages produced elsewhere may not be served.
- Manufacturing facilities are limited to sales of products produced on-site for consumption off site as an accessory use to the primary manufacturing land use. “Accessory Use” is defined as an activity that is subordinate and incidental to the primary manufacturing activity. Beverages produced elsewhere may not be sold.

Sanitation and Water Use

- Wineries, breweries and distilleries must comply with all health, water and wastewater regulations:

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. Wineries, breweries and distilleries using water from exempt wells shall install a water meter.

Winery Special Events on Agricultural and Rural Sites

- Limited to two events per month.
- All parking must be accommodated on site.
- A temporary use permit is required.

Home Occupation

Under King County Code, section 21A.30.080 the following restrictions, among others, apply to home occupation businesses in the Rural zone:

- No more than one nonresident employee shall be permitted to work on-site for the home occupation or occupations;
- In addition to required parking for the dwelling unit [the homeowners], on-site parking is provided as follows:
 - One stall for each nonresident employed by the home occupations; and
 - One stall for patrons when services are rendered on-site;
- There shall be no exterior evidence of a home occupation, other than growing or storing of plants or a permitted sign, that would cause the premises to differ from its residential character. Exterior evidence includes, but is not limited to, lighting, the generation or emission of noise, fumes or vibrations as determined by using normal senses from any lot line or on average increase vehicular traffic by more than four additional vehicles at any given time
- Sales are limited to:
 - Mail order sales;

- Telephone, Internet or other electronic commerce sales with off-site delivery; and
 - Items accessory to a service provided to patrons who receive services on the premises;
 - On-site services to patrons are arranged by appointment;
- Customer visits and deliveries shall be limited to the hours of 8:00 a.m. to 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends

Exhibit B: Ordinance Expands Alcohol Sales onto Rural and Agricultural Lands

Despite claims by King County to the contrary, the Proposed Ordinance does not “tighten up” regulations on alcohol sales and production. In fact, it significantly relaxes regulations in the current code as follows:

- **The Ordinance legalizes retail “Remote Tasting Rooms” in Demonstration Project Overlay A, in the Sammamish Valley Rural Area.**

This particular location could not be worse as it already serves as an ecological buffer for the farmland, protecting it from runoff from upslope residential activities and requiring 75% non-impervious surface. (SO-120 Agricultural Production District Overlay). Any number of WBDs can jointly operate their bars in one remote tasting room facility. These facilities have no production and are purely retail sales outlets. The name “Tasting” is a misnomer, as they can serve alcohol by the glass and bottle. “Demonstration Project” is also a misnomer as these locations become legally non-conforming after 5 years and are permanent.

It appears the primary reason for Overlay A is to legitimize five of the eight Sammamish Valley violators (Casa Felciana, Cougar Crest, Cave B, Forgeron, and Sky Mead). Yet, Overlay A contains 13 parcels and extends south well past the violators’ sites along Redmond-Woodinville Road. Are the Councilmembers aware that the southern-most parcel – a single family home – is owned by Greg Lill? Mr. Lill has proposed large-scale development of the Sammamish Valley (Exhibit E). His existing event center business in the Rural Area, Chateau Lill, directly benefits from the Proposed Ordinance, and the gerrymandered boundary obviously benefits him. It appears Overlay A has been tailored to facilitate expansion of Mr. Lill’s retail drinking establishment operations in the Rural Area, or at a minimum it certainly gives that impression.

- **The Ordinance legalizes sham WBDs that really operate as retail bars with no production.**

Until recently, wineries actually made wine, through all the steps of the production cycle: from crushing the grapes, to fermenting the grapes, blending and bottling. The same has been true for breweries and distilleries. And anyone who has walked into an actual winery, brewery, or distillery knows these manufacturing facilities use up lots of space for equipment.

But that is not the scenario the Proposed Ordinance legitimizes. A new “sham winery acting as a bar” business model has emerged.

One business in the Sammamish Valley Rural Area – Matthews – has decided to call itself a winery even though it only stores a couple of barrels in a back closet. Matthews is owned by Diane and Cliff Otis. Cliff is also a co-author on the proposed large-scale development of the Sammamish Valley. (Exhibit E). All their wine is trucked in from their state-of-the-art winery in Walla Walla. They use all their space in the Sammamish Valley location for a retail bar, as there is no manufacturing equipment. They serve wine by the glass and bottle, have live music and dancing, and bring food trucks and other entertainment on-site. They’ve been referred to online as a nightclub and they’re packed on a typical Friday night. They’ve recently served over 400 customers in just one day.

All of this is occurring in a location with no commercial infrastructure – no sidewalks, lighting, or turn lanes, and with no urban sewer hookup, but only grossly undersized holding tanks with no septic drain

field whatsoever. The majority of their property serves as a parking lot, severely compacting the soils. This property sits in the SO-120 buffer zone, which is supposed to be rural land with 75% impervious soils, in order to protect downslope farmland from toxic runoff. Immediately across the road is an active organic vegetable farm.

Matthews has invented a new business model – a sham winery acting as a bar – which the County hasn't had to deal with before. Today, the King County code classifies alcoholic beverage production as a manufacturing activity. Sales of beverages are an ancillary activity. Under current code, sales are limited to sales of products produced on-site.

The Proposed Ordinance removes the sentence on WBD manufacturing facilities in the current code that says they are **“limited to sales of products produced on-site and incidental items where the majority of sales are generated from products produced on-site.”** This sentence has been replaced with language that says: “tasting and retail sales of products produced on-site may occur....” The devil is always in the details. The new language does not specifically limit sales to products produced on-site and leaves the origin of some products open to possible interpretation. Why is the current, perfectly clear language being changed?

The Proposed Ordinance also attempts to redefine production by stating that a WBD must “conduct two stages of production such as crushing, fermentation, distilling, barrel or tank aging, and finishing. At least one of the stages of on-site production shall include crushing, fermenting, or distilling.” With this definition a winery can “ferment and finish” or “ferment and age” or “ferment and make up whatever stage they want to” and satisfy the definition. Wine can be fermented and aged in a barrel. Throw a couple of barrels in the back, truck in wine from elsewhere by arguing that is not dis-allowed in the Proposed Ordinance, and a sham winery is legal. This is exactly what Matthews is doing today and their operation will be legitimized under the Proposed Ordinance.

Most WBD businesses are looking for retail distribution in King County, not locations for production. Most will keep production in Eastern WA near to their source materials (e.g., grapes, grains) due to cost and quality reasons. KC legitimizes sham wineries in the Proposed Ordinance through the loopholes described above which generates a significant negative impact across 2.5 and 4.5-acre properties throughout rural King County. In a recent analysis of just one square mile of Rural Area near Redmond, it was determined that 40 parcels could be converted to WBDs, resulting in up to 328,500 sq ft of commercial space related to alcohol. In just one square mile. Within Rural Area neighborhoods. (Exhibit F) This can happen all over rural King County.

Over the last 18 months numerous organizations and individuals have repeatedly pointed out to the County that they need to **require all stages of beverage production and limit sales and tastings to products produced on-site** in order to prevent legitimizing WBD retail outlets across King County Rural and Agricultural Areas. If the Council does not fix the WBD definitions in the Proposed Ordinance the County will legitimize Matthews and the many new sham WBDs who will certainly follow this new business model.

- **The Ordinance allows WBDs on 8+ acres an unlimited number of events with no mitigation process.**

Today, WBDs are limited to 2 events per month and they must get at Temporary Use Permit (TUP), a process which allows for some input from the community and requires renewal that could be denied if the use is deemed inappropriate for the location. Temporary use permits are just that — temporary. They are not intended to permanently authorize a business activity that is not allowed by the applicable zoning. Under the current zoning code, TUPs must be renewed annually and the maximum number of consecutive renewals is five.

The Proposed Ordinance allows WBDs with an existing state liquor license for a Rural Area site that is eight acres or larger, to waive the TUP process, subject to certain setbacks and other restrictions. This means these businesses can permanently conduct an unlimited number of events, with up to 250 guests, with no process in place to review or mitigate uses that are incompatible with the surrounding area. Together with the loopholes in the WBD definitions described above, this really means that full-on event centers with no beverage production will be legitimized.

The waiver of the TUP requirement, added on at the last minute in the most recent KC Committee of the Whole (COW) meeting, is clearly designed for one business — Chateau Lill (owners: Greg & Stacy Lill) — a Sammamish Valley event center violator. At least four other locations may also be legitimized by this provision.

- **The Ordinance reduces the minimum lot size required for a WBD and increases the building sizes and allowed parking in the Rural Area and Agricultural zones**

The Ordinance includes a 44% reduction in the current minimum lot size required for a WBD from 4.5 acres in RA and A to 2.5 acres. Allowed building sizes are increased from 3,500 sq ft to 6,000 sq ft on 4.5-acre properties. The 3,500 sq ft buildings previously allowed on 4.5 acres are now allowed on 2.5 acres. Because parking lot size is tied to the size of the building, parking lot sizes also increase throughout the Rural Area and Agricultural zones. By reducing the lot size and increasing building sizes the Proposed Ordinance inappropriately increases the density of manufacturing activities, and with the fundamental flaws in the WBD definitions, retail outlets as well, in Rural and Agricultural Areas.

Exhibit C: Ordinance Incompatible with Infrastructure and Land Use Policies

If adopted, the proposed Adult Beverage Ordinance would allow businesses selling alcoholic beverages to expand into Rural and Agricultural Areas. The Ordinance will fundamentally change our system of land use regulation in King County by expanding impacts generated by retail facilities, customers, and traffic beyond Urban Areas onto Agricultural Lands and into Rural Communities.

- It will create needs in Rural and Agricultural Areas for sewer, water and stormwater facilities; require expanded streets and sidewalks; and increase needs for law enforcement.
- These needs for urban services exceed the capacity of the minimal public services and infrastructure provided in Agricultural and Rural Communities.
- Expanding retail activities outside of Urban Areas will require increased public spending on infrastructure and services that the County cannot afford, and that is contrary to the express policy stated in the KCCP that services should be kept at rural levels.

This fundamental expansion of land use impacts to Agricultural and Rural Areas is incompatible with the character and natural environment of these communities. If adopted, the repercussions of the Adult Beverage Ordinance will violate SEPA, the GMA, Countywide Planning Policies and the King County Comprehensive Plan, all of which mandate that the County preserve Agricultural Lands and protect natural systems and Rural character.

Exhibit D: Select Comments from 10/7/19 COW Meeting and Rebuttal

A recording of the KC Committee of the Whole (COW) meeting on October 7, 2019 is available at http://king.granicus.com/MediaPlayer.php?view_id=4&clip_id=7737. Councilmembers deliberated on the Ordinance starting at 1:14:58 on the recording. Below are some highlights from that discussion and a response to some of the more relevant statements.

CM Uptegrove asked what “allowable retail uses” in the RA and A zones are under current code and whether products are “required to be manufactured on-site.” Council Central Staff Erin Auzins confirmed for wine and beer that products are currently “limited to sales of products produced on-site.” Her response is consistent with the assertion we make throughout this document.

In a discussion of her amendment to increase the allowable “tasting” space in a WBD from 15% to 30%, CM Lambert said that in the original Executive version of the Proposed Ordinance a WBD owner “can use 100% in your property” [for tasting, of the square footage allowed for your WBD]. She argued going from 100% to 15% was too radical and that 30% was more reasonable.

Her argument is completely flawed and highlights a fundamental disconnect in the discussion. The Executive version does not say that 100% of a production facility can be used for tasting. No WBD today, under the current code, can dedicate 100% of their facility to retail tasting space. They need to actually produce alcoholic beverages because they can only sell what they produce on-site, and sales is an ancillary use to manufacturing the product. Production of alcoholic beverage requires large equipment which takes up lots of room. Anyone who has ever visited a **real** WBD knows this. The Executive version also requires that WBDs manufacture alcoholic beverages. CM Lambert can only be referring to the code violator Matthews as her baseline. Matthews illegally uses 100% of their space as a retail drinking establishment and event center. Starting with 100% as a baseline for the argument is nonsensical.

In her closing remarks CM Balducci said that it is time to move on and make a decision about the Ordinance. She continued to say that “anything we do with an Ordinance we can change with an Ordinance”, implying if we don’t get it right in this ordinance we can fix it with another one later. This is unfortunately and tragically untrue when it comes to land use and allowing commercial development in Rural and Agricultural Areas. Once land is paved over, it is paved over forever. There is no going back.

CM Balducci said, “we know what the on-the-ground impacts are of the current code. You can go out there and see it.” Again, this presumes the problem is with the current code. The “on-the-ground impacts” we see are created by code violators, illegally operating in disregard of the current code. The problem is lack of code enforcement of the current code, not the code itself, as discussed elsewhere in this document. This particular comment highlights another fundamental disconnect within the entire Proposed Ordinance discussion.

CM Balducci commented on some feedback she has received from the code enforcement division, as it related to the current code. She said she heard that “if the current code were enforced, winery and adult beverage businesses would not be required to conduct any stage of production of their product on-site.” While it is true that the current code does not specifically spell out which or how many stages of production are required to manufacture an adult beverage, the code does very clearly say that sales are limited to products produced on-site. So, if a WBD business is not actually making adult beverages on site, then it will have nothing to sell. Furthermore, sales are allowed only as an ancillary use to the

primary manufacturing activity. The problem is not that the existing code doesn't spell out the stages of production. The real problem is that the code enforcement division, for reasons that are unknown, did not use the on-site production requirement in the existing code to deal with businesses that are not producing and are very clearly trucking in product from elsewhere to sell.

CM Balducci stated that she believes a large part of the challenge [with negative impacts] in the Sammamish Valley is due to the presence of the City of Woodinville Tourist District, which lies in the middle of the Valley. What she failed to acknowledge, or perhaps recognize, is the fact that the Tourist District has commercial infrastructure. It is hooked up to the public sewer system, it has 3 roundabouts for ingress/egress, sidewalks and lighting. The hotel planned for development will also have underground parking. Comparing the impacts of urban use development in the Rural Area to similar development in a commercial area has to take into consideration the available infrastructure, or lack thereof.

The Tourist District is inside the Urban Growth Area (city). The Sammamish Valley RA and A lands do in fact abut this District. CM Balducci implies in her continued comments on the Tourist District that because its impacts are so great, the impacts created in the Rural Area by the Proposed Ordinance are minor in comparison, and that the Proposed Ordinance is "fair and balanced". First, this ignores the point about infrastructure mentioned above, which greatly mitigates the impact of the Tourist District. More worrying, it ignores the whole point of the Growth Management Act which carves out specific areas for development within the Urban Growth Area (UGA), as delineated by the Urban Growth Boundary. Just because rural land is on the edge of the UGA where denser development exists, does not mean that less impactful urban use development on the rural land is OK. In fact, the opposite is true. The Urban Growth Boundary was put in place to prevent exactly this kind of "trickle, trickle" urban sprawl development.

CM Balducci stated that SEPA analysis is not required when proposed code is "more restrictive" than current code...as the rationale for why no environmental impact study was completed. The Proposed Ordinance allows remote tasting rooms in the Rural Area, WBDs on 2.5 acres, and unlimited number of events at certain WBDs. None of this is allowed under current code. The Proposed Ordinance is not more restrictive. She also said, in so many words, she doesn't believe there is going to be any significant environmental impacts from this Ordinance. She did not provide any evidence to support her claims. A SEPA analysis is a requirement for expansion of this nature in order to determine what, if any, environmental impacts will occur with changes to land use.

Exhibit E: Violators Commercial Vision for the Sammamish Valley

This recommendation is part of a submission to the King County PRE Committee Meeting on July 17, 2017. It was submitted by the names below, some of whom are Sammamish Valley violators, and is on the public record at https://www.kingcounty.gov/council/committees/Planning_Rural_Service_and_Environment.aspx

Recommendation for Sammamish Valley (area along Hwy 202/148th)

Because the Sammamish Valley is such a unique area, unincorporated county land surrounded by major municipalities and Sammamish Valley's Agricultural Protection District, we believe you may need finer controls over what is allowed in this area. So, along with the definition and building further from the code changes noted above, we believe to really take advantage of the uniqueness the Sammamish valley, King County should really consider creating a Tourist overlay for this area.

We would recommend creating an Agritourist overlay similar to the Woodinville Tourist District:

- Stand-Alone, Wineries, breweries, distilleries, and other agricultural food stores including fruit and vegetable stands including administrative offices, grounds maintenance, gardens, visitor services, retail outlets primarily for products produced, public concerts, theatrical events, restaurants, as well as tastings events and facilities (remote tasting rooms). No restrictions on where product is grown or produced.
- Manufacture of arts and crafts provided at least 10% of floor area is devoted to retail.
- Manufacture of bakery, confectionary and other specialty food and kindred products provided that at least 10% of the products manufactured on site must be sold on site.
- Tourist related retail and commercial use; bike shops, miniature golf, delicatessens, art/northwest craft shops, and food stores limited to NAICS 4452.
- Theaters, museums, and outdoor performance centers with limitations
- Lodging facilities including but not limited to, bed and breakfast guest houses, lodges and inns, youth hostels, and campgrounds with limitations.
- Conference Centers
- Passenger Train Stations
- Parks, trails and recreation services providing rental of bicycles, roller skates or blades, canoes, kayaks, rowboats, and floatation devices
- Restaurants except drive-through facilities
- Antique stores and bookstores
- Art dealers and galleries

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PRE Meeting Materials

Page 724

July 17, 2018

Roger Porter – Cherry Valley Winery

Cliff Otis – Matthews Winery & Tenor Wines

Greg Lill – Delille Cellars

Larry Lindvig – Pleasant Hill Cellars

Bob Spencer – Cinq Cellars

Also in support:

Paul & Kay Talbott – Owners of "Sky River Mead" property on Woodinville Redmond Rd.

Exhibit F: Ordinance Impact on One Square Mile of Rural Area

Impacts of KC Ord 2018-0241.3 on Rural Area Arterials, example

RA Lots on Rural Area Arterials greater than 2.5 acres*

Novelty Hill - 208th Ave NE - Union Hill -196th Ave Ne WBD II &III lots

Road Distance Approximately 4 miles, Area 1 square mile

WBD II lots 2.5-4.5 acres (3,500 sf structure) , WBD III lots = 4.5 to 10 acres (6,000 sf structure);
greater than 10 acres (8,000 sf structure)

Parcel Number *	Owner *	Address*	Acrage*	2018-0241 land use	Sub-divide (\$)	Potential build. sq.ft.
Novelty Hill Between 195th Ave NE & 208th Ave NE						
062506-9001	ROCKENBECK WILLIAM H	9500 195TH AVE NE 98053	5.27	WBD III		6,000
52506-9089	ROCKENBECK WILLIAM H	9430 195TH AVE NE	25.52	WBD III	Y	22,000
52506-9080	BRIAN R OLSON	19805 NE NOVELTY HILL RD	10.90	WBD III		8,000
052506-9018	STRAY SUNDAY		9.14	WBD III		6,000
052506-9006	THE SALMI FAMILY TRUST	20243 NE NOVELTY HILL RD	8.18	WBD III		6,000
052506-9101	THE SALMI FAMILY TRUST		8.35	WBD III		6,000
322606-9060	BAYVIEW FARMS LLC	20224 NE NOVELTY HILL RD 98053	22.20	WBD III	Y	16,000
322606-9012	19910 PROPERTY	19910 NE NOVELTY HILL RD 98053	34.51	WBD III	Y	35,500
052506-9102	STRAY FREDRICK M+FRANCES K		9.54	WBD III		6,000
322606-9064	SHELTON DANNY+MARIA T	10100 203RD AVE NE	2.93	WBD II		3,500
805350-0040	BEUCA PETRU+MARIA	10019 206TH AVE NE 98053	9.46	WBD III		6,000
052506-9064	SREEBALAJI K SANKARAN+M	20409 NE NOVELTY HILL RD 98053	4.48	WBD II		3,500
052506-9049	ORTON JONATHAN K+TAMM	20535 NE NOVELTY HILL RD	3.32	WBD II		3,500
052506-9048	CARROLL RICHARD R+SUSAN	20629 NE NOVELTY HILL RD 98053	3.67	WBD II		3,500
RA lots on Segment > 2.5 acres			13			131,500
208th Ave NE between Novelty Hill and Union Hill						
052506-9094	KEASEY RAYMOND L+JACKEL	9800 208TH AVE NE 98053	2.99	WBD II		3,500
052506-9106	TUNG JENNIFER PATRICIA	9710 208TH AVE NE	2.56	WBD II		3,500
052506-9045	YANKIS ROBERT T+JOAN M	9619 208TH AVE NE 98053	4.28	WBD II		3,500
052506-9001	HELDT DALE	9616 208TH AVE NE 98053	6.02	WBD III		6,000
052506-9044	LUCE ROGER W+ANN	9515 208TH AVE NE 98053	3.86	WBD II		3,500
052506-9027	GRANGE ROGER C	9504 208TH AVE NE 98053	2.67	WBD II		3,500
052506-9099	FERLEMAN JASON MDOWNI	20630 NE 92ND PL 98053	5.05	WBD III		6,000
052506-9032	MCDOWELL BROCK A+MARI	8814 208TH AVE NE 98053	7.91	WBD III		6,000
052506-9060	WOODS WEIGHTSTILL W		3.56	WBD II		3,500
052506-9031	WOODS W W		12.47	WBD III		8,000
052506-9016	JACOBS BRIAN C	8079 208TH AVE NE	32.41	WBD III	Y	24,000
052506-9068	HENRY JANIS CAROL		4.5	WBD III		6,000
052506-9024	MCKAY BRIAN B	8080 208TH AVE NE 98053	9.06	WBD III		6,000
052506-9021	MCKAY BRIAN B+COLLEEN	8030 208TH AVE NE 98053	9.44	WBD III		6,000
052506-9076	JACOBS BRIAN C	8071 208TH AVE NE 98053	4.41	WBD II		3,500
082506-9053	VEDIC EDUCATION&DEVELO	7305 208TH AVE NE 98053	6.32	WBD III		6,000
RA lots on Segment > 2.5 acres			15			98,500

Union Hill Rd Frontage - between 208th Ave NE and 196th Ave NE

082506-9027 SHAH AMIT J	20515 NE UNION HILL RD 98053	3.41 WBD II		3,500
082506-9079 TEMKIN NANCY R+HENDRICI	7550 205TH AVE NE 98053	8.95 WBD III		6,000
082506-9080 AUGUSTO KAREN+JOHNSTO	7529 205TH AVE NE 98053	3.97 WBD II		3,500
082506-9009 UH 20326 LLC		19.47 WBD III	Y	14,000
082506-9103 NELSON BARBARA ESTATE OF		12.49 WBD III		8,000
082506-9013 NELSON BARBARA ESTATE O	20005 NE UNION HILL RD 98053	17.16 WBD III	Y	14,000
082506-9067 NELSON BARBARA J ESTATE	19931 NE UNION HILL RD 98053	2.77 WBD II		3,500
RA lots on Segment > 2.5 acres		6		52,500

196th Ave NE - between Union Hill and Novelty Hill

062506-9050 UNION SHARES LLC	19520 NE UNION HILL RD 98053	6.05 WBD III		6,000
052506-9070 STEEH KATHLEEN	8226 196TH AVE NE 98053	4.81 WBD III		6,000
062506-9017 UNION SHARES LLC		19.65 WBD III	Y	14,000
062506-9029 625069042RES L L C	8733 196TH AVE NE 98053	9.77 WBD III		6,000
052506-9041 MIX JASON DALE	8700 196TH AVE NE 98053	12.49 WBD III	Y	8,000
062506-9042 UNION SHARES L L C	8733 196TH AVE NE 98053	9.64 WBD III		6,000
RA lots on Segment > 2.5 acres		6		46,000

Total Properties

40

Total Potential Commercial Space

328,500

* Data Source: King County Imap, Department of Assessments, property detail

\$ Table illustrates potential for simplest subdivision for properties greater than 10 acres.

Auzins, Erin

From: Sue Juhre <sue.juhre@frontier.com>
Sent: Tuesday, November 12, 2019 10:49 AM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

While the current Balducci version of the Adult Beverage Ordinance contains improvements over prior versions, there are still two significant flaws that permanently allow adult beverage retail outlets in the Sammamish Valley Rural Area neighborhoods and important farmland buffer areas. I am requesting that you:

- 1) Remove Demonstration Project Overlay A from the Sammamish Valley.
- 2) Require WBDs in the RA and A zones to conduct all 3 stages of beverage production as defined by the state, and limit sales to only beverages produced on-site.

The wine tourism industry in Woodinville is booming and doesn't need County help in order to grow. There is plenty of space inside the Urban Growth Area for additional beverage retail outlets. In fact, beverage tourism relies on the Valley's verdant open spaces and will be harmed by commercial development of the Valley.

Rampant land price speculation and environmental degradation from upslope toxic runoff are existential threats to the Valley's APD farm businesses. Public health and safety issues are increasing because urban use businesses are operating where commercial infrastructure - such as sewer hookup, left turn lanes, sidewalks and lighting - does not exist. Rewarding code violators and opening the Valley to even more urban use will only increase the negative impacts.

The latest Ordinance attempts to mitigate these damages by limiting the building sizes, parking, and hours of operation of the retail businesses to the point where they will not be able to operate effectively. You've heard as much from them. This approach, together with a lack of clarity in some parts of the Ordinance, will only lead to endless code enforcement battles. None of the goals the Ordinance sets out to solve will be met and we will be right back where we started.

Why is the Council supporting the narrow interests of a handful of code violators and land speculators over the will of the people? Why is the Council skirting the Growth Management Act which protects our designated APD farmland, watershed and Rural Area? Please do the right thing and keep urban use businesses out of the Sammamish Valley Rural Area neighborhoods and farmland buffer areas.

Sincerely,
Sue Juhre
13308 280th Ave NE
Duvall, WA 98019

Auzins, Erin

From: Communications, Comments
Sent: Thursday, November 14, 2019 4:21 PM
To: Auzins, Erin
Subject: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>

Submitted from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Submitted at 4:20:59 PM, on Thursday, November 14, 2019

Winery_Code:

FromUser: Casey Merscher

Email: Casey@CornerstoneStainlessContainers.com

addr1: 23515 NE Novelty Hill Rd Suite B221-340

city: Redmond

state: WA

zip: 98053

MessageText: Hello,

I am trying to track down some more detailed information in regards to the proposed changes that would occur as the result of this ordinance. I'm not sure who to talk to about my questions so I am reaching out generally in hopes of finding answers or being put in touch with someone who has those answers.

I work for a company based out of Woodinville that works with food and beverage production, specifically in the manufacturing of large equipment utilized in this industry. We work with a few different wineries in Woodinville, providing them with both equipment and parts to assist in their production.

It's come to our attention that the ordinance would put pressure on business operating a tasting room, unless it operated under specific guidelines and would also be required to do some production on sight. In an effort to help our community and business partners, we were hoping to provide some equipment at a discount to local wineries, breweries and distilleries who were looking to protect themselves from the proposed changes. We're hoping that having some small scale production would help them classify their business as a "production facility" and they'd be able to escape some of the red tape surrounding the ordinance.

In order to do this, I need some more information on the proposed changes in order to show the businesses how our equipment could help. So, some of my questions are:

- What is to be required to be considered a "production facility"?
- How much "production" would a winery need to produce on sight be find themselves categorized as a production site?
- How can these businesses protect themselves from these changes?

-How are tasting rooms opposing this?

-Are tasting facilities doing anything to protect themselves currently?

-How long until this change may or may not occur?

If someone has a chance to give me a call and enlighten me with some information, that would be great appreciated.
Thanks for your help and I'll be in touch if I have more questions. Thank you for your time, it is very appreciated.

User IP Address:10.84.2.22

User Software Client:Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko)

Chrome/78.0.3904.97 Safari/537.36

Auzins, Erin

From: Rajee ramachandran <rajee.nair@gmail.com>
Sent: Friday, November 15, 2019 10:36 AM
To: Auzins, Erin
Subject: The Sammamish Valley is at a tipping point – do the right thing and revise the Beverage Ordinance

Dear Supervising Legislative Analyst Erin Auzins,

While the current Balducci version of the Adult Beverage Ordinance contains improvements over prior versions, there are still two significant flaws that permanently allow adult beverage retail outlets in the Sammamish Valley Rural Area neighborhoods and important farmland buffer areas. I am requesting that you:

- 1) Remove Demonstration Project Overlay A from the Sammamish Valley.
- 2) Require WBDs in the RA and A zones to conduct all 3 stages of beverage production as defined by the state, and limit sales to only beverages produced on-site.

The wine tourism industry in Woodinville is booming and doesn't need County help in order to grow. There is plenty of space inside the Urban Growth Area for additional beverage retail outlets. In fact, beverage tourism relies on the Valley's verdant open spaces and will be harmed by commercial development of the Valley.

Rampant land price speculation and environmental degradation from upslope toxic runoff are existential threats to the Valley's APD farm businesses. Public health and safety issues are increasing because urban use businesses are operating where commercial infrastructure - such as sewer hookup, left turn lanes, sidewalks and lighting - does not exist. Rewarding code violators and opening the Valley to even more urban use will only increase the negative impacts.

The latest Ordinance attempts to mitigate these damages by limiting the building sizes, parking, and hours of operation of the retail businesses to the point where they will not be able to operate effectively. You've heard as much from them. This approach, together with a lack of clarity in some parts of the Ordinance, will only lead to endless code enforcement battles. None of the goals the Ordinance sets out to solve will be met and we will be right back where we started.

Why is the Council supporting the narrow interests of a handful of code violators and land speculators over the will of the people? Why is the Council skirting the Growth Management Act which protects our designated APD farmland, watershed and Rural Area? Please do the right thing and keep urban use businesses out of the Sammamish Valley Rural Area neighborhoods and farmland buffer areas.

Sincerely,
Rajee ramachandran
16904 NE 130th st
Redmond, WA 98052

Auzins, Erin

From: John Stewart <stewartj@seanet.com>
Sent: Monday, November 18, 2019 10:36 AM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

King County's remaining rural and agricultural lands are precious assets. The County has done a fairly good job of preserving these lands while allowing for appropriate use. I believe that the proposed ordinance, 2018-0241, does not meet that standard, and should be opposed.

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
John Stewart
2419 E Spring St
Seattle, WA 98122

Auzins, Erin

From: mia sullivan <mia@gynex.com>
Sent: Monday, November 18, 2019 2:29 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
mia sullivan
16219 NE 135th St
Redmond, WA 98052

Auzins, Erin

From: susan davis <spicker76@yahoo.com>
Sent: Monday, November 18, 2019 2:31 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241. Thank you Susan Davis

Sincerely,
susan davis
15348 NE 140th Street
Redmond, WA 98052

Auzins, Erin

From: Erica Swedberg <ericadawn33@yahoo.com>
Sent: Monday, November 18, 2019 2:51 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Erica Swedberg
17638 218th Ave NE
Woodinville, WA 98077

Auzins, Erin

From: Helen Harris <helenharris6@gmail.com>
Sent: Monday, November 18, 2019 2:51 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

I fully support The Friends of Sammamish Valley position that the King County Council can amend the current Ordinance, to fix key language that allows for unnecessary and harmful expansion of bars into our rural and agricultural areas.

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Helen Harris
20729 NE 156th St
Woodinville, WA 98077

Auzins, Erin

From: Mukund Sargur <mukundsargur@yahoo.com>
Sent: Monday, November 18, 2019 2:56 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Mukund Sargur
13327 168 ave ne
Redmond, WA 98052

Auzins, Erin

From: Stephen Douglas <stevedouglas44@gmail.com>
Sent: Monday, November 18, 2019 3:53 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Stephen Douglas
18521 NE 191st Street
Woodinville, WA 98077

Auzins, Erin

From: Steven Doe <stevenadoe@hotmail.com>
Sent: Monday, November 18, 2019 3:53 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Steven Doe
13324 174th Ave NE
Redmond, WA 98052

Auzins, Erin

From: Karin Doe <kad_ms@hotmail.com>
Sent: Monday, November 18, 2019 3:53 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Karin Doe
13324 174th Ave NE
Redmond, WA 98052

Auzins, Erin

From: Alexander Bryant <stormbird@gmail.com>
Sent: Monday, November 18, 2019 3:54 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

This honestly seems like a cash grab.

"Oh look! People are swarming to alcohol 'tasting' rooms! People with money. Let's make it easier for them to drink everywhere in this once-rural - what's that? STILL rural? Oh, we'll change that, don't you worry - community."

The foundational premise for "updating" the winery, brewery, distillery land use code is a incorrect and serves as a cover for establishing a cash grab for a few at the expense of the entire area. It is false narrative that current code is vague and unenforceable. It is not. I read this over and it was clear, thoughtful language from years of considering impacts - social, environmental, traffic - to this area. If you want to turn this rural valley into a wine and alcoholic beverage mecca for the region, then COME OUT AND SAY SO.

Anyway, the premise that the Proposed Ordinance "tightens-up" current code is also flawed. The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some "tightening-up constraints." For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Alexander Bryant
17753 114th Court NE
Redmond, WA 98052

Auzins, Erin

From: Jerry Rettig <jcrettig3@gmail.com>
Sent: Monday, November 18, 2019 3:54 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Like so many issues which confront us daily, paving over the Sammamish Valley with an excess of so-called wineries and their parking lots—all for a few dollars in someone's pockets—this ordinance is another. False arguments that it fixes things are used to justify a bad proposed ordinance (see above). As a youngster growing up in Bothell/Woodinville decades ago and earning summer work money on Zanassi's truck farm just south of Woodinville, I am saddened by the County's ruination of this green space should this proposed ordinance pass. Please vote "No" on this ordinance. We need all the green space we can save.

Sincerely,
Jerry Rettig

14617 168th Avenue NE
Woodinville, WA 98072

Auzins, Erin

From: Dominique FRANCE <DFRANCE2009@GMAIL.COM>
Sent: Monday, November 18, 2019 3:55 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Dominique FRANCE
14267 157TH PL NE
WOODINVILLE, WA 98072

Auzins, Erin

From: Sharon Peach <sharon@thepeaches.com>
Sent: Monday, November 18, 2019 3:55 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Sharon Peach
15227 NE 160th St
Woodinville, WA 98072

Auzins, Erin

From: Kathleen Forman <pkforman@juno.com>
Sent: Monday, November 18, 2019 3:56 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

WITH THIS VOTE YOU WILL BE DECIDING THE FATE OF KING COUNTY RURAL NEIGHBORHOODS AND FARM LAND. IN THE MIDST OF A CLIMATE CRISIS WE NEED TO PRESERVE AGRICULTURAL LAND, NOT LOSE IT.

PLEASE, PLEASE, PLEASE...

VOTE NO on Ordinance 2018-0241.

Sincerely,
Kathleen Forman

17120 117th Ct NE
Bothell, WA 98011

Auzins, Erin

From: Joachim Veith <joachim@veith-team.net>
Sent: Monday, November 18, 2019 4:06 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

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The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Joachim Veith
12956 64th Ave NE
Kirkland, WA 98034

Auzins, Erin

From: Joan Foster <jkfoster756@frontier.com>
Sent: Monday, November 18, 2019 4:12 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Joan Foster
756 State St S Apt A
Kirkland, WA 98033

Auzins, Erin

From: Aslaug Haraldsdottir <aslaug.haraldsdottir@comcast.net>
Sent: Monday, November 18, 2019 4:53 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Once land is paved over, it is paved over forever. There is no going back.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Aslaug Haraldsdottir
14255 157th PI NE
Woodinville, WA 98072

Auzins, Erin

From: Andrew Green <andgreen@gmail.com>
Sent: Monday, November 18, 2019 4:55 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Andrew Green
1412 E. Columbia St
Seattle, WA 98122

Auzins, Erin

From: Suzanne Kingsley <suzkingsley@gmail.com>
Sent: Monday, November 18, 2019 4:58 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Suzanne Kingsley
16934 NE 131st Pl
Redmond, WA 98052

Auzins, Erin

From: John Shephard <john.shephard@gmail.com>
Sent: Monday, November 18, 2019 5:12 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

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Please VOTE NO on Ordinance 2018-0241.

Sincerely,
John Shephard
13629 179th Ave. NE
Redmond, WA 98052

Auzins, Erin

From: David Auman <dvauman@yahoo.com>
Sent: Monday, November 18, 2019 5:14 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The winery, brewery, distillery land use code is not flawed, but should instead be enforced.

Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The Proposed Ordinance opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

The expansion of alcohol retail outlets along SR 202 in the Woodinville/Redmond areas is a dangerous idea, as I have personally seen numerous close calls between the traffic and pedestrians walking carelessly (under the influence of alcohol) across the roundabouts. Any expansion of this situation is reckless and current establishments in that area should be held to the current land use code in order to reduce the presence of this dangerous situation which impacts on public safety.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
David Auman
16425 NE 170th Place
Woodinville, WA 98072

Auzins, Erin

From: Dave Malcham <dave.malcham@gmail.com>
Sent: Monday, November 18, 2019 5:22 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Dave Malcham
13305 NE 171st St
Woodinville, WA 98072

Auzins, Erin

From: Christine Helbock <c.helbock@me.com>
Sent: Monday, November 18, 2019 6:44 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Please, please, please hear us. I've lived here all my life and watched the changes going on around us. I live here because it's rural. Growth is necessary, I understand that. But these wineries are so out of control in our area. I'm scared to death Thursday-Sunday when I travel from my house and have to deal with all the people parked on the side (usually over the line) of the roads, walking anywhere they want. It's just a matter of time before someone gets killed, then maybe someone will recognize how dangerous it is. Cars, traffic and wine drinkers are not a good mix in our little rural area. Please protect what little rural area we actually have. Please vote NO on ordinance 2018-0241

Thank you

Sincerely,

Christine Helbock
16607 NE 143rd St
Woodinville, WA 98072

Auzins, Erin

From: Kathy Schmitt <arandomfamily@frontier.com>
Sent: Monday, November 18, 2019 6:59 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

I believe that current codes are sufficient to take action against violators. We need to start providing the code enforcement that has been so neglected.

This proposed ordinance only rewards those who have been allowed to violate the current code. If they are allowed to continue and if other proposed changes are allowed, our beautiful agricultural valley will be ruined! There are other areas nearby for drinking establishments and event centers, which should not be allowed in agricultural areas.

Please VOTE NO on Ordinance 2018-0241.

Kathy Schmitt

Sincerely,
Kathy Schmitt
16847 NE 172nd Pl
Woodinville, WA 98072

Auzins, Erin

From: Sara Suter <sfsuter@comcast.net>
Sent: Monday, November 18, 2019 7:07 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

Hello,

I am a teacher so cannot miss school to attend the meeting on 12/4. I truly hope you will still consider my voice, that you will take into account the points made below.

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Thank you,

Sara Suter

Sincerely,

Sara Suter
16316 170th Ave NE
Woodinville, WA 98072

Auzins, Erin

From: Susan MacGregor <seesue@gmail.com>
Sent: Monday, November 18, 2019 8:52 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Susan MacGregor
16911 NE 95th
Redmond, WA 98052

Auzins, Erin

From: Carolyn Treadway <Cwt2014@PlanetCare.us>
Sent: Monday, November 18, 2019 8:54 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Carolyn Treadway
1951 Circle Lane SE
Lacey, WA 98503

Auzins, Erin

From: Jeanne Large <jeannemlarge2010@hotmail.com>
Sent: Monday, November 18, 2019 9:51 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The Sammamish Valley is one of the few remaining agricultural areas in King County that is available for producing food and capturing greenhouse gasses. We need food and green space for people who live here. We need to use this valuable land to feed us, not to sell more wine and beer.

Please don't zone this productive farm land for more businesses that sell alcohol, and don't build more tasting rooms and parking lots. .

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is expressly against the County's Comprehensive Plan and the GMA.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Jeanne Large
225 4th Ave Apt A203
Kirkland, WA 98033

Auzins, Erin

From: Dallas Pasley <dallaspasley@gmail.com>
Sent: Monday, November 18, 2019 9:56 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Dallas Pasley
13838 162nd Ave NE
Woodinville, WA 98072

Auzins, Erin

From: Jeff Jensen <jjensen@hootinrecruiting.com>
Sent: Monday, November 18, 2019 10:07 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Jeff Jensen
15717 168th Ave NE
Woodinville, WA 98072

Auzins, Erin

From: Stephen Thompson <hansolie@hotmail.com>
Sent: Monday, November 18, 2019 11:19 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Stephen Thompson
9050 Avondale Rd NE
Redmond, WA 98052

Auzins, Erin

From: Melanie Wright <melaniegilroy@hotmail.com>
Sent: Tuesday, November 19, 2019 5:52 AM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Melanie Wright
14261 157th PI NE
Woodinville, WA 98072

Auzins, Erin

From: Kerrie McArthur <mcarthur_kerrie@hotmail.com>
Sent: Tuesday, November 19, 2019 12:36 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable. The code is not vague.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The Proposed Ordinance does not “tighten-up” current code. In fact, the Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA. SR 202 is a state maintained road and WSDOT has no plans to upgrade 202 to accommodate event centers.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Kerrie McArthur
13314 160th Ave NE
Redmond, WA 98052

Auzins, Erin

From: Marcus smith <chevalcellars@live.com>
Sent: Tuesday, November 19, 2019 12:48 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

Like each of you hard working Council members, I've deliberated over this issue for some time. As a winery owner and tasting room operator myself, I understand many of these issues first hand. I also sympathize with many of my colleagues. However hard this may be, the difficult decision must be made to protect land use that codes were meant to protect. I encourage you to vote as indicated below. Please protect the legacy of the valley for future generations. Retail incursion is not progress but blight.

The foundational premise for "updating" the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance "tightens-up" current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some "tightening-up constraints." For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Marcus smith
18417 NE 137th St
Woodinville, WA 98072

Auzins, Erin

From: Laura Natusch <laura.natusch@gmail.com>
Sent: Wednesday, November 20, 2019 8:33 AM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

I endorse the following message and full heartedly oppose the proposed audit beverage ordinance. The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241. Upset and highly concerned Woodinville Citizen Laura Natusch

Sincerely,
Laura Natusch
17917 140th LN NE Apt 136
Woodinville, WA 98072

From: [Susan Boundy-Sanders](#)
To: [Balducci, Claudia](#); [Dembowski, Rod](#); [Gossett, Larry](#); [Kohl-Welles, Jeanne](#); [McDermott, Joe](#); [Upthegrove, Dave](#)
Cc: [Auzins, Erin](#)
Subject: Beverage ordinance (2018-0241) loosens existing code
Date: Wednesday, November 20, 2019 2:31:30 PM
Attachments: [BalducciStrikerToCoW-2.2019-0241.2-S1_clean \(1\).docx](#)
[20191011ProblemsMatrix.docx](#)

Dear Council Members Balducci, Dembowski, Gossett, Kohl-Welles, McDermott, and Upthegrove:

As the December 4 date approaches for the hearing on the beverage ordinance, 2018-0241, I'm writing to urge you to vote "No" on this very harmful ordinance.

This email focuses on an incorrect statement I've heard repeatedly from staff and councilmembers: that "the ordinance tightens up current code."

In some limited elements such as business hours this is true. But in several elements that have a significant environmental impact, the draft you will be considering on December 4 loosens current code in ways that benefit scofflaws and speculators, and invite abuse.

I believe the ordinance could be repaired to address these concerns, but my perception is that the Council as a whole does not have the will or the time to do so. Therefore, I ask you to vote "No" on the ordinance as a whole and perform any needed repairs, such as for the Vashon Island wineries, to the existing code.

I include two sets of more detailed information:

- Below is a list of the ways in which the ordinance loosens current code. Cumulatively, and applied across the entire county, these new give-aways lead to undesirable and unnecessary environmental impacts, for the benefit of one industry that is thriving, doesn't need the give-aways, and the give-aways are urban in nature and have significant environmental impacts. The disconnect -- the lack of need and the harm of the give-aways -- is the basis of my request for your "No" vote.
- Attached is a matrix of problems with the proposed ordinance, with specific, detailed references to their location in CM Balducci's draft striker. I've also attached CM Balducci's striker. As you can see, the list is finite but not trivial. It is this non-triviality that leads to my perception that a "No" vote is more realistic than amendments to the ordinance.

Read the list below for the fastest overview of the ways in which the ordinance loosens code. Refer to the attached problems matrix to locate the specific language that is at issue.

Kind regards,

Susan Boundy-Sanders, as a private citizen
sbsand@hotmail.com
425.591.3672
17859 149th Ave NE
Woodinville, WA
98072-6202

As the ordinance has evolved, it loosens the existing code in many harmful ways which impact all Rural and Agricultural zoning in King County:

- The proposed ordinance creates loopholes in the code that allow for "sham wineries" through the interplay of vague definitions and loophole-ridden permitted uses. It fails to set a minimum threshold of production to qualify as a winery. It employs vague language that allows businesses to create their own definitions of production. It eliminates the requirement that product sold be produced on-site. It allows sales of wine -- any wine -- and "merchandise related to products available for tasting" -- an open invitation for abuse. As one result, wine businesses are already purchasing farms, taking them out of agricultural production. For example, *The Seattle Times* 10/27/19 issue reports: "Hansen bought an old honey-bee farm in Maple Valley with plans to start his winery, Washington State Wine said. He plans to open a tasting room there in early 2020."
-
- The proposed ordinance reduces minimum RA lot size from 4.5 to 2.5 acres for development by the alcohol industry. Thus hundreds of rural area properties throughout King County with direct access to an arterial will be effectively rezoned for the alcohol industry. Washington has 1,000 wineries looking to expand (*Seattle Times* 10/27/17), and the ordinance does not limit sales to in-state wineries or in-state wine. Any on a lot 2.5 acres or greater can be developed into a winery, brewery or distillery and allows "sham wineries" on preserved Agricultural land. As an example, a brief survey property records data indicate that in a single square mile in the RA zone outside Redmond, a total of 34 properties are eligible for conversion or redevelopment use as WBDs size II or IIIs, a potential total of over 280,000 square feet of alcohol-related building space could be built in just 1 square mile.
- The proposed ordinance allows unlimited events on some rural parcels.
- For all parcels, both Rural and Agricultural, the parameters of events have been relaxed in ways that have significant impacts. For example, with a "temporary use permit" that lasts for a year and can be extended for five years, a business can: a) exceed the permitted building occupancy set by the local fire department; b) exceed the parking limits set in this ordinance; c) extend business hours beyond the already generous hours

established by this ordinance.

- The proposed ordinance sets tasting room hours that intersect commuting hours. This turns production wineries into happy hour drinking establishments, and creates high numbers of unprotected left turns (and associated backups, congestion, and emissions) on rural roads during evening rush hour.
- Proposed "Demonstration" Overlay A (in the Sammamish Valley) allows urban-style drinking establishments in agricultural buffer zones. Overlay A violates the letter and spirit of the GMA, allows new impermeable surface in agricultural buffers, creates impervious surface area and runoff onto Ag land and fuels land speculation.
- The proposed ordinance allows increased impervious surface and parking on all zoning, including SO-120 RA Agricultural Buffer Land.
- The runoff from new and expanded permitted activities degrades the water quality, turbidity and temperature of King County rivers, including major migratory routes for multiple salmonid species, including Chinook salmon, Coho salmon, Sockeye salmon, as well as Kokanee, Steelhead, and Cutthroat trout. Chinook salmon and Steelhead trout are listed as threatened under the Endangered Species Act.
- The proposed ordinance contains provisions that grandfather current violators, and grandfather "Demonstration" Overlay A regardless of the success of the "demonstration" or the number of past code violations and complaints.
- There has been no environmental review which examined the overall impact to King County. Based on the claim that the ordinance does not loosen code, King County issued a Determination of Non-Significance (DNS) on their own SEPA Checklist for the Beverage Ordinance, which was done without environmental study. Thus “the responsible [County] official finds that the above-described proposal [the Beverage Ordinance] does not pose a probable significant adverse impact to the environment.” The County is concluding that allowing commercial development in our RA neighborhoods, on RA agriculture buffer lands, and on the APD farmland itself will have no significant environmental impact.

9/16/19

Balducci Striker

ea

Sponsor: Balducci

Proposed No.: 2018-0241.2

1 **STRIKING AMENDMENT TO PROPOSED ORDINANCE 2018-0241, VERSION**

2 **2**

3 On page 2, beginning on line 20, strike everything through page 127, line 2449, and
4 insert:

5 "BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

6 **SECTION 1. Findings:**

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

10 B. The existing regulations for wineries and breweries were last substantively
11 amended by Ordinance 14781 in 2003. Distilleries were added as a permitted use, with
12 the same development conditions as wineries and breweries, with Ordinance 17539 in
13 2013. No other substantive regulatory changes for wineries, breweries and distilleries
14 (collectively "the adult beverage industry") have occurred since 2003. Since that time
15 King County has encountered unprecedented economic and population growth, resulting
16 in major changes to the adult beverage industry and causing concerns about land
17 speculation in some areas of the county, while leaving others in need of economic
18 stimulation.

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

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

36 E. The changes made by this ordinance will help King County to prepare for and
37 support the future of the adult beverage industry as it evolves in the region, to better
38 implement and comply with the policies of the King County Comprehensive Plan
39 ("Comprehensive Plan" or "Plan"), Countywide Planning Policies and the Growth
40 Management Act, and to minimize the ambiguities in existing development regulations
41 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.

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-663 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 policies 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

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

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

110 K. Comprehensive Plan Policy ED-212 states "King County shall encourage and

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 remote 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 activities the Comprehensive Plan requires the county to protect.

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

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

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

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

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

180 This ordinance implements the plan by creating clear regulations for the adult beverage
181 industry, requiring uses to be sited, sized and landscaped to complement rural character,
182 and by creating a business license so adult beverage industry uses can be better evaluated.
183 Adult beverage uses provide convenient local products for rural residents, support
184 agricultural resource-based industries, and provide new regional recreational and tourism
185 opportunities.

186 R. The King County Code establishes standards for water facilities in K.C.C.
187 Title 13. In part, those standards prioritize connection to Group A water systems, then to
188 Group B water systems, followed by use of private wells, subject to specified criteria. As
189 part of this ordinance, winery, brewery, distillery facility III uses in the A and RA zones
190 are required to connect to a Group A water system. The requirement modifies a
191 previously existing regulation for larger wineries, breweries and distilleries and replaces
192 it with a clear standard that improves enforceability.

193 S. This ordinance protects the Rural Area and Agricultural zones by limiting on-
194 site tasting of products and retail sales for winery, brewery, distillery manufacturing uses,
195 and by allowing on-site tasting of products and retail sales only as accessory to
196 production. This ordinance places a fifteen percent maximum on spaces devoted to on-
197 site tasting of products and retail sales, in order to prevent potential traffic and noise
198 sometimes associated with those uses, and to prevent the more intensive impacts that they
199 can have on rural character and the agricultural production districts.

200 T. Other development regulations, including stormwater management,
201 impervious surface, critical areas and landscaping requirements, remain in place and are
202 unchanged by this ordinance.

203 U. Existing special district overlays and property-specific development
204 conditions are in effect and add additional layers of regulation on development within
205 specific areas of the county. One special district overlay ("SDO") that has been the
206 subject of public comment is SO-120: Agricultural Production Buffer SDO. SO-120
207 applies to portions of the Sammamish valley with Rural Area zoning, and its purpose is
208 "to provide a buffer between agricultural and upslope residential uses." SO-120 requires
209 clustering of residential subdivisions and imposes a minimum seventy-five percent open
210 space requirement on all such developments. That SDO will remain in place and will
211 continue to apply to residential subdivisions. Additionally, this ordinance limits
212 impervious surface maximums for winery, brewery, distillery facilities in the A and RA
213 zones to twenty five percent, or the percentage identified in the zoning code, whichever is
214 less, to be consistent with rural character.

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

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

221 X. K.C.C. chapter 21A.55 authorizes demonstration projects, "as a mechanism to
222 test and evaluate alternative development standards and processes before amending King
223 County policies and regulations." One demonstration project is established by this
224 ordinance. The demonstration project evaluates the presence of remote tasting rooms in
225 Rural Area zoned land in the Sammamish valley. The demonstration project is located in

an area where businesses are supported by nearby small-scale agriculture and proximity to consumers, and relies 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 demonstration project is based on existing levels of development on the property, lot size, current zoning, 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. Those criteria implement Comprehensive Plan policy direction to protect agricultural lands and rural character, and to provide rural economic opportunities. State Route 202 is a designated arterial designed to carry significant traffic loads and is not expected to reflect measurable impacts over loads already generated by existing Rural Area residents and businesses or related to the demonstration project. The selected location is an ideal place to test the demonstration project's ability to support businesses that are primarily nonurban in nature, to evaluate the benefits and to test impact mitigation strategies before adopting potential countywide regulations.

Y. 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 "[s]tate 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

249 by requiring larger or previously untested uses to utilize arterial roads. Further, the
250 parcels chosen for the remote tasting room demonstration project A in the Sammamish
251 valley are located directly on an arterial.

252 Z. The Comprehensive Plan states that "[t]he purposes of Rural Town
253 designations within the Comprehensive Plan are to recognize existing concentrations of
254 higher density and economic activity in Rural Areas and to allow modest growth of
255 residential and economic uses to keep them economically viable into the future."
256 Comprehensive Plan Policy R-507 states, in part, "Rural Towns serve as activity centers
257 for the Rural Area and Natural Resource Lands and may be served by a range of utilities
258 and services, and may include several or all of the following land uses, if supported by
259 necessary utilities and other services and if scaled and designed to protect rural character:
260 a. Retail, commercial, and industrial uses to serve the surrounding Rural Area and
261 Natural Resource Lands population...c. Other retail, commercial, and industrial uses,
262 such as resource industries, tourism, commercial recreation, and light industry." Remote
263 tasting rooms are similar to other, more intensive uses contained within the stated
264 categories and may be appropriately located in Rural Towns. Other Community Business
265 and Regional Business zones, outside of Rural Towns, are located within the urban
266 growth area or have access to an arterial.

267 AA. The county is committed to providing fair, accurate and consistent
268 enforcement of the regulations adopted by this ordinance. The executive expects to
269 engage on-call consultants to conduct outreach and provide technical assistance to
270 businesses required to comply with the new regulations. It is anticipated that some
271 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 twelve months after the effective date of this ordinance.

SECTION 2. Ordinance 1888, Article III, Section 5, as amended, and K.C.C. 6.01.150 are hereby amended to read as follows:

A. The office of the hearing examiner is designated to hear appeals by parties aggrieved by actions of the director pursuant to any business license ordinance. The examiner may adopt reasonable rules or regulations for conducting its business. Copies of all rules and regulations adopted by the examiner shall be delivered to the director, who shall make them freely accessible to the public. All decisions and findings of the examiner shall be rendered to the appellant in writing, with a copy to the director.

B. For-hire transportation appeals under K.C.C. chapter 6.64 and adult beverage businesses appeals under K.C.C. chapter 6.xx (the chapter created by section 3 of this ordinance) shall be filed in accordance with K.C.C. 20.22.080 and the hearing process conducted in accordance with K.C.C. chapter 20.22. Subsections C. through H. of this section do not apply to this subsection B.

C. Any person entitled to service under K.C.C. 6.01.130 may appeal any notice and order or any action of the director by filing at the office of the director within seven days from the date of service of such order, a written appeal containing;

1. A heading in the words: "Before the Office of the Hearing Examiner";
2. A caption reading: "Appeal of" giving the names of all appellants participating in the appeal;

294 3. A brief statement setting forth the legal interest of each of the appellants in the
295 business or entertainment involved in the notice and order;

296 4. A brief statement in concise language of the specific order or action protested,
297 together with any material facts claimed to support the contentions of the appellant;

298 5. A brief statement in concise language of the relief sought, and the reasons why
299 it is claimed the protested order or action should be reversed, modified or otherwise set
300 aside;

301 6. The signatures of all parties named as appellants, and their official mailing
302 addresses; and

303 7. The verification (by declaration under penalty of perjury) of at least one
304 appellant as to the truth of the matters stated in the appeal.

305 D. As soon as practicable after receiving the written appeal, the examiner shall fix
306 a date, time and place for the hearing of the appeal. The date shall be neither less than ten
307 days nor more than sixty days from the date the appeal was filed with the director. Written
308 notice of the time and place of the hearing shall be given at least ten days before the date of
309 the hearing to each appellant by the examiner either by causing a copy of the notice to be
310 delivered to the appellant personally or by mailing a copy thereof, postage prepaid,
311 addressed to the appellant at the appellant's address shown on the appeal.

312 E. At the hearing the appellant shall be entitled to appear in person and be
313 represented by counsel and offer such evidence as is pertinent and material to the action of
314 the director.

315 F. Only those matters or issues specifically raised by the appellant in the written
316 notice of appeal shall be considered in the hearing of the appeal.

317 G. Failure of any person to file an appeal in accordance with this section shall
318 constitute a waiver of the person's right to an administrative hearing and adjudication of the
319 notice and order, or any portion thereof.

320 H. Enforcement of any notice and order of the director shall be stayed during the
321 pendency of an appeal therefrom that is properly and timely filed.

322 SECTION 3. Sections 4 through 11 of this ordinance should constitute a new
323 chapter in K.C.C. Title 6.

324 NEW SECTION. SECTION 4. There is hereby added to the chapter established
325 in section 3 of this ordinance a new section to read as follows:

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

329 NEW SECTION. SECTION 5. There is hereby added to the chapter established
330 in section 3 of this ordinance a new section to read as follows:

331 For the purpose of this chapter, unless the context clearly requires otherwise,
332 "adult beverage business" means a winery, brewery, distillery or cidery, and remote
333 tasting rooms for any of those businesses. A nonconforming home occupation and a
334 nonconforming home industry is an "adult beverage business" for the purposes of this
335 section.

336 NEW SECTION. SECTION 6. There is hereby added to the chapter established
337 in section 3 of this ordinance a new section to read as follows:

338 A person or entity shall not operate or maintain an adult beverage business in
339 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 7. There is hereby added to the chapter established in section 3 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;

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; and

E. For any adult beverage businesses attempting to demonstrate legal nonconforming use status under section 11.B. of this ordinance, operating under an active Washington state Liquor and Cannabis Board production license issued for their current location before the effective date of this ordinance, and where King County did not object to the location during the Washington state Liquor and Cannabis Board license application process, documentation sufficient to establish that the requirements of K.C.C. Title 21A have been met, and documentation of the county's response to the notice of application, if any.

NEW SECTION. SECTION 8. There is hereby added to the chapter established in section 3 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 9. There is hereby added to the chapter established in section 3 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, or if, after an investigation, the director determines that the proposed business location does not comply with K.C.C. Title 21A. 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 10. There is hereby added to the chapter established in section 3 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 11. There is hereby added to the chapter established in section 3 of this ordinance a new section to read as follows:

A. 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.

B. For any adult beverage businesses operating under an active Washington state Liquor and Cannabis Board production license issued for their current location before the effective date of this ordinance, and where King County did not object to the location during the Washington state Liquor and Cannabis Board license application process, if all other requirements of this chapter are met, the director shall approve the first adult beverage business license. The first business license shall be valid for six months from the date of issuance. The first business license may be extended, at no charge to the applicant, for an additional six months, if the director determines that the business

operator has taken substantial steps to document compliance with K.C.C. Title 21A.
Subsequent business licenses or renewals for such locations shall only be approved by the
director if:

1. The requirements to establish a legal nonconforming use have been met;
2. The applicant has otherwise established a vested legal nonconforming use;
3. The director determines that the business operator has taken substantial steps
to document compliance with K.C.C. Title 21A; or
4. If the business has come into conformance with the winery, brewery,
distillery facility I, II or III or remote tasting room regulations adopted in K.C.C.
21A.08.070, 21A.08.080 or section 28 of this ordinance.

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, distilling, barrel or tank aging, and finishing. A winery, brewery, distillery facility I may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law. On-site tasting of products or retail sales are not allowed. "Winery, brewery, distillery facility I" does not include any retail liquor licenses that would be authorized by 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 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, distilling, barrel or tank aging, and finishing. A winery, brewery, distillery facility II may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law, on-site tasting of products and sales as authorized by state law and sales of merchandise related to products available for tasting as authorized by state law. "Winery, brewery, distillery facility II" does not include any retail liquor licenses that would be authorized by chapter 314-02 WAC.

NEW SECTION. SECTION 16. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

455 Winery, brewery, distillery facility III: A production facility licensed by the state
 456 of Washington to produce adult beverages such as wine, cider, beer and distilled spirits
 457 and that includes an adult beverage production use such as crushing, fermentation,
 458 distilling, barrel or tank aging, and finishing. A winery, brewery, distillery facility III
 459 may include additional production-related uses such as vineyards, orchards, wine cellars
 460 or similar product-storage areas as authorized by state law, on-site tasting of products and
 461 sales as authorized by state law and sales of merchandise related to products available as
 462 authorized by state law. "Winery, brewery, distillery facility III" does not include any
 463 retail liquor licenses that would be authorized by chapter 314-02 WAC.

464 SECTION 17. Ordinance 10870, Section 334, as amended, and K.C.C.
 465 21A.08.070 are hereby amended to read as follows:

466 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	P3 and	P4		P3 and 4						P		

	Products Sales	4											
*	Department and Variety Stores						C14a	P14	P5	P	P		
54	Food Stores						C15a	P15	P	P	P	C	P6
*	Agricultural Product Sales (28)							P25	P25	P25	P25	P25	P25
*	Farmers Market	P24	P24		P24	P24	P24	P24	P24	P24	P24	P24	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>Remote Tasting Room</u>				<u>P13</u>					<u>P7</u>	<u>P7</u>		
*	Drug Stores						C15	P15	P	P	P	C	
*	Marijuana retailer									P26 C27	P26 C27		

592	Liquor Stores	((P13))			((P13))	((P13))			((P13))	P	P		
593	Used Goods: Antiques/ Secondhand Shops									P	P		
*	Sporting Goods and Related Stores			P22	P22	P22	P22	P22	P22	P	P	P22	P22
*	Book, Stationery, Video and Art Supply Stores						C15a	P15	P	P	P		
*	Jewelry Stores									P	P		
*	Monuments, Tombstones, and Gravestones										P		
*	Hobby, Toy, Game Shops								P	P	P		
*	Photographic and Electronic Shops								P	P	P		
*	Fabric Shops									P	P		
598	Fuel Dealers									C11	P		P
*	Florist Shops						C15a	P15	P	P	P	P	
*	Personal Medical Supply Stores									P	P		
*	Pet Shops								P	P	P		
*	Bulk Retail									P	P		
*	Auction										P12		P

	Houses												
*	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.

4. No permanent structures or signs.

5. Limited to SIC Industry No. 5331-Variety Stores, and further limited to a maximum of two thousand square feet of gross floor area.

6. Limited to a maximum of five thousand square feet of gross floor area.

7. ~~((Repealed))~~ Off-street parking is limited to a maximum of one space per fifty square feet of tasting and retail areas.

8. Excluding retail sale of trucks exceeding one-ton capacity.

488 9. Only the sale of new or reconditioned automobile supplies is permitted.

489 10. Excluding SIC Industry No. 5813-Drinking Places.

490 11. No outside storage of fuel trucks and equipment.

491 12. Excluding vehicle and livestock auctions.

492 13. ~~((Only as accessory to a winery or SIC Industry No. 2082 Malt Beverages,~~

493 ~~and limited to sales of products produced on site and incidental items where the majority~~

494 ~~of sales are generated from products produced on site))~~ Permitted as part of the

495 demonstration project authorized by section 28 of this ordinance.

496 14.a. Not in R-1 and limited to SIC Industry No. 5331-Variety Stores, limited to

497 a maximum of five thousand square feet of gross floor area, and subject to K.C.C.

498 21A.12.230; and

499 b. Before filing an application with the department, the applicant shall hold a

500 community meeting in accordance with K.C.C. 20.20.035.

501 15.a. Not permitted in R-1 and limited to a maximum of five thousand square

502 feet of gross floor area and subject to K.C.C. 21A.12.230; and

503 b. Before filing an application with the department, the applicant shall hold a

504 community meeting in accordance with K.C.C. 20.20.035.

505 16.a. Not permitted in R-1 and excluding SIC Industry No. 5813-Drinking

506 Places, and limited to a maximum of five thousand square feet of gross floor area and

507 subject to K.C.C. 21A.12.230, except as provided in subsection B.20. of this section; and

508 b. Before filing an application with the department, the applicant shall hold a

509 community meeting in accordance with K.C.C. 20.20.035.

510 17. Repealed.

511 18. Repealed.

512 19. Only as:

513 a. an accessory use to a permitted manufacturing or retail land use, limited to

514 espresso stands to include sales of beverages and incidental food items, and not to include

515 drive-through sales; or

516 b. an accessory use to a recreation or multiuse park, limited to a total floor area

517 of three thousand five hundred square feet.

518 20. Only as:

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

520 b. an accessory use to a park and limited to a total floor area of one thousand

521 five hundred square feet.

522 21. Accessory to a park, limited to a total floor area of seven hundred fifty

523 square feet.

524 22. Only as an accessory use to:

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

526 b. a park, or a recreation or multiuse park in the RA zones, and limited to a

527 total floor area of seven hundred and fifty square feet.

528 23. Only as accessory to SIC Industry Group No. 242-Sawmills and SIC

529 Industry No. 2431-Millwork and;

530 a. limited to lumber milled on site; and

531 b. the covered sales area is limited to two thousand square feet. The covered

532 sales area does not include covered areas used to display only milled lumber.

533 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 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.

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 18. Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080 are 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	R12	NB	CB	RB	O	I (11)
							-8	-48					

20	Food and Kindred Products (28)								P2	P2	P2 C		P2 C
*	Winery/Brewery/ Distillery Facility I				P32								
*((208 2 /2085))	Winery/Brewery/ Distillery Facility II	P3 (C42))			P3 C((42))3 0	((P3))			P17	P17	P29		P31
*	Winery/Brewery/ Distillery Facility III	C12			C12				C29	C29	C29		C31
*	Materials Processing Facility		P1 3 C	P14 C1 5	P16 C								P
22	Textile Mill Products												C
23	Apparel and other Textile Products										C		P
24	Wood Products, except furniture	P4 P18	P4 P1 8 C5		P4 P18 C5	P4					C6		P
25	Furniture and Fixtures		P1 9		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

646 B. Development conditions.

647 1. Repealed.

648 2. Except slaughterhouses.

649 3.a. ~~((Limited to wineries, SIC Industry No. 2082 Malt Beverages and SIC~~
650 ~~Industry No. 2085 Distilled and Blended Liquors;~~

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

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

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

663 ~~((e.))~~ d. Structures and parking areas ((used)) for ((processing)) winery,
664 brewery, distillery facility uses shall maintain a minimum distance of seventy-five feet
665 from interior property lines adjoining rural area and residential zones, unless located in a
666 building designated as historic resource under K.C.C. chapter 20.62;

667 ~~((f.))~~ e. In the A zone, ((S))sixty percent or more of the products processed
668 must be grown ((in the Puget Sound counties)) on-site. At the time of the initial
669 application under K.C.C. chapter 6.xx (the new chapter created in section 3 of this
670 ordinance), the applicant shall submit a projection of the source of products to be

671 produced; ~~((and~~
672 ~~g.))~~ f. At least two stages of production of wine, beer, cider or distilled spirits,
673 such as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized
674 by the Washington state Liquor and Cannabis Board production license, shall occur on-
675 site. At least one of the stages of production occurring on-site shall include crushing,
676 fermenting or distilling;
677 g. In the A zone, structures and areas for non-agricultural winery, brewery,
678 distillery facility uses shall be located on portions of agricultural lands that are unsuitable
679 for agricultural purposes, such as areas within the already developed portion of such
680 agricultural lands that are not available for direct agricultural production, or areas without
681 prime agricultural soils. No more than one acre of agricultural land may be converted to
682 a nonagricultural accessory use;
683 h. Tasting and retail sales of products produced on-site may occur only as
684 accessory to the primary winery, brewery, distillery production use and may be provided
685 in accordance with state law. The area devoted to on-site tasting or retail sales shall be
686 limited to no more than fifteen percent of the aggregated floor area and shall be included
687 in the aggregated floor area limitation in subsection B.3.c. of this section. Incidental
688 retail sales of merchandise related to the products produced on-site is allowed subject to
689 the restrictions described in this subsection B.3. Hours of operation for on-site tasting of
690 products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays,
691 tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays,
692 Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00
693 p.m.;

- 694 i. Access to the site shall be directly to and from an arterial roadway;
- 695 j. Off-street parking is limited to a maximum of one hundred fifty percent of
- 696 the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;
- 697 k. The business operator shall obtain an adult beverage business license in
- 698 accordance with K.C.C. chapter 6.xx (the new chapter created in section 3 of this
- 699 ordinance);
- 700 l. Events may be allowed with an approved temporary use permit under K.C.C.
- 701 chapter 21A.32; and
- 702 m. The impervious surface associated with the winery, brewery, distillery
- 703 facility use shall not exceed twenty-five percent of the site, or the maximum impervious
- 704 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,
- 705 whichever is less.
- 706 4. Limited to rough milling and planing of products grown on-site with portable
- 707 equipment.
- 708 5. Limited to SIC Industry Group No. 242-Sawmills and SIC Industry No.
- 709 2431-Millwork. For RA zoned sites, if using lumber or timber grown off-site, the
- 710 minimum site area is four and one-half acres.
- 711 6. Limited to uses found in SIC Industry No. 2434-Wood Kitchen Cabinets and
- 712 No. 2431-Millwork, (excluding planing mills).
- 713 7. Limited to photocopying and printing services offered to the general public.
- 714 8. Only within enclosed buildings, and as an accessory use to retail sales.
- 715 9. Only within enclosed buildings.
- 716 10. Limited to boat building of craft not exceeding forty-eight feet in length.

11. For I-zoned sites located outside the urban growth area designated by the King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C. 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for rural industrial uses as set forth in K.C.C. chapter 21A.12.

12.a. ~~((Limited to wineries, SIC Industry No. 2082 Malt Beverages and SIC Industry No. 2085 Distilled and Blended Liquors))~~ In the A zone, 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;

b.~~((1) Except as provided in subsection B.12.b.(2) of this section, t))~~The aggregated floor area of structures and areas for ((wineries, breweries and distilleries and any accessory)) winery, brewery, distillery facility uses shall not exceed a total of eight thousand square feet. ((The floor area may be increased by up to an additional eight thousand square feet of underground storage that is constructed completely below natural grade, not including required exits and access points, if the 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;))~~

c. Only allowed on lots of at least four and one-half acres. If the aggregated floor area of structures for winery, brewery, distillery uses exceeds six thousand square feet, the minimum site area shall be ten acres;

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(~~((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)), and must connect to an existing Group A water system. The definitions and limits of Group A water systems are described in K.C.C. 13.24.007, and provision of water service is described in K.C.C. 13.24.138, 13.24.140 and 13.24.142;~~

e. Structures and parking areas (~~((used for processing))~~) for winery, brewery distillery facility uses shall (~~((be set back))~~) maintain 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;

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

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

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

g. ~~The facility shall be limited to processing agricultural products and))~~ In the A zone, sixty percent or more of the products processed must be grown (~~((in the Puget Sound counties))~~) on-site. At the time of the initial application under K.C.C. chapter 6.xx

(the new chapter created in section 3 of this ordinance), the applicant shall submit a projection of the source of products to be processed; ~~((and))~~

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

h. 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. No more than one acre of agricultural land may be converted to a nonagricultural accessory use;

i. Tasting and retail sales of products produced on-site may occur only as accessory to the primary winery, brewery, distillery production use and may be provided in accordance with state law. The area devoted to on-site tasting or retail sales shall be limited to no more than fifteen percent of the aggregated floor area and shall be included in the aggregated floor area limitation in subsection B.12.b. and c. of this section. Incidental retail sales of merchandise related to the products produced on-site is allowed subject to the restrictions described in this subsection. 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.

786 through 9:00 p.m.;

787 j. Access to the site shall be directly to and from an arterial roadway;

788 k. Off-street parking maximums shall be determined through the conditional
789 use permit process, and should not be more than one hundred fifty percent of the
790 minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

791 l. The business operator shall obtain an adult beverage business license in
792 accordance with K.C.C. chapter 6.xx (the new chapter created in section 3 of this
793 ordinance);

794 m. Events may be allowed with an approved temporary use permit under
795 K.C.C. chapter 21A.32; and

796 n. The impervious surface associated with the winery, brewery, distillery
797 facility use shall not exceed twenty-five percent of the site, or the maximum impervious
798 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,
799 whichever is less.

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

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

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

808 14. Only on the same lot or same group of lots under common ownership or

809 documented legal control, which includes, but is not limited to, fee simple ownership, a
810 long-term lease or an easement:

811 a. as accessory to a primary mineral use; or

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

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

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

818 17.a. ~~((Limited to wineries, SIC Industry No. 2082 Malt Beverages and SIC~~
819 ~~Industry No. 2085 Distilled and Blended Liquors;~~

820 ~~b.))~~ The aggregated floor area ((devoted to all processing)) of structures and
821 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.))~~ b. Structures and parking areas ((used for processing)) for 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; ((and

831 ~~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 on-site tasting or retail sales shall be included in the aggregated floor area limitation in subsection B.~~((18-b.))~~17.a. 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;

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 3 of this ordinance); and

f. 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:

(1) If using lumber or timber grown off-site, the minimum site area is four and one-half acres;

(2) The facility shall be limited to an annual production of no more than one hundred fifty thousand board feet;

(3) Structures housing equipment used in the operation shall be located at least one-hundred feet from adjacent properties with residential or rural area zoning;

(4) Deliveries and customer visits shall be limited to the hours of 8:00 a.m. to 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

(5) In the RA zone, the facility's driveway shall have adequate entering sight distance required by the 2007 King County Road Design and Construction Standards. An

adequate turn around shall be provided on-site to prevent vehicles from backing out on to the roadway that the driveway accesses; and

(6) Outside lighting is limited to avoid off-site glare; and

b. SIC Industry No. 2411-Logging.

19. Limited to manufacture of custom made wood furniture or cabinets.

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

b. Only as an accessory use to a Washington state Liquor Control Board licensed marijuana production facility on the same lot;

c. With a lighting plan, only if required by 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; and

e. 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.

21.a. Only in the CB and RB zones located outside 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.22. of this section.

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

b. 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 thirty thousand square feet;

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

901 are imported onto the site;

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

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

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

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

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

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

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

920 b. Only with documentation that the operator has applied for a Puget Sound
921 Clean Air Agency Notice of Construction Permit. All department permits issued to either
922 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
923 Clean Air Agency Notice of Construction Permit be approved before marijuana products

are imported onto the site; and

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

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

b. 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; and

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

27.a. Marijuana processors in all RA zoned areas except for Vashon-Maury Island, that do not require a conditional use permit issued by King County, that receive a Washington state Liquor and Cannabis Board license business prior to October 1, 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 as to subsection B.27.e. of this section, subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses;

b. Only with a lighting plan that complies with 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. Only allowed on lots of at least four and on-half acres on Vashon-Maury Island;

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

f. Only as an accessory use to a Washington state Liquor Cannabis Board 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;

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 off-street parking 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 in accordance with K.C.C. chapter 6.xx (the new chapter created in section 3 of this ordinance); and

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

30.a. Only allowed on lots of at least two and one-half acres;

b. 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;

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;

d. Tasting and retail sales of products produced on-site may only occur as accessory to the primary winery, brewery, distillery production use and may be provided in accordance with state law. The area devoted to on-site tasting or retail sales shall be

limited to no more than fifteen percent of the aggregated floor area and shall be included in the aggregated floor area limitation in subsection B.30.b. of this section. Incidental retail sales of merchandise related to the products produced on-site is allowed subject to the restrictions described in this subsection. 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. Access to the site shall be directly to and from a public roadway;

f. Off-street parking is limited to a maximum of one hundred fifty percent of the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

g. 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 3 of this ordinance);

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

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

j. The impervious surface associated with the winery, brewery, distillery facility use shall not exceed twenty-five percent of the site, or the maximum impervious

1016 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,
1017 whichever is less.

1018 31.a. Limited to businesses with non-retail brewery and distillery production
1019 licenses from the Washington state Liquor and Cannabis board. Wineries and remote
1020 tasting rooms for wineries shall not be allowed;

1021 b. Tasting and retail sale of products produced on-site and merchandise related
1022 to the products produced on-site may be provided in accordance with state law. The area
1023 devoted to on-site tasting or retail sales shall not exceed one thousand five hundred
1024 square feet;

1025 c. Structures and parking areas for brewery and distillery facility uses shall
1026 maintain a minimum distance of seventy-five feet from interior property lines adjoining
1027 rural area and residential zones, unless located in a building designated as historic
1028 resource under K.C.C. chapter 20.62;

1029 d. For brewery and distillery facility uses that do not require a conditional use
1030 permit, off-street parking for the tasting and retail areas shall be limited to a maximum of
1031 one space per fifty square feet of tasting and retail areas. For brewery and distillery
1032 facility uses that do require a conditional use permit, off-street parking maximums shall
1033 be determined through the conditional use permit process, and off-street parking for the
1034 tasting and retail areas should be limited to a maximum of one space per fifty square feet
1035 of tasting and retail areas;

1036 e. The business operator shall obtain an adult beverage business license in
1037 accordance with K.C.C. chapter 6.xx (the new chapter created in section 3 of this
1038 ordinance); and

1039 f. Events may be allowed with an approved temporary use permit under K.C.C.
1040 chapter 21A.32.

1041 32.a. The aggregated floor area of structures and areas for winery, brewery,
1042 distillery facility uses shall not exceed one thousand five hundred square feet;

1043 b. Structures and parking areas for winery, brewery, distillery facility uses
1044 shall maintain a minimum distance of seventy-five feet from interior property lines
1045 adjoining rural area and residential zones, unless located in a building designated as
1046 historic resource under K.C.C. chapter 20.62;

1047 c. One on-site parking stall shall be allowed for the winery, brewery, distillery
1048 facility I use;

1049 d. The business operator shall obtain an adult beverage business license in
1050 accordance with K.C.C. chapter 6.xx (the new chapter created in section 3 of this
1051 ordinance);

1052 e. At least two stages of production of wine, beer, cider or distilled spirits, such
1053 as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the
1054 Washington state Liquor and Cannabis Board production license, shall occur on-site. At
1055 least one of the stages of production occurring on-site shall include crushing, fermenting
1056 or distilling;

1057 f. No product tasting or retail sales shall be allowed on-site;

1058 g. Events may be allowed in accordance with K.C.C. 21A.32.120.B.6; and

1059 h. The impervious surface associated with the winery, brewery, distillery
1060 facility use shall not exceed twenty-five percent of the site or the maximum impervious
1061 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,

1062 whichever is less.

1063 SECTION 19. Ordinance 10870, Section 336, as amended, and K.C.C.

1064 21A.08.090 are hereby amended to read as follows:

1065 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								

- 1066 B. Development conditions.
- 1067 1. May be further subject to K.C.C. chapter 21A.25.
- 1068 2. Only forest research conducted within an enclosed building.
- 1069 3. Farm residences in accordance with K.C.C. 21A.08.030.
- 1070 4. Excluding housing for agricultural workers.
- 1071 5. Limited to either maintenance or storage facilities, or both, in conjunction
- 1072 with mineral extraction or processing operation.
- 1073 6. Allowed in accordance with K.C.C. chapter 21A.30.
- 1074 7. Only in conjunction with a mineral extraction site plan approved in
- 1075 accordance with K.C.C. chapter 21A.22.
- 1076 8. Only on the same lot or same group of lots under common ownership or
- 1077 documented legal control, which includes, but is not limited to, fee simple ownership, a
- 1078 long-term lease or an easement:

1079 a. as accessory to a primary mineral extraction use;

1080 b. as a continuation of a mineral processing only for that period to complete

1081 delivery of products or projects under contract at the end of a mineral extraction; or

1082 c. for a public works project under a temporary grading permit issued in

1083 accordance with K.C.C. 16.82.152.

1084 9. Limited to mineral extraction and processing:

1085 a. on a lot or group of lots under common ownership or documented legal control,

1086 which includes but is not limited to, fee simple ownership, a long-term lease or an

1087 easement;

1088 b. that are located greater than one-quarter mile from an established residence;

1089 and

1090 c. that do not use local access streets that abut lots developed for residential

1091 use.

1092 10. Agriculture training facilities are allowed only as an accessory to existing

1093 agricultural uses and are subject to the following conditions:

1094 a. The impervious surface associated with the agriculture training facilities

1095 shall comprise not more than ten percent of the allowable impervious surface permitted

1096 under K.C.C. 21A.12.040;

1097 b. New or the expansion of existing structures, or other site improvements,

1098 shall not be located on class 1, 2 or 3 soils;

1099 c. The director may require reuse of surplus structures to the maximum extent

1100 practical;

1101 d. The director may require the clustering of new structures with existing

1102 structures;

1103 e. New structures or other site improvements shall be set back a minimum
1104 distance of seventy-five feet from property lines adjoining rural area and residential
1105 zones;

1106 f. Bulk and design of structures shall be compatible with the architectural style
1107 of the surrounding agricultural community;

1108 g. New sewers shall not be extended to the site;

1109 h. Traffic generated shall not impede the safe and efficient movement of
1110 agricultural vehicles, nor shall it require capacity improvements to rural roads;

1111 i. Agriculture training facilities may be used to provide educational services to
1112 the surrounding rural/agricultural community or for community events. Property owners
1113 may be required to obtain a temporary use permit for community events in accordance
1114 with K.C.C. chapter 21A.32;

1115 j. Use of lodging and food service facilities shall be limited only to activities
1116 conducted in conjunction with training and education programs or community events
1117 held on site;

1118 k. Incidental uses, such as office and storage, shall be limited to those that
1119 directly support education and training activities or farm operations; and

1120 l. The King County agriculture commission shall be notified of and have an
1121 opportunity to comment upon all proposed agriculture training facilities during the permit
1122 process in accordance with K.C.C. chapter 21A.40.

1123 11. Continuation of mineral processing and asphalt/concrete mixtures and block
1124 uses after reclamation in accordance with an approved reclamation plan.

1125 12.a. Activities at the camp shall be limited to agriculture and agriculture-
1126 oriented activities. In addition, activities that place minimal stress on the site's
1127 agricultural resources or activities that are compatible with agriculture are permitted.

- 1128 (1) passive recreation;
1129 (2) training of individuals who will work at the camp;
1130 (3) special events for families of the campers; and
1131 (4) agriculture education for youth.

1132 b. Outside the camp center, as provided for in subsection B.12.e. of this
1133 section, camp activities shall not preclude the use of the site for agriculture and
1134 agricultural related activities, such as the processing of local food to create value-added
1135 products and the refrigeration and storage of local agricultural products. The camp shall
1136 be managed to coexist with agriculture and agricultural activities both onsite and in the
1137 surrounding area.

1138 c. A farm plan shall be required for commercial agricultural production to
1139 ensure adherence to best management practices and soil conservation.

1140 d.(1) The minimum site area shall be five hundred acres. Unless the property
1141 owner has sold or transferred the development rights as provided in subsection B.12.c.(3)
1142 of this section, a minimum of five hundred acres of the site must be owned by a single
1143 individual, corporation, partnership or other legal entity and must remain under the
1144 ownership of a single individual, corporation, partnership or other legal entity for the
1145 duration of the operation of the camp.

1146 (2) Nothing in subsection B.12.d.(1) of this section prohibits the property
1147 owner from selling or transferring the development rights for a portion or all of the site to

1148 the King County farmland preservation program or, if the development rights are
1149 extinguished as part of the sale or transfer, to a nonprofit entity approved by the director;

1150 e. The impervious surface associated with the camp shall comprise not more
1151 than ten percent of the allowable impervious surface permitted under K.C.C. 21A.12.040;

1152 f. Structures for living quarters, dining facilities, medical facilities and other
1153 nonagricultural camp activities shall be located in a camp center. The camp center shall
1154 be no more than fifty acres and shall depicted on a site plan. New structures for
1155 nonagricultural camp activities shall be clustered with existing structures;

1156 g. To the extent practicable, existing structures shall be reused. The applicant
1157 shall demonstrate to the director that a new structure for nonagricultural camp activities
1158 cannot be practicably accommodated within an existing structure on the site, though
1159 cabins for campers shall be permitted only if they do not already exist on site;

1160 h. Camp facilities may be used to provide agricultural educational services to
1161 the surrounding rural and agricultural community or for community events. If required
1162 by K.C.C. chapter 21A.32, the property owner shall obtain a temporary use permit for
1163 community events;

1164 i. Lodging and food service facilities shall only be used for activities related to
1165 the camp or for agricultural education programs or community events held on site;

1166 j. Incidental uses, such as office and storage, shall be limited to those that
1167 directly support camp activities, farm operations or agricultural education programs;

1168 k. New nonagricultural camp structures and site improvements shall maintain a
1169 minimum set-back of seventy-five feet from property lines adjoining rural area and
1170 residential zones;

1171 l. Except for legal nonconforming structures existing as of January 1, 2007,
1172 camp facilities, such as a medical station, food service hall and activity rooms, shall be of
1173 a scale to serve overnight camp users;

1174 m. Landscaping equivalent to a type III landscaping screen, as provided for in
1175 K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures
1176 and site improvements located within two hundred feet of an adjacent rural area and
1177 residential zoned property not associated with the camp;

1178 n. New sewers shall not be extended to the site;

1179 o. The total number of persons staying overnight shall not exceed three
1180 hundred;

1181 p. The length of stay for any individual overnight camper, not including camp
1182 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

1183 q. Traffic generated by camp activities shall not impede the safe and efficient
1184 movement of agricultural vehicles nor shall it require capacity improvements to rural
1185 roads;

1186 r. If the site is adjacent to an arterial roadway, access to the site shall be
1187 directly onto the arterial unless the county road engineer determines that direct access is
1188 unsafe;

1189 s. If direct access to the site is via local access streets, transportation
1190 management measures shall be used to minimize adverse traffic impacts;

1191 t. Camp recreational activities shall not involve the use of motor vehicles
1192 unless the motor vehicles are part of an agricultural activity or are being used for the
1193 transportation of campers, camp personnel or the families of campers. Camp personnel

1194 may use motor vehicles for the operation and maintenance of the facility. Client-specific
1195 motorized personal mobility devices are allowed; and

1196 u. Lights to illuminate the camp or its structures shall be arranged to reflect the
1197 light away from any adjacent property.

1198 13. Limited to digester receiving plant and animal and other organic waste from
1199 agricultural activities, and including electrical generation, as follows:

1200 a. the digester must be included as part of a Washington state Department of
1201 Agriculture approved dairy nutrient plan;

1202 b. the digester must process at least seventy percent livestock manure or other
1203 agricultural organic material from farms in the vicinity, by volume;

1204 c. imported organic waste-derived material, such as food processing waste,
1205 may be processed in the digester for the purpose of increasing methane gas production for
1206 beneficial use, but not shall exceed thirty percent of volume processed by the digester;
1207 and

1208 d. the use must be accessory to an operating dairy or livestock operation.

1209 14. Farm worker housing. Either:

1210 a. Temporary farm worker housing subject to the following conditions:

1211 (1) The housing must be licensed by the Washington state Department of
1212 Health under chapter 70.114A RCW and chapter 246-358 WAC;

1213 (2) Water supply and sewage disposal systems must be approved by the
1214 Seattle King County department of health;

1215 (3) To the maximum extent practical, the housing should be located on
1216 nonfarmable areas that are already disturbed and should not be located in the floodplain

1217 or in a critical area or critical area buffer; and

1218 (4) The property owner shall file with the department of executive services,
1219 records and licensing services division, a notice approved by the department identifying
1220 the housing as temporary farm worker housing and that the housing shall be occupied
1221 only by agricultural employees and their families while employed by the owner or
1222 operator or on a nearby farm. The notice shall run with the land; or

1223 b. Housing for agricultural employees who are employed by the owner or
1224 operator of the farm year-round as follows:

1225 (1) Not more than:

1226 (a) one agricultural employee dwelling unit on a site less than twenty acres;

1227 (b) two agricultural employee dwelling units on a site of at least twenty
1228 acres and less than fifty acres;

1229 (c) three agricultural employee dwelling units on a site of at least fifty acres
1230 and less than one-hundred acres; and

1231 (d) four agricultural employee dwelling units on a site of at least one-
1232 hundred acres, and one additional agricultural employee dwelling unit for each additional
1233 one hundred acres thereafter;

1234 (2) If the primary use of the site changes to a nonagricultural use, all
1235 agricultural employee dwelling units shall be removed;

1236 (3) The applicant shall file with the department of executive services, records
1237 and licensing services division, a notice approved by the department that identifies the
1238 agricultural employee dwelling units as accessory and that the dwelling units shall only
1239 be occupied by agricultural employees who are employed by the owner or operator year-

1240 round. The notice shall run with the land. The applicant shall submit to the department
1241 proof that the notice was filed with the department of executive services, records and
1242 licensing services division, before the department approves any permit for the
1243 construction of agricultural employee dwelling units;

1244 (4) An agricultural employee dwelling unit shall not exceed a floor area of
1245 one thousand square feet and may be occupied by no more than eight unrelated
1246 agricultural employees;

1247 (5) To the maximum extent practical, the housing should be located on
1248 nonfarmable areas that are already disturbed;

1249 (6) One off-street parking space shall be provided for each agricultural
1250 employee dwelling unit; and

1251 (7) The agricultural employee dwelling units shall be constructed in
1252 compliance with K.C.C. Title 16.

1253 15. Marijuana production by marijuana producers licensed by the Washington
1254 state Liquor and Cannabis Board is subject to the following standards:

1255 a. Only allowed on lots of at least four and one-half acres;

1256 b. With a lighting plan, only if required by and that complies with K.C.C.

1257 21A.12.220.G.;

1258 c. Only with documentation that the operator has applied for a Puget Sound
1259 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1260 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1261 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1262 are imported onto the site;

1263 d. Production is limited to outdoor, indoor within marijuana greenhouses, and
1264 within structures that are nondwelling unit structures that exist as of October 1, 2013,
1265 subject to the size limitations in subsection B.15.e. of this section;

1266 e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1267 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
1268 aggregated total of two thousand square feet and shall be located within a fenced area or
1269 marijuana greenhouse that is no more than ten percent larger than that combined area, or
1270 may occur in nondwelling unit structures that exist as of October 1, 2013;

1271 f. Outdoor production area fencing as required by the Washington state Liquor
1272 and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall
1273 maintain a minimum street setback of fifty feet and a minimum interior setback of thirty
1274 feet; and

1275 g. If the two-thousand-square-foot-per-lot threshold of plant canopy combined
1276 with area used for processing under K.C.C. 21A.08.080 is exceeded, each and every
1277 marijuana-related entity occupying space in addition to the two-thousand-square-foot
1278 threshold area on that lot shall obtain a conditional use permit as set forth in subsection
1279 B.22. of this section.

1280 16. Marijuana production by marijuana producers licensed by the Washington
1281 state Liquor and Cannabis Board is subject to the following standards:

1282 a. Marijuana producers in all RA zoned areas except for Vashon-Maury Island,
1283 that do not require a conditional use permit issued by King County, that receive a
1284 Washington state Liquor and Cannabis Board license business prior to October 1, 2016,
1285 and that King County did not object to within the Washington state Liquor and Cannabis

1286 Board marijuana license application process, shall be considered nonconforming as to
1287 subsection B.16.d. and h. of this section, subject to the provisions of K.C.C. 21A.32.020
1288 through 21A.32.075 for nonconforming uses;

1289 b. In all rural area zones, only with a lighting plan that complies with K.C.C.
1290 21A.12.220.G.;

1291 c. Only allowed on lots of at least four and one-half acres on Vashon-Maury
1292 Island;

1293 d. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,
1294 except on Vashon-Maury Island;

1295 e. Only with documentation that the operator has applied for a Puget Sound
1296 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1297 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1298 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1299 are imported onto the site;

1300 f. Production is limited to outdoor, indoor within marijuana greenhouses, and
1301 within nondwelling unit structures that exist as of October 1, 2013, subject to the size
1302 limitations in subsection B.16.g. of this section; and

1303 g. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1304 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
1305 aggregated total of two thousand square feet and shall be located within a fenced area or
1306 marijuana greenhouse, that is no more than ten percent larger than that combined area, or
1307 may occur in nondwelling unit structures that exist as of October 1, 2013;

1308 h. Outdoor production area fencing as required by the Washington state Liquor

1309 and Cannabis Board and marijuana greenhouses shall maintain a minimum street setback
1310 of fifty feet and a minimum interior setback of one hundred feet; and a minimum setback
1311 of one hundred fifty feet from any existing residence; and

1312 i. If the two-thousand-square-foot-per-lot threshold of plant canopy within
1313 fenced areas or marijuana greenhouses is exceeded, each and every marijuana-related
1314 entity occupying space in addition to the two-thousand-square-foot threshold area on that
1315 lot shall obtain a conditional use permit as set forth in subsection B.17. of this section.

1316 17. Marijuana production by marijuana producers licensed by the Washington
1317 state Liquor and Cannabis Board is subject to the following standards:

1318 a. Only allowed on lots of at least four and one-half acres on Vashon-Maury
1319 Island;

1320 b. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,
1321 except on Vashon-Maury Island;

1322 c. In all rural area zones, only with a lighting plan that complies with K.C.C.
1323 21A.12.220.G.;

1324 d. Only with documentation that the operator has applied for a Puget Sound
1325 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1326 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1327 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1328 are imported onto the site;

1329 e. Production is limited to outdoor and indoor within marijuana greenhouses
1330 subject to the size limitations in subsection B.17.f. of this section;

1331 f. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with

1332 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
1333 aggregated total of thirty thousand square feet and shall be located within a fenced area or
1334 marijuana greenhouse that is no more than ten percent larger than that combined area;
1335 and

1336 g. Outdoor production area fencing as required by the Washington state Liquor
1337 and Cannabis Board, and marijuana greenhouses shall maintain a minimum street setback
1338 of fifty feet and a minimum interior setback of one hundred feet, and a minimum setback
1339 of one hundred fifty feet from any existing residence.

1340 18.a. Production is limited to indoor only;

1341 b. With a lighting plan only as required by and that complies with K.C.C.
1342 21A.12.220.G.;

1343 c. Only with documentation that the operator has applied for a Puget Sound
1344 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1345 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1346 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1347 are imported onto the site; and

1348 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1349 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1350 aggregated total of two thousand square feet and shall be located within a building or
1351 tenant space that is no more than ten percent larger than the plant canopy and separately
1352 authorized processing area; and

1353 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
1354 every marijuana-related entity occupying space in addition to the two-thousand-square

foot threshold area on that parcel shall obtain a conditional use permit as set forth in subsection B.19. of this section.

19.a. Production is limited to indoor only;

b. With a lighting plan only as required by and that complies with 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; and

d. 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 building or

tenant space that is no more than ten percent larger than the plant canopy and separately

authorized processing area.

20.a. Production is limited to indoor only;

b. With a lighting plan only as required by and that complies with 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;

1378 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1379 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1380 aggregated total of two thousand square feet and shall be located within a building or
1381 tenant space that is no more than ten percent larger than the plant canopy and separately
1382 authorized processing area; and

1383 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and every
1384 marijuana-related entity occupying space in addition to the two-thousand-square-foot
1385 threshold area on that lot shall obtain a conditional use permit as set forth in subsection
1386 B.21. of this section.

1387 21.a. Production is limited to indoor only;

1388 b. With a lighting plan only as required by and that complies with K.C.C.
1389 21A.12.220.G.;

1390 c. Only with documentation that the operator has applied for a Puget Sound
1391 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1392 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1393 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1394 are imported onto the site; and

1395 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1396 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1397 aggregated total of thirty thousand square feet and shall be located within a building or
1398 tenant space that is no more than ten percent larger than the plant canopy and separately
1399 authorized processing area.

1400 22. Marijuana production by marijuana producers licensed by the Washington

1401 state Liquor and Cannabis Board is subject to the following standards:

1402 a. With a lighting plan only as required by and that complies with K.C.C.

1403 21A.12.220.G.;

1404 b. Only allowed on lots of at least four and one-half acres;

1405 c. Only with documentation that the operator has applied for a Puget Sound

1406 Clean Air Agency Notice of Construction Permit. All department permits issued to either

1407 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1408 Clean Air Agency Notice of Construction Permit be approved before marijuana products

1409 are imported onto the site;

1410 d. Production is limited to outdoor, indoor within marijuana greenhouses, and

1411 within structures that are nondwelling unit structures that exist as of October 1, 2013,

1412 subject to the size limitations in subsection B.22. e. and f. of this section;

1413 e. On lots less than ten acres, per lot, the plant canopy, as defined in WAC

1414 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall

1415 be limited to a maximum aggregated total of five thousand square feet and shall be

1416 located within a fenced area or marijuana greenhouse that is no more than ten percent

1417 larger than that combined area, or may occur in nondwelling unit structures that exist as

1418 of October 1, 2013;

1419 f. On lots ten acres or more, per lot, the plant canopy, as defined in WAC 314-

1420 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be

1421 limited to a maximum aggregated total of ten thousand square feet, and shall be located

1422 within a fenced area or marijuana greenhouse that is no more than ten percent larger than

1423 that combined area, or may occur in nondwelling unit structures that exist as of October

1424 1, 2013; and

1425 g. Outdoor production area fencing as required by the Washington state Liquor
1426 and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall
1427 maintain a minimum street setback of fifty feet and a minimum interior setback of one
1428 hundred feet, and a minimum setback of one hundred fifty feet from any existing
1429 residence.

1430 23. The storage and processing of non-manufactured source separated organic
1431 waste that originates from agricultural operations and that does not originate from the
1432 site, if:

1433 a. agricultural is the primary use of the site;

1434 b. the storage and processing are in accordance with best management
1435 practices included in an approved farm plan; and

1436 c. except for areas used for manure storage, the areas used for storage and
1437 processing do not exceed three acres and ten percent of the site.

1438 24.a. For activities relating to the processing of crops or livestock for
1439 commercial purposes, including associated activities such as warehousing, storage,
1440 including refrigeration, and other similar activities and excluding ((wineries, SIC Industry
1441 No. 2085 — Distilled and Blended Liquors and SIC Industry No. 2082 — Malt Beverages))
1442 winery, brewery, distillery facility I, II and III and remote tasting room:

1443 (1) limited to agricultural products and sixty percent or more of the products
1444 processed must be grown in the Puget Sound counties. At the time of initial application,
1445 the applicant shall submit a projection of the source of products to be produced;

1446 (2) in the RA and UR zones, only allowed on sites of at least four and one-

1447 half acres;

1448 (3) (a) as a permitted use, the floor area devoted to all processing shall not
1449 exceed two thousand square feet, unless located in a building designated as an historic
1450 resource under K.C.C. chapter 20.62. The agricultural technical review committee, as
1451 established in K.C.C. 21A.42.300, may review and approve an increase in the processing
1452 floor area as follows: up to three thousand five hundred square feet of floor area may be
1453 devoted to all processing in the RA zones or on farms less than thirty-five acres located in
1454 the A zones or up to seven thousand square feet on farms greater than thirty-five acres in
1455 the A zone; and

1456 (b) as a permitted use, the floor area devoted to all warehousing,
1457 refrigeration, storage or other similar activities shall not exceed two thousand square feet,
1458 unless located in a building designated as historic resource under K.C.C. chapter 20.62.
1459 The agricultural technical review committee, as established in K.C.C. 21A.42.300, may
1460 review and approve an increase of up to three thousand five hundred square feet of floor
1461 area devoted to all warehouseing, storage, including refrigeration, or other similar
1462 activities in the RA zones or on farms less than thirty-five acres located in the A zones or
1463 up to seven thousand square feet on farms greater than thirty-five acres in the A zone;

1464 (4) in the A zone, structures and areas used for processing, warehousing,
1465 refrigeration, storage and other similar activities shall be located on portions of
1466 agricultural lands that are unsuitable for other agricultural purposes, such as areas within
1467 the already developed portion of such agricultural lands that are not available for direct
1468 agricultural production, or areas without prime agricultural soils; and

1469 (5) structures and areas used for processing, warehousing, storage, including

1470 refrigeration, and other similar activities shall maintain a minimum distance of seventy-
1471 five feet from property lines adjoining rural area and residential zones, unless located in a
1472 building designated as historic resource under K.C.C. chapter 20.62.

1473 b. For activities relating to the retail sale of agricultural products, except
1474 livestock:

1475 (1) sales shall be limited to agricultural products and locally made arts and
1476 crafts;

1477 (2) in the RA and UR zones, only allowed on sites at least four and one-
1478 half acres;

1479 (3) as a permitted use, the covered sales area shall not exceed two thousand
1480 square feet, unless located in a building designated as a historic resource under K.C.C.
1481 chapter 20.62. The agricultural technical review committee, as established in K.C.C.
1482 21A.42.300, may review and approve an increase of up to three thousand five hundred
1483 square feet of covered sales area;

1484 (4) forty percent or more of the gross sales of agricultural product sold
1485 through the store must be sold by the producers of primary agricultural products;

1486 (5) sixty percent or more of the gross sales of agricultural products sold
1487 through the store shall be derived from products grown or produced in the Puget Sound
1488 counties. At the time of the initial application, the applicant shall submit a reasonable
1489 projection of the source of product sales;

1490 (6) tasting of products, in accordance with applicable health regulations, is
1491 allowed;

1492 (7) storage areas for agricultural products may be included in a farm store

1493 structure or in any accessory building; and

1494 (8) outside lighting is permitted if there is no off-site glare.

1495 c. Retail sales of livestock is permitted only as accessory to raising livestock.

1496 d. Farm operations, including equipment repair and related facilities, except

1497 that:

1498 (1) the repair of tools and machinery is limited to those necessary for the

1499 operation of a farm or forest;

1500 (2) in the RA and UR zones, only allowed on sites of at least four and one-

1501 half acres;

1502 (3) the size of the total repair use is limited to one percent of the farm size in

1503 the A zone, and up to one percent of the size in other zones, up to a maximum of five

1504 thousand square feet unless located within an existing farm structure, including but not

1505 limited to barns, existing as of December 31, 2003; and

1506 (4) Equipment repair shall not be permitted in the Forest zone.

1507 e. The agricultural technical review committee, as established in K.C.C.

1508 21A.42.300, may review and approve reductions of minimum site sizes in the rural and

1509 residential zones and minimum setbacks from rural and residential zones.

1510 25. The department may review and approve establishment of agricultural

1511 support services in accordance with the code compliance review process in K.C.C.

1512 21A.42.300 only if:

1513 a. project is sited on lands that are unsuitable for direct agricultural production

1514 based on size, soil conditions or other factors and cannot be returned to productivity by

1515 drainage maintenance; and

1516 b. the proposed use is allowed under any Farmland Preservation Program
1517 conservation easement and zoning development standards.

1518 26. The agricultural technical review committee, as established in K.C.C.
1519 21A.42.300, may review and approve establishment of agricultural support services only
1520 if the project site:

1521 a. adjoins or is within six hundred sixty feet of the agricultural production
1522 district;

1523 b. has direct vehicular access to the agricultural production district;

1524 c. except for farmworker housing, does not use local access streets that abut
1525 lots developed for residential use; and

1526 b. has a minimum lot size of four and one-half acres.

1527 27. The agricultural technical review committee, as established in K.C.C.
1528 21A.42.300, may review and approve establishment of agricultural support services only
1529 if the project site:

1530 a. is outside the urban growth area,

1531 b. adjoins or is within six hundred sixty feet of the agricultural production
1532 district,

1533 c. has direct vehicular access to the agricultural production district,

1534 d. except for farmworker housing, does not use local access streets that abut
1535 lots developed for residential use; and

1536 e. has a minimum lot size of four and one-half acres.

1537 28. Only allowed on properties that are outside the urban growth area.

1538 SECTION 20. Ordinance 10870, Section 407, as amended, and K.C.C.

1539 21A.18.030 are hereby amended to read as follows:

1540 A. Except as modified in K.C.C. 21A.18.070. B((-)). through D., off-street
1541 parking areas shall contain at a minimum the number of parking spaces as stipulated in
1542 the following table. Off-street parking ratios expressed as number of spaces per square
1543 feet means the usable or net square footage of floor area, exclusive of non-public areas.
1544 Non-public areas include but are not limited to building maintenance areas, storage areas,
1545 closets or restrooms. If the formula for determining the number of off-street parking
1546 spaces results in a fraction, the number of off-street parking spaces shall be rounded to
1547 the nearest whole number with fractions of 0.50 or greater rounding up and fractions
1548 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 0.9 per 1,000 square feet of indoor storage or repair areas
Public agency archives	0.9 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 II and III</u>	<u>0.9</u> per 1,000 square feet, plus 1 per ((50)) <u>300</u> square feet of tasting and <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)

1549 B. An applicant may request a modification of the minimum required number of
1550 parking spaces by providing that parking demand can be met with a reduced parking
1551 requirement. In such cases, the director may approve a reduction of up to fifty percent of
1552 the minimum required number of spaces.

1553 C. When the county has received a shell building permit application, off-street
1554 parking requirements shall be based on the possible tenant improvements or uses
1555 authorized by the zone designation and compatible with the limitations of the shell

1556 permit. When the range of possible uses result in different parking requirements, the
1557 director will establish the amount of parking based on a likely range of uses.

1558 D. Where other provisions of this code stipulate maximum parking allowed or
1559 reduced minimum parking requirements, those provisions shall apply.

1560 E. In any development required to provide six or more parking spaces, bicycle
1561 parking shall be provided. Bicycle parking shall be bike rack or locker-type parking
1562 facilities unless otherwise specified.

1563 1. Off-street parking areas shall contain at least one bicycle parking space for
1564 every twelve spaces required for motor vehicles except as follows:

1565 a. The director may reduce bike rack parking facilities for patrons when it is
1566 demonstrated that bicycle activity will not occur at that location.

1567 b. The director may require additional spaces when it is determined that the
1568 use or its location will generate a high volume of bicycle activity. Such a determination
1569 will include but not be limited to the following uses:

1570 (1) Park/playfield,

1571 (2) Marina,

1572 (3) Library/museum/arboretum,

1573 (4) Elementary/secondary school,

1574 (5) Sports club, or

1575 (6) Retail business (when located along a developed bicycle trail or
1576 designated bicycle route).

1577 2. Bicycle facilities for patrons shall be located within 100 feet of the building
1578 entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a

1579 structure attached to the pavement.

1580 3. All bicycle parking and storage shall be located in safe, visible areas that do
1581 not impede pedestrian or vehicle traffic flow, and shall be well lit for nighttime use.

1582 4. When more than ten people are employed on site, enclosed locker-type
1583 parking facilities for employees shall be provided. The director shall allocate the
1584 required number of parking spaces between bike rack parking and enclosed locker-type
1585 parking facilities.

1586 5. One indoor bicycle storage space shall be provided for every two dwelling
1587 units in townhouse and apartment residential uses, unless individual garages are provided
1588 for every unit. The director may reduce the number of bike rack parking spaces if indoor
1589 storage facilities are available to all residents.

1590 SECTION 21. Ordinance 10870, Section 536, as amended, and K.C.C.

1591 21A.30.080 are hereby amended to read as follows:

1592 In the R, UR, NB, CB and RB zones, residents of a dwelling unit may conduct
1593 one or more home occupations as accessory activities, only if:

1594 A. The total floor area of the dwelling unit devoted to all home occupations shall
1595 not exceed twenty percent of the floor area of the dwelling unit.

1596 B. Areas within garages and storage buildings shall not be considered part of the
1597 dwelling unit and may be used for activities associated with the home occupation;

1598 C. All the activities of the home occupation or occupations shall be conducted
1599 indoors, except for those related to growing or storing of plants used by the home
1600 occupation or occupations;

1601 D. A home occupation or occupations is not limited in the number of employees

that remain off-site. No more than one nonresident employee shall be permitted to work 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 the effective date of this ordinance, 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 in
compliance with this section as of the effective date of this ordinance. Such
nonconforming businesses shall remain subject to all other requirements of this section
and other applicable state and local regulations. The resident operator of a
nonconforming winery, brewery or distillery home occupation shall obtain an adult
beverage business license in accordance with K.C.C. chapter 6.xx (the new chapter
created in section 3 of this ordinance);

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

1. One stall for each nonresident employed by the home occupations; and
2. One stall for patrons when services are rendered on-site;

G. Sales are limited to:

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

and

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

H. On-site services to patrons are arranged by appointment;

I. The home occupation or occupations use or store a vehicle for pickup of
materials used by the home occupation or occupations or the distribution of products
from the site, only if:

1. No more than one such a vehicle is allowed; and
2. The vehicle is not stored within any required setback areas of the lot or on

1648 adjacent streets; and

1649 3. The vehicle does not exceed an equivalent licensed gross vehicle weight of
1650 one ton;

1651 J. The home occupation or occupations do not:

1652 1. Use electrical or mechanical equipment that results in a change to the
1653 occupancy type of the structure or structures used for the home occupation or
1654 occupations; or

1655 2. Cause visual or audible interference in radio or television receivers, or
1656 electronic equipment located off-premises or fluctuations in line voltage off-premises;
1657 ((and))

1658 K. There shall be no exterior evidence of a home occupation, other than growing
1659 or storing of plants under subsection C. of this section or a permitted sign, that would
1660 cause the premises to differ from its residential character. Exterior evidence includes, but
1661 is not limited to, lighting, the generation or emission of noise, fumes or vibrations as
1662 determined by using normal senses from any lot line or on average increase vehicular
1663 traffic by more than four additional vehicles at any given time;

1664 L. Customer visits and deliveries shall be limited to the hours of 8:00 a.m. to 7:00
1665 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends; and

1666 M. Uses not allowed as home occupations may be allowed as a home industry
1667 under K.C.C. 21A.30.090.

1668 SECTION 22. Ordinance 15606, Section 20, as amended, and K.C.C.

1669 21A.30.085 are hereby amended to read as follows:

1670 In the A, F and RA zones, residents of a dwelling unit may conduct one or more

1671 home occupations as accessory activities, under the following provisions:

1672 A. The total floor area of the dwelling unit devoted to all home occupations shall

1673 not exceed twenty percent of the dwelling unit.

1674 B. Areas within garages and storage buildings shall not be considered part of the

1675 dwelling unit and may be used for activities associated with the home occupation;

1676 C. Total outdoor area of all home occupations shall be permitted as follows:

1677 1. For any lot less than one acre: Four hundred forty square feet; and

1678 2. For lots one acre or greater: One percent of the area of the lot, up to a

1679 maximum of five thousand square feet.

1680 D. Outdoor storage areas and parking areas related to home occupations shall be:

1681 1. No less than twenty-five feet from any property line; and

1682 2. Screened along the portions of such areas that can be seen from an adjacent

1683 parcel or roadway by the:

1684 a. planting of Type II landscape buffering; or

1685 b. use of existing vegetation that meets or can be augmented with additional

1686 plantings to meet the intent of Type II landscaping((-));

1687 E. A home occupation or occupations is not limited in the number of employees

1688 that remain off-site. Regardless of the number of home occupations, the number of

1689 nonresident employees is limited to no more than three who work on-site at the same

1690 time and no more than three who report to the site but primarily provide services off-

1691 site((-));

1692 F. In addition to required parking for the dwelling unit, on-site parking is

1693 provided as follows:

1694 1. One stall for each nonresident employed on-site; and
1695 2. One stall for patrons when services are rendered on-site;
1696 G. Sales are limited to:
1697 1. Mail order sales;
1698 2. Telephone, Internet or other electronic commerce sales with off-site delivery;
1699 3. Items accessory to a service provided to patrons who receive services on the
1700 premises;
1701 4. Items grown, produced or fabricated on-site; and
1702 5. On sites five acres or larger, items that support agriculture, equestrian or
1703 forestry uses except for the following:
1704 a. motor vehicles and parts (North American Industrial Classification System
1705 ("NAICS" Code 441);
1706 b. electronics and appliances (NAICS Code 443); and
1707 c. building material and garden equipments and supplies (NAICS Code 444);
1708 H. The home occupation or occupations do not:
1709 1. Use electrical or mechanical equipment that results in a change to the
1710 occupancy type of the structure or structures used for the home occupation or
1711 occupations;
1712 2. Cause visual or audible interference in radio or television receivers, or
1713 electronic equipment located off-premises or fluctuations in line voltage off-premises; or
1714 3. Increase average vehicular traffic by more than four additional vehicles at any
1715 given time;
1716 I. Customer visits and deliveries shall be limited to the hours of 8:00 a.m. to 7:00

1717 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

1718 J. The following uses, by the nature of their operation or investment, tend to
1719 increase beyond the limits permitted for home occupations. Therefore, the following
1720 shall not be permitted as home occupations:

1721 1. Hotels, motels or organizational lodging;

1722 2. Dry cleaning((÷));

1723 3. Automotive towing services, automotive wrecking services and tow-in
1724 parking lots; ((and))

1725 4. Recreational marijuana processor, recreational marijuana producer or
1726 recreational marijuana retailer((÷)); and

1727 5. Winery, brewery, distillery facility I, II and III, and remote tasting rooms,
1728 except that home occupation adult beverage businesses operating under an active
1729 Washington state Liquor and Cannabis Board production license issued for their current
1730 location before the effective date of this ordinance, and where King County did not object
1731 to the location during the Washington state Liquor and Cannabis Board license
1732 application process, shall be considered legally nonconforming and allowed to remain in
1733 their current location subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is in
1734 compliance with this section as of the effective date of this ordinance. Such
1735 nonconforming businesses shall remain subject to all other requirements of this section
1736 and all applicable state and local regulations. The resident operator of a nonconforming
1737 home occupation winery, brewery or distillery shall obtain an adult beverage business
1738 license in accordance with K.C.C. chapter 6.xx (the new chapter created in section 3 of
1739 this ordinance);

1740 K. Uses not allowed as home occupation may be allowed as a home industry
1741 under K.C.C. chapter 21A.30; and

1742 L. The home occupation or occupations may use or store vehicles, as follows:

1743 1. The total number of vehicles for all home occupations shall be:

1744 a. for any lot five acres or less: two;

1745 b. for lots greater than five acres: three; and

1746 c. for lots greater than ten acres: four;

1747 2. The vehicles are not stored within any required setback areas of the lot or on
1748 adjacent streets; and

1749 3. The parking area for the vehicles shall not be considered part of the outdoor
1750 storage area provided for in subsection C. of this section.

1751 SECTION 23. Ordinance 10870, Section 537, as amended, and K.C.C.
1752 21A.30.090 are hereby amended to read as follows:

1753 A resident may establish a home industry as an accessory activity, as follows:

1754 A. The site area is one acre or greater;

1755 B. The area of the dwelling unit used for the home industry does not exceed fifty
1756 percent of the floor area of the dwelling unit.

1757 C. Areas within attached garages and storage buildings shall not be considered
1758 part of the dwelling unit for purposes of calculating allowable home industry area but
1759 may be used for storage of goods associated with the home industry;

1760 D. No more than six nonresidents who work on-site at the time;

1761 E. In addition to required parking for the dwelling unit, on-site parking is
1762 provided as follows:

1763 1. One stall for each nonresident employee of the home industry; and
1764 2. One stall for customer parking;
1765 F. Additional customer parking shall be calculated for areas devoted to the home
1766 industry at the rate of one stall per:
1767 1. One thousand square feet of building floor area; and
1768 2. Two thousand square feet of outdoor work or storage area;
1769 G. Sales are limited to items produced on-site, except for items collected, traded
1770 and occasionally sold by hobbyists, such as coins, stamps, and antiques;
1771 H. Ten feet of Type I landscaping are provided around portions of parking and
1772 outside storage areas that are otherwise visible from adjacent properties or public rights-
1773 of-way;
1774 I. The department ensures compatibility of the home industry by:
1775 1. Limiting the type and size of equipment used by the home industry to those
1776 that are compatible with the surrounding neighborhood;
1777 2. Providing for setbacks or screening as needed to protect adjacent residential
1778 properties;
1779 3. Specifying hours of operation;
1780 4. Determining acceptable levels of outdoor lighting; and
1781 5. Requiring sound level tests for activities determined to produce sound levels
1782 that may be in excess of those in K.C.C. chapter 12.88; ~~((and))~~
1783 J. Recreational marijuana processors, recreational marijuana producers and
1784 recreational marijuana retailers shall not be allowed as home industry; and
1785 K. Winery, brewery, distillery facility I, II and III, and remote tasting room shall

1786 not be allowed as home industry, except that home industry adult beverage businesses
1787 that have, in accordance with K.C.C. 20.20.070, a vested conditional use permit
1788 application before the effective date of this ordinance shall be considered legally
1789 nonconforming and allowed to remain in their current location subject to K.C.C.
1790 21A.32.020 through 21A.32.075. Such nonconforming businesses remain subject to all
1791 other requirements of this section and all applicable state and local regulations. The
1792 resident operator of a nonconforming winery, brewery or distillery home industry shall
1793 obtain an adult beverage business license in accordance with K.C.C. chapter 6.xx (the
1794 new chapter created in section 3 of this ordinance).

1795 SECTION 24. Ordinance 10870, Section 547, as amended, and K.C.C.

1796 21A.32.100 are hereby amended to read as follows:

1797 Except as provided by K.C.C. 21A.32.110, a temporary use permit shall be
1798 required for any of the following:

1799 A. A use not otherwise permitted in the zone that can be made compatible for a
1800 period of up to sixty days a year; ((or))

1801 B. The expansion of an established use that:

1802 1. Is otherwise allowed in the zone;

1803 2. Is not inconsistent with the original land use approval;

1804 3. Exceeds the scope of the original land use approval; and

1805 4. Can be made compatible with the zone for a period of up to sixty days a year;

1806 or

1807 C. Events at a winery, brewery, distillery facility or remote tasting room that

1808 include one or more of the following activities:

- 1809 1. Exceeds the permitted building occupancy;
1810 2. Utilizes portable toilets;
1811 3. Utilizes parking that exceeds the maximum number of spaces allowed by this
1812 title on-site or utilizes off-site parking;
1813 4. Utilizes temporary stages;
1814 5. Utilizes temporary tents or canopies that require a permit;
1815 6. Requires traffic control for public rights-of-way; or
1816 7. Extends beyond allowed hours of operation.

1817 SECTION 25. Ordinance 10870, Section 549, as amended, and K.C.C.
1818 21A.32.120 are hereby amended to read as follows:

1819 Except as otherwise provided in this chapter or in K.C.C. chapter 21A.45,
1820 temporary use permits shall be limited in duration and frequency as follows:

1821 A. The temporary use permit shall be effective for one year from the date of
1822 issuance and may be renewed annually as provided in subsection D. of this section;

1823 B.1. The temporary use shall not exceed a total of sixty days in any three-
1824 hundred(~~(and)~~)-sixty-five-day period. This (~~((requirement))~~) subsection B.1. applies only
1825 to the days that the event or events actually take place.

1826 2. For a winery, brewery, distillery facility II and III in the A (~~(or RA)~~)
1827 zone(~~(s)~~), the temporary use shall not exceed a total of two events per month and all
1828 event parking ((for the events)) must be accommodated on-site or managed through a
1829 parking management plan approved by the director. This subsection B.2. applies only to
1830 the days that the event or events actually take place.

1831 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, or 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 subsection B.6., 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;

C. The temporary use permit shall specify a date upon which the use shall be

1855 terminated and removed; and

1856 D. A temporary use permit may be renewed annually for up to a total of five
1857 consecutive years as follows:

1858 1. The applicant shall make a written request and pay the applicable permit
1859 extension fees for renewal of the temporary use permit at least seventy days before the
1860 end of the permit period;

1861 2. The department must determine that the temporary use is being conducted in
1862 compliance with the conditions of the temporary use permit;

1863 3. The department must determine that site conditions have not changed since
1864 the original temporary permit was issued; and

1865 4. At least forty-five days before the end of the permit period, the department
1866 shall notify property owners within five hundred feet of the property boundaries that a
1867 temporary use permit extension has been requested and contact information to request
1868 additional information or to provide comments on the proposed extension.

1869 SECTION 26. Ordinance 17485, Section 43, and K.C.C. 21A.38.260 are hereby
1870 amended to read as follows:

1871 A. The purpose of the Fall City business district special district overlay is to allow
1872 commercial development in Fall City to occur with on-site septic systems until such time as
1873 an alternative wastewater system is available. The special district shall only be established
1874 in areas of Fall City zoned CB and shall be evaluated to determine if it is applicable to
1875 other rural commercial centers.

1876 B. The standards of this title and other county codes shall be applicable to
1877 development within the Fall City business district special district overlay except as follows:

1878 1. The permitted uses in K.C.C. Chapter 21A.08 do not apply and are replaced
1879 with the following:

1880 a. Residential land uses as set forth in K.C.C. 21A.08.030:

1881 i. As a permitted use:

1882 (A) Multifamily residential units shall only be allowed on the upper floors of
1883 buildings; and

1884 (B) Home occupations under K.C.C. chapter 21A.30;

1885 ii. As a conditional use:

1886 (A) Bed and Breakfast (five rooms maximum); and

1887 (B) Hotel/Motel.

1888 b. Recreational/cultural land uses as set forth in K.C.C. 21A.08.030:

1889 i. As a permitted use:

1890 (A) Library;

1891 (B) Museum; and

1892 (C) Arboretum.

1893 ii. As a conditional use:

1894 (A) Sports Club/Fitness Center;

1895 (B) Amusement/Recreation Services/Arcades (Indoor);

1896 (C) Bowling Center

1897 c. General services land uses as set forth in K.C.C. 21A.08.050:

1898 i. As a permitted use:

1899 (A) General Personal Services, except escort services;

1900 (B) Funeral Home;

1901	(C) Appliance/Equipment Repair;
1902	(D) Medical or Dental Office/Outpatient Clinic;
1903	(E) Medical or Dental Lab;
1904	(F) Day Care I;
1905	(G) Day Care II;
1906	(H) Veterinary Clinic;
1907	(I) Social Services;
1908	(J) Animal Specialty Services;
1909	(K) Artist Studios;
1910	(L) Nursing and Personal Care Facilities;
1911	ii. As a conditional use:
1912	(A) Theater (Movie or Live Performance);
1913	(B) Religious Use;
1914	d. Government/Business services land uses as set forth in K.C.C. 21A.08.060:
1915	i. As a permitted use:
1916	(A) General Business Service;
1917	(B) Professional Office: Bank, Credit Union, Insurance Office.
1918	ii. As a conditional use:
1919	(A) Public Agency or Utility Office;
1920	(B) Police Substation;
1921	(C) Fire Station;
1922	(D) Utility Facility;
1923	(E) Self Service Storage;

- 1924 e. Retail/commercial land uses as set forth in K.C.C. 21A.08.070:
- 1925 i. As a permitted use on the ground floor:
- 1926 (A) Food Store;
- 1927 (B) Drug Store/Pharmacy;
- 1928 (C) Retail Store: includes florist, book store, apparel and accessories store,
- 1929 furniture/home furnishings store, antique/recycled goods store, sporting goods store, video
- 1930 store, art supply store, hobby store, jewelry store, toy store, game store, photo store,
- 1931 electronic/appliance store, fabric shops, pet shops, and other retail stores (excluding adult-
- 1932 only retail);
- 1933 (D) Eating and Drinking Places, including coffee shops and bakeries;
- 1934 (E) Remote tasting rooms.
- 1935 ii. As a conditional use:
- 1936 (A) Liquor Store or Retail Store Selling Alcohol;
- 1937 (B) Hardware/Building Supply Store;
- 1938 (C) Nursery/Garden Center;
- 1939 (D) Department Store;
- 1940 (E) Auto Dealers (indoor sales rooms only);
- 1941 f. Manufacturing land uses as set forth in K.C.C. 21A.08.080 are not allowed.
- 1942 g. Resource land uses as set forth in K.C.C. 21A.08.090:
- 1943 i. As a permitted use:
- 1944 (A) Solar photovoltaic/solar thermal energy systems;
- 1945 (B) Private storm water management facilities;

1946 (C) Growing and Harvesting Crops (within rear/internal side yards or roof
1947 gardens, and with organic methods only);

1948 (D) Raising Livestock and Small Animals (per the requirements of Section
1949 21A.30 of the Zoning Code)

1950 ii. As a conditional use: Wind Turbines

1951 h. Regional land uses as set forth in K.C.C. 21A.08.100 with a special use permit:
1952 Communication Facility.

1953 2. The densities and dimensions set forth in K.C.C. chapter 21A.12 apply, except
1954 as follows:

1955 a. Residential density is limited to six dwelling units per acre. For any building
1956 with more than ten dwelling units, at least ten percent of the dwelling units shall be
1957 classified as affordable under 21A.34.040F.1;

1958 b. Buildings are limited to two floors, plus an optional basement;

1959 c. The elevation of the ground floor may be elevated a maximum of six feet
1960 above the average grade of the site along the front facade of the building;

1961 d. If the ground floor is designed to accommodate non-residential uses, the
1962 elevation of the ground floor should be placed near the elevation of the sidewalk to
1963 minimize the need for stairs and ADA ramps;

1964 e. If the ground floor is designed to accommodate non-residential space, the
1965 height of the ceiling, as measured from finished floor, shall be no more than eighteen feet;

1966 f. Building height shall not exceed forty feet, as measured from the average
1967 grade of the site along the front facade of the building.

1968 SECTION 27. 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 28 of this ordinance.

NEW SECTION. SECTION 28. There is hereby added to K.C.C. chapter
21A.55 a new section to read as follows:

A. The purpose of the remote tasting room demonstration project A is to:

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

2. Enable the county to evaluate how expanded adult beverage-based uses can
be permitted while maintaining the core functions and purposes of the Rural Area and
Agricultural zones;

3. Determine the benefits and evaluate strategies to mitigate impacts of the adult
beverage industry on Rural Area and Agricultural zoned 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. Identify and evaluate potential changes to countywide land use regulations to
support the development of additional areas of unincorporated King County that may
benefit from growth in agritourism.

B. The demonstration project shall only be implemented on the sites identified in
Attachment A to this ordinance.

C. The use that the permitting division may approve under the remote tasting

1992 room demonstration project A shall include only "remote tasting room" as defined in
1993 section 13 of this ordinance.

1994 D.1. An application for a remote tasting room under this section may be
1995 submitted in conjunction with an application for an adult beverage business license or a
1996 building permit.

1997 2. Requests shall be submitted to the permitting division in writing, together
1998 with any supporting documentation and must illustrate how the proposal meets the
1999 criteria in subsection F. of this section.

2000 3. An application for a remote tasting room under this section shall be reviewed
2001 as a Type I land use decision in accordance with K.C.C. 20.20.020.

2002 E. The department of local services, permitting division, shall administer the
2003 demonstration project, and shall approve or deny a remote tasting room application under
2004 this section based upon compliance with subsection F. of this section. Approval or denial
2005 of a remote tasting room application shall not be construed as applying to any other
2006 development application either within the demonstration project area or elsewhere in the
2007 county.

2008 F.1. A remote tasting room under this section may be approved, subject to the
2009 following:

2010 a. One or more winery, brewery, distillery facility I, II or III may operate
2011 within one remote tasting room;

2012 b. The aggregated total space devoted to remote tasting room activities shall be
2013 limited to one thousand square feet of gross floor area, not including areas devoted to
2014 storage, restrooms, and similar nonpublic areas;

2015 c. Notwithstanding subsection F.1.b. of this section, an additional five hundred
2016 square feet of immediately adjacent outdoor space may be used for tasting, subject to
2017 applicable state regulations limiting sale, service and consumption of alcoholic
2018 beverages;

2019 d. Incidental retail sales of products and merchandise related to the products
2020 being tasted is allowed;

2021 e. The hours of operation for the tasting room shall be limited as follows:
2022 Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to
2023 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours
2024 shall be limited to 11:00 a.m. through 9:00 p.m.;

2025 f. The applicant and any additional business operators using the remote tasting
2026 room shall obtain an adult beverage business license in accordance with K.C.C. chapter
2027 6.xx (the new chapter created in section 3 of this ordinance);

2028 g. Each remote tasting room business operator using the remote tasting room
2029 shall have proof of Washington state Liquor and Cannabis Board approval;

2030 h. Special events shall not exceed two per year regardless as to the number of
2031 operators using the tasting room, and shall be limited to no more than fifty guests. As
2032 long as the special events comply with this section, a temporary use permit is not
2033 required;

2034 i. Off-street parking shall be provided in accordance with the parking ratios
2035 for remote tasting room uses in K.C.C. 21A.18.030. Off-Street parking is limited to a
2036 maximum of one space per fifty square feet of tasting and retail areas; and

2037 j. The use shall be consistent with general health, safety and public welfare

2038 standards, and shall not violate state or federal law.

2039 2. This section supersedes other variance, modification or waiver criteria of
2040 K.C.C. Title 21A.

2041 3. Remote tasting room uses approved in accordance with this section may
2042 continue as long as an underlying business license or renewal is maintained, and subject
2043 to the nonconformance provisions of K.C.C. chapter 21A.32.

2044 G. Demonstration project applications shall be accepted by the permitting
2045 division for three years from the effective date of this ordinance. Complete applications
2046 submitted before the end of the three years shall be reviewed and decided on by the
2047 permitting division.

2048 H. Starting one year after the effective date of this ordinance, and each year for
2049 four years thereafter, the executive shall prepare preliminary evaluations of remote
2050 tasting room demonstration project A. The executive shall post these preliminary
2051 evaluation reports to the department of local services, permitting division, website, and
2052 provide electronic notice of the posting to the clerk of the council, who shall retain the
2053 original email and provide an electronic copy to all councilmembers, the council chief of
2054 staff and the lead staff for the local services, regional roads and bridges committee or its
2055 successor. These preliminary evaluation reports shall include:

2056 1. A list of remote tasting room demonstration project applications submitted,
2057 reviewed and decided, including the date of original submittal, date of complete
2058 application and date and type of final decision whether approved or denied; and

2059 2. A list of code compliance complaints under Title 23, if any, related to the
2060 applications received and approved or the demonstration project that were opened or

initiated in the prior year, and their current status.

I.1. Within ninety days of five years after the effective date of this ordinance, the permitting division shall prepare a draft final evaluation and proposed permanent code changes that includes the information compiled under subsection H. of this section, and an evaluation of whether the purposes under subsection A. of this section have been fulfilled by the demonstration project.

2. The draft final report required in subsection J. of this section and proposed permanent code changes shall be done in conjunction with the efficacy evaluation and proposed code changes required by section 31 of this ordinance.

J. The permitting division shall include a public comment period for the permitting division's draft final 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 final evaluation's availability in each newspaper of record, including locations where the draft final 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;

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 A to this ordinance;

2084 5. Post an electronic copy on the permitting division's website; and
2085 6. Send electronic notice to the clerk of the council, who shall retain the original
2086 email and provide an electronic copy to all councilmembers, the council chief of staff and
2087 the lead staff for the local services, regional roads and bridges committee, or its
2088 successor.

2089 K. After the public comment period has ended, the permitting division shall
2090 prepare a final evaluation of the remote tasting room demonstration project A,
2091 incorporating or responding to the comments received. Within sixty days of the end of
2092 the public comment period, the executive shall file a final evaluation report, a motion that
2093 should accept the report, and an ordinance that implements any proposed permanent code
2094 changes.

2095 L. The final report and proposed legislation shall be filed in the form of a paper
2096 original and an electronic copy with the clerk of the council, who shall retain the original
2097 and provide an electronic copy to all councilmembers, the council chief of staff and the
2098 lead staff for the local services, regional roads and bridges committee, or its successor.

2099 SECTION 29. Ordinance 13623, Section 37, as amended, and K.C.C. 23.32.010
2100 are hereby amended to read as follows:

2101 A.1. Civil fines and civil penalties for civil code violations shall be imposed for
2102 remedial purposes and shall be assessed for each violation identified in a citation, notice
2103 and order, voluntary compliance agreement or stop work order pursuant to the following
2104 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. <u>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;</u>	
<u>(1) with no previous similar code violations within the past twelve months;</u>	<u>\$500</u>
<u>(2) with one or more previous similar code violations within the past twelve months;</u>	<u>\$1,000</u>
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 basic penalty	\$25

(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 \$150 the 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

2105 2. For the purposes of this section, previous similar code violations that can
2106 serve as a basis for a higher level of civil penalties include violations of the same chapter
2107 of the King County Code. Any citation, stop work order or notice and order previously
2108 issued by the department shall not constitute a previous code violation for the purposes of
2109 this section if that stop work order or notice and order was appealed and subsequently
2110 reversed.

2111 B. The penalties assessed pursuant to this section for any failure to comply with a
2112 notice and order or voluntary compliance agreement shall be assessed daily, according to
2113 the schedule in subsection A of this section, for the first thirty days following the date the
2114 notice and order or voluntary compliance agreement required the code violations to have
2115 been cured. If after thirty days the person responsible for code compliance has failed to
2116 satisfy the notice and order or voluntary compliance agreement, penalties shall be
2117 assessed daily at a rate of double the rate for the first thirty days. Penalties may be
2118 assessed daily until the person responsible for code compliance has fully complied with
2119 the notice and order.

2120 C. Penalties based on violation of a stop work order shall be assessed, according
2121 to the schedule in subsection A. of this section, for each day the department determines
2122 that work or activity was done in violation of the stop work order.

2123 D. Citations and cleanup restitution payments shall only be subject to a one-time

2124 civil penalty.

2125 E. The director may suspend the imposition of additional civil penalties if the
2126 person responsible for code compliance has entered into a voluntary compliance
2127 agreement. If the person responsible for code compliance enters into a voluntary
2128 compliance agreement and cures the code violations, the director may also waive all or
2129 part of the accrued civil penalties in accordance with K.C.C. 23.32.050. Penalties shall
2130 begin to accrue again pursuant to the terms of the voluntary compliance agreement if any
2131 necessary permits applied for are denied, canceled or not pursued, or if corrective action
2132 identified in the voluntary compliance agreement is not completed as specified.

2133 F. The civil penalties in this section are in addition to, and not in lieu of, any
2134 penalties, sanctions, restitution or fines provided for in any other provisions of law.

2135 SECTION 30. Map Amendment #2 is hereby adopted, as shown in Attachment B
2136 to this ordinance.

2137 SECTION 31. A. The executive shall transmit a an efficacy evaluation report,
2138 proposed motion and proposed ordinance that evaluates the efficacy of the regulations for
2139 adult beverage businesses, including winery, brewery, distillery facilities, remote tasting
2140 rooms and nonconforming home occupations and home industries, adopted as part of this
2141 ordinance, and any recommended changes to the regulations and the rationale for those
2142 recommended changes. The efficacy evaluation report shall include, at a minimum:

2143 1. A list of all adult beverage businesses with valid business licenses as of five
2144 years from the effective date of this ordinance;

2145 2. A list of adult beverage businesses permit applications submitted, reviewed
2146 and decided in the prior five years, including the date of original submittal, date of

2147 complete application, date and type of final decision whether approved or denied and
2148 categorization of typical conditions were applied;

2149 3. A list of all code enforcement complaints filed against adult beverage
2150 businesses over the prior five years, including the final resolution of resolved cases and
2151 the status of open cases; and

2152 4. An evaluation of and recommendations for changes to the following
2153 development conditions, if any, and the rationale for the proposed change or for
2154 maintaining the development condition as adopted by this ordinance:

2155 a. Citation and civil fine structure adopted in K.C.C. 23.32.010 for adult
2156 beverage businesses;

2157 b. Parking requirements, including the minimum required and the maximum
2158 allowed;

2159 c. Hours of operation for tasting rooms associated with production facilities
2160 and remote tasting rooms;

2161 d. Temporary use permit criteria related to special events for adult beverage
2162 businesses, including the criteria for and minimum requirements of and obtaining a
2163 temporary use permit established in K.C.C. 21A.32.100 and 21A.32.120, and the public
2164 notice requirements; and

2165 e. Product content requirement in the A zone, including the growth on-site
2166 requirements and the agricultural accessory use language adopted by this ordinance.

2167 B. This efficacy evaluation report shall have a public comment period in
2168 conjunction with that required for the final evaluation in section 28 of this ordinance.

2169 C. The efficacy evaluation report and proposed ordinance shall be transmitted to

2170 the council with a motion that should accept the report and a proposed ordinance making
2171 recommended code changes, concurrently with the final evaluations required in section
2172 28 of this ordinance, in the form of a paper original and an electronic copy to the clerk of
2173 the council, who shall retain the original and provide an electronic copy to all
2174 councilmembers, the council chief of staff and the lead staff for the local services,
2175 regional roads and bridges committee, or its successor.

2176 SECTION 32. Severability. If any provision of this ordinance or its application
2177 to any person or circumstance is held invalid, the remainder of the ordinance or the
2178 application of the provision to other persons or circumstances is not affected."

2179

2180 Strike Attachment A, Map Amendment #1-Remote Tasting Room Demonstration Project
2181 A dated March 11, 2019, and insert Attachment A, Map Amendment #1-Remote Tasting
2182 Room Demonstration Project A dated September 16, 2019

2183 The clerk of the council is instructed to insert the final enactment number in Attachment
2184 A where the Proposed Ordinance number is referenced.

2185

2186 Strike Attachment B, Map Amendment #2-Special Event Demonstration Project B dated
2187 March 11, 2019, and insert Attachment B, Map Amendment #2- Modifying P-Suffix VS-
2188 P29 Vashon Town Plan – Restricted Uses for CB Zoned Properties

2189

2190 **EFFECT:** This striking amendment makes substantive, clarifying and technical changes,
2191 including:

2192

2193 Substantive/Policy Changes

2194

- 2195 1. WBD I Interim Use in the A zone is removed from the permitted use tables.
2196 Associated changes to business license requirements, definitions, special
2197 events/TUP, and evaluation are also removed.
- 2198 2. Modifies the business license section to:
2199 a. Allow existing businesses, subject to criteria, to establish their previous
2200 compliance with the zoning code in order to obtain legal nonconforming
2201 status. These businesses are required to submit documentation with their
2202 first business license. The first business license will be good for six
2203 months, with a six month extension possible if they have made progress in
2204 demonstrating past compliance.
2205 b. Give Permitting the authority to deny a business license based on
2206 noncompliance with the Zoning Code.
2207 c. Modify the appeal period for business licenses to be consistent with other
2208 kinds of zoning appeals.
- 2209 3. WBD I in RA zone:
2210 a. Use is moved from a residential accessory use to a permitted use in the
2211 Manufacturing Land Use Table.
2212 b. Reference to "nonresident employee" removed.
2213 c. Allows one parking stall on-site.
2214 d. Prohibits on-site sales and tasting.
2215 e. Provides additional clarification for special events – 2 per year, maximum
2216 50 guests, no permit required.
- 2217 4. WBD II and III
2218 a. In A zone, limits conversion of agricultural land to less than 1 acre for
2219 nonagricultural accessory uses.
2220 b. In A and RA zones:
2221 i. Limits on-site tasting and retail sales to 15% of the aggregated
2222 floor area.
2223 ii. Requires that access be from an arterial (or public roadway for
2224 WBD II in RA zone with a CUP).
2225 iii. Sets maximum parking at 150% of the minimum required.
2226 iv. Removes language regarding nonconforming status of existing
2227 parking spaces.
2228 v. For WBD III, eliminates allowance for 8,000 square feet of
2229 underground storage.
2230 vi. For WBD III, removes allowance to connect to a Group B water
2231 system. Only Group a water system connection would be allowed.
- 2232 5. All WBDs:
2233 a. Removes option to reduce 75' setback from RA and R zones to 25' with
2234 screening and a CUP.
2235 b. In A and RA zones
2236 i. Requires one of the two stages of production to be crushing,
2237 fermenting, or distilling.
2238 ii. Limits impervious surface to a maximum of 25%, or the maximum
2239 allowed by the underlying zoning, whichever is less.
- 2240 6. Home Occupations and Home Industries:

- 2241 a. Allows the existing business with a liquor license from the state LCB as of
2242 the effective date of this ordinance (rather than January 1, 2019) to have
2243 the opportunity to demonstrate nonconformance.
2244 b. Tightens language to avoid loopholes.
2245 c. Removes language allowing businesses 1-year to come into conformance
2246 with home occupation or home industry standards.
2247 d. Removes language for home industries to obtain legal nonconforming
2248 status, and recognizes that vested CUP applications should be treated as
2249 nonconforming (if approved).
- 2250 7. Modifies the Fall City business district overlay to allow remote tasting rooms on
2251 the ground floor of the CB zoned land in the Fall City Rural Town.
- 2252 8. Remote tasting room demonstration project A:
- 2253 a. Remove Vashon Rural Town and Fall City Rural Town CB zoning from
2254 demonstration project.
2255 b. Clarify the purpose section, business license requirements, and special
2256 event allowance.
2257 c. Modifies evaluation requirements to
2258 i. Eliminate requirement for annual transmittal to Council. Post to
2259 website instead with email to clerk of the Council.
2260 ii. Adds requirements in annual evaluation to include date of
2261 submittal, complete application, and decision date and type
2262 iii. Removes requirements in annual evaluation for reporting on
2263 comments made by the community, known interactions between
2264 demonstration project applicants and nearby agricultural users and
2265 land, inventory of available properties, and recommended code
2266 changes
2267 iv. For final evaluation, require that the evaluation include whether the
2268 purposes of the demonstration project have been fulfilled by the
2269 demonstration project, and recommended permanent code changes.
- 2270 9. Eliminates special event demonstration project B.
- 2271 10. Modifies VS-P29, allowing remote tasting rooms as a permitted use in CB zone in
2272 the Vashon Rural Town.
- 2273 11. Modifications to efficacy evaluation:
- 2274 a. Include evaluation of regulations on existing businesses – including
2275 information on businesses licenses, permit applications, and code
2276 enforcement complaints/violations.
2277 b. Include recommended code changes to development conditions, including
2278 citation and civil infractions, parking, hours of operation for tasting rooms,
2279 temporary use permits for special events, and product content
2280 requirements for the A zone.
2281 c. Removes evaluation of the impact of urban uses within UGA have on rural
2282 character of adjacent rural areas outside the UGA
2283 d. Specifies that public comment period for the efficacy evaluation occur in
2284 conjunction with the public comment period for the remote tasting room
2285 demonstration project.
2286

- 2287 Clarifying
2288
2289 12. Modifications to Findings:
2290 a. Reflect other substantive changes and add additional context.
2291 b. Adds new Findings regarding water use, retail sales and tasting, and
2292 special district overlays.
2293 13. Definitions: modifies definition for WBD I, II and III to add "distilling" as a step
2294 in the production process.
2295 14. WBDs in A zone: adds in missing language so that WBD III in A zone are
2296 allowed as an accessory to a primary agricultural use.
2297 15. Industrial zone: clarifies that wineries are not allowed.
2298 16. For criteria of events that require a temporary use permit, clarify that events that
2299 require traffic control or extend beyond allowed hours of operation will require a
2300 temporary use permit.
2301 17. For citations, clarifies the timeframe (1 year) for citing a first time violation,
2302 rather than subsequent violations.
2303
2304 Technical
2305
2306 18. Corrects references to King County Comprehensive Plan Policies.
2307 19. Corrects capitalization, punctuation, and typographical errors.
2308 20. Makes code reviser edits.

Issue	Rationale	Location in CM Balducci's S1 of 9/16/2019
Remove Overlay A	<p>Remove Overlay A from the ordinance.</p> <p>Overlay A is urban uses—drinking establishments—on Rural land; it violates the letter and spirit of the GMA and CPPs. In Overlay A and surroundings, creating the overlay rewards violators and invites more to join them. Compounding the evil, all applicants accepted into Overlay A during the 3-year entry period are grandfathered as permanent nonconforming uses (lines 2041-2043).</p> <p>Countywide, creating the overlay clearly signals the County's softening resolve, and puts all land outside the UGB at risk for speculation.</p>	Pages 113-114, Sections 27-28, Lines 1968-2098
Definitions and permitted uses for WBD I, II, and III: Make them mutually consistent, and set a meaningful steps-of-production threshold to qualify as a winery	<p>Fix several problems with definitions and permitted uses, and the correspondence between them.</p> <p>First, note that what some are referring to as “definition” of a winery is actually several lists of permitted uses. The paragraphs below distinguish between the two sections.</p> <p>Consistency: <u>Definitions</u> call for only <u>one</u> production step; <u>permitted uses</u> call for <u>two</u> production steps. These should be resolved to be mutually consistent.</p> <p>Raise production steps requirement: Set a <u>higher</u> requirement for the number of steps of production so that the winery meets a common-sense understanding of actually being a production winery. We recommend crushing, fermenting, and barrel or tank aging. Avoid vague, undefined terms such as “finishing” that are easy to abuse.</p> <p>“Such as” loophole: The “<u>such as</u>” language in the definitions and permitted uses of WBD I, II, and III in the striker allows an applicant to, essentially, identify or invent their own production steps. The definition should specify steps of production that impartial professionals would agree are steps in winemaking, brewing, or manufacture of distilled spirits.</p> <p>Lack of minima: The lack of <u>quantitative thresholds</u> in the definitions allow a barrel in the corner to satisfy “fermentation” and “aging,” or a bottle in a cupboard to satisfy “fermentation” and “finishing.” This is a clear invitation to violators to create sham wineries. Definitions should reflect a common-sense understanding of the quantities produced at a genuine production winery.</p>	<u>Definitions:</u> Lines 433-463, <u>Permitted uses:</u> Lines 672-676, 760-769, 1009-1012, 1052-1055

Sales should be limited to products produced on-site	<p>Require product sold to be produced on-site, currently found in 21A.08.070.B.13 and 21A.08.080.B.3.g.: In the definitions and permitted uses, the requirement for on-site production is <u>removed</u> for the RA zone, which makes the ordinance weaker than existing code. Keep the requirement that the product sold at this site is produced at this site.</p> <p>“Related merchandise” loophole: In both RA and A zones, the draft ordinance allows “Incidental retail sales of merchandise related to the products produced on-site . . .” This is a clear invitation to sell any product that can be remotely tied to those dusty barrels of wine in the corner. The vagueness of this language should be restored to the current requirement that products sold at this site are produced at this site. The goal is to allow a winery to sell its own product, and simultaneously to prevent exploitation by sham wineries and drinking establishments.</p>	<p><u>Related merchandise loophole:</u> Lines 687-689, 781-782, 994-996</p>
Remove grandfathering	<p>Grandfathering should be eliminated from the ordinance. Grandfathering takes two principal forms:</p> <ul style="list-style-type: none"> • Lines 1619-1631 grandfather current violators who meet certain criteria. • Lines 2041-2043 permanently grandfather all entrants to Overlay A. <p>Grandfathering rewards violators, and as a result encourages future violations. Thus, it fuels the land speculation that is already a serious problem.</p>	<p>Lines 1619-1631, 2041-2043</p>
Define “event” and bring parameters into consistency with rural character, fire codes, etc.	<p>(The proposed code does not provide a <u>definition</u>; it gives permitted use <u>parameters</u> for an undefined term.)</p> <p>Definition: “Event” should be defined, not just parameterized, because events, in contrast with random retail traffic, have different impacts in terms of traffic pulses, inebriated drivers and pedestrians, parking needs, demand for toileting facilities, amplified sound. Woodinville’s letter and Resolution 532 provide suggested elements of a definition.</p> <p>Parameters:</p> <ul style="list-style-type: none"> • Events should not be allowed to exceed the building occupancy set per fire codes. The County cannot, and should not, encourage businesses to risk the life and safety of persons. • Events should not be allowed to extend beyond allowed hours of operation. In combination with the unlimited events provided for in this amendment, this provision merely sets up 24/7 nightclubs in the RA and A zones of King County. • Events should never be allowed to park cars in excess of parking spaces permitted under parking code. This encourages hardscaping, soil compaction, and polluted runoff onto agricultural land. • Requiring a TUP only if the event “Requires traffic control for public rights-of-way” encourages businesses to <u>not</u> provide traffic control. This is an unacceptable disservice to local residents and commuters. <p>Duration: The above are parameters for a temporary use permit, with duration of a full year. This is hardly temporary, especially given the extraordinary entitlements that this section explicitly confers upon WBDs.</p>	<p>Pages 90-91 Lines 1806-1816</p>

Reduce events to “rural” size and frequency	Set event limits (frequency and size) that are consistent with rural character. 24 events per year, and up to 250 guests per event, are not rural in character. Woodinville’s recommendation is that “rural” is no more than 60 guests per event for RA and A zones, and 6 events per year for RA and 2 events per year for A Zone, regardless of the size of the winery.	Lines 1831-1853
Rescind CM Dunn’s Amendment 3, Event exception for certain parcels 8 acres or more	<p>Description from the amendment:</p> <p>“EFFECT: This amendment would add an exemption from TUP requirements for special events at WBD II and IIIs in the RA zone, subject to criteria listed below. Such events would not be subject to the limitations on events for WBDs found in K.C.C. 21A.32.120. The criteria for this exemption are:</p> <ul style="list-style-type: none"> • Only applies to existing WBDs with a production liquor license • The parcel is at least 8 acres in size • Structures for the event are at least 150' from interior property lines • The parcel use a principal arterial [this mischaracterizes ordinance text] • There is no amplified sound outdoors between 8:00 p.m. and 12:00 p.m.” <p>Rationale:</p> <ul style="list-style-type: none"> • This amendment opens up RA-zoned parcels over 8 acres in size (currently or as aggregated in the future) and located on a principal arterial to <u>unlimited</u> events, for up to 250 guests per event. Large frequent events are not Rural in character; the ordinance should limit event size and frequency to recognizably rural amounts. • The amendment requires the parcel to be on a principal arterial but (contrary to the staff summary above) does not <u>restrict</u> access to the principal arterial nor does it require the parcel even to <u>use</u> the principal arterial for access. The ordinance should require access from the principal arterial. • The amendment allows outdoor amplified sound from noon to 8:00pm every day. Outdoor amplified sound is not rural in character and should not be permitted. • WS LCB has not heeded a municipality’s zoning for about 5 years. I will research this next week, but I’m not sure the LCB even asks any more. 	CM Dunn’s Amendment 3, file name 6. 2018-0241.2 - Amendment 3
Fine a wider range of undesirable activities, scale the fines, and increase fines for repeat infractions	<p>The fine structure should <u>scale</u> with the size of the infraction by means of fines per person, per bottle, per ticket, per vehicle, etc.</p> <p>The fine structure should also <u>escalate</u> much higher for repeated infractions, into the tens of thousands of dollars for a repeat, large violator.</p> <p>These changes ensure that the biggest violators incur the highest fines, and create a fine structure that results in meaningful deterrence for the biggest violators (which is not the case with the striker’s fine structure).</p>	Pages 103-104 Section 29 Line 2104
Commercial activities should use public utility water, not well water	Water supply should not only hook up, but should be <u>required to be used</u> for commercial activities.	Lines 746-748

Building sizes	Cap building size limits to be consistent with rural character. Limits in Balducci striker: WBD I (RA P32), lines 1041-1042: 1500 square feet WBD II (RA and A P3), lines 656-662: 3500 square feet, 5000 for historic, unoccupied decks excluded WBD II (RA C30), lines 979-985: 3500 square ft, 5000 for historic, unoccupied decks excluded WBD III (RA and A C12), lines 725-733: 8000 square feet, additional underground removed, unoccupied decks excluded	Lines 656-662, 725-733, 979-985, 1041-1042 (Overlay A: Page 99-100, Lines 2012-2018) Lines
Percent tasting area (CM Lambert amendment .5)	Amendment raised tasting limit in WBDs from 15% to 30% of building. Current code does not limit tasting area, but does limit tasting to product produced on-site.	Page 35, Lines 685-687 CM Lambert amendment .5
Hours	Tasting room hours during commute times are unacceptably disruptive to local residents and commuters, and real tasting rooms nationwide typically are open during work hours for the wine maker, not bar hours. Reduce tasting hours to end by 5:00pm on weekdays.	Page 35, Lines 689-693, 782-786, 996-1000
Parking ratios	Limited to 150% of minimum in KCC 21A.18.030. Impervious surface limited to 25% of site or KCC 21A.12.030.A or 21A.12.040.A, whichever is less. One stall for WBD I.	Lines 695-696, 702-705, 788-790, 796-799, 1002-1003, 1014-1017, 1047-1048, 1059-1062

Auzins, Erin

From: Sue Juhre <sue.juhre@frontier.com>
Sent: Wednesday, November 20, 2019 4:24 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

I live in Duvall where the Snoqualmie Valley has upheld the agricultural designation of the valley, preserving prime farmland for future generations. It is ludicrous that the law was not enforced in the Sammamish Valley when the law was so blatantly disregarded for years and now the King County Council is backtracking to make it seem like a few rules need to be amended to protect the perpetrators.

I know the Woodinville wine tasting business brings in huge revenue from in and out of state to the area as well as the eastside wineries. I love wine and go to the tasting rooms with local and out of town friends. That doesn't mean I support a disregard for the laws. The Sammamish Valley should remain an agricultural area and the few lawbreakers should have to move even if King County has to eat crow for not enforcing the law at the outset. Try driving on the Redmond - Woodinville Rd on a busy weekend, it's dangerous on the one lane road where

cars are trying to turn, some slamming on brakes because they don't know where they are going. Excusing the lawbreakers and now permitting even more development is not thought out at all and illegal. Thank you

Sincerely,
Sue Juhre
13308 280th Ave NE
Duvall, WA 98019

Auzins, Erin

From: Jeanne Long <jeanne_long@hotmail.com>
Sent: Thursday, November 21, 2019 9:20 AM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please save our little slice of farmland.

Please VOTE NO on Ordinance 2018-0241.

Thank you for listening.

Jeanne Long

Sincerely,
Jeanne Long
18006 NE 138th Pl
Redmond, WA 98052

From: [Rimbos Peter](#)
To: [Dembowski, Rod](#); [Gossett, Larry](#); [Lambert, Kathy](#); [Kohl-Welles, Jeanne](#); [Upthegrove, Dave](#); [Balducci, Claudia](#); [von Reichbauer, Pete](#); [McDermott, Joe](#); [Dunn, Reagan](#)
Cc: [Constantine, Dow](#); [Taylor, John - Dir](#); [Daw, David](#); [Chan, Jim](#); [Wolf, Karen](#); [Miller, Ivan](#); [Auzins, Erin](#); [Clerk, King County Council](#)
Subject: WRITTEN TESTIMONY--Proposed Ordinance 2018-0241.2--12/4/19 Public Hearing
Date: Thursday, November 21, 2019 11:25:45 PM
Attachments: [Joint KC RA UAC-UAA COMMENTS--Proposed Adult Bever Ordinance.pdf](#)
Importance: High

King County Councilmembers,

Please accept the attached Written Testimony for the subject Council Public Hearing to take place on December 4, 2019, from King County Rural Area Unincorporated Area Councils (UACs) / Associations: Enumclaw Plateau Community Association (EPCA); Greater Maple Valley UAC (GMVUAC); Green Valley/Lake Holm Association (GV/LHA); and Upper Bear Creek UAC (UBCUAC). We represent much of the King County's Rural Area from the Snohomish County line to the Pierce County line.

We thank you for your careful consideration of our Written Testimony and the thorough research behind it.

Peter Rimbos
Corresponding Secretary
Greater Maple Valley Unincorporated Area Council (GMVUAC)
primbos@comcast.net

"To know and not to do is not to know."-- Chinese proverb

Please consider our shared environment before printing.

November 21, 2019

Comments

EPCA, GMVUAC, GV/LHA, and UBCUAC



November 21, 2019

To: King County Council: Claudia Balducci claudia.balducci@kingcounty.gov; Rod Dembowski rod.dembowski@kingcounty.gov; Jean Kohl-Welles jeanne.kohl-welles@kingcounty.gov; Reagan Dunn reagan.dunn@kingcounty.gov; Kathy Lambert kathy.lambert@kingcounty.gov; Dave Upthegrove Dave.Upthegrove@kingcounty.gov; Larry Gossett Larry.Gossett@kingcounty.gov; Joe McDermott joe.mcdermott@kingcounty.gov; and Pete von Reichbauer Pete.vonReichbauer@kingcounty.gov

Re: Striker to Proposed Ordinance 2018-0241.2, Dated September 16, 2019: *Update to development regulations for wineries, breweries, and distilleries (WBDs)*

Honorable King County Councilmembers,

EXECUTIVE SUMMARY

Please accept the detailed comments herein on the subject Striker from the following King County (KC) Rural Area Unincorporated Area Councils (UACs) and Unincorporated Area Associations (UAAs): Enumclaw Plateau Community Association (EPCA); Greater Maple Valley UAC (GMVUAC); Green Valley/Lake Holm Association (GV/LHA); and Upper Bear Creek UAC (UBCUAC). We represent much of KC's Rural Area from the Snohomish County line to the Pierce County line.

The proposed Ordinance, in its current form, will have sweeping long-term consequences throughout King County's Rural Area. Rural Area citizens do not want to see Retail Establishments such as Remote Tasting Rooms, Winery/Brewery/Distillery (WBD) facilities operating as Bars and/or Event Centers, etc. that will result in major impacts to rural character and quality of life.

The proposed Ordinance has gone through many iterations, resulting in unnecessary complexities, flaws, and loopholes. Consequently, we call on the Council to reject the proposed Ordinance outright and for the County to implement the simplest and best solution—enforce *current* County Code.

INTRODUCTION

Our UACs/UAA's individually and collectively research, prepare, and present win-win-win solutions on issues of interest to KC's Rural Area residents and businesses. In the case of the proposed Ordinance, in light of its potential far-reaching influence and importance, we worked collaboratively to provide you these comments, which are intended to update our past collective comments over the past 2 1/2 years to the: Council on 6/12/19; Council's Local Services, Regional Roads & Bridges (LSRR&B) Committee on 11/9/18; and Council's Planning, Rural Service, & Environment (PRE) Committee on 6/6/17.

Unfortunately, many of the same flaws remain that have been enumerated in the past in our writings and by many members of the Public. We call on the Council to carefully consider the concerns, conclusions, and recommendation we detail herein.

BACKGROUND

The genesis of all the time and effort the Council has put into this endeavor is the past and ongoing abuses of County code by certain business and/or landowners in the Sammamish Valley's Rural Area and protected Agricultural Production Districts (APDs). Clearly, the desire of certain property owners in this small area of the county to expand the *commercial uses* of their property far beyond that envisioned under KC's Comprehensive Plan (KCCP) and contrary to the purpose and intent of the Rural Area and APDs firmly must be dealt with, while maintaining the rights and interests of *legally operating* business owners.

As the Council knows, King County can manage where such facilities may be located—either as Residential (Home Occupation and/or Home Industry) or Manufacturing land uses under its *existing* regulatory authority (see, e.g., KC Hearing Examiner's decision in the Four Horsemen Brewery appeal, File # PREA170313; 10/3/18).

The bottom line comes down to a very simple question: *Why is the County proposing a massive regulatory program to address a problem that it literally created, and further exacerbated, through inconsistent code enforcement?*

CONCERNS

We see several concerns regarding the proposed Ordinance:

- (1) The County's stated intent for this Ordinance is to clarify *existing* code, but this is not achieved. The proposed Ordinance is far more complex, unnecessarily so, than *existing* code, thus making it more opaque and all the harder to interpret and to administer. Sales would no longer be limited to products produced on-site (ref.: County Code **21A.08.070 Retail land uses**), thus opening the door for bars, taverns, and liquor stores to be sited across the County's Rural Area and APDs. *Existing* code is clear in that WBDs are legal and limited in what they can sell to what is produced on site.
- (2) Instead of preventing large growth, this allows for larger operations, not smaller in the Rural Area and APDs.
- (3) Events cannot be allowed to be so large and occur so frequently (e.g., up to 24 large events annually for WBD Facilities II and III) that all semblance of Rural Area character is diminished for residents and visitors alike. Such major events directly impact traffic, parking, safety, quality of life, etc. Exempting Special Events from Temporary-Use Permits (TUPs), through Councilman Dunn's Amendment (adopted at the 10/7/19 Committee-of-the-Whole Committee meeting), sets a bad precedent and could encourage further code violations, such as unlimited events throughout the Rural Area. In fact, the proposed Amendment itself appears to violate the State's Growth Management Act (GMA) by placing a completely incompatible use in the Rural Area. The language that "(t)he parcel use a principal arterial" is too loose and can be interpreted that "*principal arterials*" will be used somewhere along the way to travel to and from the event. Even if tightened, at some time in the future, when (not if) the County's Department of Local Services, Roads Division, updates its arterial maps and definitions, lower level roads could be elevated to "*principal arterials*," thus opening up even more of the Rural Area to such unlimited events. Consequently, Councilman Dunn's Amendment should be removed.
- (4) Key definitions (e.g., "*production*," "*finishing*," "*grandfathering*," etc.) are described in such a way as to be open to wide interpretations and will surely lead to future legal battles. For example, "*production*" should be defined as all the steps to produce the final product. It should be made clear that a "*winery*," as applied by these codes relating to the Rural Areas, refers to a "*production winery*"—thus, *all* 3 steps the State Liquor & Cannabis Board (LCB) identifies with wine production should be required to occur on-site: "*Crushing*," "*Fermentation*," and "*Barrel or Tank Aging*."
- (5) Ingredient sourcing requirements for WBD facilities on A-zoned parcels has been improved to state 60% must be grown on-site. However, it does not provide any mechanism for verification and we know of none that exists for this purpose—current code states: "*60% from Puget Sound counties*."
- (6) Demonstration Projects & Overlays (DPOs) are not warranted, nor necessary, and, as such, should be eliminated. They serve no useful purpose and threaten the Rural Area and APDs by allowing activities not generally conducive to preserving Rural Character and protecting agricultural lands.

LEGAL ISSUES

As written, there are several specific State and County legal issues that render the entire proposed Ordinance both invalid and unenforceable. While it is true local WBD facility regulations must be consistent with and implement the KCCP and Countywide Planning Policies under the GMA, such regulations must not conflict with other State general laws including those set forth in *Title 66 RCW—Alcoholic Beverage Control*.

The proposed Ordinance runs afoul of *Title 66 RCW* and the State Constitution because its requirement that every WBD facility in the unincorporated area must obtain a KC business license is: (a) expressly preempted by *RCW 66.08.120*; (b) a violation of *WA Const. Art. XI, Sect. 11*, because a local WBD facility is prohibited from operating without a local license and is subject, in its absence, to both civil and criminal fines and penalties; and (c) an invalid exercise of regulatory authority as prohibiting an act expressly permitted by State law (*i.e.*, the sale of liquor produced on-site by a State-licensed facility). Because the business license is an *integral* part of the proposed Ordinance and its regulatory program, the Ordinance itself fails to stand apart from it and is invalid *in toto*.

CONCLUSIONS

The proposed Ordinance (including Councilman Dunn's Amendment) does not solve the problems it was originally intended to address. Consequently, it will not protect Rural Area and APD lands from excessively commercialized retail and industrial uses and will result in:

- (1) Increased traffic on roads the County *already* does not have the funds to maintain;
- (2) Creation of parking woes on rural and agricultural lands;
- (3) Safety issues for pedestrians, bicyclists, and motorists along winding, narrow one-lane roads;
- (4) Unmitigated damaging water runoff; and
- (5) Unwarranted lighting and noise pollution.

We find the proposed Ordinance is worse than *existing* KC Code. It contains assertions that it will add “*additional protection for the Agricultural zone*” and enhance “*economic activity in the Rural Area zones while honoring and protecting rural character.*” This is not the case! In fact, a few of the things it actually will do are:

- (1) Eliminate future WBD facilities as either a Home Occupation or Home Industry;
- (2) Remove the Retail Sales provision limited to products produced on-site;
- (3) Enable Special Event Centers to evade important regulations;
- (4) Establish very vague definitions associated with WBD facilities;
- (5) Establish poor access requirements and increase rural traffic;
- (6) For WBD facilities change Rural Area minimum lot size and increase allowable building sizes;
- (7) For some WBD facilities provide permanent waivers for parking requirements; and
- (8) Permanently convert 13 Rural Area parcels to retail urban-use drinking establishments (DPO A).

Each of these—either standing alone or taken together—will result in benefit to the few and hardship for the many. *Why would the County even consider enacting such an Ordinance?* Further, why would the County, in trying to solve a problem it created in the Sammamish Valley by both misinterpretation of code and inconsistent code enforcement, and which easily can be solved by enforcing *existing* KC Code, enact a “*solution*” that will impact the *entire* Rural Area?

RECOMMENDATION

The Council should reject the proposed Ordinance.

We desire to continue an open and meaningful dialogue with the Council, the Executive’s Office, and other County officials. Thank you for your careful consideration of our comments.

Bob Meeks
bobmeeks100@gmail.com
President, EPCA

Steve Hiester
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nm.staff@outlook.com
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cc: Dow Constantine, KC Executive: dow.Constantine@kingcounty.gov
John Taylor, Director, KC Dept. of Local Services (DLS): john.taylor@kingcounty.gov
David Daw, External Relations Manager, KC Community Service Areas: ddaw@kingcounty.gov
Jim Chan, Asst. Director, KC DLS Permitting: jim.chan@kingcounty.gov
Karen Wolf, Sr. Policy Analyst, KCEO/PSB: karen.wolf@kingcounty.gov
Ivan Miller, KC Comprehensive Planning Manager: ivan.miller@kingcounty.gov
Erin Auzins, Supervising Legislative Analyst, KC Council Policy Staff: erin.Auzins@kingcounty.gov
Melani Pedroza, Clerk of the Council: clerk.council@kingcounty.gov

Auzins, Erin

From: Shelly Bowman <shellybowman@hotmail.com>
Sent: Thursday, November 21, 2019 6:54 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

What are you doing destroying our lands so a handful of people that broke the law and sold goods in the wrong zone can make money? They can work in a legal zone, but you think money is more important than our land, our pristine land the reason we all live here.

Very disappointed that you lack sense of justice with your need to have alcohol and oil drippy cars and a few illegal businesses survive.

The foundational premise for "updating" the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable. It is vague only if you want it to be by twisting what few \$\$ you want over the priceless value of the land. Think about, folks are drawn to drink there due to the beauty of the land.

But soon you will have destroyed that and the cheap strip will be like drinking at a local club

Might as well go to a downtown club in the future as it is a safer drive home after drinking.

Please VOTE NO on Ordinance 2018-0241.

When your children are adults and our Sammamish Valley is nothing but strung white lights and fruity fermentation wine aromas and people are bored with the trend of partying at cheap boutiques ...they will have you to thank for this destroyed land.

Sadly, you will be on the wrong side of history (for some of you, again)

Sincerely,
Shelly Bowman
6605 146TH AVE NE
REDMOND, WA 98052

Auzins, Erin

From: Donna Jennings <tuffteach@frontier.com>
Sent: Friday, November 22, 2019 10:14 AM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Donna Jennings
13841 173rd Ave NE
Redmond, WA 98052

Auzins, Erin

From: melinda bronsdon <bronson874@aol.com>
Sent: Friday, November 22, 2019 10:41 AM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

Please protect remaining existing farm land in Sammamish Valley and the valuable rural resource it provides by VOTING AGAINST this proposed ordinance.

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
melinda bronsdon
12229 ne 64th st
Kirkland, WA 98033

Auzins, Erin

From: JIM MCROBERTS <jim4fish@comcast.net>
Sent: Friday, November 22, 2019 3:16 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.
Do not let this happen!

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
JIM MCROBERTS
5430 LAKE WASHINGTON BLVD SE
BELLEVUE, WA 98006

Auzins, Erin

From: Vandana Datye <vdatye@gmail.com>
Sent: Friday, November 22, 2019 5:21 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Vandana Datye
14101 177th court ne
Redmond, WA 98052

Auzins, Erin

From: Nona Ganz <nonaganz@frontier.com>
Sent: Friday, November 22, 2019 5:39 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

To all KC council members

There has always been pressure to allow retail and commercial development in the Sammamish Valley. I thought the agricultural lands and open space there were protected from such activity but now the push to develop is before you again. Do not let it happen. Do not let the rural valley be slowly destroyed, as the Kent Valley was. Wine tasting shops and retailers should situate themselves in areas zoned for that, and if they are presently operating illegally, they should be forced to move. Slowly the retail/commercial development will ruin the amazing valley. Keeping it pristine is of more value to the general public than some wineries. Keep money out of your decision.

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Nona Ganz
10207 NE 112th St
Kirkland, WA 98033

Auzins, Erin

From: Johnson Dawn <dljohnson333@gmail.com>
Sent: Saturday, November 23, 2019 6:55 AM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Johnson Dawn
16902 NE 131st Place
Redmond, WA 98052

Auzins, Erin

From: Nate Waddoups <nate@whatever.net>
Sent: Saturday, November 23, 2019 11:02 AM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Nate Waddoups
16015 NE 44th Court
Redmond, WA 98052

Auzins, Erin

From: Erik Houser <ewhouser12@gmail.com>
Sent: Saturday, November 23, 2019 11:08 AM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

In addition to the above information I want to add that the traffic situation in the subject area is already unacceptable; southbound Redmond Woodinville Road in the morning is backed up for up to 3 miles and the same is true for the northbound traffic in the afternoon. In addition, afternoon and evening traffic on 124th Street across the Sammamish Valley is backed up 1-2 miles to the Kirkland side caused by all the cars trying to turn north of Redmond Woodinville Road. Check it out.

Sincerely,
Erik Houser
18601 NE 133rd Street
WOODINVILLE, WA 98072

Auzins, Erin

From: Alyse De Kraker <Dennis.dk@Comcast.net>
Sent: Saturday, November 23, 2019 4:30 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

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In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Alyse De Kraker
15216 NE 156 th ST
Woodinville, WA 98072

Auzins, Erin

From: Dennis De Kraker <dennis.dk@comcast.net>
Sent: Saturday, November 23, 2019 4:30 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Dennis De Kraker
15216 NE 156 th ST
Woodinville, WA 98072

Auzins, Erin

From: Teresa Mathiesen <evergreen16@protonmail.com>
Sent: Sunday, November 24, 2019 12:00 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Teresa Mathiesen
18107 96th ave ne, apt 8
bothell, WA 98011

Auzins, Erin

From: Julia Craig <juliacraig@comcast.net>
Sent: Sunday, November 24, 2019 12:19 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Julia Craig
13031 NE 184th Place
Bothell, WA 98011

Auzins, Erin

From: Andrew Brinkhaus <igotvertigo@hotmail.com>
Sent: Sunday, November 24, 2019 6:28 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Andrew Brinkhaus
18100 NE 95th St Apt ii1041
Redmond, WA 98052

Auzins, Erin

From: Richard Corroone <molly.michael@frontier.com>
Sent: Sunday, November 24, 2019 9:18 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Richard Corroone
16707 NE 139th Pl
Woodinville, WA 98072

Auzins, Erin

From: Diane Berger <dianeberger108@gmail.com>
Sent: Monday, November 25, 2019 7:37 AM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Diane Berger
3401 W. Government Way
Seattle, WA 98199

Auzins, Erin

From: Communications, Comments
Sent: Monday, November 25, 2019 9:37 AM
To: Auzins, Erin
Subject: FW: Restriction on Woodinville area wineries

-----Original Message-----

From: Maria Valdesuso <mariavaldesuso@hotmail.com>
Sent: Saturday, November 23, 2019 8:09 AM
To: Communications, Comments <council@kingcounty.gov>
Subject: Restriction on Woodinville area wineries

council@kingcounty.gov

Basic message is to eliminate the significant restrictions on allowable parking and simply use standard codes which provide up to 25% of the property for impervious surface which takes into account both the building and parking areas. Simple. Just require the properties don't exceed that.

Thank you!

Maria Valdesuso
1505 90th Pl. N. E.
Clyde Hill, Wa 98004
Mariavaldesuso@hotmail.com
Sent from my iPhone

Auzins, Erin

From: Don Toenyan <don.toenyan@comcast.net>
Sent: Tuesday, November 26, 2019 1:46 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Don Toenyan
15309 NE 160th St
Woodinville, WA 98072

From: [Communications, Comments](#)
To: [Auzins, Erin](#)
Subject: FW: Letter from affected business owner RE: Proposed Ordinance 2018-0241.3
Date: Tuesday, November 26, 2019 2:44:13 PM
Attachments: [Dec. 2019 King Co letter.pdf](#)

From: debbie@cougarcrestwinery.com <debbie@cougarcrestwinery.com>
Sent: Tuesday, November 26, 2019 11:37 AM
To: Communications, Comments <council@kingcounty.gov>
Subject: Letter from affected business owner RE: Proposed Ordinance 2018-0241.3

Dear Council Members,

As an affected business owner, I am appalled at the “showdown” that Councilmember Balducci is trying to stage that upends much of the hard work and negotiations accomplished over the last three years.

Please read my attached letter, it contains many valid reasons to not let this last-minute striker amendment stand.

Sincerely,

Deborah Hansen
Owner and Winemaker
Cougar Crest Estate Winery
50 Frenchtown Road
Walla Walla, WA 99362
Cell 509.520.2545
Office 509.529.5980

Deborah K. Hansen
Cougar Crest Estate Winery
50 Frenchtown Road
Walla Walla, WA 99362

King County Council

Dear Councilmembers,

As a winery owner with a remote tasting room in Overlay A, I have spent many days in the last three years going to council meetings, hearings, and community meetings to make sure my voice was heard and my view represented. In 2016, King County paid \$75,000 for a consultant to research a report with policy recommendations about businesses in unincorporated King County. Over the last three years the Council members and Committee members have spent many hours dealing with differing proposals and negotiating a solution for the businesses that want to operate in King County, that allows business to thrive while preserving the open space and farmland.

The “Balducci strikers” seek to abruptly change three year’s worth of work, eliminating many of the negotiated provisions. Ms. Balducci seems to believe that her opinions are more important than those of everyone who has contributed their time and experience to this effort over the last three years. In addition, she wants to rush these changes through quickly without further public input. Her changes are very one sided, and reflect the desires of the people who don’t want anyone to do business in unincorporated King County, especially wineries and tasting rooms.

The Staff Report of the Planning, Rural Service and Environmental Committee dated November 28, 2018, noted that 50 of the 54 businesses operating in King County were in non-compliance with current County regulations. Even with the proposed regulation updates in that report, the County estimated 24 of those 50 businesses, a whopping 48%, would have to downsize or close because they would not be able to comply with the proposed regulations. With the Balducci strikers, this number will greatly exceed 50% of the businesses that will be unable to comply.

At the most recent public hearing on June 12, 2019 there were more than 100 people who commented on these same proposals, only one of them actually was a farmer in King County. The rest were local people who believe the landscape around their homes should never be allowed to change and environmental groups who also don’t want any changes to the current landscape. They cite land use goals promulgated 40 years ago as the standard we should continue to abide by. In reality they all believe in NIMBY—Not In My Back Yard. The Balducci strikers are a blatant concession to these two groups and their anti-business, prohibitionist goals.

I see four key issues the Balducci strikers are using to cripple the ability to have a business in King County. First, the elimination of most onsite parking for WBD's. Many businesses already have some onsite parking, these changes would eliminate most of that, and worsen the parking situation in the winery district. This is discriminatory and singles out wineries for special limits. There is no allowance for how many parking spots will be needed by employees. This is an intentional attempt to hurt these wineries. Not only that, it will increase the complaining by our adversaries about the amount of cars parking on the street. The facilities that already have onsite parking should be grandfathered in to reduce the complaints about parking on the street, and there should not be a maximum number of parking spaces.

The second issue is establishing heavier penalties for Wineries, Breweries, and Distilleries than for other businesses. These excessive, neo-prohibitionist penalties compared to other types of businesses are discriminatory and will not likely survive a legal challenge. As a winery owner, this tells me that my business is not appreciated, and King County would prefer I take my business elsewhere.

Third, limiting the amount of retail space to 15% for WBD's. Based on the already limited size of the allowed total square footage, this is prohibitively small and incompatible with selling to consumers, which is the lifeblood of small wineries.

Fourth, Demonstration Project A applications are a Type 1 land use decision and the applicant does not have any right to appeal if their application is denied. This could lead to arbitrary, capricious, and inconsistent decisions being made. Applications for Remote tasting rooms should be a Type 2 land use decision with the same right to appeal as all the other applicants.

At this juncture, there shouldn't be last-minute, unilateral changes to the work that has been accomplished over the last three years. I strongly urge the Councilmembers to not be swayed from the planning and recommendations of their own hearings and their own consultants, based on a last-minute attempt by a single councilmember who has been influenced by a handful of vocal complainers.

Respectfully,

A handwritten signature in cursive script, reading "Deborah K. Hansen".

Deborah K. Hansen
Owner and Winemaker
Cougar Crest Estate Winery
Walla Walla, WA 99362

Auzins, Erin

From: Ann Haldeman <sea35gull@frontier.com>
Sent: Tuesday, November 26, 2019 3:08 PM
To: Dembowski, Rod; Dunn, Reagan; von Reichbauer, Pete; Gossett, Larry; McDermott, Joe; Kohl-Welles, Jeanne; Upthegrove, Dave; Balducci, Claudia; Lambert, Kathy; kcexec@kingcounty.gov; Auzins, Erin; Wolf, Karen
Subject: IMPORTANT: Vote NO on 2018-0241

Dear Councilmember,

I know many of you have been working very hard for a long time to revise the Adult Beverage Ordinance—but unfortunately what you have before you now only makes the situation worse for Rural and Agricultural Areas that are supposed to be protected forever by the Growth Management Act.

These lands are unique areas for productive agriculture—much needed in the future because of the increased population influx into the area—and once polluted or built over, are irrecoverable. There are many many other non-rural/agricultural areas available in nearby cities for wineries, breweries, distilleries and event centers that do not meet the current code. The problem is not the current code, but the lack of enforcement of the current code that has benefited illegal businesses for a number of years now.

Please refer to <https://friendsofsammamishvalley.org/rebuttal> – the letter sent to the Council in rebuttal to the proposed ordinance on November 10th. This contains extremely important and detailed background and information on the flaws and incredibly negative effects of the proposed ordinance revisions.

You are in a position to be good stewards of our very important rural and agricultural heritage. Please take the responsibility for saving these unique and valuable areas.

Please **VOTE NO** on this revision—and put resources into enforcing the current code rather than opening up the Sammamish Valley and other rural and agricultural areas to non GMA-compatible businesses.

Sincerely yours,

Ann Haldeman

13822 173rd Ave NE

Redmond, WA 98052-2149

P.S. Below is a brief summary of the issues with this situation, but I encourage you, to check out the letter mentioned above at <https://friendsofsammamishvalley.org/rebuttal> :

RE: The Problem is NOT the current code—it is the failure to enforce it. VOTE NO on 2018-0241

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Auzins, Erin

From: Glen Manheim <gmanheim@frontier.com>
Sent: Tuesday, November 26, 2019 9:59 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for "updating" the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Furthermore, the WBD exposes our children to the traffic and possible tipsy personnel in the open spaces farming area already overcrowded. It is a safety hazard to traverse the roundabout trying to go east up the hill. Finally, we the people decided to keep the open space passed into law almost 40 years ago. We need to honor the law as it exists. The whole of Woodinville both the town and the surrounding community needs to preserve its theme "City living country style." Better to know the community that way that to become a less desirable motto like "Government approved booze style." We live here preserve what we have, enforce the law as it exists. Step up!!!

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Glen Manheim

14714 176th Ave NE
Woodinville, WA 98072

Auzins, Erin

From: Eugene Mazzola <madzola@aol.com>
Sent: Wednesday, November 27, 2019 12:00 AM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

I have been a resident of the Hollywood Hill since 1981. I have seen our valley and the surrounding area go through a lot of changes in this time. Many of these changes I have supported. But, enough is enough. It is time for all concerned to appreciate that we do not need to fix something that is not broken. There is plenty of current legal space available to utilize. It is time to stop this pursuit of unnecessary development.

The foundational premise for "updating" the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

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In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some "tightening-up constraints." For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Eugene Mazzola
14208 160th Avenue NE
Woodinville, WA 98072

Auzins, Erin

From: Mike Helbock <medicme@me.com>
Sent: Wednesday, November 27, 2019 7:39 AM
To: Balducci, Claudia; McDermott, Joe; Dembowski, Rod; Kohl-Welles, Jeanne; Dunn, Reagan; Lambert, Kathy; Upthegrove, Dave; Gossett, Larry; von Reichbauer, Pete
Cc: Constantine, Dow; Taylor, John - Dir; Wolf, Karen; Miller, Ivan; Auzins, Erin
Subject: DO NOT alter the current land use ordinance in Woodinville

I am COMPLETELY opposed to altering the current land use ordinance to allow “WINE drinkers to occupy the farmland of the Woodinville valley.

I am a 45 year resident here and this will completely destroy the “country feel” that we have enjoyed for decades!

Please, please consider maintaining the current laws..... and prohibit store-front businesses and wine sellers to occupy the valley floor!

Regards,
Mike

Mike Helbock M.I.C.P., NR-P, SEI
Director - Emergency Medical Trainers & Consultants
Senior Faculty - Seattle/King County Resuscitation Academy
Clinical Educator - Prehospital Medicine
University of Washington School of Medicine
Division of Emergency Medicine
Seattle, Washington
medicme@me.com
206.948.1153

Auzins, Erin

From: Communications, Comments
Sent: Wednesday, November 27, 2019 11:09 AM
To: Auzins, Erin
Subject: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>

Submitted from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Submitted at 11:09:08 AM, on Wednesday, November 27, 2019

Winery_Code:

FromUser: Guy Dunn

EMail: gwdunn@earthlink.net

addr1: 15050 Ne 144st Street

city: Redmond

state: WA

zip: 98052

MessageText:

Concerning the Sammamish Valley Winery property listed Proposed Ordinance 2018-0241.2, we are in favor of allowing demonstrations projects to go forward.

With the exception of the parcels at the extreme southern end of the Demonstration Projects in the Sammamish section, (NE 124th Street north to where 156th Ave NE turns off the Woodenville - Redmond Road), the land shifts from the Sammamish Slough flood plain to Glacial Moraines hillsides. These are less conducive to agricultural activities due to the change in soils and the pitch of the hillsides, than the flat Alluvial & Loam soils that you find on the west side of the Woodenville-Redmond Rd. And those southern most parcels are already used as a nursery similar to several business on the west side of the Woodenville-Redmond Road across from the project area.

Since these projects are not on prime agricultural lands, they are not "stealing" Ag use in favor of tourism. The fact that they overlook real farm lands lend to the experience of visiting these businesses which create their products from farming, albeit farming not on the valley floor. But it reminds us of the rich farming that takes place across the entire state. Bringing some of the bounty of eastern Washington over the Cascades right into Puget Sound for us to enjoy right here in King County.

The Ag tourism has increased the tax revenue for the County and the neighboring cities, and has allowed for increased spending on capital improvements in the area. These Ag tourism businesses in this demonstration project anchor the 100 plus businesses in the winery, food, distillery and brewery sector surrounding the greater Woodenville area.

For our family and how we live, we find these businesses to be good neighbors and increase our appreciation of where we live. And were a strong asset for our decision to live were we do.

Thank you for your attention.

Sincerely,

Guy W Dunn

User IP Address:10.84.2.22

User Software Client:Mozilla/5.0 (Windows NT 6.1; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko)

Chrome/78.0.3904.108 Safari/537.36

Auzins, Erin

From: Auzins, Erin
Sent: Wednesday, November 27, 2019 11:34 AM
To: Craig, Cristy
Subject: FW: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>

-----Original Message-----

From: Communications, Comments <council@kingcounty.gov>
Sent: Wednesday, November 27, 2019 11:09 AM
To: Auzins, Erin <Erin.Auzins@kingcounty.gov>
Subject: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>

Submitted from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Submitted at 11:09:08 AM, on Wednesday, November 27, 2019

Winery_Code:

FromUser: Guy Dunn

Email: gwdunn@earthlink.net

addr1: 15050 Ne 144st Street

city: Redmond

state: WA

zip: 98052

MessageText:

Concerning the Sammamish Valley Winery property listed Proposed Ordinance 2018-0241.2, we are in favor of allowing demonstrations projects to go forward.

With the exception of the parcels at the extreme southern end of the Demonstration Projects in the Sammamish section, (NE 124th Street north to where 156th Ave NE turns off the Woodenville - Redmond Road), the land shifts from the Sammamish Slough flood plain to Glacial Moraines hillsides. These are less conducive to agricultural activities due to the change in soils and the pitch of the hillsides, than the flat Alluvial & Loam soils that you find on the west side of the Woodenville-Redmond Rd. And those southern most parcels are already used as a nursery similar to several business on the west side of the Woodenville-Redmond Road across from the project area.

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The Ag tourism has increased the tax revenue for the County and the neighboring cities, and has allowed for increased spending on capital improvements in the area. These Ag tourism businesses in this demonstration project anchor the 100 plus businesses in the winery, food, distillery and brewery sector surrounding the greater Woodenville area.

For our family and how we live, we find these businesses to be good neighbors and increase our appreciation of where we live. And were a strong asset for our decision to live were we do.

Thank you for your attention.

Sincerely,

Guy W Dunn

User IP Address:10.84.2.22

User Software Client:Mozilla/5.0 (Windows NT 6.1; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko)

Chrome/78.0.3904.108 Safari/537.36

Auzins, Erin

From: lctiger66@aol.com
Sent: Thursday, November 28, 2019 1:17 PM
To: Balducci, Claudia; McDermott, Joe; rod.demborski@kingcounty.gov; Kohl-Welles, Jeanne; Dunn, Reagan; Lambert, Kathy; Upthegrove, Dave; Gossett, Larry; von Reichbauer, Pete
Cc: Constantine, Dow; Taylor, John - Dir; Wolf, Karen; Miller, Ivan; Auzins, Erin
Subject: Beverage Ordinance 2018-0241v2

King County Council and other King County Officials -

I have been a resident on Hollywood Hill in Woodinville for 32 years. My husband and I moved here because we both worked in the city of Seattle, and because we valued the rural nature of this area and have enjoyed our life here for many years. Although my husband has passed, I continue to enjoy the rural lifestyle here, and look forward to many more years in my home and this area.

While I have witnessed growth and some nice improvements to the area, I have also observed growth that is not in keeping with the rural nature of the area. I am particularly concerned about the businesses that have operated illegally (e.g., Feliciano, Matthews, French Bakery) with no enforced compliance by King County. I am actually quite appalled that King County has failed to uphold the zoning laws that clearly show where businesses can be established and where they cannot. Code violations should be taken seriously and action taken to remedy.

As nice as it is to have so many wineries and tasting rooms in the area, I am pleased that the majority of them are within the City of Woodinville (and operating legally). It is a treat to show off the area to out-of-town and other guests. But I will not and do not support the businesses who are operating illegally and who seem to flaunt that fact. If they are allowed to continue, others will follow, traffic will increase with no suitable remedy and eventually the rural way of life that we enjoy, and most importantly, the farmers who also call this valley home, will be either forced to move or go out of business.

A vote AGAINST the above beverage ordinance scheduled for December 4 is critical to maintaining the rural way of life for residents, farmers and LEGALLY established businesses in this Sammamish Valley. I implore you to vote AGAINST the ordinance and to ENFORCE the zoning laws in existence. Don't be sorry later that you didn't take the appropriate action now to preserve this area. Once it's gone, there's no getting it back!

While I unfortunately will not be able to attend the Dec. 4, 2019, meeting, I want to have my voice counted as a long-time resident of this area and a very concerned citizen.

Thank you.

Marilyn Iverson
Woodinville, WA

Auzins, Erin

From: judith beto <judithbeto@comcast.net>
Sent: Friday, November 29, 2019 2:00 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

I am a relatively new resident to the King County Area, having moved here in 2012 from Chicago. I truly enjoy and cherish the ability to define what is farmland and rural, and what is the urban sprawl encroaching.

We, in the seattle area, love to talk "local" and "farm-to-table" even winery to table-----but we have to understand that we also have to defend and protect those rural/farm areas so close to us---that make local real.

We are building everywhere. I understand the need for housing panic---and affordable housing at best. But we have to be firm in keeping our character and our promise to our future generations. Keep what little we have left. Maintain the necessary mix of urban and rural. Wineries can and will find alternate places to market their product. They are just currently caught up in the convenience of location.

Please look carefully at the failure to enforce the current code and interpret it as it was written. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance "tightens-up" current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

Remote tasting rooms should not be permitted in the Rural Area. Let's be firm in our enforcement of quality. Let's not be influenced by the money behind the madness. Let's think of the future generations and try to find a balance. The balance is already there. Let's keep the balance.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
judith beto
10104 NE 62nd Street
Kirkland, WA 98033

Auzins, Erin

From: Igor Gladstone <lydiagladstone@msn.com>
Sent: Friday, November 29, 2019 3:08 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

I was raised in North Africa, Algiers. My parents were refugees from the communist regime in Russia, having lost all the lands which had been in my family for generations. I came to the states in 1948 hoping to again recapture what was taken from my family by a thoughtless and cruel government. This, our Woodinville land in the US, is American soil

We have had our land used as the land commissioner/assessor has it lawfully zoned...open space/agriculture. We are raising cattle and feed the homeless from our large garden we tend to throughout the year. In addition we pay our fair share of taxes and do not try "to get out of paying" these taxes.

Please let us keep our zoning and the farm ambiance in the Sammamish Valley? There is not much Open Space left in King County.

Below is a very good explanation:

The foundational premise for "updating" the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

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The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some "tightening-up constraints." For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and

legally operating businesses are already well documented.

Please let us continue to grow our cattle and feed the homeless from our large garden?

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Igor Gladstone
16511 ne 145th
Woodinville, WA 98072

Auzins, Erin

From: Claire Thomas <clairethomas2@earthlink.net>
Sent: Friday, November 29, 2019 4:17 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Claire Thomas
13653 Woodinville-Redmond Rd
Redmond, WY 98052

Auzins, Erin

From: Terry Lavender <tlavender2@frontier.com>
Sent: Saturday, November 30, 2019 8:36 AM
To: kcexec@kingcounty.gov; Dembowski, Rod; Dunn, Reagan; von Reichbauer, Pete; Gossett, Larry; Lambert, Kathy; McDermott, Joe; Kohl-Welles, Jeanne; Upthegrove, Dave; Balducci, Claudia; Auzins, Erin; Wolf, Karen
Subject: Sammamish Valley Adult Beverage Ordinance

I have spent decades supporting protection of farmland in King County. The Sammamish Valley is probably the best agricultural soil in King County. It is a small district and therefore buffering it is important. I have followed much of the back and forth and most of it still makes little sense to me. Why not at least enforce the existing regulations as a start? What has happened has shown little respect for those who are operating within the rules, the agricultural community and the rural residents nearby and instead appears to enable the offenders. It is so hard to see this any other way. The Land Conservation Initiative seeks to finish the job of protecting our Agricultural districts and lands. If passed in its current form, this Ordinance will drive speculative land values and make implementing the LCI more difficult and expensive. Ironically it is the protected land that creates the views that the wineries and drinking establishments want to look out at. I can imagine a similar frenzy on the Enumclaw Plateau someday where the views of Mt. Rainier across protected farmland are breathtaking.

The simplest and clearest way I can express my position is to ask you to support the position of Friends of the Sammamish Valley and their proposed changes to King County Beverage Ordinance 2018-0241 which I have endorsed.

Please look carefully and support these well thought out proposals.

Thank you,
Terry Lavender
17304 208th Ave. N.E.
Woodinville, WA 98077
425 788 2304
Tlavender2@frontier.com

Auzins, Erin

From: SUSAN HARP <SPHARP@HOTMAIL.COM>
Sent: Saturday, November 30, 2019 1:46 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

Please consider carefully any changes to the code and impacts on traffic, noise, pollution and general degradation of the rural sense of feel of this area they will have. Once out, the genie does not go back in the bottle.

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
SUSAN HARP
13017 176TH PL NE
REDMOND WA 98052, WA 98052

Auzins, Erin

From: Kate Conant <conantk@hotmail.com>
Sent: Saturday, November 30, 2019 2:53 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is wrong.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Kate Conant
9433 NE 129th Pl
Kirkland, WA 98034

Auzins, Erin

From: Gary Luhm <gluhm@comcast.net>
Sent: Saturday, November 30, 2019 2:55 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Gary Luhm
9433 NE 129th Pl
KIRKLAND, WA 98034

Auzins, Erin

From: Communications, Comments
Sent: Sunday, December 1, 2019 6:28 PM
To: Auzins, Erin
Subject: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>

Submitted from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Submitted at 6:28:26 PM, on Sunday, December 1, 2019

Winery_Code:

FromUser: Stephanie Young

EMail: Stephlkings@hotmail.com

addr1: 15403 NE 198th st

city: Woodinville

state: Wa

zip: 98072

MessageText: The current regulations are not being enforced and code is being ignored. How will the new rules be enforced, and how will this ruling support the local agriculture and ensure the wineries SUPPORT the agriculture?

User IP Address:10.84.2.22

User Software Client:Mozilla/5.0 (iPhone; CPU iPhone OS 12_4_3 like Mac OS X) AppleWebKit/605.1.15 (KHTML, like Gecko) Version/12.1.2 Mobile/15E148 Safari/604.1

Auzins, Erin

From: Ann Pasley <ahpasley@gmail.com>
Sent: Sunday, December 1, 2019 9:05 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

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The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Ann Pasley
13838 162nd Ave NE
Woodinville, WA 98072

Auzins, Erin

From: Sean Gallagher <sean@gallabell.net>
Sent: Sunday, December 1, 2019 10:52 PM
To: Balducci, Claudia; McDermott, Joe; Dembowski, Rod; Kohl-Welles, Jeanne; Dunn, Reagan; Lambert, Kathy; Upthegrove, Dave; Gossett, Larry; von Reichbauer, Pete
Cc: Constantine, Dow; Taylor, John - Dir; Wolf, Karen; Miller, Ivan; Auzins, Erin
Subject: Support for Proposed Ordinance 2018-0241 - resident who lives in the actual area studied in the ordinance

I am writing in support of the Proposed Ordinance 2018-0241 that has been put together by the King County Executive's office and transmitted for vote this week by the Council.

Change is always occurring. You can either plan ahead and take reasonable steps to work with change while preserving aspects of the current state that are important to retain, or you can live in the past and have change thrust upon you when there are no other options available. As I am in favor of the ordinance 2018-0241 and I advocate for planning ahead with reasonable steps.

I have shared my opinions with the smaller group that initially looked at this ordinance. I believe that this ordinance accepts that there are pragmatic uses for the land based on what has occurred in the past decade, which twenty years ago no one could foresee. Ordinance 2018-0241 provides those in King County with well-defined land uses that add to the community in meaningful ways. It provides more viable economic options to properties with rising assessments and thus taxes, without sacrificing the agricultural integrity of the area. My concern is that if we only allow established agricultural uses and single family dwellings, in another decade the only owners of these parcels will be large corporate agriculture ventures, who can offset some of the costs of these parcels with other properties in their portfolios. Instead of small businesses the properties along 140th Place NE would be owned by one or two business.

Many on the opposing side of this issue, like to bring up many creative arguments, mostly around change. Increased traffic, which they fail to mention that most of the increased traffic is actually traversing from north of Woodinville to Redmond, where high technology, not wineries, is the major change agent. That is the same high technology industry that has been an economic engine to the King County for more than two decades and has made Woodinville a rather desirable place to live for many in that industry. It is entirely hypocritical for them to say that Monday through Friday traffic is fine, just don't allow increased traffic on the weekends.

Woodinville itself is growing, both in the downtown core and the tourist district. 140th Place NE is the stretch of road in unincorporated King County sandwiched in between. I live on this road and I have seen a lot of change, change that started long before the wineries, distilleries and tasting rooms. I live on the most direct path between the downtown core and the tourist district; and between Woodinville and Redmond. That is not going to change. Only allowing agricultural and single family residences along the road will not stop the change. Ordinance 2018-2041, does allow for more defined options to deal with and be part of the change that is impacting our area.

Ordinance 2018-2041 does not sacrifice our agricultural lands. Period. It actually does more to protect them by providing other revenue streams outside of crops and nurseries, which in turn can keep these parcels in the hands of small business owners.

Many in the community actually support these uses. There may be a vocal minority who profess that everyone is up in arms about this ordinance. Watch what they do, not what they say.

King County is changing. Woodinville is changing. Gone are the lumber mills (it is mostly 2nd generation trees in the area). Likewise are the dairy farms and chicken farms that replaced the lumber mills. Those gave way to housing developments, whose new owners were happy about that change. The house I live in is more than 100 years old. It is on the remaining part of what was once a large parcel. The family built the house I live in by hand, and three generations lived under one roof. They were farmers and had a dairy business. Back in their day they had to stop traffic on 140th Place NE to move the cows from the pastures on the west side of the road to the milk barn on the east side of the road. Imagine that happening nowadays. As times changed they sold of some of the property to a wealthy man who wanted to make a private area, much like a theme park for his family. That gave way to what is now a tennis, fitness and golf business (no there is no agricultural purpose). My point is that change occurs and often in ways that can't be seen. Ordinance 2018-2041 is not perfect, yet in its imperfection it attempts to look ahead and provide reasonable uses while protecting aspects that are important to retain.

I love where I live. I am also not afraid of change. I want landowners to have a say through elected officials on reasonable changes that will give our parcels a greater ability to continue to be part of and add to the community where we live.

Thank you for your time and consideration.

Sincerely,
Sean Gallagher

From: [Orca Conservancy](#)
To: kcexec@kingcounty.gov
Cc: [Dembowski, Rod](#); [Dunn, Reagan](#); [von Reichbauer, Pete](#); [Gossett, Larry](#); [Lambert, Kathy](#); [McDermott, Joe](#); [Kohl-Welles, Jeanne](#); [Upthegrove, Dave](#); [Balducci, Claudia](#); [Auzins, Erin](#); [Wolf, Karen](#)
Subject: RE: Opposition of Sammamish Valley Land Use Code |King County Ordinance 2018-0241
Date: Monday, December 2, 2019 9:18:33 AM
Attachments: [OrcaConservancy_KingCountyO2018_0241_112519_ST.pdf](#)

Dear Mr. Constantine,

Orca Conservancy strongly opposes Ordinance 2018-0241. We respectfully request that before King County City Council approves said ordinance, they instead issue a full environmental review to include impact considerations on the river(s), salmon, storm water runoff, water temperatures, and ecosystem.

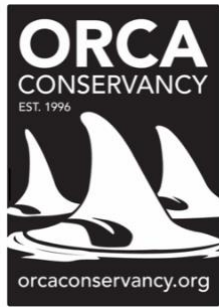
Please accept the attached as our official comment on Sammamish Valley Land Use Code | King County Ordinance 2018-0241.

Thank you,

Shari



Shari Tarantino
President, Board of Directors
M: (206) 379-0331
orcaconservancy.org



November 25, 2019

Sent via electronic email to: kcexec@kingcounty.gov, rod.dembowski@kingcounty.gov, reagan.dunn@kingcounty.gov, pete.vonreichbauer@kingcounty.gov, larry.gossett@kingcounty.gov, kathy.lambert@kingcounty.gov, joe.mcdermott@kingcounty.gov, jeanne.kohl-welles@kingcounty.gov, dave.upthegrove@kingcounty.gov, claudia.balducci@kingcounty.gov, erin.auzins@kingcounty.gov, karen.wolf@kingcounty.gov

Dow Constantine
King County Executive
401 5th Ave., Suite 800
Seattle, WA 98104

RE: Opposition of Sammamish Valley Land Use Code | King County Ordinance 2018-0241

Dear Mr. Constantine,

Orca Conservancy and its 30,000+ members and supporters stand in opposition of King County Ordinance 2018-0241.

Orca Conservancy is a volunteer 501c3 Washington State nonprofit working on behalf of *Orcinus orca* the killer whale, and protecting the wild places on which it depends. Our urgent attention is on the 73 remaining critically endangered Southern Resident killer whales (SRKWs) that inhabit the waters of Washington State and who rely on healthy, wild Chinook salmon populations for their survival. Orca Conservancy also works towards increasing prey resources, reducing the accumulation of marine toxins, including the destruction of salmon spawning and nearshore habitats; nurseries of the Salish Sea.

First and foremost, there has been NO State Environmental Policy Act (SEPA) to determine the impact to King County. Instead, King County issued a Determination of Non-Significance (DNS) on their own SEPA checklist WITHOUT an environmental study.

SEPA rules direct state and local agencies to:

- Consider environmental information (impacts, alternatives, and mitigation) before committing to a particular course of action.

Orca Conservancy • PO Box 16628 • Seattle, WA 98116

- Identify and evaluate probable impacts, alternatives and mitigation measures, emphasizing important environmental impacts and alternatives (including cumulative, short-term, long-term, direct and indirect impacts).
- Encourage public involvement in decisions.
- Prepare environmental documents that are concise, clear, and to the point.
- Integrate SEPA with existing agency planning and licensing procedures so procedures run concurrently rather than consecutively.
- Integrate SEPA with agency activities at the earliest possible time to ensure planning and decisions reflect environmental values, avoid delays later in the process, and seek to resolve potential problems.

As one of the largest regional governments in the United States and the most populous county in Washington, King County bears responsibility to restore and protect the natural resources that the Southern Resident killer whales depend on.

Currently, the proposed Ordinance 2018-0241 (Winery/Brewery/Distillery Regulations) seeks to allow unlimited events with excess parking on rural parcels leading to overland pollution, surface water pollution, ground water pollution, trash, noise, etc. This will then be disrupting streams and rivers and further degrading water quality that our endangered aquatic species such as Chinook salmon rely on for migration within the Snoqualmie, Cedar and Sammamish Rivers.

Rebuilding stream habitats for our endangered Salmonid species which travel to and from spawning and rearing habitats, the Issaquah hatchery, and by using the Sammamish River as a major migratory route must be a mandatory and funded action. Restoration is not only vital, it is less expensive than when done in urban areas.

It's extremely frustrating to be working towards *Salmonid* recovery -- with the greater goal of assisting with the endangered Southern Resident killer whale recovery -- only to be met with an ordinance that goes against everything the Growth Management Act (GMA) was designed to protect.

The Sammamish River corridor is very similar to the story of many of our urban streams and urban rivers. We are dealing with a watershed where more than half the aquatic habitat has been lost. Currently, the in-stream conditions lack necessary diversity, and the channels and the substrates have been altered and no longer suitable for spawning habitat in many of the areas. Water temperatures are elevated along with nutrients and pollutants. Flows have been altered from flooding in the winters and lower water levels during the summers -- all of which impact our fish and wildlife species.¹ While many of these fish are returning to the Issaquah hatchery, if we continue with the current trajectory the majority of these fish will continue to die due to a continued increase of poor conditions in fresh water before these fish even have a chance in reaching the ocean.²

"King County is committed to protecting and restoring clean water and healthy habitat in support of whale recovery. We are continuing to make significant investments in land and water conservation, habitat restoration, wastewater treatment, storm water management and pollution clean-up. In addition to our long-

¹ 2019 November, One Bothell. <https://onebothell.org/ufaq/acquire-wayne-golf-course-for-environmental-restoration-to-contribute-to-the-recovery-of-endangered-species/>
² 2002. Sammamish River Corridor Action Plan Final Report. Chapter 2. Existing Conditions in the Sammamish River Corridor

term commitment to salmon recovery, the primary food source of the Southern Resident killer whales, King County is accelerating habitat protection through our 30-year Land Conservation Initiative, the Fish Passage Restoration Program, investing in forest health, and partnering with other local governments and Tribes to strengthen climate resiliency of our natural systems.”³

In closing, Orca Conservancy strongly opposes Ordinance 2018-0241. We request that before King County City Council approves this ordinance they instead issue a full environmental review which includes impact considerations on the river, salmon, storm water runoff, water temperatures, and ecosystem.

Sincerely,



Shari L. Tarantino
President

³ 2019, November 7. Dow Constantine, King County Executive. Public comment, SRKW expansion of critical habitat.

From: [Communications, Comments](#)
To: [Auzins, Erin](#)
Subject: FW: Ordinance 2018-0241
Date: Monday, December 2, 2019 9:47:44 AM
Attachments: [King County Council letter re 2018-0241 sent 11.27.19.pdf](#)

From: Alyssa Barton <Alyssa@pugetsoundkeeper.org>
Sent: Wednesday, November 27, 2019 4:22 PM
To: Communications, Comments <council@kingcounty.gov>
Cc: McDermott, Joe <Joe.McDermott@kingcounty.gov>; von Reichbauer, Pete <Pete.vonReichbauer@kingcounty.gov>; Dunn, Reagan <Reagan.Dunn@kingcounty.gov>; Kohl-Welles, Jeanne <Jeanne.Kohl-Welles@kingcounty.gov>; Gossett, Larry <Larry.Gossett@kingcounty.gov>; Dembowski, Rod <Rod.Dembowski@kingcounty.gov>; Upthegrove, Dave <Dave.Upthegrove@kingcounty.gov>; Lambert, Kathy <Kathy.Lambert@kingcounty.gov>; Balducci, Claudia <Claudia.Balducci@kingcounty.gov>
Subject: Ordinance 2018-0241

Dear Councilmembers:

Please see the attached comment letter regarding proposed changes to Ordinance 2018-1241. Should you have any questions or concerns, please do not hesitate to contact me at (206)297-7002 ext 114 or by email at alyssa@pugetsoundkeeper.org. I will be out of the office for the holiday, returning Monday 12/2. Thank you for your consideration, and happy holidays!

Regards,

Alyssa Barton

(she/her/hers)

Policy Manager

Puget Soundkeeper Alliance

130 Nickerson Street, Suite 107

Seattle, WA 98109

(206) 297-7002 x114

alyssa@pugetsoundkeeper.org

www.pugetsoundkeeper.org





**PUGET
SOUNDKEEPER®**

November 27, 2019

King County Council
516 Third Ave, Room 1200
Seattle, WA 98104
By email: council@kingcounty.gov

Re: Ordinance 2018-0241

Dear Councilmembers McDermott, Reichbauer, Dunn, Kohl-Welles, Gossett, Dembowski, Upthegrove, Lambert, and Balducci:

Puget Soundkeeper's mission is to protect and preserve the waters of Puget Sound, from snowcaps to whitecaps. We are committed to stopping water pollution at the source so that one day, all of our waters will be swimmable, fishable, and drinkable. Soundkeeper has a long history of deep engagement on stormwater pollution, including advocating for stormwater solutions.

Stormwater is the number one vector for toxic pollution resulting from every day activities that threatens Puget Sound.¹ A single paved acre in Seattle results in a million gallons of stormwater runoff annually. With an average annual rainfall at SeaTac airport of 38.2-inches, the Puget Sound basin sees an average of more than 370 billion gallons of stormwater runoff from impervious surfaces each year.² The Department of Ecology estimated that, each year, between 14 – 94 million pounds total of toxic pollution enters Puget Sound via stormwater. Of this toxic pollution, between 13-92 million pounds (over 90%) is in the form of oil or grease, and specifically, 7.9 – 55 million (58%) is petroleum.³ These toxic chemicals can kill coho salmon within hours of exposure, a condition now called Urban Runoff Mortality Syndrome, or "URMS." Toxic pollution not only impacts salmon, but our endangered Southern Resident Killer

¹ DeWeerd, Sarah. "Citizens now the leading cause of toxics in Puget Sound." Salish Sea Currents, October 7th, 2014. Available online at: <https://www.eopugetsound.org/magazine/toxics>. Last Accessed November 26th, 2017.

² Milesi, Carla. "Stormwater Facts." 2015 Puget Sound Fact Book. Last Accessed November 26th, 2017. Available online at: <https://www.eopugetsound.org/articles/stormwater-facts>

³ De Place, Eric. "HOW MUCH PETROLEUM ENTERS PUGET SOUND IN STORMWATER? Clearing up the confusion about stormwater pollution," January 13th 2010. Citing to the Washington Department of Ecology, "Focus on Toxic Chemicals in Puget Sound" (January, 2010). Last accessed November 27th, 2019. Available online at: <http://www.sightline.org/2010/01/13/how-much-petroleum-enters-puget-sound/>.

Whales as well – toxic contamination has been identified as one of the three primary threats to their continued survival.⁴

Despite the severity of our regions stormwater pollution problem, recent research demonstrates that filtering polluted stormwater runoff through a soil column of sand, compost and bark, can reduce salmon prespawn mortality (URMS) – in one study, it resulted in 100% survival of exposed juvenile coho. The soil filtration also prevented reproductive damage to tiny insects salmon eat.⁵ Strategically including or incorporating certain soil mixes, native vegetation and trees into developed landscapes results in capturing and infiltrating polluted runoff from rooftops, driveways, and other hard surfaces, preventing pollution from entering surface waters. This type of green infrastructure - including raingardens, filter strips, or riparian buffers - is the way of the future.

Recognizing that green infrastructure is the best method of treating and slowing polluted stormwater runoff, as a result of Soundkeeper and People for Puget Sound's appeal of the 2007 Western Washington Phase I and II Municipal stormwater permits, the Pollution Control Hearings Board required permittees to adopt ordinances implementing Low Impact Development techniques as the preferred and commonly used approach. Ecology recently reissued the municipal stormwater permits in 2019. Phase I Permittees are now required to implement a program for Structural Stormwater Controls as part of their Stormwater Management Program (SWMP). Ecology aims this program toward retrofitting existing developed areas.⁶

Furthermore, one of the most important factors that can affect the quality of a surface-water body is the land use within its watershed. A number of studies have shown that the density of population and housing can affect the concentration of chloride, nitrate, and a variety of pesticides in streams that drain urban and suburban settings.⁷

Agricultural stormwater can cause surface and groundwater pollution. Explicitly exempted from coverage by the Clean Water Act, agricultural non-point source pollution (other than stormwater runoff from Concentrated Animal Feeding Operations, or "CAFOs") is the leading source of water pollution to our nations rivers, streams and lakes. Conversions of wetlands to crop production and irrigation water diversions have brought many wildlife species to the verge of extinction. However, many farmers are also conservationists who by implementing best management practices, can and do protect water quality and wildlife habitat. Sustainable local farms can provide safe and healthy food alternatives for communities in Puget Sound while stimulating the economy.

⁴ Southern Resident Orca Task Force DRAFT Year 2 Report and Recommendations. October 4th, 2019. Available online at: https://www.governor.wa.gov/sites/default/files/YR2Report_DRAFT_V8.pdf. Last accessed November 27th, 2019.

⁵ McIntyre JK, Davis JW, Hinman C, Macneale KH, Anulacion BF, Scholz NL, and Stark JD. "Soil bioretention protects juvenile salmon and their prey from the toxic impacts of urban stormwater runoff." *Chemosphere*. 2015 Aug;132:213-9. doi: 10.1016/j.chemosphere.2014.12.052. Epub 2015 Jan 6. Available online at: <https://www.ncbi.nlm.nih.gov/pubmed/25576131>. Last accessed November 27th, 2019.

⁶ Phase I Municipal Stormwater Permit, 2019, Factsheet. Available online at: <https://apps.ecology.wa.gov/paris/DownloadDocument.aspx?id=278983>. Last Accessed November 27th, 2019.

⁷ <http://www.waterencyclopedia.com/La-Mi/Land-Use-and-Water-Quality.html>

We support policies that protect agricultural lands from urbanization, as doing so protects against urban sprawl, encourages cities to become denser and more efficient, and preserves open space. We encourage the Council act consistently with the County's policy of protecting the environment and rural integrity of unincorporated King County. We are concerned that Ordinance 2018-0241 may have unintended consequences: namely, that proposed revisions may open the door to more (both more intense and more frequent) commercial uses in protected agricultural areas in unincorporated King County, inviting additional development and with it, the risk of additional toxic stormwater pollution and resulting degraded water quality.

The Sammamish River is a migration corridor for Sockeye, Coho, and most importantly, threatened Chinook salmon. The majority of these fish will die due to poor conditions in fresh water before even reaching the ocean. One significant problem is high temperatures and toxic runoff in the Sammamish River. The Sammamish Valley offers a critical place where habitat restoration could take place at a lower cost than in urban, developed areas. By further developing the Sammamish Valley, particularly in protected agricultural areas, adding additional impervious surfaces, conditions will likely deteriorate further for salmon. King County has made salmon recovery a priority, and many salmon restoration projects along the Sammamish River are already underway. We would ask that any code changes carefully consider these investments to ensure that they are not put at risk, which would not only jeopardize investments made in salmon recovery by tax-payers, but put salmon at greater risk. As such, we respectfully request that a full environmental review be conducted on the potential impacts of this ordinance before a final decision is made.

Thank you for the opportunity to comment on Ordinance 2018-0241. We look forward to continuing to engage with the Council on issues impacting water quality and salmon habitat.

Sincerely,

Alyssa Barton
Policy Manager
Puget Soundkeeper

Cc:

joe.mcdermott@kingcounty.gov
Pete.vonReichbauer@kingcounty.gov
reagan.dunn@kingcounty.gov
jeanne.kohl-welles@kingcounty.gov
Larry.Gossett@kingcounty.gov
rod.dembowski@kingcounty.gov
Dave.Upthegrove@kingcounty.gov
kathy.lambert@kingcounty.gov
claudia.balducci@kingcounty.gov

Auzins, Erin

From: Communications, Comments
Sent: Monday, December 2, 2019 9:47 AM
To: Auzins, Erin
Subject: FW: Wineries

-----Original Message-----

From: Heartfilledyoga <kris@heartfilledyoga.com>
Sent: Wednesday, November 27, 2019 12:46 PM
To: Communications, Comments <council@kingcounty.gov>
Subject: Wineries

I have been a resident of unincorporated King County for more than 30 years. My husband and I are in our 60's and really enjoy a Friday night out at Matthews Winery.

We like going there because the music ends at 9:30 and we can be home nice and early. We like going there because it is a nice classy venue. We like going there because many of our friends and neighbors are there also. We have no interest in going to a bar for live dance music. Bars are late night drunk fests often times and not our style at all.

I know that a vote is coming soon that may end our Friday nights. There is really no other venue near us that can offer a similar experience so I am hoping some kind of compromise can be found.

Please consider all options. I know there are many differing opinions but hope this email encourages a resolution that can be positive for all sides.

Thank you for considering the desires of all your constituents.

Kris Lowe

Sent from my iPhone

Auzins, Erin

From: Communications, Comments
Sent: Monday, December 2, 2019 10:01 AM
To: Auzins, Erin
Subject: FW: Woodinville winery parking

-----Original Message-----

From: Carol Dema <demacarol@gmail.com>
Sent: Wednesday, November 27, 2019 8:36 PM
To: Communications, Comments <council@kingcounty.gov>
Subject: Woodinville winery parking

Please just use the standard parking for the wineries. They are so important to us and provide a wonderful environment for visitors. You should not be punishing them in anyway... This is insane to destroy business that brings so much to the community.

Carol dema

Sent from my iPhone

From: Alisa Bell <alisa@gallabell.net>
Sent: Monday, December 2, 2019 10:36 AM
To: Balducci, Claudia; McDermott, Joe; Dembowski, Rod; Kohl-Welles, Jeanne; Dunn, Reagan; Lambert, Kathy; Upthegrove, Dave; Gossett, Larry; von Reichbauer, Pete
Cc: Constantine, Dow; Taylor, John - Dir; Wolf, Karen; Miller, Ivan; Auzins, Erin
Subject: Letter supporting KC Ordinance 2018-0241 from Hollywood Hill/Winery District Resident

Dear King County Council,

I am writing in support of the Proposed Ordinance 2018-0241 that was put together by the King County Executive's office and transmitted for vote this week by the Council.

I have followed the detailed research and efforts of the Council to take public comments into consideration when developing this transmittal and believe that the Executive's office has developed a well-thought out solution for the area in which I live.

I have lived in my home in the Hollywood Hill area for almost 25 years, and during that time Woodinville has changed greatly. In my opinion the wineries, breweries and distilleries have enhanced our area and introduced vibrancy and growing tourism draws that we lacked before these businesses arrived.

While I can understand Hollywood Hill Association's (HHA) concern about the Agricultural overlay of the valley, I don't believe that the adult beverage businesses that have set up residency over the past few years have done anything but enhance our area. What I like about the proposed solution is that it sets out parameters for these businesses and additional businesses of this type, and by doing so will both allow for a strong and growing tourist industry while still protect our agricultural land. The risk to me is not the inevitable growth along the valley corridor, but not having regulations in place to help preserve this important asset.

For those of you who might not have personally visited this area, along the west side of 140th Place NE that the Hollywood Hill Association is stating is at-risk agricultural land lie a large multi-building tennis facility/gym, a large church with a paved parking lot, a multi use/2 story child care facility, and multiple other smaller businesses, most of which have paved non-permeable parking lots, and all on the valley side designated Ag land.

On the east side, which is included in Hollywood Hill, lie Matthews and various sizes of residential lots, including my house. If controlled use of these lots is allowed in the general form that Matthews has done, it's hard to believe that they would be anything but an asset to the area. For the record the east side of the road in the stretch between the tourist district and downtown Woodinville has far fewer businesses and those that exist blend into the rural landscape better than the many that lie on the agricultural side of the road. The arguments that Hollywood Hill Association members make about the potential development along this road make no sense given what already exists.

Additionally in past letters to the Council I have indicated that Matthews Winery has been nothing but a positive business to have along this road ~ their business does not create additional noise nor add interruptive traffic like Hollywood Hill Association claims. They have created large planting

areas and are pretty to drive by and visit for tourists. In general the claim that HHA makes about the negative consequences of the wineries could be negated just by visiting this business.

Hollywood Hill Association is well funded, vocal, and very well organized. They have organized a bus to transport protestors to Tuesday's meeting in order to create the most vocal pushback possible regarding the winery ordinance. I find it unfortunate that what I read in emails from this group regarding the proposed ordinance often misrepresents facts to support the points that HHA wants to make, not necessarily the actual impacts, and I'm not sure how much the organization's points are questioned by those who read the emails.

It is my hope that the Council will continue to look ahead at what is best not only for Woodinville but our region in general and not let the insistence of a minority group overpower the vision our area needs to move forward and grow. The adult beverage industry has already had a significant positive economic impact on this area and I believe has the potential to grow significantly given both opportunities and guidelines. It will continue to make Woodinville a desirable tourist destination for both locals and visitors from out of town and allowing it to grow makes sense.

Thank you for your time.

Sincerely,
Alisa Bell
Woodinville, WA.

Auzins, Erin

From: Philip Haldeman <sea35gull@frontier.com>
Sent: Monday, December 2, 2019 12:31 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Philip Haldeman
13822 173rd Ave NE
Redmond, WA 98052

Auzins, Erin

From: Jo Blue <joblue0@hotmail.com>
Sent: Monday, December 2, 2019 2:54 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

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The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Jo Blue
15920 198th PI NE
Woodinville, WA 98077

From: Root Co-op <root-coop@hotmail.com>
Sent: Monday, December 2, 2019 3:22 PM
To: Auzins, Erin
Subject: Adult Beverage Ordinance

ROOTS OF OUR TIMES COOPERATIVE INC
13607 WOODINVILLE REDMOND RD
REDMOND WA 98052

I have been a farmer and farm manager in the Sammamish Valley for over 30 years. There are specific reasons why I am opposed to Ordinance 2018-0241.

Any change in density of lands surrounding farmlands to farms has an immediate and detrimental effect on farming production.

A number of years ago, new houses were built on the hill directly across from the Root Connection property, along with a new road leading up to those houses. The buildings, roads and driveways have been the direct cause of an extreme increase in runoff from the hill. This has resulted in one-fourth of our acreage now being too wet to farm. ***Since our average annual production of vegetables on this farm is 11,250 pounds per acre, this means that 45,000 pounds (22.5 tons) of much needed food production has been lost – forever.***

This valley is classified by the USDA as “one of the 10 most fertile valleys in the United States” There are approximately 300 acres of Farmland Preservation Property in the Sammamish Valley. If farmed to its full potential, the land could produce 6 million pounds of produce annually, enough to provide more than 60,000 people 100 pounds of vegetables per year.

Since the land this farm is on is in the Farmland Preservation Program, this loss is not only the farmer’s loss, but a loss to all the citizens of King County who voted to tax themselves so that food could be produced here. Part of the requirements under this program are that the land must be farmed. **However, if it cannot be safely farmed because of pollution, farmer groups have a very good position to present to court and declare that “farming is no longer a viable use”. There is precedent for that.**

We started farming this land in 1986 and were the second CSA project in the United States. It took upwards of 10 years to clear the land and bring it back to health after decades of chemical pollution.

Now we can offer some of the healthiest organic produce to the residents of this area. Member families receive an average of 22 pounds per week or over 460 pounds during the season. Our farm can serve up to 400 families plus we average over 8 tons donated to charitable organizations annually.

How can we do this? It’s not just the 12 hour days, the dedicated crew, the learning and experimenting – none of this would be possible if it were not for the incredible soil! There are underground artesian streams, then a layer of perfectly preserved forest floor leaves, then 3 inches of volcanic ash (provides astonishing nutritional value to our vegetables) which is all topped with up to 12 inches of topsoil. This is why the Sammamish Valley is considered one of the 10 most fertile valleys **in the United States. There is very little of it left.**

In the past 20 years, there has been an influx of new farmers coming into the valley. We are faced with daily challenges of flooding (from current run-off) weather changes, early frosts, unseasonable cold or heat, smoke pollution – well, that is just a few. We also make very little money.

We are survivors. But one thing we cannot survive is the loss of our land to polluted wells (over loaded leaking septic systems) toxic run-off, (parking lots, increased roof square footage) and increased flooding from higher density zoning. Our fragile eco-system cannot survive either. We are at a critical point now. Loss of native bees and other beneficial

insects has been a problem for the past 5 years, as well as decrease of many bird species. The Sammamish River is not really "Salmon Friendly". More businesses and housing in areas surrounding agricultural areas has always brought these problems.

People who think that this Ordinance will not eventually destroy the resource we have here are refusing to take into account historical data, and are more interested in their special interests than saving what voters of the County have repeatedly stated by their votes, from the Farmland Preservation Program, voting down annexation (not once but twice), and protesting proposed Urban Growth Boundary changes.

You would think that we would all want to protect lands we will need to feed us, just like we want clean air and water. Since the 1960's, those who came before you recognized the importance of saving some of the agricultural lands for the future. What will be your legacy?

Please, please vote no!

Sincerely,

Claire Thomas

President

Roots of Our Time Cooperative Inc.

www.rootconnection.com

President

The C-T Management Corporation

President Emeritus

Farms For Life

www.farms4life.org

Farm Production Advisor

21 Acres

Farm Manager

Farm Acquisition Research and Management LLC

(South 47 Farm)

Sent from [Mail](#) for Windows 10

From: Root Co-op <root-coop@hotmail.com>
Sent: Monday, December 2, 2019 3:22 PM
To: Auzins, Erin
Subject: Adult Beverage Ordinance

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REDMOND WA 98052

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How can we do this? It’s not just the 12 hour days, the dedicated crew, the learning and experimenting – none of this would be possible if it were not for the incredible soil! There are underground artesian streams, then a layer of perfectly preserved forest floor leaves, then 3 inches of volcanic ash (provides astonishing nutritional value to our vegetables) which is all topped with up to 12 inches of topsoil. This is why the Sammamish Valley is considered one of the 10 most fertile valleys **in the United States. There is very little of it left.**

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People who think that this Ordinance will not eventually destroy the resource we have here are refusing to take into account historical data, and are more interested in their special interests than saving what voters of the County have repeatedly stated by their votes, from the Farmland Preservation Program, voting down annexation (not once but twice), and protesting proposed Urban Growth Boundary changes.

You would think that we would all want to protect lands we will need to feed us, just like we want clean air and water. Since the 1960's, those who came before you recognized the importance of saving some of the agricultural lands for the future. What will be your legacy?

Please, please vote no!

Sincerely,

Claire Thomas

President

Roots of Our Time Cooperative Inc.

www.rootconnection.com

President

The C-T Management Corporation

President Emeritus

Farms For Life

www.farms4life.org

Farm Production Advisor

21 Acres

Farm Manager

Farm Acquisition Research and Management LLC

(South 47 Farm)

Sent from [Mail](#) for Windows 10

Auzins, Erin

From: Kelly Lloyd <kellycoonlloyd@gmail.com>
Sent: Monday, December 2, 2019 4:21 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Kelly Lloyd
12711 NE 170TH LN
WOODINVILLE, WA 98072

Auzins, Erin

From: Holly Rennhack <hollyrennhack@gmail.com>
Sent: Monday, December 2, 2019 5:46 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

Dear Council Members,

Please protector the Sammamish Valley and VOTE NO on Ordinance 2018-0241.

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Thank you for your time!

Sincerely,
Holly Rennhack
17106 123 PL NE, Q101
Bothell, WA 98011

Auzins, Erin

From: Beth Lehman-Brooks <blehmanbrooks@gmail.com>
Sent: Tuesday, December 3, 2019 7:37 AM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

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In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

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The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Beth Lehman-Brooks
15720 158th Ave NE
Woodinville, WA 98072

Auzins, Erin

From: Communications, Comments
Sent: Tuesday, December 3, 2019 8:08 AM
To: Auzins, Erin
Subject: FW: Woodinville winery discussions

-----Original Message-----

From: Barbara Young <bjyoung0919@comcast.net>
Sent: Monday, December 2, 2019 11:51 PM
To: Communications, Comments <council@kingcounty.gov>
Subject: Woodinville winery discussions

To:
King County Council Members

As a paying property tax citizen I am deeply concerned about King County councils actions against the existing wineries. These are owned by hard working members and citizens of King County. Please be fair and reasonable. Parking at the wineries needs to be available to visitors of the properties. I find your vision for the well liked and enjoyable use of outdoor and indoor activities for families and adult only very short sided. How nice for residents and visitors to have these business provide enjoyable open space for families to enjoy picnic areas and events for adults and again families. Current parking code allows for families and groups to access these business Please allow the current standard of Up to 25% of the property for impervious surface to be used for buildings and parking.

Why does the county want to take away good and healthy business.

I also have a friend who owns property In Skykomish. What you are doing to property owners in that part of the county is terrible also.

You council members are ridiculous. (Sorry to say that but frustration can be very honest). Do something positive for hard working business owners. Quit trying to make it harder for hard working business owners The majority of tax payers and business owners are the people paying your salaries. It's easy for these No growth /save the land citizens to shout out for no more progress etc but they should try getting the facts correct.

I encourage you to let the codes stand as is. Do the right thing. Let the wineries be a wonderful part of the county. They are doing nothing wrong!!! The council needs to vote to support the hard working citizens and owners of the county wineries. The county should be proud of all the positive and goodwill that these businesses bring to our county. And the tax revenue that pays for salaries of law enforcement ,of road work and health care and support for those in need. And etc etc

Thank you and I look forward to seeing the council vote to keep current code in place.

Barbara Young
3615 91 st ave me
Bellevue wa. 98004

Sent from my iPhone

From: [Susan Wilkins](#)
To: kcexec@kingcounty.gov; [Dembowski, Rod](#); [Dunn, Reagan](#); [von Reichbauer, Pete](#); [Gossett, Larry](#); [Lambert, Kathy](#); [McDermott, Joe](#); [Kohl-Welles, Jeanne](#); [Upthegrove, Dave](#); [Balducci, Claudia](#); [Auzins, Erin](#); [Wolf, Karen](#)
Cc: [Clerk, King County Council](#)
Subject: Statement on the 2018-0241 Adult Beverage Ordinance
Date: Tuesday, December 3, 2019 8:28:03 AM
Attachments: [Letter to KC Council - 2018-0241 Adult Beverage Ordinance from Susan Wilkins - DEC 3, 2019.pdf](#)

Dear King County Council Members,

Please take time to read the attached letter concerning the proposed Adult Beverage Ordinance 2018-0241 when considering whether to approve the ordinance or to continue studying the issues and requiring an Environmental Impact Statement.

Respectfully submitted,
Susan Wilkins

King County Council
516 Third Avenue, Room 1200
Seattle, WA 98104

December 2, 2019

RE: Adult Beverage Ordinance 2018-0241

Dear Councilmembers:

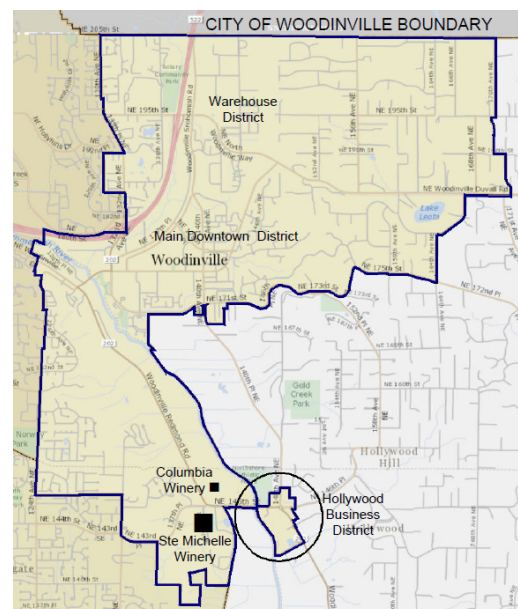
Thank you for the opportunity to comment on the proposed Adult Beverage Ordinance 2018-0241. As the president of Water Tenders, the oldest environmental advocacy group in King County, I am writing to express concern about the unintended consequences of the proposed Beverage Ordinance on the Agricultural Production and Rural Area Zones in the Sammamish Valley as well as the effect that the ordinance would have on the Bear Creek Basin and all environmentally sensitive areas in King County.

First, I want to review how the Council got to this point of considering such a significant decision. When the Growth Management Act was passed in 1990, King County drew Urban Growth Boundary lines that delineated where growth would be concentrated. Lines were drawn around cities and towns where growth would be concentrated. Areas outside the Urban Growth Boundary were supposed to have limited development. Cities created comprehensive plans and zoning codes that governed how, where and when development would occur.

With the understanding/assumption that intensive construction and development would only occur within the cities inside the UGB where the comprehensive plans and zoning codes would address development issues, the King County Code was written without significant or adequate regulations for land use development in rural zones. Ultimately, the King County Code does not have adequate planning authority or regulations to address the intensive development in the rural areas that will occur along SR202 as a result of the Adult Beverage Ordinance 2018-0241.

After the passage of the Growth Management Act in 1990, the boundary line for the City of Woodinville was drawn to include areas far to the south of the city center where two well-established wineries, the Columbia Winery and the Ste. Michelle Winery, had been operating for years. The historic Hollywood Schoolhouse area on the southeast was also included in Woodinville's boundaries because it already had a business district.

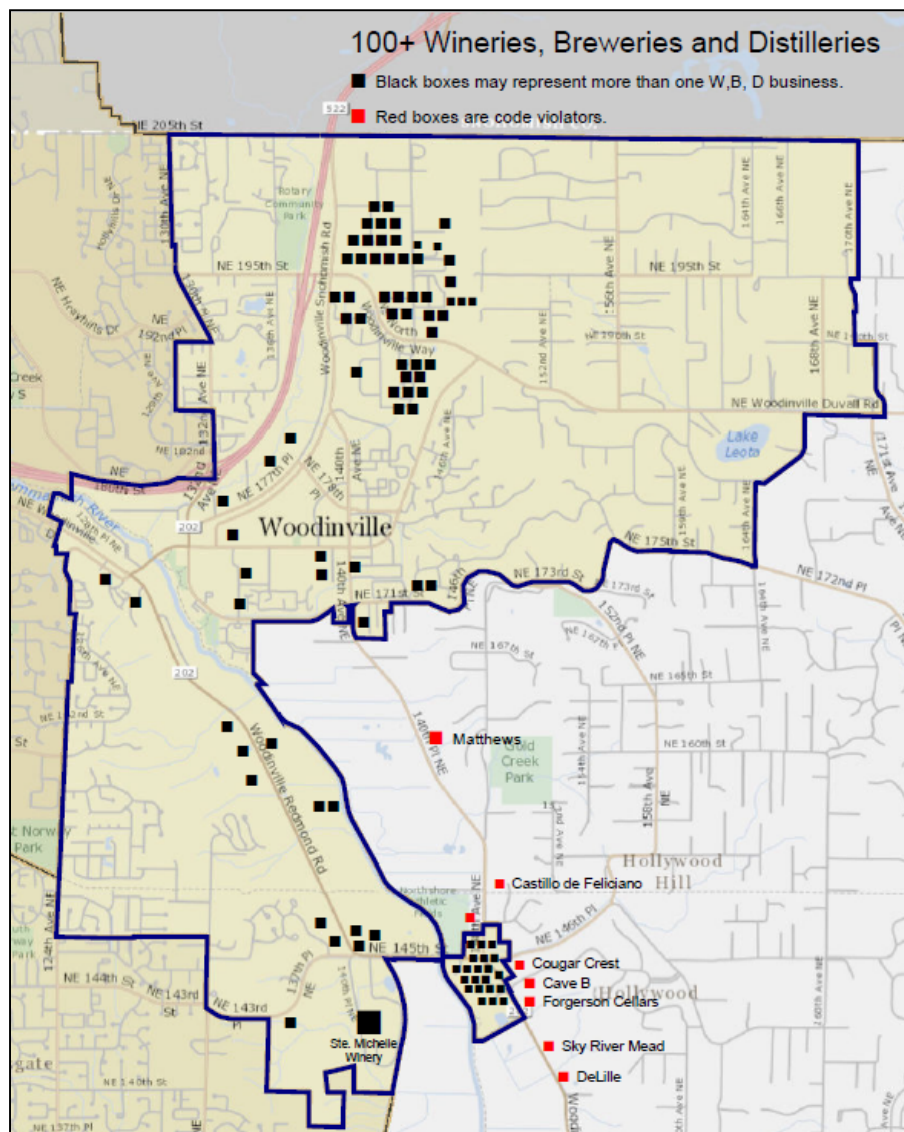
The City of Woodinville was responsible for providing all urban services (water, sewer, police, fire, traffic control, public bus transportation and surface water management) to land parcels, residents and businesses inside the city limits and Urban Growth Boundary. Agricultural District and the Rural Areas would not receive urban services specifically because they were located outside the UGB.



WASHINGTON HAS BECOME A MAJOR GROWER OF GRAPES FOR HIGH QUALITY WINE PRODUCTION

Eastern Washington is recognized as a fantastic grape growing region with its combination of long sunny days, cool nights and unique acidic glacial soil. It has been compared to the wine-growing regions of France. Grapes are grown along the Columbia River and then sent to the Woodinville area wineries for fermenting and processing. **Over the past 30 years, more than 100 wineries, breweries and distilleries with associated tasting rooms have located inside the City of Woodinville and the area has become a tourist destination known for its wineries and tasting rooms. These businesses that are numerous, well established and thriving.**

Unfortunately, in addition to the 100+ wineries, breweries and distilleries that have located inside the Woodinville City Limits, since 2005 or 2006 several home-based wineries (red boxes) were established on the east side of SR202 between Woodinville and Redmond. These wineries were a permitted use when they were in an owner-occupied residence as was the case when they first started operating. However, eight of the home-based wineries moved their wine production off-site and began acting as tasting rooms, retail sales locations and event venues for large parties and gatherings. Code violation complaints were filed with King County and, in response the businesses demanded that they should be allowed to continue operations.

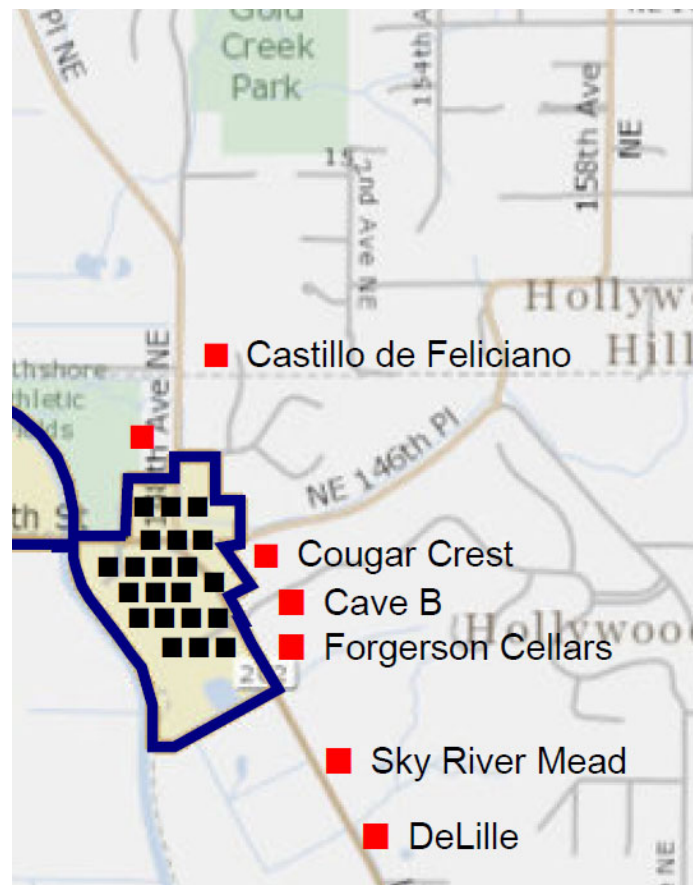
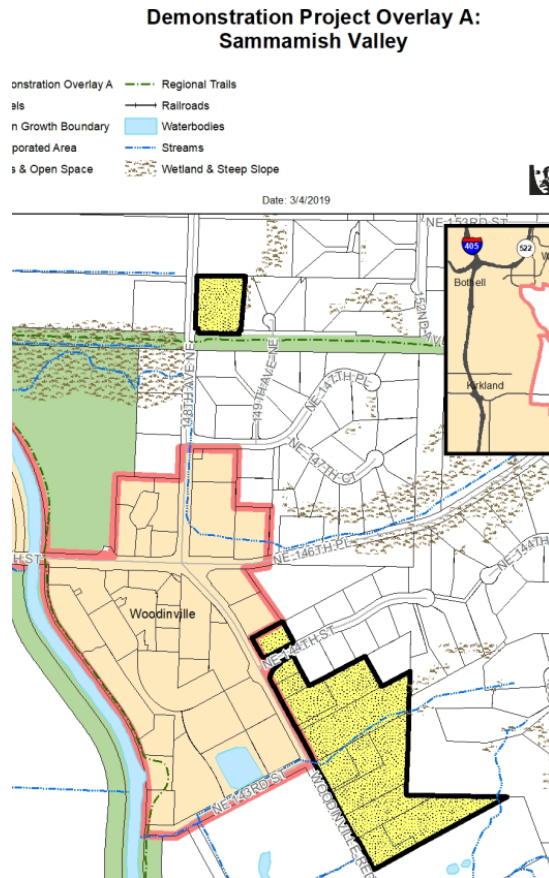


Rather than telling the businesses that they were out of compliance and needed to shut down, King County commissioned the *2016 King County Sammamish Valley Wine and Beverage Study* that focused on the agricultural and rural parcels along SR202 in the Sammamish Valley area from Woodinville to North Redmond.

The *2016 King County Wine and Beverage Study* did not acknowledge the significant number of wineries, breweries and distilleries (100+) that were established and operating inside the City of Woodinville. The consultants who wrote the study mainly

focused on the agricultural land along the Sammamish River and the hillside to the east of SR202 between the Hollywood Hill roundabout and the city limit of Redmond to the south. The Study excluded standards that an Environmental Impact Study would cover such as surface water management and contamination from uncontrolled run-off and/or septic overflow, loss of agricultural production zones and traffic impacts. Additionally, the study did not consider the impact of creating tasting rooms and event centers in RA zones and Agricultural lands located in other areas of King County with significant RA and Agricultural zoning. As a result of the Study, Overlay Projects A and B were proposed that will create major event venues and tasting rooms on the east side of SR202 in the RA zone.

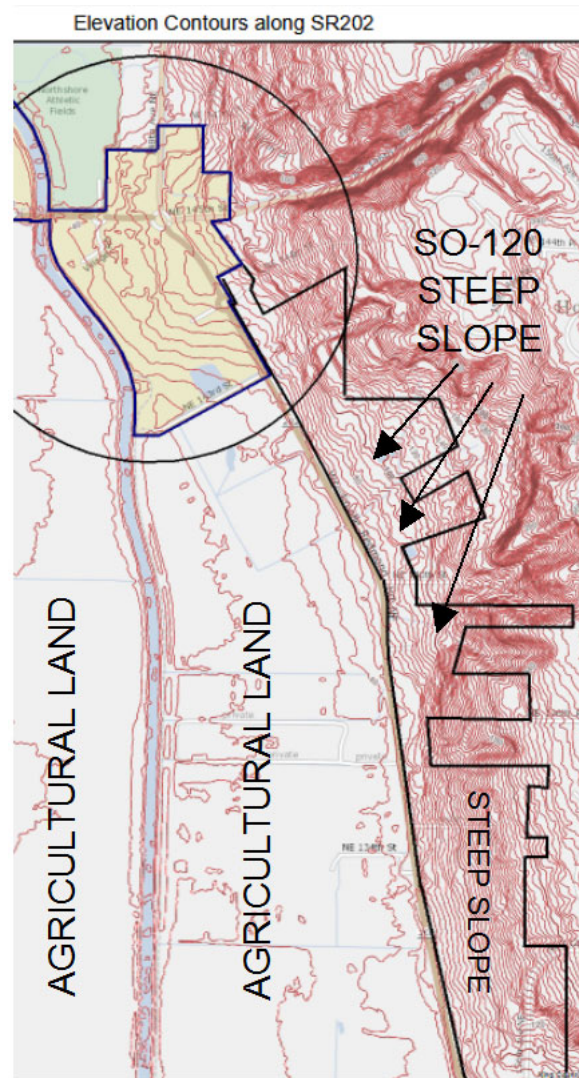
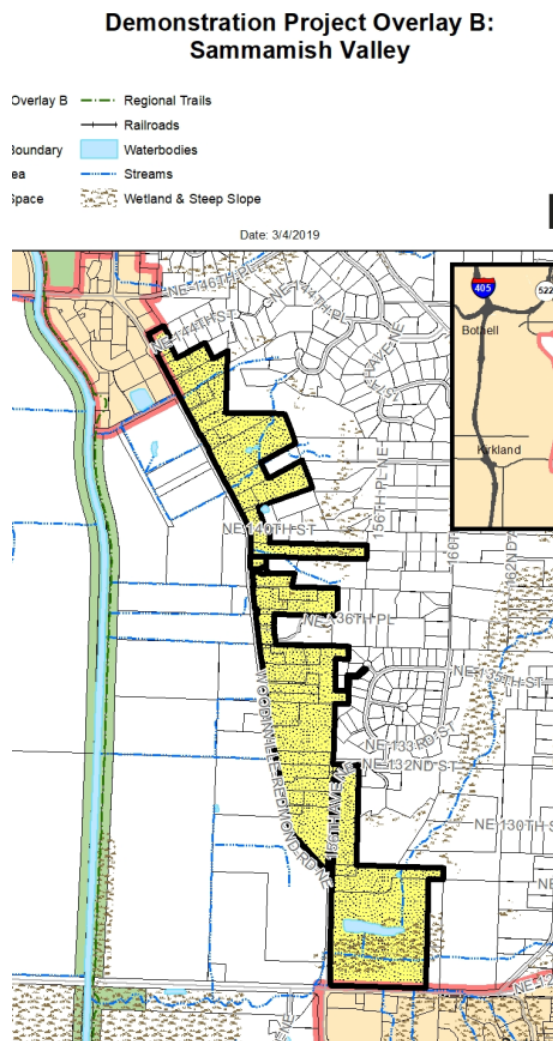
Demonstration Project Overlay A for the Sammamish Valley would allow **Tasting Rooms** on five parcels that currently have pending code violations including Castillo de Feliciano (340770-0006), Cougar Crest (340470-0027), Cave B (340470-0026), Forgerson Cellars (340470-0030), and Sky River Mead (340470-0040). These parcels are outside the Urban Growth Boundary and have no access to municipal services. Moreover, it should be obvious that Demonstration Project Overlay A amends the King County Code to legitimize these previously illegally operating businesses.



It should also be noted that the parcels on the steep hillside on the east side of SR202 (Redmond-Woodinville Rd) are zoned "**SO-120: Agricultural Production Buffer**" with the intent that the zoning should minimize the impact of development to the adjacent agricultural land along the Sammamish River. 21A.38.130 states that the purpose of the agricultural production buffer is to provide a buffer between agricultural and upslope residential land uses. Tasting rooms and events centers are commercial activities (and under 2018-0241 would require a business license.)

Demonstration Project Overlay B in the Sammamish Valley for Special Events will rezone all parcels on the east side of SR202 (Redmond-Woodinville Rd) between the Woodinville City Limits at the Hollywood roundabout to the Redmond City Limits at NE 124th Street and allow Special Events. Only parcels larger than 5 acres are supposed to be eligible for the Special Event designation, but it must be recognized that lot line revisions could easily create many additional 5-acre parcels by combining smaller adjacent parcels.

It also must be noted that all land along the east side of SR202 is steep and any development would create run-off and flooding in the agricultural bottomland that would not be contained or mitigated.



Additionally, because this area was never intended for site planning or significant development, there is no section of the King County Code that could oversee development of the in the RA or A zones for the proposed WDB businesses (i.e. there is no way to require storm water vaults for contaminated run-off from parking lots, no provision to require traffic turn lanes or traffic lights, no access to the municipal sewer system for large events with 125+ people, etc.)

More troubling about the Adult Beverage Ordinance 2018-0241 are the changes to the "Product Content" and minimum lot size requirement for Wineries, Breweries and Distilleries located in the Rural Area. (See staff file "2018-0241_Att5_Council_staff_summary_matrix_substantive_changes" - Table 2 for Rural Area Zone.) The existing code requires that 60% of products processed must be from Puget Sound Counties. Since grapes for wine production cannot be grown in any county bordering Puget Sound (because it is too cold and wet), local wine production in the RA zone is not economically viable and simply doesn't occur although it is currently technically allowed. With the elimination of the 60% local product requirement, grapes grown in Eastern Washington can be transported to wineries in King County for winemaking at any site larger than 2.5 acres (reduced from the 4.5 acre minimum) and zoned RA. Thousands of acres of RA land will become available for wine production and wine tasting rooms - creating land disturbances, traffic, run-off and all other degradation that come with commercial development even on a limited scale. ***The magnitude of these simple code changes cannot be understated.***

On a certain level, the Adult Beverage Ordinance 2018-0241 attempts to address the hurdles faced by Adult Beverage businesses trying to manufacture wine and spirits in unincorporated King County. The many complicated and frustrating requirements and restrictions that businesses are encountering are meant to protect the rural environment and concentrate development inside the Urban Growth Boundary. The exorbitantly high cost of land in the UGB makes locating in the rural areas attractive to businesses; however, it undermines the intent of the Growth Management Act.

Many successful and thriving winery, distillery and brewery operations have located inside of Woodinville city limits. The county-wide rezoning of RA parcels for use as wineries, breweries, distilleries and events centers should not be approved by this ordinance without further in-depth study to understand the effects across the entire county - from rural Redmond, to rural Kent/Auburn, to Enumclaw-Greenwater, to Snoqualmie Pass and to Skykomish. We need to carefully consider the effects of this ordinance.

I implore all members of the King County Council to reject Ordinance 2018-0241 unless an Environmental Impact Study is done to consider all potential effects and alternatives.

Respectfully submitted,

Susan Wilkins

President, Water Tenders 2017-2020

Auzins, Erin

From: Stephanie Roche <jumpforjoy2day@hotmail.com>
Sent: Tuesday, December 3, 2019 9:01 AM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

Note: I cannot make the public hearing tomorrow. Please take these comments as my public testimony. Thank you.

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Stephanie Roche
6405 Phinney Ave N Apt L
Seattle, WA 98103

Auzins, Erin

From: Communications, Comments
Sent: Tuesday, December 3, 2019 9:03 AM
To: Auzins, Erin
Subject: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>

Submitted from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Submitted at 9:03:13 AM, on Tuesday, December 3, 2019

Winery_Code:

FromUser: Dave Richards

EMail: djrtuna@gmail.com

addr1: 16208 NE 145th st

city: Woodinville

state: Wa

zip: 98072

MessageText: I'm asking that Ordinance 2018-0241 receive a No vote. Rural lands need to remain rural. No more development on said farm lands . Keep wineries and distilleries within the city boundaries not on our already shrinking farmlands.

User IP Address:10.84.2.22

User Software Client:Mozilla/5.0 (Macintosh; Intel Mac OS X 10_15) AppleWebKit/605.1.15 (KHTML, like Gecko)
Version/13.0.3 Safari/605.1.15

Auzins, Erin

From: Joan Poor <Joan@whalescout.org>
Sent: Tuesday, December 3, 2019 9:14 AM
To: kcexec@kingcounty.gov; Dembowski, Rod; Dunn, Reagan; von Reichbauer, Pete; Gossett, Larry; Lambert, Kathy; McDermott, Joe; Kohl-Welles, Jeanne; Upthegrove, Dave; Balducci, Claudia; Auzins, Erin; Wolf, Karen
Subject: KingCounty Beverage Ordinance 2018-0241.3

Whitney Neugebauer,
Director, Whale Scout
director@whalescout.org

December 3, 2019

Re: King County Beverage Ordinance 2018-0241.3

Dear King County Councilmembers,

Thank you for taking comments on the Sammamish Valley land use code regarding remote tasting rooms.

These comments are in reference to the King County Beverage Ordinance 2018-0241 and are sent on behalf of Whale Scout, a local non-profit organization dedicated to protecting Pacific Northwest whales through land-based conservation experiences.

Whale Scout has worked for several years to restore salmon habitat to ensure prey abundance critical for the survival of endangered Southern Resident Killer Whales. Our volunteers are involved at restoration sites throughout King County and, especially, in the Sammamish Valley. Working with partners, we have transformed streamside properties, such as one on Bear Creek near Avondale Road. We have removed invasive overgrowth and planted hundreds of native shrubs and trees. We routinely perform water quality testing at this creek, and we are continually reminded of the crucial role returning salmonids play not only for struggling orcas and the web of many other animals, but also for the marine derived nutrients carried to riparian hedgerows and the myriad pollinators reliant on these hedgerows, which, in turn support nearby farms.

Whale Scout work parties routinely fill to capacity, are increasingly diverse, and typically include middle school students, high school interns, and parents with young children. All have an interest in salmon species and the recovery of the Southern Resident orca population and recognize that land-use and water quality in the Sammamish River Basin are directly linked to the survival of both.

Whale Scout is based in Woodinville and, along with the public, supports farms and open space. We are concerned that the Adult Beverage Ordinance under consideration by the King County Council would open rural areas of the Sammamish Valley to sprawl and commercialization with significant further degradation to the Sammamish River ecosystem that we work hard to restore. Whale Scout respectfully requests that full environmental reviews be considered, that the intent of the Growth Management Act be respected, and that protections are in place to provide riparian buffers and zoning that safeguard the Sammamish Valley and prevent disruptions to our neighborhoods, farmlands, and natural habitats.

Respectfully,

Whitney Neugebauer
Director, Whale Scout
P.O. Box 426
Woodinville, WA 98072

Whale Scout is a member of the Orca Salmon Alliance

Auzins, Erin

From: Chris Porter <chrisporter@gmail.com>
Sent: Tuesday, December 3, 2019 4:16 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

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In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Chris Porter
17426 NE 140th Place
Redmond, WA 98052

Auzins, Erin

From: Communications, Comments
Sent: Tuesday, December 3, 2019 4:57 PM
To: Auzins, Erin
Subject: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>

Submitted from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>

Submitted at 4:57:22 PM, on Tuesday, December 3, 2019

Winery_Code:

FromUser: Citizens' Alliance for Property Rights

EMail: cindy@capr.us

addr1: 718 Griffin Ave # 7

city: Enumclaw

state: WA

zip: 98022

MessageText: King County has been working on creating ordinance 2018-0241.2

[https://www.kingcounty.gov/~media/Council/documents/Issues/winery/may/2018-0241-](https://www.kingcounty.gov/~media/Council/documents/Issues/winery/may/2018-0241-2PublicHearingNotice.aspx?la=en)

2PublicHearingNotice.aspx?la=en related to regulation of Winery, Brewery, and Distillery businesses in King County.

The activities of these small businesses located in rural King County are all in compliance with State regulations, but King County has endeavored to endlessly create a document of over 300 pages on exactly what can and cannot be done within the County for these small businesses.

With heavy handed diligence, King County is determined to solve problems that do not exist as neighbors to businesses are united in the concept that business interests and opportunity should exist in rural King County. Therein lies the problem as individual district representatives carve out exceptions for their own districts leaving the citizens of King County with an inequal application of law: Establishing carve outs for some rural areas, near Woodinville, Vashon, Fall City. While subjecting rural and agricultural use area to conditional use permits with time limits and other prohibitive development conditions. The development conditions address: minimum lot sizes, maximum building sizes, parameters for on-site sales and tasting, water connection, access requirements, product content, production requirements, facility location on agricultural lands, maximum parking, and setbacks from Rural Area and Residential zones.

Partisan politics have been well inserted into the decisions being made regarding this ordinance. The county should be promoting these businesses not hindering their ability to do business - this is harming the counties rural business tax income revenue. The county rural road capital budget is being depleted, yet, while eliminating revenue with over-reaching regulation the county at the same time creates non-sense regulation reading all these businesses must have access from a "main arterial street".

Here is a listing of problems with this proposed ordinance:

Citations for Wineries and Breweries are double that than for any other similar application of law. Proposed is \$500 for a first violation and \$1000 for a second. The ordinance is in conflict with state law as to how it interprets and regulates "satellite" operations of these businesses.

<https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fapp.leg.wa.gov%2FRCW%2Fdefault.aspx%3Fcite%3D66.08.120&data=02%7C01%7CErin.Auzins%40kingcounty.gov%7C0a2a3206b718474f3d4a08d77854ecc1%7Cb>

ae5059a76f049d7999672dfe95d69c7%7C0%7C0%7C637110178465160564&data=sH2sOIhzFjVw%2Bh4ggjvuPeCn%2FXmX%2FISKYoxoII5RJOQ%3D&reserved=0

Wineries and Breweries are to only sell what is manufactured on site, this is wrong, retail should be allowed to be split from the manufacturing as it is allowed by State Law . On rural ag land, these businesses would have to grow 60% of what is used in their products or not exist, shouldn't the county be enhancing ag opportunity? This is also completely unreasonable and unattainable as wine grapes do not grow well on this side of the state. We should not create regulations that are literally impossible to follow.

Shouldn't existing businesses be vested in what they already do in keeping with State Code? The ordinance will eliminate a brewery to function as a home business, and unreasonably limit operating hours.

The proposed ordinance will effectively eliminate many small businesses that produce craft brews and wines, this is an exaction, the taking of the use of property through regulation. Rural and agricultural businesses should be supported in King County.

Prohibiting WBD facilities and remote tasting room uses as home occupations and home industries, and providing a timeline for existing home based businesses to be considered legally nonconforming.

CAPR Urges the King County Council to reconsider the contradictory and over-burdensome ordinance and create an ordinance that will evaluate whether the rule achieves the purpose for which it was adopted, including, to the maximum extent practicable, the use of interim milestones to assess progress and the use of objectively measurable outcomes. This significant ordinance (A) adopts substantive provisions of law pursuant to delegated legislative authority, the violation of which subjects a violator of such rule to a penalty or sanction; (B) establishes, alters, or revokes any qualification or standard for the issuance, suspension, or revocation of a license or permit; or (C) adopts a new, or makes significant amendments to, a policy or regulatory program. The least burdensome alternatives have not been considered and this ordinance will have the effect of unequally applying different standards on different individuals within the county.

We have heard from many related businesses and from many individual citizens expressing outrage and dis-satisfaction with their county government in their consideration and reading of the ordinance.

Thank you,

Cindy Alia

Citizens' Alliance for Property Rights

User IP Address:10.84.2.22

User Software Client:Mozilla/5.0 (Windows NT 10.0; Win64; x64; rv:70.0) Gecko/20100101 Firefox/70.0

From: [Susan Boundy-Sanders](#)
To: [Communications](#), [Comments](#); [Auzins, Erin](#)
Subject: Vote NO on 2018-0241 -- ordinance allows sham operations
Date: Tuesday, December 3, 2019 5:04:07 PM
Attachments: [BalducciStrikerToCoW-2.2019-0241.2-S1_clean \(1\).docx](#)
[20191011ProblemsMatrix.docx](#)

Dear Councilmembers:

You have previously received emails with the following scenarios of how the proposed beverage ordinance, 2018-0241, can be implemented. The purpose of this email is to expand on how the ordinance creates loopholes that allow for uses that, I believe, are outside the County Council's collective intent.

You have received the following scenarios in previous emails:

Scenario: I own a big winery, Winery X, in Walla Walla that makes great wine. Ordinance passes. I go get another winery license for Winery Y (cheap \$200 easy paperwork process) for my A zoned parcel in the Sammamish Valley. I plant a few grapes out back. I "make wine" from those grapes. I could actually really make a tiny batch of wine or I could pretend to and just bring in a barrel to "ferment and age" and say I am making wine from those grapes (who would know as I'm only making a tiny bit.) Either way I can then truck in bottles from my real winery X in Walla Walla and sell them along with the wine that I "make" onsite at sham winery Y.

The key here is State liquor law allows wineries to cross sell if the ownership structure is the same. So if I have a real winery in Walla Walla and I set up a sham winery here under same ownership, I can use my sham winery as a sales outlet for my real winery. State law permits cross selling. The Ordinance specifically references state law, only requires me to "ferment and age" which I can do in a barrel, and doesn't prevent me from trucking in bottles from elsewhere.

This is what Milo —the illegal coffee shop/bakery on A land that just recently set up sales of wine and distilled spirits— is doing to get legal.

If I want to do a sham winery in the RA its even easier. Since I don't have to grow anything onsite, all I have to do is store a barrel that is "fermenting and aging" (that I bring in from my Walla Walla winery), and I can truck in bottled wine from Walla Walla. This is exactly what Matthews is doing today and how they will be fully legitimized by the Ordinance.

The lines of code -- **"in accordance with state law"** -- that allow the cross-selling described in

these scenarios are lines 685, 778, and 1022 of the attached draft of the ordinance.

The parts of the ordinance that allow **sham wineries** with just a barrel in the corner "fermenting and aging" come from lines 433-463, 672-676, 760-769, 1009-1012, and 1052-1055. The "sham winery" loopholes arise from:

- Only requiring one (definitions) or two (permitted uses) steps of production to qualify as a winery.
- Including as permitted steps of production terms that are non-standard or vague ("finishing"), or self-identified ("such as").
- Failing to specify a minimum level of production on-site, or even a minimum proportion of on-site sales that are on-site production. To be clear, I believe that the willingness to abuse King County's rules has been shown to be so high that the only reasonable approach for RA and A zones is to allow only sales of products produced on-site.

Compounding the problem even further, loopholes and inconsistencies in the definitions and permitted uses allow not only cross-selling of non-on-site-produced alcohol, but also sale of **"merchandise related to the products produced on-site."** Imagine: furniture, travel, tobacco, food, clothing -- there is almost no limit to the products that King County's violator-friendly code enforcement organization will feel compelled to interpret as "merchandise related" to alcoholic beverages. This language appears in lines 687-689, 781-782, and 994-996.

These are just some of the problems generated by loopholes in the ordinance -- loopholes which, as Serena Glover pointed out yesterday, current violators are aware of and apparently poised to take advantage of.

Please remember that there is **NO INJUNCTIVE RELIEF** for this ordinance, and it **grandfathers abusers**, in at least two ways that are covered in the attached matrix of problems remaining in the ordinance.

Please vote NO on Ordinance 2018-0241.

Susan Boundy-Sanders
sbsand@hotmail.com
425.591.3672
17859 149th Ave NE
Woodinville, WA
98072-6202
Boundy-Sanders.com

Begin forwarded message:

From: Serena Glover <serena@allenglover.com>
Subject: Incorrect info on sales of alcohol in A and RA zones
Date: December 2, 2019 at 11:41:32 AM PST
To: rod.dembowski@kingcounty.gov

Chair Dembowski,

Friends of Sammamish Valley were recently told by Balducci's office that because sales of alcohol produced offsite are not specifically listed in permitted use charts, they are therefore not allowed in RA and A zoned WBDs. This is incorrect. Under the normal rule - not listed, not permitted - would resolve the issue, **EXCEPT that in the Proposed Ordinance the definition of the land use includes sales as permitted by state law.** The land use chart identifies the use as a permitted use (and in certain cases a conditional use). So, sales as permitted by State law are permitted. It is because of what state law allows that we have a massive disconnect.

What the Proposed Ordinance really allows is:

Scenario: I own a big winery, Winery X, in Walla Walla that makes great wine. Ordinance passes. I go get another winery license for Winery Y (cheap \$200 easy paperwork process) for my A zoned parcel in the Sammamish Valley. I plant a few grapes out back. I "make wine" from those grapes. I could actually really make a tiny batch of wine or I could pretend to and just bring in a barrel to "ferment and age" and say I am making wine from those grapes (who would know as I'm only making a tiny bit.) Either way I can then truck in bottles from my real winery X in Walla Walla and sell them along with the wine that I "make" onsite at sham winery Y.

The key here is State liquor law allows wineries to cross sell if the ownership structure is the same. So if I have a real winery in Walla Walla and I set up a sham winery here under same ownership, I can use my sham winery as a sales outlet for my real winery. State law permits cross selling. The Ordinance specifically references state law, only requires me to "ferment and age" which I can do in a barrel, and doesn't prevent me from trucking in bottles from elsewhere.

This is what Milo —the illegal coffee shop/bakery on A land that just recently set up sales of wine and distilled spirits— is doing to get legal.

If I want to do a sham winery in the RA its even easier. Since I don't have to grow anything onsite, all I have to do is store a barrel that is "fermenting and aging" (that I bring in from my Walla Walla winery), and I can truck in bottled wine from Walla Walla. This is exactly what Matthews is doing today and how they will be fully legitimized by the Ordinance.

WBD businesses want and need retail distribution in KC. The above scenario is how they are going to get it, and cheaply. In the Proposed Ordinance they can do this across 2.5 acre parcels (itself an expansion) and up, on arterials (vaguely

defined), throughout the County in RA and A zones. Just buy or rent a house on some rural arterial and you are good to go. Less cost because there is no commercial infrastructure, like you have to pay for in the urban areas (cities). And way fewer permitting costs and hassles.

Do you want to allow the above scenario?

The violators already fully understand the scenario I describe above. Matthews has previously discussed it in email with the Ordinance sponsors (attached). Milo and Matthews are already implementing this scenario and more will come if the Proposed Ordinance passes.

Retail sales of alcohol produced elsewhere is NOT allowed today at RA and A zoned WBDs. The Proposed Ordinance allows this retail scenario, in several ways. Most egregiously through the sham WBD scenario above, but also through Overlay A and the Dunn amendment. Recent language added to “tighten up” these uses, such as allowable retail square footage, parking ratios, lot line setbacks, etc, only reinforce the point that the County is allowing a new retail use in the RA and A and then attempting to mitigate damages by adding some restrictions on the use. Those restrictions are meaningless without addressing the main issue regarding sales of alcohol produced elsewhere. Further, the restrictions are unenforceable. Who is going to check on Matthews at 9pm on a Friday night to see if they are only using 30% of their building? Who is going to stop a customer from leaving the 500 sq ft outdoor space allowed for a Remote Tasting Room? And in a world of dedicated alcohol shuttles (the Sammamish Valley has one), Lyft and Uber, parking ratios are window dressing.

Add restrictions to a brand new retail use, that significantly alters decades of land use policy in the RA and A, is not “tightening up” existing code. These retail uses should not be allowed in the RA and A in the first place, as per existing code. The long list of organizations, businesses, and people who are opposed to the Ordinance see it for what it is. That is why opposition to the Ordinance continues to increase.

The action the County needs to take right now is to vote NO on the Proposed Ordinance and enforce existing code.

Thank you,

Serena Glover
ED, Friends of Sammamish Valley
425-985-2992

9/16/19

Balducci Striker

ea

Sponsor: Balducci

Proposed No.: 2018-0241.2

STRIKING AMENDMENT TO PROPOSED ORDINANCE 2018-0241, VERSION

2

On page 2, beginning on line 20, strike everything through page 127, line 2449, 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.

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

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

36 E. The changes made by this ordinance will help King County to prepare for and
37 support the future of the adult beverage industry as it evolves in the region, to better
38 implement and comply with the policies of the King County Comprehensive Plan
39 ("Comprehensive Plan" or "Plan"), Countywide Planning Policies and the Growth
40 Management Act, and to minimize the ambiguities in existing development regulations
41 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.

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-663 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 policies 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

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

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

110 K. Comprehensive Plan Policy ED-212 states "King County shall encourage and

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 remote 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 activities the Comprehensive Plan requires the county to protect.

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

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

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

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

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

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

180 This ordinance implements the plan by creating clear regulations for the adult beverage
181 industry, requiring uses to be sited, sized and landscaped to complement rural character,
182 and by creating a business license so adult beverage industry uses can be better evaluated.
183 Adult beverage uses provide convenient local products for rural residents, support
184 agricultural resource-based industries, and provide new regional recreational and tourism
185 opportunities.

186 R. The King County Code establishes standards for water facilities in K.C.C.
187 Title 13. In part, those standards prioritize connection to Group A water systems, then to
188 Group B water systems, followed by use of private wells, subject to specified criteria. As
189 part of this ordinance, winery, brewery, distillery facility III uses in the A and RA zones
190 are required to connect to a Group A water system. The requirement modifies a
191 previously existing regulation for larger wineries, breweries and distilleries and replaces
192 it with a clear standard that improves enforceability.

193 S. This ordinance protects the Rural Area and Agricultural zones by limiting on-
194 site tasting of products and retail sales for winery, brewery, distillery manufacturing uses,
195 and by allowing on-site tasting of products and retail sales only as accessory to
196 production. This ordinance places a fifteen percent maximum on spaces devoted to on-
197 site tasting of products and retail sales, in order to prevent potential traffic and noise
198 sometimes associated with those uses, and to prevent the more intensive impacts that they
199 can have on rural character and the agricultural production districts.

200 T. Other development regulations, including stormwater management,
201 impervious surface, critical areas and landscaping requirements, remain in place and are
202 unchanged by this ordinance.

203 U. Existing special district overlays and property-specific development
204 conditions are in effect and add additional layers of regulation on development within
205 specific areas of the county. One special district overlay ("SDO") that has been the
206 subject of public comment is SO-120: Agricultural Production Buffer SDO. SO-120
207 applies to portions of the Sammamish valley with Rural Area zoning, and its purpose is
208 "to provide a buffer between agricultural and upslope residential uses." SO-120 requires
209 clustering of residential subdivisions and imposes a minimum seventy-five percent open
210 space requirement on all such developments. That SDO will remain in place and will
211 continue to apply to residential subdivisions. Additionally, this ordinance limits
212 impervious surface maximums for winery, brewery, distillery facilities in the A and RA
213 zones to twenty five percent, or the percentage identified in the zoning code, whichever is
214 less, to be consistent with rural character.

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

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

221 X. K.C.C. chapter 21A.55 authorizes demonstration projects, "as a mechanism to
222 test and evaluate alternative development standards and processes before amending King
223 County policies and regulations." One demonstration project is established by this
224 ordinance. The demonstration project evaluates the presence of remote tasting rooms in
225 Rural Area zoned land in the Sammamish valley. The demonstration project is located in

an area where businesses are supported by nearby small-scale agriculture and proximity to consumers, and relies 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 demonstration project is based on existing levels of development on the property, lot size, current zoning, 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. Those criteria implement Comprehensive Plan policy direction to protect agricultural lands and rural character, and to provide rural economic opportunities. State Route 202 is a designated arterial designed to carry significant traffic loads and is not expected to reflect measurable impacts over loads already generated by existing Rural Area residents and businesses or related to the demonstration project. The selected location is an ideal place to test the demonstration project's ability to support businesses that are primarily nonurban in nature, to evaluate the benefits and to test impact mitigation strategies before adopting potential countywide regulations.

Y. 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 "[s]tate 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

249 by requiring larger or previously untested uses to utilize arterial roads. Further, the
250 parcels chosen for the remote tasting room demonstration project A in the Sammamish
251 valley are located directly on an arterial.

252 Z. The Comprehensive Plan states that "[t]he purposes of Rural Town
253 designations within the Comprehensive Plan are to recognize existing concentrations of
254 higher density and economic activity in Rural Areas and to allow modest growth of
255 residential and economic uses to keep them economically viable into the future."
256 Comprehensive Plan Policy R-507 states, in part, "Rural Towns serve as activity centers
257 for the Rural Area and Natural Resource Lands and may be served by a range of utilities
258 and services, and may include several or all of the following land uses, if supported by
259 necessary utilities and other services and if scaled and designed to protect rural character:
260 a. Retail, commercial, and industrial uses to serve the surrounding Rural Area and
261 Natural Resource Lands population...c. Other retail, commercial, and industrial uses,
262 such as resource industries, tourism, commercial recreation, and light industry." Remote
263 tasting rooms are similar to other, more intensive uses contained within the stated
264 categories and may be appropriately located in Rural Towns. Other Community Business
265 and Regional Business zones, outside of Rural Towns, are located within the urban
266 growth area or have access to an arterial.

267 AA. The county is committed to providing fair, accurate and consistent
268 enforcement of the regulations adopted by this ordinance. The executive expects to
269 engage on-call consultants to conduct outreach and provide technical assistance to
270 businesses required to comply with the new regulations. It is anticipated that some
271 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 twelve months after the effective date of this ordinance.

SECTION 2. Ordinance 1888, Article III, Section 5, as amended, and K.C.C. 6.01.150 are hereby amended to read as follows:

A. The office of the hearing examiner is designated to hear appeals by parties aggrieved by actions of the director pursuant to any business license ordinance. The examiner may adopt reasonable rules or regulations for conducting its business. Copies of all rules and regulations adopted by the examiner shall be delivered to the director, who shall make them freely accessible to the public. All decisions and findings of the examiner shall be rendered to the appellant in writing, with a copy to the director.

B. For-hire transportation appeals under K.C.C. chapter 6.64 and adult beverage businesses appeals under K.C.C. chapter 6.xx (the chapter created by section 3 of this ordinance) shall be filed in accordance with K.C.C. 20.22.080 and the hearing process conducted in accordance with K.C.C. chapter 20.22. Subsections C. through H. of this section do not apply to this subsection B.

C. Any person entitled to service under K.C.C. 6.01.130 may appeal any notice and order or any action of the director by filing at the office of the director within seven days from the date of service of such order, a written appeal containing;

1. A heading in the words: "Before the Office of the Hearing Examiner";
2. A caption reading: "Appeal of" giving the names of all appellants participating in the appeal;

294 3. A brief statement setting forth the legal interest of each of the appellants in the
295 business or entertainment involved in the notice and order;

296 4. A brief statement in concise language of the specific order or action protested,
297 together with any material facts claimed to support the contentions of the appellant;

298 5. A brief statement in concise language of the relief sought, and the reasons why
299 it is claimed the protested order or action should be reversed, modified or otherwise set
300 aside;

301 6. The signatures of all parties named as appellants, and their official mailing
302 addresses; and

303 7. The verification (by declaration under penalty of perjury) of at least one
304 appellant as to the truth of the matters stated in the appeal.

305 D. As soon as practicable after receiving the written appeal, the examiner shall fix
306 a date, time and place for the hearing of the appeal. The date shall be neither less than ten
307 days nor more than sixty days from the date the appeal was filed with the director. Written
308 notice of the time and place of the hearing shall be given at least ten days before the date of
309 the hearing to each appellant by the examiner either by causing a copy of the notice to be
310 delivered to the appellant personally or by mailing a copy thereof, postage prepaid,
311 addressed to the appellant at the appellant's address shown on the appeal.

312 E. At the hearing the appellant shall be entitled to appear in person and be
313 represented by counsel and offer such evidence as is pertinent and material to the action of
314 the director.

315 F. Only those matters or issues specifically raised by the appellant in the written
316 notice of appeal shall be considered in the hearing of the appeal.

317 G. Failure of any person to file an appeal in accordance with this section shall
318 constitute a waiver of the person's right to an administrative hearing and adjudication of the
319 notice and order, or any portion thereof.

320 H. Enforcement of any notice and order of the director shall be stayed during the
321 pendency of an appeal therefrom that is properly and timely filed.

322 SECTION 3. Sections 4 through 11 of this ordinance should constitute a new
323 chapter in K.C.C. Title 6.

324 NEW SECTION. SECTION 4. There is hereby added to the chapter established
325 in section 3 of this ordinance a new section to read as follows:

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

329 NEW SECTION. SECTION 5. There is hereby added to the chapter established
330 in section 3 of this ordinance a new section to read as follows:

331 For the purpose of this chapter, unless the context clearly requires otherwise,
332 "adult beverage business" means a winery, brewery, distillery or cidery, and remote
333 tasting rooms for any of those businesses. A nonconforming home occupation and a
334 nonconforming home industry is an "adult beverage business" for the purposes of this
335 section.

336 NEW SECTION. SECTION 6. There is hereby added to the chapter established
337 in section 3 of this ordinance a new section to read as follows:

338 A person or entity shall not operate or maintain an adult beverage business in
339 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 7. There is hereby added to the chapter established in section 3 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;

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.

363 21A.08.030 and 21A.08.080; and

364 E. For any adult beverage businesses attempting to demonstrate legal
365 nonconforming use status under section 11.B. of this ordinance, operating under an active
366 Washington state Liquor and Cannabis Board production license issued for their current
367 location before the effective date of this ordinance, and where King County did not object
368 to the location during the Washington state Liquor and Cannabis Board license
369 application process, documentation sufficient to establish that the requirements of K.C.C.
370 Title 21A have been met, and documentation of the county's response to the notice of
371 application, if any.

372 NEW SECTION. SECTION 8. There is hereby added to the chapter established
373 in section 3 of this ordinance a new section to read as follows:

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

377 NEW SECTION. SECTION 9. There is hereby added to the chapter established
378 in section 3 of this ordinance a new section to read as follows:

379 The director shall deny, suspend or revoke a license issued under this chapter if
380 the Washington state Liquor and Cannabis Board does not issue a license to the business,
381 or if the department of local services, permitting division receives notice that the state
382 license issued to the business is suspended or revoked, or was not reissued, or if, after an
383 investigation, the director determines that the proposed business location does not comply
384 with K.C.C. Title 21A. A business owner whose application for a business license has
385 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 10. There is hereby added to the chapter established in section 3 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 11. There is hereby added to the chapter established in section 3 of this ordinance a new section to read as follows:

A. 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.

B. For any adult beverage businesses operating under an active Washington state Liquor and Cannabis Board production license issued for their current location before the effective date of this ordinance, and where King County did not object to the location during the Washington state Liquor and Cannabis Board license application process, if all other requirements of this chapter are met, the director shall approve the first adult beverage business license. The first business license shall be valid for six months from the date of issuance. The first business license may be extended, at no charge to the applicant, for an additional six months, if the director determines that the business

operator has taken substantial steps to document compliance with K.C.C. Title 21A.
Subsequent business licenses or renewals for such locations shall only be approved by the
director if:

1. The requirements to establish a legal nonconforming use have been met;
2. The applicant has otherwise established a vested legal nonconforming use;
3. The director determines that the business operator has taken substantial steps
to document compliance with K.C.C. Title 21A; or
4. If the business has come into conformance with the winery, brewery,
distillery facility I, II or III or remote tasting room regulations adopted in K.C.C.
21A.08.070, 21A.08.080 or section 28 of this ordinance.

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, distilling, barrel or tank aging, and finishing. A winery, brewery, distillery facility I may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law. On-site tasting of products or retail sales are not allowed. "Winery, brewery, distillery facility I" does not include any retail liquor licenses that would be authorized by 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 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, distilling, barrel or tank aging, and finishing. A winery, brewery, distillery facility II may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law, on-site tasting of products and sales as authorized by state law and sales of merchandise related to products available for tasting as authorized by state law. "Winery, brewery, distillery facility II" does not include any retail liquor licenses that would be authorized by chapter 314-02 WAC.

NEW SECTION. SECTION 16. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

455 Winery, brewery, distillery facility III: A production facility licensed by the state
 456 of Washington to produce adult beverages such as wine, cider, beer and distilled spirits
 457 and that includes an adult beverage production use such as crushing, fermentation,
 458 distilling, barrel or tank aging, and finishing. A winery, brewery, distillery facility III
 459 may include additional production-related uses such as vineyards, orchards, wine cellars
 460 or similar product-storage areas as authorized by state law, on-site tasting of products and
 461 sales as authorized by state law and sales of merchandise related to products available as
 462 authorized by state law. "Winery, brewery, distillery facility III" does not include any
 463 retail liquor licenses that would be authorized by chapter 314-02 WAC.

464 SECTION 17. Ordinance 10870, Section 334, as amended, and K.C.C.
 465 21A.08.070 are hereby amended to read as follows:

466 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	P3 and	P4		P3 and 4						P		

	Products Sales	4											
*	Department and Variety Stores						C14a	P14	P5	P	P		
54	Food Stores						C15a	P15	P	P	P	C	P6
*	Agricultural Product Sales (28)							P25	P25	P25	P25	P25	P25
*	Farmers Market	P24	P24		P24	P24	P24	P24	P24	P24	P24	P24	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>Remote Tasting Room</u>				<u>P13</u>					<u>P7</u>	<u>P7</u>		
*	Drug Stores						C15	P15	P	P	P	C	
*	Marijuana retailer									P26 C27	P26 C27		

592	Liquor Stores	((P13))			((P13))	((P13))			((P13))	P	P		
593	Used Goods: Antiques/ Secondhand Shops									P	P		
*	Sporting Goods and Related Stores			P22	P22	P22	P22	P22	P22	P	P	P22	P22
*	Book, Stationery, Video and Art Supply Stores						C15a	P15	P	P	P		
*	Jewelry Stores									P	P		
*	Monuments, Tombstones, and Gravestones										P		
*	Hobby, Toy, Game Shops								P	P	P		
*	Photographic and Electronic Shops								P	P	P		
*	Fabric Shops									P	P		
598	Fuel Dealers									C11	P		P
*	Florist Shops						C15a	P15	P	P	P	P	
*	Personal Medical Supply Stores									P	P		
*	Pet Shops								P	P	P		
*	Bulk Retail									P	P		
*	Auction										P12		P

	Houses												
*	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.

4. No permanent structures or signs.

5. Limited to SIC Industry No. 5331-Variety Stores, and further limited to a maximum of two thousand square feet of gross floor area.

6. Limited to a maximum of five thousand square feet of gross floor area.

7. ~~((Repealed))~~ Off-street parking is limited to a maximum of one space per fifty square feet of tasting and retail areas.

8. Excluding retail sale of trucks exceeding one-ton capacity.

488 9. Only the sale of new or reconditioned automobile supplies is permitted.

489 10. Excluding SIC Industry No. 5813-Drinking Places.

490 11. No outside storage of fuel trucks and equipment.

491 12. Excluding vehicle and livestock auctions.

492 13. ~~((Only as accessory to a winery or SIC Industry No. 2082 Malt Beverages,~~

493 ~~and limited to sales of products produced on site and incidental items where the majority~~

494 ~~of sales are generated from products produced on site))~~ Permitted as part of the

495 demonstration project authorized by section 28 of this ordinance.

496 14.a. Not in R-1 and limited to SIC Industry No. 5331-Variety Stores, limited to

497 a maximum of five thousand square feet of gross floor area, and subject to K.C.C.

498 21A.12.230; and

499 b. Before filing an application with the department, the applicant shall hold a

500 community meeting in accordance with K.C.C. 20.20.035.

501 15.a. Not permitted in R-1 and limited to a maximum of five thousand square

502 feet of gross floor area and subject to K.C.C. 21A.12.230; and

503 b. Before filing an application with the department, the applicant shall hold a

504 community meeting in accordance with K.C.C. 20.20.035.

505 16.a. Not permitted in R-1 and excluding SIC Industry No. 5813-Drinking

506 Places, and limited to a maximum of five thousand square feet of gross floor area and

507 subject to K.C.C. 21A.12.230, except as provided in subsection B.20. of this section; and

508 b. Before filing an application with the department, the applicant shall hold a

509 community meeting in accordance with K.C.C. 20.20.035.

510 17. Repealed.

511 18. Repealed.

512 19. Only as:

513 a. an accessory use to a permitted manufacturing or retail land use, limited to

514 espresso stands to include sales of beverages and incidental food items, and not to include

515 drive-through sales; or

516 b. an accessory use to a recreation or multiuse park, limited to a total floor area

517 of three thousand five hundred square feet.

518 20. Only as:

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

520 b. an accessory use to a park and limited to a total floor area of one thousand

521 five hundred square feet.

522 21. Accessory to a park, limited to a total floor area of seven hundred fifty

523 square feet.

524 22. Only as an accessory use to:

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

526 b. a park, or a recreation or multiuse park in the RA zones, and limited to a

527 total floor area of seven hundred and fifty square feet.

528 23. Only as accessory to SIC Industry Group No. 242-Sawmills and SIC

529 Industry No. 2431-Millwork and;

530 a. limited to lumber milled on site; and

531 b. the covered sales area is limited to two thousand square feet. The covered

532 sales area does not include covered areas used to display only milled lumber.

533 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 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.

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 18. Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080 are 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	R12	NB	CB	RB	O	I (11)
							-8	-48					

20	Food and Kindred Products (28)								P2	P2	P2 C		P2 C
*	Winery/Brewery/ Distillery Facility I				P32								
*((208 2 /2085))	Winery/Brewery/ Distillery Facility II	P3 (C42))			P3 C((42))3 0	((P3))			P17	P17	P29		P31
*	Winery/Brewery/ Distillery Facility III	C12			C12				C29	C29	C29		C31
*	Materials Processing Facility		P1 3 C	P14 C1 5	P16 C								P
22	Textile Mill Products												C
23	Apparel and other Textile Products										C		P
24	Wood Products, except furniture	P4 P18	P4 P1 8 C5		P4 P18 C5	P4					C6		P
25	Furniture and Fixtures		P1 9		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

646 B. Development conditions.

647 1. Repealed.

648 2. Except slaughterhouses.

649 3.a. ~~((Limited to wineries, SIC Industry No. 2082 Malt Beverages and SIC~~
650 ~~Industry No. 2085 Distilled and Blended Liquors;~~

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

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

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

663 ~~((e.))~~ d. Structures and parking areas ((used)) for ((processing)) winery,
664 brewery, distillery facility uses shall maintain a minimum distance of seventy-five feet
665 from interior property lines adjoining rural area and residential zones, unless located in a
666 building designated as historic resource under K.C.C. chapter 20.62;

667 ~~((f.))~~ e. In the A zone, ((S))sixty percent or more of the products processed
668 must be grown ((in the Puget Sound counties)) on-site. At the time of the initial
669 application under K.C.C. chapter 6.xx (the new chapter created in section 3 of this
670 ordinance), the applicant shall submit a projection of the source of products to be

671 produced; ~~((and~~
672 ~~g.))~~ f. At least two stages of production of wine, beer, cider or distilled spirits,
673 such as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized
674 by the Washington state Liquor and Cannabis Board production license, shall occur on-
675 site. At least one of the stages of production occurring on-site shall include crushing,
676 fermenting or distilling;
677 g. In the A zone, structures and areas for non-agricultural winery, brewery,
678 distillery facility uses shall be located on portions of agricultural lands that are unsuitable
679 for agricultural purposes, such as areas within the already developed portion of such
680 agricultural lands that are not available for direct agricultural production, or areas without
681 prime agricultural soils. No more than one acre of agricultural land may be converted to
682 a nonagricultural accessory use;
683 h. Tasting and retail sales of products produced on-site may occur only as
684 accessory to the primary winery, brewery, distillery production use and may be provided
685 in accordance with state law. The area devoted to on-site tasting or retail sales shall be
686 limited to no more than fifteen percent of the aggregated floor area and shall be included
687 in the aggregated floor area limitation in subsection B.3.c. of this section. Incidental
688 retail sales of merchandise related to the products produced on-site is allowed subject to
689 the restrictions described in this subsection B.3. Hours of operation for on-site tasting of
690 products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays,
691 tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays,
692 Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00
693 p.m.;

- 694 i. Access to the site shall be directly to and from an arterial roadway;
- 695 j. Off-street parking is limited to a maximum of one hundred fifty percent of
- 696 the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;
- 697 k. The business operator shall obtain an adult beverage business license in
- 698 accordance with K.C.C. chapter 6.xx (the new chapter created in section 3 of this
- 699 ordinance);
- 700 l. Events may be allowed with an approved temporary use permit under K.C.C.
- 701 chapter 21A.32; and
- 702 m. The impervious surface associated with the winery, brewery, distillery
- 703 facility use shall not exceed twenty-five percent of the site, or the maximum impervious
- 704 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,
- 705 whichever is less.
- 706 4. Limited to rough milling and planing of products grown on-site with portable
- 707 equipment.
- 708 5. Limited to SIC Industry Group No. 242-Sawmills and SIC Industry No.
- 709 2431-Millwork. For RA zoned sites, if using lumber or timber grown off-site, the
- 710 minimum site area is four and one-half acres.
- 711 6. Limited to uses found in SIC Industry No. 2434-Wood Kitchen Cabinets and
- 712 No. 2431-Millwork, (excluding planing mills).
- 713 7. Limited to photocopying and printing services offered to the general public.
- 714 8. Only within enclosed buildings, and as an accessory use to retail sales.
- 715 9. Only within enclosed buildings.
- 716 10. Limited to boat building of craft not exceeding forty-eight feet in length.

11. For I-zoned sites located outside the urban growth area designated by the King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C. 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for rural industrial uses as set forth in K.C.C. chapter 21A.12.

12.a. ~~((Limited to wineries, SIC Industry No. 2082 Malt Beverages and SIC Industry No. 2085 Distilled and Blended Liquors))~~ In the A zone, 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;

b.~~((1) Except as provided in subsection B.12.b.(2) of this section, t))~~The aggregated floor area of structures and areas for ((wineries, breweries and distilleries and any accessory)) winery, brewery, distillery facility uses shall not exceed a total of eight thousand square feet. ((The floor area may be increased by up to an additional eight thousand square feet of underground storage that is constructed completely below natural grade, not including required exits and access points, if the 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;))~~

c. Only allowed on lots of at least four and one-half acres. If the aggregated floor area of structures for winery, brewery, distillery uses exceeds six thousand square feet, the minimum site area shall be ten acres;

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(~~((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)), and must connect to an existing Group A water system. The definitions and limits of Group A water systems are described in K.C.C. 13.24.007, and provision of water service is described in K.C.C. 13.24.138, 13.24.140 and 13.24.142;~~

e. Structures and parking areas (~~((used for processing))~~) for winery, brewery distillery facility uses shall (~~((be set back))~~) maintain 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;

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

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

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

g. ~~The facility shall be limited to processing agricultural products and))~~ In the A zone, sixty percent or more of the products processed must be grown (~~((in the Puget Sound counties))~~) on-site. At the time of the initial application under K.C.C. chapter 6.xx

(the new chapter created in section 3 of this ordinance), the applicant shall submit a projection of the source of products to be processed; ~~((and))~~

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

h. 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. No more than one acre of agricultural land may be converted to a nonagricultural accessory use;

i. Tasting and retail sales of products produced on-site may occur only as accessory to the primary winery, brewery, distillery production use and may be provided in accordance with state law. The area devoted to on-site tasting or retail sales shall be limited to no more than fifteen percent of the aggregated floor area and shall be included in the aggregated floor area limitation in subsection B.12.b. and c. of this section. Incidental retail sales of merchandise related to the products produced on-site is allowed subject to the restrictions described in this subsection. 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.

786 through 9:00 p.m.;

787 j. Access to the site shall be directly to and from an arterial roadway;

788 k. Off-street parking maximums shall be determined through the conditional
789 use permit process, and should not be more than one hundred fifty percent of the
790 minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

791 l. The business operator shall obtain an adult beverage business license in
792 accordance with K.C.C. chapter 6.xx (the new chapter created in section 3 of this
793 ordinance);

794 m. Events may be allowed with an approved temporary use permit under
795 K.C.C. chapter 21A.32; and

796 n. The impervious surface associated with the winery, brewery, distillery
797 facility use shall not exceed twenty-five percent of the site, or the maximum impervious
798 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,
799 whichever is less.

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

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

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

808 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;~~

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;

~~((e.))~~ 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; ~~((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 on-site tasting or retail sales shall be included in the aggregated floor area limitation in subsection B.~~((18-b.))~~17.a. 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;

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 3 of this ordinance); and

f. 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:

(1) If using lumber or timber grown off-site, the minimum site area is four and one-half acres;

(2) The facility shall be limited to an annual production of no more than one hundred fifty thousand board feet;

(3) Structures housing equipment used in the operation shall be located at least one-hundred feet from adjacent properties with residential or rural area zoning;

(4) Deliveries and customer visits shall be limited to the hours of 8:00 a.m. to 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

(5) In the RA zone, the facility's driveway shall have adequate entering sight distance required by the 2007 King County Road Design and Construction Standards. An

adequate turn around shall be provided on-site to prevent vehicles from backing out on to the roadway that the driveway accesses; and

(6) Outside lighting is limited to avoid off-site glare; and

b. SIC Industry No. 2411-Logging.

19. Limited to manufacture of custom made wood furniture or cabinets.

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

b. Only as an accessory use to a Washington state Liquor Control Board licensed marijuana production facility on the same lot;

c. With a lighting plan, only if required by 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; and

e. 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.

21.a. Only in the CB and RB zones located outside 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.22. of this section.

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

b. 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 thirty thousand square feet;

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

901 are imported onto the site;

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

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

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

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

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

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

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

920 b. Only with documentation that the operator has applied for a Puget Sound
921 Clean Air Agency Notice of Construction Permit. All department permits issued to either
922 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
923 Clean Air Agency Notice of Construction Permit be approved before marijuana products

are imported onto the site; and

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

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

b. 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; and

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

27.a. Marijuana processors in all RA zoned areas except for Vashon-Maury Island, that do not require a conditional use permit issued by King County, that receive a Washington state Liquor and Cannabis Board license business prior to October 1, 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 as to subsection B.27.e. of this section, subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses;

b. Only with a lighting plan that complies with 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. Only allowed on lots of at least four and on-half acres on Vashon-Maury Island;

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

f. Only as an accessory use to a Washington state Liquor Cannabis Board 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;

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 off-street parking 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 in accordance with K.C.C. chapter 6.xx (the new chapter created in section 3 of this ordinance); and

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

30.a. Only allowed on lots of at least two and one-half acres;

b. 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;

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;

d. Tasting and retail sales of products produced on-site may only occur as accessory to the primary winery, brewery, distillery production use and may be provided in accordance with state law. The area devoted to on-site tasting or retail sales shall be

limited to no more than fifteen percent of the aggregated floor area and shall be included in the aggregated floor area limitation in subsection B.30.b. of this section. Incidental retail sales of merchandise related to the products produced on-site is allowed subject to the restrictions described in this subsection. 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. Access to the site shall be directly to and from a public roadway;

f. Off-street parking is limited to a maximum of one hundred fifty percent of the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

g. 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 3 of this ordinance);

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

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

j. The impervious surface associated with the winery, brewery, distillery facility use shall not exceed twenty-five percent of the site, or the maximum impervious

1016 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,
1017 whichever is less.

1018 31.a. Limited to businesses with non-retail brewery and distillery production
1019 licenses from the Washington state Liquor and Cannabis board. Wineries and remote
1020 tasting rooms for wineries shall not be allowed;

1021 b. Tasting and retail sale of products produced on-site and merchandise related
1022 to the products produced on-site may be provided in accordance with state law. The area
1023 devoted to on-site tasting or retail sales shall not exceed one thousand five hundred
1024 square feet;

1025 c. Structures and parking areas for brewery and distillery facility uses shall
1026 maintain a minimum distance of seventy-five feet from interior property lines adjoining
1027 rural area and residential zones, unless located in a building designated as historic
1028 resource under K.C.C. chapter 20.62;

1029 d. For brewery and distillery facility uses that do not require a conditional use
1030 permit, off-street parking for the tasting and retail areas shall be limited to a maximum of
1031 one space per fifty square feet of tasting and retail areas. For brewery and distillery
1032 facility uses that do require a conditional use permit, off-street parking maximums shall
1033 be determined through the conditional use permit process, and off-street parking for the
1034 tasting and retail areas should be limited to a maximum of one space per fifty square feet
1035 of tasting and retail areas;

1036 e. The business operator shall obtain an adult beverage business license in
1037 accordance with K.C.C. chapter 6.xx (the new chapter created in section 3 of this
1038 ordinance); and

1039 f. Events may be allowed with an approved temporary use permit under K.C.C.
1040 chapter 21A.32.

1041 32.a. The aggregated floor area of structures and areas for winery, brewery,
1042 distillery facility uses shall not exceed one thousand five hundred square feet;

1043 b. Structures and parking areas for winery, brewery, distillery facility uses
1044 shall maintain a minimum distance of seventy-five feet from interior property lines
1045 adjoining rural area and residential zones, unless located in a building designated as
1046 historic resource under K.C.C. chapter 20.62;

1047 c. One on-site parking stall shall be allowed for the winery, brewery, distillery
1048 facility I use;

1049 d. The business operator shall obtain an adult beverage business license in
1050 accordance with K.C.C. chapter 6.xx (the new chapter created in section 3 of this
1051 ordinance);

1052 e. At least two stages of production of wine, beer, cider or distilled spirits, such
1053 as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the
1054 Washington state Liquor and Cannabis Board production license, shall occur on-site. At
1055 least one of the stages of production occurring on-site shall include crushing, fermenting
1056 or distilling;

1057 f. No product tasting or retail sales shall be allowed on-site;

1058 g. Events may be allowed in accordance with K.C.C. 21A.32.120.B.6; and

1059 h. The impervious surface associated with the winery, brewery, distillery
1060 facility use shall not exceed twenty-five percent of the site or the maximum impervious
1061 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,

1062 whichever is less.

1063 SECTION 19. Ordinance 10870, Section 336, as amended, and K.C.C.

1064 21A.08.090 are hereby amended to read as follows:

1065 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								

B. Development conditions.

1. May be further subject to K.C.C. chapter 21A.25.
2. Only forest research conducted within an enclosed building.
3. Farm residences in accordance with K.C.C. 21A.08.030.
4. Excluding housing for agricultural workers.
5. Limited to either maintenance or storage facilities, or both, in conjunction with mineral extraction or processing operation.
6. Allowed in accordance with K.C.C. chapter 21A.30.
7. Only in conjunction with a mineral extraction site plan approved in accordance with K.C.C. chapter 21A.22.
8. 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:

1079 a. as accessory to a primary mineral extraction use;

1080 b. as a continuation of a mineral processing only for that period to complete

1081 delivery of products or projects under contract at the end of a mineral extraction; or

1082 c. for a public works project under a temporary grading permit issued in

1083 accordance with K.C.C. 16.82.152.

1084 9. Limited to mineral extraction and processing:

1085 a. on a lot or group of lots under common ownership or documented legal control,

1086 which includes but is not limited to, fee simple ownership, a long-term lease or an

1087 easement;

1088 b. that are located greater than one-quarter mile from an established residence;

1089 and

1090 c. that do not use local access streets that abut lots developed for residential

1091 use.

1092 10. Agriculture training facilities are allowed only as an accessory to existing

1093 agricultural uses and are subject to the following conditions:

1094 a. The impervious surface associated with the agriculture training facilities

1095 shall comprise not more than ten percent of the allowable impervious surface permitted

1096 under K.C.C. 21A.12.040;

1097 b. New or the expansion of existing structures, or other site improvements,

1098 shall not be located on class 1, 2 or 3 soils;

1099 c. The director may require reuse of surplus structures to the maximum extent

1100 practical;

1101 d. The director may require the clustering of new structures with existing

1102 structures;

1103 e. New structures or other site improvements shall be set back a minimum
1104 distance of seventy-five feet from property lines adjoining rural area and residential
1105 zones;

1106 f. Bulk and design of structures shall be compatible with the architectural style
1107 of the surrounding agricultural community;

1108 g. New sewers shall not be extended to the site;

1109 h. Traffic generated shall not impede the safe and efficient movement of
1110 agricultural vehicles, nor shall it require capacity improvements to rural roads;

1111 i. Agriculture training facilities may be used to provide educational services to
1112 the surrounding rural/agricultural community or for community events. Property owners
1113 may be required to obtain a temporary use permit for community events in accordance
1114 with K.C.C. chapter 21A.32;

1115 j. Use of lodging and food service facilities shall be limited only to activities
1116 conducted in conjunction with training and education programs or community events
1117 held on site;

1118 k. Incidental uses, such as office and storage, shall be limited to those that
1119 directly support education and training activities or farm operations; and

1120 l. The King County agriculture commission shall be notified of and have an
1121 opportunity to comment upon all proposed agriculture training facilities during the permit
1122 process in accordance with K.C.C. chapter 21A.40.

1123 11. Continuation of mineral processing and asphalt/concrete mixtures and block
1124 uses after reclamation in accordance with an approved reclamation plan.

1125 12.a. Activities at the camp shall be limited to agriculture and agriculture-
1126 oriented activities. In addition, activities that place minimal stress on the site's
1127 agricultural resources or activities that are compatible with agriculture are permitted.

- 1128 (1) passive recreation;
- 1129 (2) training of individuals who will work at the camp;
- 1130 (3) special events for families of the campers; and
- 1131 (4) agriculture education for youth.

1132 b. Outside the camp center, as provided for in subsection B.12.e. of this
1133 section, camp activities shall not preclude the use of the site for agriculture and
1134 agricultural related activities, such as the processing of local food to create value-added
1135 products and the refrigeration and storage of local agricultural products. The camp shall
1136 be managed to coexist with agriculture and agricultural activities both onsite and in the
1137 surrounding area.

1138 c. A farm plan shall be required for commercial agricultural production to
1139 ensure adherence to best management practices and soil conservation.

1140 d.(1) The minimum site area shall be five hundred acres. Unless the property
1141 owner has sold or transferred the development rights as provided in subsection B.12.c.(3)
1142 of this section, a minimum of five hundred acres of the site must be owned by a single
1143 individual, corporation, partnership or other legal entity and must remain under the
1144 ownership of a single individual, corporation, partnership or other legal entity for the
1145 duration of the operation of the camp.

1146 (2) Nothing in subsection B.12.d.(1) of this section prohibits the property
1147 owner from selling or transferring the development rights for a portion or all of the site to

1148 the King County farmland preservation program or, if the development rights are
1149 extinguished as part of the sale or transfer, to a nonprofit entity approved by the director;

1150 e. The impervious surface associated with the camp shall comprise not more
1151 than ten percent of the allowable impervious surface permitted under K.C.C. 21A.12.040;

1152 f. Structures for living quarters, dining facilities, medical facilities and other
1153 nonagricultural camp activities shall be located in a camp center. The camp center shall
1154 be no more than fifty acres and shall depicted on a site plan. New structures for
1155 nonagricultural camp activities shall be clustered with existing structures;

1156 g. To the extent practicable, existing structures shall be reused. The applicant
1157 shall demonstrate to the director that a new structure for nonagricultural camp activities
1158 cannot be practicably accommodated within an existing structure on the site, though
1159 cabins for campers shall be permitted only if they do not already exist on site;

1160 h. Camp facilities may be used to provide agricultural educational services to
1161 the surrounding rural and agricultural community or for community events. If required
1162 by K.C.C. chapter 21A.32, the property owner shall obtain a temporary use permit for
1163 community events;

1164 i. Lodging and food service facilities shall only be used for activities related to
1165 the camp or for agricultural education programs or community events held on site;

1166 j. Incidental uses, such as office and storage, shall be limited to those that
1167 directly support camp activities, farm operations or agricultural education programs;

1168 k. New nonagricultural camp structures and site improvements shall maintain a
1169 minimum set-back of seventy-five feet from property lines adjoining rural area and
1170 residential zones;

1171 l. Except for legal nonconforming structures existing as of January 1, 2007,
1172 camp facilities, such as a medical station, food service hall and activity rooms, shall be of
1173 a scale to serve overnight camp users;

1174 m. Landscaping equivalent to a type III landscaping screen, as provided for in
1175 K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures
1176 and site improvements located within two hundred feet of an adjacent rural area and
1177 residential zoned property not associated with the camp;

1178 n. New sewers shall not be extended to the site;

1179 o. The total number of persons staying overnight shall not exceed three
1180 hundred;

1181 p. The length of stay for any individual overnight camper, not including camp
1182 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

1183 q. Traffic generated by camp activities shall not impede the safe and efficient
1184 movement of agricultural vehicles nor shall it require capacity improvements to rural
1185 roads;

1186 r. If the site is adjacent to an arterial roadway, access to the site shall be
1187 directly onto the arterial unless the county road engineer determines that direct access is
1188 unsafe;

1189 s. If direct access to the site is via local access streets, transportation
1190 management measures shall be used to minimize adverse traffic impacts;

1191 t. Camp recreational activities shall not involve the use of motor vehicles
1192 unless the motor vehicles are part of an agricultural activity or are being used for the
1193 transportation of campers, camp personnel or the families of campers. Camp personnel

1194 may use motor vehicles for the operation and maintenance of the facility. Client-specific
1195 motorized personal mobility devices are allowed; and

1196 u. Lights to illuminate the camp or its structures shall be arranged to reflect the
1197 light away from any adjacent property.

1198 13. Limited to digester receiving plant and animal and other organic waste from
1199 agricultural activities, and including electrical generation, as follows:

1200 a. the digester must be included as part of a Washington state Department of
1201 Agriculture approved dairy nutrient plan;

1202 b. the digester must process at least seventy percent livestock manure or other
1203 agricultural organic material from farms in the vicinity, by volume;

1204 c. imported organic waste-derived material, such as food processing waste,
1205 may be processed in the digester for the purpose of increasing methane gas production for
1206 beneficial use, but not shall exceed thirty percent of volume processed by the digester;
1207 and

1208 d. the use must be accessory to an operating dairy or livestock operation.

1209 14. Farm worker housing. Either:

1210 a. Temporary farm worker housing subject to the following conditions:

1211 (1) The housing must be licensed by the Washington state Department of
1212 Health under chapter 70.114A RCW and chapter 246-358 WAC;

1213 (2) Water supply and sewage disposal systems must be approved by the
1214 Seattle King County department of health;

1215 (3) To the maximum extent practical, the housing should be located on
1216 nonfarmable areas that are already disturbed and should not be located in the floodplain

1217 or in a critical area or critical area buffer; and

1218 (4) The property owner shall file with the department of executive services,
1219 records and licensing services division, a notice approved by the department identifying
1220 the housing as temporary farm worker housing and that the housing shall be occupied
1221 only by agricultural employees and their families while employed by the owner or
1222 operator or on a nearby farm. The notice shall run with the land; or

1223 b. Housing for agricultural employees who are employed by the owner or
1224 operator of the farm year-round as follows:

1225 (1) Not more than:

1226 (a) one agricultural employee dwelling unit on a site less than twenty acres;

1227 (b) two agricultural employee dwelling units on a site of at least twenty
1228 acres and less than fifty acres;

1229 (c) three agricultural employee dwelling units on a site of at least fifty acres
1230 and less than one-hundred acres; and

1231 (d) four agricultural employee dwelling units on a site of at least one-
1232 hundred acres, and one additional agricultural employee dwelling unit for each additional
1233 one hundred acres thereafter;

1234 (2) If the primary use of the site changes to a nonagricultural use, all
1235 agricultural employee dwelling units shall be removed;

1236 (3) The applicant shall file with the department of executive services, records
1237 and licensing services division, a notice approved by the department that identifies the
1238 agricultural employee dwelling units as accessory and that the dwelling units shall only
1239 be occupied by agricultural employees who are employed by the owner or operator year-

1240 round. The notice shall run with the land. The applicant shall submit to the department
1241 proof that the notice was filed with the department of executive services, records and
1242 licensing services division, before the department approves any permit for the
1243 construction of agricultural employee dwelling units;

1244 (4) An agricultural employee dwelling unit shall not exceed a floor area of
1245 one thousand square feet and may be occupied by no more than eight unrelated
1246 agricultural employees;

1247 (5) To the maximum extent practical, the housing should be located on
1248 nonfarmable areas that are already disturbed;

1249 (6) One off-street parking space shall be provided for each agricultural
1250 employee dwelling unit; and

1251 (7) The agricultural employee dwelling units shall be constructed in
1252 compliance with K.C.C. Title 16.

1253 15. Marijuana production by marijuana producers licensed by the Washington
1254 state Liquor and Cannabis Board is subject to the following standards:

1255 a. Only allowed on lots of at least four and one-half acres;

1256 b. With a lighting plan, only if required by and that complies with K.C.C.

1257 21A.12.220.G.;

1258 c. Only with documentation that the operator has applied for a Puget Sound

1259 Clean Air Agency Notice of Construction Permit. All department permits issued to either

1260 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1261 Clean Air Agency Notice of Construction Permit be approved before marijuana products

1262 are imported onto the site;

1263 d. Production is limited to outdoor, indoor within marijuana greenhouses, and
1264 within structures that are nondwelling unit structures that exist as of October 1, 2013,
1265 subject to the size limitations in subsection B.15.e. of this section;

1266 e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1267 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
1268 aggregated total of two thousand square feet and shall be located within a fenced area or
1269 marijuana greenhouse that is no more than ten percent larger than that combined area, or
1270 may occur in nondwelling unit structures that exist as of October 1, 2013;

1271 f. Outdoor production area fencing as required by the Washington state Liquor
1272 and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall
1273 maintain a minimum street setback of fifty feet and a minimum interior setback of thirty
1274 feet; and

1275 g. If the two-thousand-square-foot-per-lot threshold of plant canopy combined
1276 with area used for processing under K.C.C. 21A.08.080 is exceeded, each and every
1277 marijuana-related entity occupying space in addition to the two-thousand-square-foot
1278 threshold area on that lot shall obtain a conditional use permit as set forth in subsection
1279 B.22. of this section.

1280 16. Marijuana production by marijuana producers licensed by the Washington
1281 state Liquor and Cannabis Board is subject to the following standards:

1282 a. Marijuana producers in all RA zoned areas except for Vashon-Maury Island,
1283 that do not require a conditional use permit issued by King County, that receive a
1284 Washington state Liquor and Cannabis Board license business prior to October 1, 2016,
1285 and that King County did not object to within the Washington state Liquor and Cannabis

1286 Board marijuana license application process, shall be considered nonconforming as to
1287 subsection B.16.d. and h. of this section, subject to the provisions of K.C.C. 21A.32.020
1288 through 21A.32.075 for nonconforming uses;

1289 b. In all rural area zones, only with a lighting plan that complies with K.C.C.
1290 21A.12.220.G.;

1291 c. Only allowed on lots of at least four and one-half acres on Vashon-Maury
1292 Island;

1293 d. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,
1294 except on Vashon-Maury Island;

1295 e. Only with documentation that the operator has applied for a Puget Sound
1296 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1297 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1298 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1299 are imported onto the site;

1300 f. Production is limited to outdoor, indoor within marijuana greenhouses, and
1301 within nondwelling unit structures that exist as of October 1, 2013, subject to the size
1302 limitations in subsection B.16.g. of this section; and

1303 g. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1304 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
1305 aggregated total of two thousand square feet and shall be located within a fenced area or
1306 marijuana greenhouse, that is no more than ten percent larger than that combined area, or
1307 may occur in nondwelling unit structures that exist as of October 1, 2013;

1308 h. Outdoor production area fencing as required by the Washington state Liquor

1309 and Cannabis Board and marijuana greenhouses shall maintain a minimum street setback
1310 of fifty feet and a minimum interior setback of one hundred feet; and a minimum setback
1311 of one hundred fifty feet from any existing residence; and

1312 i. If the two-thousand-square-foot-per-lot threshold of plant canopy within
1313 fenced areas or marijuana greenhouses is exceeded, each and every marijuana-related
1314 entity occupying space in addition to the two-thousand-square-foot threshold area on that
1315 lot shall obtain a conditional use permit as set forth in subsection B.17. of this section.

1316 17. Marijuana production by marijuana producers licensed by the Washington
1317 state Liquor and Cannabis Board is subject to the following standards:

1318 a. Only allowed on lots of at least four and one-half acres on Vashon-Maury
1319 Island;

1320 b. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,
1321 except on Vashon-Maury Island;

1322 c. In all rural area zones, only with a lighting plan that complies with K.C.C.
1323 21A.12.220.G.;

1324 d. Only with documentation that the operator has applied for a Puget Sound
1325 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1326 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1327 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1328 are imported onto the site;

1329 e. Production is limited to outdoor and indoor within marijuana greenhouses
1330 subject to the size limitations in subsection B.17.f. of this section;

1331 f. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with

1332 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
1333 aggregated total of thirty thousand square feet and shall be located within a fenced area or
1334 marijuana greenhouse that is no more than ten percent larger than that combined area;
1335 and

1336 g. Outdoor production area fencing as required by the Washington state Liquor
1337 and Cannabis Board, and marijuana greenhouses shall maintain a minimum street setback
1338 of fifty feet and a minimum interior setback of one hundred feet, and a minimum setback
1339 of one hundred fifty feet from any existing residence.

1340 18.a. Production is limited to indoor only;

1341 b. With a lighting plan only as required by and that complies with K.C.C.
1342 21A.12.220.G.;

1343 c. Only with documentation that the operator has applied for a Puget Sound
1344 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1345 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1346 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1347 are imported onto the site; and

1348 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1349 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1350 aggregated total of two thousand square feet and shall be located within a building or
1351 tenant space that is no more than ten percent larger than the plant canopy and separately
1352 authorized processing area; and

1353 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
1354 every marijuana-related entity occupying space in addition to the two-thousand-square

1355 foot threshold area on that parcel shall obtain a conditional use permit as set forth in
1356 subsection B.19. of this section.

1357 19.a. Production is limited to indoor only;

1358 b. With a lighting plan only as required by and that complies with K.C.C.
1359 21A.12.220.G.;

1360 c. Only with documentation that the operator has applied for a Puget Sound
1361 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1362 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1363 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1364 are imported onto the site; and

1365 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1366 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1367 aggregated total of thirty thousand square feet and shall be located within a building or
1368 tenant space that is no more than ten percent larger than the plant canopy and separately
1369 authorized processing area.

1370 20.a. Production is limited to indoor only;

1371 b. With a lighting plan only as required by and that complies with K.C.C.
1372 21A.12.220.G.;

1373 c. Only with documentation that the operator has applied for a Puget Sound
1374 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1375 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1376 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1377 are imported onto the site;

1378 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1379 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1380 aggregated total of two thousand square feet and shall be located within a building or
1381 tenant space that is no more than ten percent larger than the plant canopy and separately
1382 authorized processing area; and

1383 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and every
1384 marijuana-related entity occupying space in addition to the two-thousand-square-foot
1385 threshold area on that lot shall obtain a conditional use permit as set forth in subsection
1386 B.21. of this section.

1387 21.a. Production is limited to indoor only;

1388 b. With a lighting plan only as required by and that complies with K.C.C.
1389 21A.12.220.G.;

1390 c. Only with documentation that the operator has applied for a Puget Sound
1391 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1392 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1393 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1394 are imported onto the site; and

1395 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1396 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1397 aggregated total of thirty thousand square feet and shall be located within a building or
1398 tenant space that is no more than ten percent larger than the plant canopy and separately
1399 authorized processing area.

1400 22. Marijuana production by marijuana producers licensed by the Washington

1401 state Liquor and Cannabis Board is subject to the following standards:

1402 a. With a lighting plan only as required by and that complies with K.C.C.

1403 21A.12.220.G.;

1404 b. Only allowed on lots of at least four and one-half acres;

1405 c. Only with documentation that the operator has applied for a Puget Sound

1406 Clean Air Agency Notice of Construction Permit. All department permits issued to either

1407 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1408 Clean Air Agency Notice of Construction Permit be approved before marijuana products

1409 are imported onto the site;

1410 d. Production is limited to outdoor, indoor within marijuana greenhouses, and

1411 within structures that are nondwelling unit structures that exist as of October 1, 2013,

1412 subject to the size limitations in subsection B.22. e. and f. of this section;

1413 e. On lots less than ten acres, per lot, the plant canopy, as defined in WAC

1414 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall

1415 be limited to a maximum aggregated total of five thousand square feet and shall be

1416 located within a fenced area or marijuana greenhouse that is no more than ten percent

1417 larger than that combined area, or may occur in nondwelling unit structures that exist as

1418 of October 1, 2013;

1419 f. On lots ten acres or more, per lot, the plant canopy, as defined in WAC 314-

1420 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be

1421 limited to a maximum aggregated total of ten thousand square feet, and shall be located

1422 within a fenced area or marijuana greenhouse that is no more than ten percent larger than

1423 that combined area, or may occur in nondwelling unit structures that exist as of October

1424 1, 2013; and

1425 g. Outdoor production area fencing as required by the Washington state Liquor
1426 and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall
1427 maintain a minimum street setback of fifty feet and a minimum interior setback of one
1428 hundred feet, and a minimum setback of one hundred fifty feet from any existing
1429 residence.

1430 23. The storage and processing of non-manufactured source separated organic
1431 waste that originates from agricultural operations and that does not originate from the
1432 site, if:

1433 a. agricultural is the primary use of the site;

1434 b. the storage and processing are in accordance with best management
1435 practices included in an approved farm plan; and

1436 c. except for areas used for manure storage, the areas used for storage and
1437 processing do not exceed three acres and ten percent of the site.

1438 24.a. For activities relating to the processing of crops or livestock for
1439 commercial purposes, including associated activities such as warehousing, storage,
1440 including refrigeration, and other similar activities and excluding ((wineries, SIC Industry
1441 No. 2085 — Distilled and Blended Liquors and SIC Industry No. 2082 — Malt Beverages))
1442 winery, brewery, distillery facility I, II and III and remote tasting room:

1443 (1) limited to agricultural products and sixty percent or more of the products
1444 processed must be grown in the Puget Sound counties. At the time of initial application,
1445 the applicant shall submit a projection of the source of products to be produced;

1446 (2) in the RA and UR zones, only allowed on sites of at least four and one-

1447 half acres;

1448 (3) (a) as a permitted use, the floor area devoted to all processing shall not
1449 exceed two thousand square feet, unless located in a building designated as an historic
1450 resource under K.C.C. chapter 20.62. The agricultural technical review committee, as
1451 established in K.C.C. 21A.42.300, may review and approve an increase in the processing
1452 floor area as follows: up to three thousand five hundred square feet of floor area may be
1453 devoted to all processing in the RA zones or on farms less than thirty-five acres located in
1454 the A zones or up to seven thousand square feet on farms greater than thirty-five acres in
1455 the A zone; and

1456 (b) as a permitted use, the floor area devoted to all warehousing,
1457 refrigeration, storage or other similar activities shall not exceed two thousand square feet,
1458 unless located in a building designated as historic resource under K.C.C. chapter 20.62.
1459 The agricultural technical review committee, as established in K.C.C. 21A.42.300, may
1460 review and approve an increase of up to three thousand five hundred square feet of floor
1461 area devoted to all warehouseing, storage, including refrigeration, or other similar
1462 activities in the RA zones or on farms less than thirty-five acres located in the A zones or
1463 up to seven thousand square feet on farms greater than thirty-five acres in the A zone;

1464 (4) in the A zone, structures and areas used for processing, warehousing,
1465 refrigeration, storage and other similar activities shall be located on portions of
1466 agricultural lands that are unsuitable for other agricultural purposes, such as areas within
1467 the already developed portion of such agricultural lands that are not available for direct
1468 agricultural production, or areas without prime agricultural soils; and

1469 (5) structures and areas used for processing, warehousing, storage, including

1470 refrigeration, and other similar activities shall maintain a minimum distance of seventy-
1471 five feet from property lines adjoining rural area and residential zones, unless located in a
1472 building designated as historic resource under K.C.C. chapter 20.62.

1473 b. For activities relating to the retail sale of agricultural products, except
1474 livestock:

1475 (1) sales shall be limited to agricultural products and locally made arts and
1476 crafts;

1477 (2) in the RA and UR zones, only allowed on sites at least four and one-
1478 half acres;

1479 (3) as a permitted use, the covered sales area shall not exceed two thousand
1480 square feet, unless located in a building designated as a historic resource under K.C.C.
1481 chapter 20.62. The agricultural technical review committee, as established in K.C.C.
1482 21A.42.300, may review and approve an increase of up to three thousand five hundred
1483 square feet of covered sales area;

1484 (4) forty percent or more of the gross sales of agricultural product sold
1485 through the store must be sold by the producers of primary agricultural products;

1486 (5) sixty percent or more of the gross sales of agricultural products sold
1487 through the store shall be derived from products grown or produced in the Puget Sound
1488 counties. At the time of the initial application, the applicant shall submit a reasonable
1489 projection of the source of product sales;

1490 (6) tasting of products, in accordance with applicable health regulations, is
1491 allowed;

1492 (7) storage areas for agricultural products may be included in a farm store

1493 structure or in any accessory building; and

1494 (8) outside lighting is permitted if there is no off-site glare.

1495 c. Retail sales of livestock is permitted only as accessory to raising livestock.

1496 d. Farm operations, including equipment repair and related facilities, except

1497 that:

1498 (1) the repair of tools and machinery is limited to those necessary for the

1499 operation of a farm or forest;

1500 (2) in the RA and UR zones, only allowed on sites of at least four and one-

1501 half acres;

1502 (3) the size of the total repair use is limited to one percent of the farm size in

1503 the A zone, and up to one percent of the size in other zones, up to a maximum of five

1504 thousand square feet unless located within an existing farm structure, including but not

1505 limited to barns, existing as of December 31, 2003; and

1506 (4) Equipment repair shall not be permitted in the Forest zone.

1507 e. The agricultural technical review committee, as established in K.C.C.

1508 21A.42.300, may review and approve reductions of minimum site sizes in the rural and

1509 residential zones and minimum setbacks from rural and residential zones.

1510 25. The department may review and approve establishment of agricultural

1511 support services in accordance with the code compliance review process in K.C.C.

1512 21A.42.300 only if:

1513 a. project is sited on lands that are unsuitable for direct agricultural production

1514 based on size, soil conditions or other factors and cannot be returned to productivity by

1515 drainage maintenance; and

1516 b. the proposed use is allowed under any Farmland Preservation Program
1517 conservation easement and zoning development standards.

1518 26. The agricultural technical review committee, as established in K.C.C.
1519 21A.42.300, may review and approve establishment of agricultural support services only
1520 if the project site:

1521 a. adjoins or is within six hundred sixty feet of the agricultural production
1522 district;

1523 b. has direct vehicular access to the agricultural production district;

1524 c. except for farmworker housing, does not use local access streets that abut
1525 lots developed for residential use; and

1526 b. has a minimum lot size of four and one-half acres.

1527 27. The agricultural technical review committee, as established in K.C.C.
1528 21A.42.300, may review and approve establishment of agricultural support services only
1529 if the project site:

1530 a. is outside the urban growth area,

1531 b. adjoins or is within six hundred sixty feet of the agricultural production
1532 district,

1533 c. has direct vehicular access to the agricultural production district,

1534 d. except for farmworker housing, does not use local access streets that abut
1535 lots developed for residential use; and

1536 e. has a minimum lot size of four and one-half acres.

1537 28. Only allowed on properties that are outside the urban growth area.

1538 SECTION 20. Ordinance 10870, Section 407, as amended, and K.C.C.

1539 21A.18.030 are hereby amended to read as follows:

1540 A. Except as modified in K.C.C. 21A.18.070. B((-)). through D., off-street
1541 parking areas shall contain at a minimum the number of parking spaces as stipulated in
1542 the following table. Off-street parking ratios expressed as number of spaces per square
1543 feet means the usable or net square footage of floor area, exclusive of non-public areas.
1544 Non-public areas include but are not limited to building maintenance areas, storage areas,
1545 closets or restrooms. If the formula for determining the number of off-street parking
1546 spaces results in a fraction, the number of off-street parking spaces shall be rounded to
1547 the nearest whole number with fractions of 0.50 or greater rounding up and fractions
1548 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 0.9 per 1,000 square feet of indoor storage or repair areas
Public agency archives	0.9 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 II and III</u>	<u>0.9</u> per 1,000 square feet, plus 1 per ((50)) <u>300</u> square feet of tasting and <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)

1549 B. An applicant may request a modification of the minimum required number of
1550 parking spaces by providing that parking demand can be met with a reduced parking
1551 requirement. In such cases, the director may approve a reduction of up to fifty percent of
1552 the minimum required number of spaces.

1553 C. When the county has received a shell building permit application, off-street
1554 parking requirements shall be based on the possible tenant improvements or uses
1555 authorized by the zone designation and compatible with the limitations of the shell

1556 permit. When the range of possible uses result in different parking requirements, the
1557 director will establish the amount of parking based on a likely range of uses.

1558 D. Where other provisions of this code stipulate maximum parking allowed or
1559 reduced minimum parking requirements, those provisions shall apply.

1560 E. In any development required to provide six or more parking spaces, bicycle
1561 parking shall be provided. Bicycle parking shall be bike rack or locker-type parking
1562 facilities unless otherwise specified.

1563 1. Off-street parking areas shall contain at least one bicycle parking space for
1564 every twelve spaces required for motor vehicles except as follows:

1565 a. The director may reduce bike rack parking facilities for patrons when it is
1566 demonstrated that bicycle activity will not occur at that location.

1567 b. The director may require additional spaces when it is determined that the
1568 use or its location will generate a high volume of bicycle activity. Such a determination
1569 will include but not be limited to the following uses:

1570 (1) Park/playfield,

1571 (2) Marina,

1572 (3) Library/museum/arboretum,

1573 (4) Elementary/secondary school,

1574 (5) Sports club, or

1575 (6) Retail business (when located along a developed bicycle trail or
1576 designated bicycle route).

1577 2. Bicycle facilities for patrons shall be located within 100 feet of the building
1578 entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a

1579 structure attached to the pavement.

1580 3. All bicycle parking and storage shall be located in safe, visible areas that do
1581 not impede pedestrian or vehicle traffic flow, and shall be well lit for nighttime use.

1582 4. When more than ten people are employed on site, enclosed locker-type
1583 parking facilities for employees shall be provided. The director shall allocate the
1584 required number of parking spaces between bike rack parking and enclosed locker-type
1585 parking facilities.

1586 5. One indoor bicycle storage space shall be provided for every two dwelling
1587 units in townhouse and apartment residential uses, unless individual garages are provided
1588 for every unit. The director may reduce the number of bike rack parking spaces if indoor
1589 storage facilities are available to all residents.

1590 SECTION 21. Ordinance 10870, Section 536, as amended, and K.C.C.

1591 21A.30.080 are hereby amended to read as follows:

1592 In the R, UR, NB, CB and RB zones, residents of a dwelling unit may conduct
1593 one or more home occupations as accessory activities, only if:

1594 A. The total floor area of the dwelling unit devoted to all home occupations shall
1595 not exceed twenty percent of the floor area of the dwelling unit.

1596 B. Areas within garages and storage buildings shall not be considered part of the
1597 dwelling unit and may be used for activities associated with the home occupation;

1598 C. All the activities of the home occupation or occupations shall be conducted
1599 indoors, except for those related to growing or storing of plants used by the home
1600 occupation or occupations;

1601 D. A home occupation or occupations is not limited in the number of employees

that remain off-site. No more than one nonresident employee shall be permitted to work 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 the effective date of this ordinance, 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 in
compliance with this section as of the effective date of this ordinance. Such
nonconforming businesses shall remain subject to all other requirements of this section
and other applicable state and local regulations. The resident operator of a
nonconforming winery, brewery or distillery home occupation shall obtain an adult
beverage business license in accordance with K.C.C. chapter 6.xx (the new chapter
created in section 3 of this ordinance);

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

1. One stall for each nonresident employed by the home occupations; and
2. One stall for patrons when services are rendered on-site;

G. Sales are limited to:

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

and

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

H. On-site services to patrons are arranged by appointment;

I. The home occupation or occupations use or store a vehicle for pickup of
materials used by the home occupation or occupations or the distribution of products
from the site, only if:

1. No more than one such a vehicle is allowed; and
2. The vehicle is not stored within any required setback areas of the lot or on

1648 adjacent streets; and

1649 3. The vehicle does not exceed an equivalent licensed gross vehicle weight of
1650 one ton;

1651 J. The home occupation or occupations do not:

1652 1. Use electrical or mechanical equipment that results in a change to the
1653 occupancy type of the structure or structures used for the home occupation or
1654 occupations; or

1655 2. Cause visual or audible interference in radio or television receivers, or
1656 electronic equipment located off-premises or fluctuations in line voltage off-premises;
1657 ((and))

1658 K. There shall be no exterior evidence of a home occupation, other than growing
1659 or storing of plants under subsection C. of this section or a permitted sign, that would
1660 cause the premises to differ from its residential character. Exterior evidence includes, but
1661 is not limited to, lighting, the generation or emission of noise, fumes or vibrations as
1662 determined by using normal senses from any lot line or on average increase vehicular
1663 traffic by more than four additional vehicles at any given time;

1664 L. Customer visits and deliveries shall be limited to the hours of 8:00 a.m. to 7:00
1665 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends; and

1666 M. Uses not allowed as home occupations may be allowed as a home industry
1667 under K.C.C. 21A.30.090.

1668 SECTION 22. Ordinance 15606, Section 20, as amended, and K.C.C.

1669 21A.30.085 are hereby amended to read as follows:

1670 In the A, F and RA zones, residents of a dwelling unit may conduct one or more

1671 home occupations as accessory activities, under the following provisions:

1672 A. The total floor area of the dwelling unit devoted to all home occupations shall

1673 not exceed twenty percent of the dwelling unit.

1674 B. Areas within garages and storage buildings shall not be considered part of the

1675 dwelling unit and may be used for activities associated with the home occupation;

1676 C. Total outdoor area of all home occupations shall be permitted as follows:

1677 1. For any lot less than one acre: Four hundred forty square feet; and

1678 2. For lots one acre or greater: One percent of the area of the lot, up to a

1679 maximum of five thousand square feet.

1680 D. Outdoor storage areas and parking areas related to home occupations shall be:

1681 1. No less than twenty-five feet from any property line; and

1682 2. Screened along the portions of such areas that can be seen from an adjacent

1683 parcel or roadway by the:

1684 a. planting of Type II landscape buffering; or

1685 b. use of existing vegetation that meets or can be augmented with additional

1686 plantings to meet the intent of Type II landscaping((-));

1687 E. A home occupation or occupations is not limited in the number of employees

1688 that remain off-site. Regardless of the number of home occupations, the number of

1689 nonresident employees is limited to no more than three who work on-site at the same

1690 time and no more than three who report to the site but primarily provide services off-

1691 site((-));

1692 F. In addition to required parking for the dwelling unit, on-site parking is

1693 provided as follows:

1694 1. One stall for each nonresident employed on-site; and
1695 2. One stall for patrons when services are rendered on-site;
1696 G. Sales are limited to:
1697 1. Mail order sales;
1698 2. Telephone, Internet or other electronic commerce sales with off-site delivery;
1699 3. Items accessory to a service provided to patrons who receive services on the
1700 premises;
1701 4. Items grown, produced or fabricated on-site; and
1702 5. On sites five acres or larger, items that support agriculture, equestrian or
1703 forestry uses except for the following:
1704 a. motor vehicles and parts (North American Industrial Classification System
1705 ("NAICS" Code 441);
1706 b. electronics and appliances (NAICS Code 443); and
1707 c. building material and garden equipments and supplies (NAICS Code 444);
1708 H. The home occupation or occupations do not:
1709 1. Use electrical or mechanical equipment that results in a change to the
1710 occupancy type of the structure or structures used for the home occupation or
1711 occupations;
1712 2. Cause visual or audible interference in radio or television receivers, or
1713 electronic equipment located off-premises or fluctuations in line voltage off-premises; or
1714 3. Increase average vehicular traffic by more than four additional vehicles at any
1715 given time;
1716 I. Customer visits and deliveries shall be limited to the hours of 8:00 a.m. to 7:00

1717 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

1718 J. The following uses, by the nature of their operation or investment, tend to
1719 increase beyond the limits permitted for home occupations. Therefore, the following
1720 shall not be permitted as home occupations:

1721 1. Hotels, motels or organizational lodging;

1722 2. Dry cleaning((÷));

1723 3. Automotive towing services, automotive wrecking services and tow-in
1724 parking lots; ((and))

1725 4. Recreational marijuana processor, recreational marijuana producer or
1726 recreational marijuana retailer((÷)); and

1727 5. Winery, brewery, distillery facility I, II and III, and remote tasting rooms,
1728 except that home occupation adult beverage businesses operating under an active
1729 Washington state Liquor and Cannabis Board production license issued for their current
1730 location before the effective date of this ordinance, and where King County did not object
1731 to the location during the Washington state Liquor and Cannabis Board license
1732 application process, shall be considered legally nonconforming and allowed to remain in
1733 their current location subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is in
1734 compliance with this section as of the effective date of this ordinance. Such
1735 nonconforming businesses shall remain subject to all other requirements of this section
1736 and all applicable state and local regulations. The resident operator of a nonconforming
1737 home occupation winery, brewery or distillery shall obtain an adult beverage business
1738 license in accordance with K.C.C. chapter 6.xx (the new chapter created in section 3 of
1739 this ordinance);

1740 K. Uses not allowed as home occupation may be allowed as a home industry
1741 under K.C.C. chapter 21A.30; and

1742 L. The home occupation or occupations may use or store vehicles, as follows:

1743 1. The total number of vehicles for all home occupations shall be:

1744 a. for any lot five acres or less: two;

1745 b. for lots greater than five acres: three; and

1746 c. for lots greater than ten acres: four;

1747 2. The vehicles are not stored within any required setback areas of the lot or on
1748 adjacent streets; and

1749 3. The parking area for the vehicles shall not be considered part of the outdoor
1750 storage area provided for in subsection C. of this section.

1751 SECTION 23. Ordinance 10870, Section 537, as amended, and K.C.C.
1752 21A.30.090 are hereby amended to read as follows:

1753 A resident may establish a home industry as an accessory activity, as follows:

1754 A. The site area is one acre or greater;

1755 B. The area of the dwelling unit used for the home industry does not exceed fifty
1756 percent of the floor area of the dwelling unit.

1757 C. Areas within attached garages and storage buildings shall not be considered
1758 part of the dwelling unit for purposes of calculating allowable home industry area but
1759 may be used for storage of goods associated with the home industry;

1760 D. No more than six nonresidents who work on-site at the time;

1761 E. In addition to required parking for the dwelling unit, on-site parking is
1762 provided as follows:

1763 1. One stall for each nonresident employee of the home industry; and
1764 2. One stall for customer parking;
1765 F. Additional customer parking shall be calculated for areas devoted to the home
1766 industry at the rate of one stall per:
1767 1. One thousand square feet of building floor area; and
1768 2. Two thousand square feet of outdoor work or storage area;
1769 G. Sales are limited to items produced on-site, except for items collected, traded
1770 and occasionally sold by hobbyists, such as coins, stamps, and antiques;
1771 H. Ten feet of Type I landscaping are provided around portions of parking and
1772 outside storage areas that are otherwise visible from adjacent properties or public rights-
1773 of-way;
1774 I. The department ensures compatibility of the home industry by:
1775 1. Limiting the type and size of equipment used by the home industry to those
1776 that are compatible with the surrounding neighborhood;
1777 2. Providing for setbacks or screening as needed to protect adjacent residential
1778 properties;
1779 3. Specifying hours of operation;
1780 4. Determining acceptable levels of outdoor lighting; and
1781 5. Requiring sound level tests for activities determined to produce sound levels
1782 that may be in excess of those in K.C.C. chapter 12.88; ~~((and))~~
1783 J. Recreational marijuana processors, recreational marijuana producers and
1784 recreational marijuana retailers shall not be allowed as home industry; and
1785 K. Winery, brewery, distillery facility I, II and III, and remote tasting room shall

1786 not be allowed as home industry, except that home industry adult beverage businesses
1787 that have, in accordance with K.C.C. 20.20.070, a vested conditional use permit
1788 application before the effective date of this ordinance shall be considered legally
1789 nonconforming and allowed to remain in their current location subject to K.C.C.
1790 21A.32.020 through 21A.32.075. Such nonconforming businesses remain subject to all
1791 other requirements of this section and all applicable state and local regulations. The
1792 resident operator of a nonconforming winery, brewery or distillery home industry shall
1793 obtain an adult beverage business license in accordance with K.C.C. chapter 6.xx (the
1794 new chapter created in section 3 of this ordinance).

1795 SECTION 24. Ordinance 10870, Section 547, as amended, and K.C.C.

1796 21A.32.100 are hereby amended to read as follows:

1797 Except as provided by K.C.C. 21A.32.110, a temporary use permit shall be
1798 required for any of the following:

1799 A. A use not otherwise permitted in the zone that can be made compatible for a
1800 period of up to sixty days a year; ((or))

1801 B. The expansion of an established use that:

1802 1. Is otherwise allowed in the zone;

1803 2. Is not inconsistent with the original land use approval;

1804 3. Exceeds the scope of the original land use approval; and

1805 4. Can be made compatible with the zone for a period of up to sixty days a year;

1806 or

1807 C. Events at a winery, brewery, distillery facility or remote tasting room that

1808 include one or more of the following activities:

- 1809 1. Exceeds the permitted building occupancy;
1810 2. Utilizes portable toilets;
1811 3. Utilizes parking that exceeds the maximum number of spaces allowed by this
1812 title on-site or utilizes off-site parking;
1813 4. Utilizes temporary stages;
1814 5. Utilizes temporary tents or canopies that require a permit;
1815 6. Requires traffic control for public rights-of-way; or
1816 7. Extends beyond allowed hours of operation.

1817 SECTION 25. Ordinance 10870, Section 549, as amended, and K.C.C.
1818 21A.32.120 are hereby amended to read as follows:

1819 Except as otherwise provided in this chapter or in K.C.C. chapter 21A.45,
1820 temporary use permits shall be limited in duration and frequency as follows:

1821 A. The temporary use permit shall be effective for one year from the date of
1822 issuance and may be renewed annually as provided in subsection D. of this section;

1823 B.1. The temporary use shall not exceed a total of sixty days in any three-
1824 hundred(~~(and)~~)-sixty-five-day period. This (~~((requirement))~~) subsection B.1. applies only
1825 to the days that the event or events actually take place.

1826 2. For a winery, brewery, distillery facility II and III in the A (~~(or RA)~~)
1827 zone(~~(s)~~), the temporary use shall not exceed a total of two events per month and all
1828 event parking ((for the events)) must be accommodated on-site or managed through a
1829 parking management plan approved by the director. This subsection B.2. applies only to
1830 the days that the event or events actually take place.

1831 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, or 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 subsection B.6., 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;

C. The temporary use permit shall specify a date upon which the use shall be

1855 terminated and removed; and

1856 D. A temporary use permit may be renewed annually for up to a total of five
1857 consecutive years as follows:

1858 1. The applicant shall make a written request and pay the applicable permit
1859 extension fees for renewal of the temporary use permit at least seventy days before the
1860 end of the permit period;

1861 2. The department must determine that the temporary use is being conducted in
1862 compliance with the conditions of the temporary use permit;

1863 3. The department must determine that site conditions have not changed since
1864 the original temporary permit was issued; and

1865 4. At least forty-five days before the end of the permit period, the department
1866 shall notify property owners within five hundred feet of the property boundaries that a
1867 temporary use permit extension has been requested and contact information to request
1868 additional information or to provide comments on the proposed extension.

1869 SECTION 26. Ordinance 17485, Section 43, and K.C.C. 21A.38.260 are hereby
1870 amended to read as follows:

1871 A. The purpose of the Fall City business district special district overlay is to allow
1872 commercial development in Fall City to occur with on-site septic systems until such time as
1873 an alternative wastewater system is available. The special district shall only be established
1874 in areas of Fall City zoned CB and shall be evaluated to determine if it is applicable to
1875 other rural commercial centers.

1876 B. The standards of this title and other county codes shall be applicable to
1877 development within the Fall City business district special district overlay except as follows:

1878 1. The permitted uses in K.C.C. Chapter 21A.08 do not apply and are replaced
1879 with the following:

1880 a. Residential land uses as set forth in K.C.C. 21A.08.030:

1881 i. As a permitted use:

1882 (A) Multifamily residential units shall only be allowed on the upper floors of
1883 buildings; and

1884 (B) Home occupations under K.C.C. chapter 21A.30;

1885 ii. As a conditional use:

1886 (A) Bed and Breakfast (five rooms maximum); and

1887 (B) Hotel/Motel.

1888 b. Recreational/cultural land uses as set forth in K.C.C. 21A.08.030:

1889 i. As a permitted use:

1890 (A) Library;

1891 (B) Museum; and

1892 (C) Arboretum.

1893 ii. As a conditional use:

1894 (A) Sports Club/Fitness Center;

1895 (B) Amusement/Recreation Services/Arcades (Indoor);

1896 (C) Bowling Center

1897 c. General services land uses as set forth in K.C.C. 21A.08.050:

1898 i. As a permitted use:

1899 (A) General Personal Services, except escort services;

1900 (B) Funeral Home;

1901	(C) Appliance/Equipment Repair;
1902	(D) Medical or Dental Office/Outpatient Clinic;
1903	(E) Medical or Dental Lab;
1904	(F) Day Care I;
1905	(G) Day Care II;
1906	(H) Veterinary Clinic;
1907	(I) Social Services;
1908	(J) Animal Specialty Services;
1909	(K) Artist Studios;
1910	(L) Nursing and Personal Care Facilities;
1911	ii. As a conditional use:
1912	(A) Theater (Movie or Live Performance);
1913	(B) Religious Use;
1914	d. Government/Business services land uses as set forth in K.C.C. 21A.08.060:
1915	i. As a permitted use:
1916	(A) General Business Service;
1917	(B) Professional Office: Bank, Credit Union, Insurance Office.
1918	ii. As a conditional use:
1919	(A) Public Agency or Utility Office;
1920	(B) Police Substation;
1921	(C) Fire Station;
1922	(D) Utility Facility;
1923	(E) Self Service Storage;

- 1924 e. Retail/commercial land uses as set forth in K.C.C. 21A.08.070:
- 1925 i. As a permitted use on the ground floor:
- 1926 (A) Food Store;
- 1927 (B) Drug Store/Pharmacy;
- 1928 (C) Retail Store: includes florist, book store, apparel and accessories store,
- 1929 furniture/home furnishings store, antique/recycled goods store, sporting goods store, video
- 1930 store, art supply store, hobby store, jewelry store, toy store, game store, photo store,
- 1931 electronic/appliance store, fabric shops, pet shops, and other retail stores (excluding adult-
- 1932 only retail);
- 1933 (D) Eating and Drinking Places, including coffee shops and bakeries;
- 1934 (E) Remote tasting rooms.
- 1935 ii. As a conditional use:
- 1936 (A) Liquor Store or Retail Store Selling Alcohol;
- 1937 (B) Hardware/Building Supply Store;
- 1938 (C) Nursery/Garden Center;
- 1939 (D) Department Store;
- 1940 (E) Auto Dealers (indoor sales rooms only);
- 1941 f. Manufacturing land uses as set forth in K.C.C. 21A.08.080 are not allowed.
- 1942 g. Resource land uses as set forth in K.C.C. 21A.08.090:
- 1943 i. As a permitted use:
- 1944 (A) Solar photovoltaic/solar thermal energy systems;
- 1945 (B) Private storm water management facilities;

1946 (C) Growing and Harvesting Crops (within rear/internal side yards or roof
1947 gardens, and with organic methods only);

1948 (D) Raising Livestock and Small Animals (per the requirements of Section
1949 21A.30 of the Zoning Code)

1950 ii. As a conditional use: Wind Turbines

1951 h. Regional land uses as set forth in K.C.C. 21A.08.100 with a special use permit:
1952 Communication Facility.

1953 2. The densities and dimensions set forth in K.C.C. chapter 21A.12 apply, except
1954 as follows:

1955 a. Residential density is limited to six dwelling units per acre. For any building
1956 with more than ten dwelling units, at least ten percent of the dwelling units shall be
1957 classified as affordable under 21A.34.040F.1;

1958 b. Buildings are limited to two floors, plus an optional basement;

1959 c. The elevation of the ground floor may be elevated a maximum of six feet
1960 above the average grade of the site along the front facade of the building;

1961 d. If the ground floor is designed to accommodate non-residential uses, the
1962 elevation of the ground floor should be placed near the elevation of the sidewalk to
1963 minimize the need for stairs and ADA ramps;

1964 e. If the ground floor is designed to accommodate non-residential space, the
1965 height of the ceiling, as measured from finished floor, shall be no more than eighteen feet;

1966 f. Building height shall not exceed forty feet, as measured from the average
1967 grade of the site along the front facade of the building.

1968 SECTION 27. The King County executive shall conduct a demonstration project

1969 to create and evaluate a remote tasting room demonstration project A as provided for in,
1970 and consistent with, section 28 of this ordinance.

1971 NEW SECTION. SECTION 28. There is hereby added to K.C.C. chapter
1972 21A.55 a new section to read as follows:

1973 A. The purpose of the remote tasting room demonstration project A is to:

1974 1. Support agriculture and synergistic development of mixed use adult beverage
1975 facilities in order to boost agritourism and the area's reputation as food and adult-
1976 beverage destination;

1977 2. Enable the county to evaluate how expanded adult beverage-based uses can
1978 be permitted while maintaining the core functions and purposes of the Rural Area and
1979 Agricultural zones;

1980 3. Determine the benefits and evaluate strategies to mitigate impacts of the adult
1981 beverage industry on Rural Area and Agricultural zoned areas, including the impacts and
1982 benefits of the industry on Agricultural Production Districts, and including those
1983 properties where the demonstration project sites are located and the surrounding areas;

1984 4. Provide an opportunity for additional exposure for locally sourced and
1985 produced agricultural products; and

1986 5. Identify and evaluate potential changes to countywide land use regulations to
1987 support the development of additional areas of unincorporated King County that may
1988 benefit from growth in agritourism.

1989 B. The demonstration project shall only be implemented on the sites identified in
1990 Attachment A to this ordinance.

1991 C. The use that the permitting division may approve under the remote tasting

1992 room demonstration project A shall include only "remote tasting room" as defined in
1993 section 13 of this ordinance.

1994 D.1. An application for a remote tasting room under this section may be
1995 submitted in conjunction with an application for an adult beverage business license or a
1996 building permit.

1997 2. Requests shall be submitted to the permitting division in writing, together
1998 with any supporting documentation and must illustrate how the proposal meets the
1999 criteria in subsection F. of this section.

2000 3. An application for a remote tasting room under this section shall be reviewed
2001 as a Type I land use decision in accordance with K.C.C. 20.20.020.

2002 E. The department of local services, permitting division, shall administer the
2003 demonstration project, and shall approve or deny a remote tasting room application under
2004 this section based upon compliance with subsection F. of this section. Approval or denial
2005 of a remote tasting room application shall not be construed as applying to any other
2006 development application either within the demonstration project area or elsewhere in the
2007 county.

2008 F.1. A remote tasting room under this section may be approved, subject to the
2009 following:

2010 a. One or more winery, brewery, distillery facility I, II or III may operate
2011 within one remote tasting room;

2012 b. The aggregated total space devoted to remote tasting room activities shall be
2013 limited to one thousand square feet of gross floor area, not including areas devoted to
2014 storage, restrooms, and similar nonpublic areas;

2015 c. Notwithstanding subsection F.1.b. of this section, an additional five hundred
2016 square feet of immediately adjacent outdoor space may be used for tasting, subject to
2017 applicable state regulations limiting sale, service and consumption of alcoholic
2018 beverages;

2019 d. Incidental retail sales of products and merchandise related to the products
2020 being tasted is allowed;

2021 e. The hours of operation for the tasting room shall be limited as follows:
2022 Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to
2023 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours
2024 shall be limited to 11:00 a.m. through 9:00 p.m.;

2025 f. The applicant and any additional business operators using the remote tasting
2026 room shall obtain an adult beverage business license in accordance with K.C.C. chapter
2027 6.xx (the new chapter created in section 3 of this ordinance);

2028 g. Each remote tasting room business operator using the remote tasting room
2029 shall have proof of Washington state Liquor and Cannabis Board approval;

2030 h. Special events shall not exceed two per year regardless as to the number of
2031 operators using the tasting room, and shall be limited to no more than fifty guests. As
2032 long as the special events comply with this section, a temporary use permit is not
2033 required;

2034 i. Off-street parking shall be provided in accordance with the parking ratios
2035 for remote tasting room uses in K.C.C. 21A.18.030. Off-Street parking is limited to a
2036 maximum of one space per fifty square feet of tasting and retail areas; and

2037 j. The use shall be consistent with general health, safety and public welfare

2038 standards, and shall not violate state or federal law.

2039 2. This section supersedes other variance, modification or waiver criteria of
2040 K.C.C. Title 21A.

2041 3. Remote tasting room uses approved in accordance with this section may
2042 continue as long as an underlying business license or renewal is maintained, and subject
2043 to the nonconformance provisions of K.C.C. chapter 21A.32.

2044 G. Demonstration project applications shall be accepted by the permitting
2045 division for three years from the effective date of this ordinance. Complete applications
2046 submitted before the end of the three years shall be reviewed and decided on by the
2047 permitting division.

2048 H. Starting one year after the effective date of this ordinance, and each year for
2049 four years thereafter, the executive shall prepare preliminary evaluations of remote
2050 tasting room demonstration project A. The executive shall post these preliminary
2051 evaluation reports to the department of local services, permitting division, website, and
2052 provide electronic notice of the posting to the clerk of the council, who shall retain the
2053 original email and provide an electronic copy to all councilmembers, the council chief of
2054 staff and the lead staff for the local services, regional roads and bridges committee or its
2055 successor. These preliminary evaluation reports shall include:

2056 1. A list of remote tasting room demonstration project applications submitted,
2057 reviewed and decided, including the date of original submittal, date of complete
2058 application and date and type of final decision whether approved or denied; and

2059 2. A list of code compliance complaints under Title 23, if any, related to the
2060 applications received and approved or the demonstration project that were opened or

initiated in the prior year, and their current status.

I.1. Within ninety days of five years after the effective date of this ordinance, the permitting division shall prepare a draft final evaluation and proposed permanent code changes that includes the information compiled under subsection H. of this section, and an evaluation of whether the purposes under subsection A. of this section have been fulfilled by the demonstration project.

2. The draft final report required in subsection J. of this section and proposed permanent code changes shall be done in conjunction with the efficacy evaluation and proposed code changes required by section 31 of this ordinance.

J. The permitting division shall include a public comment period for the permitting division's draft final 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 final evaluation's availability in each newspaper of record, including locations where the draft final 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;

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 A to this ordinance;

2084 5. Post an electronic copy on the permitting division's website; and
2085 6. Send electronic notice to the clerk of the council, who shall retain the original
2086 email and provide an electronic copy to all councilmembers, the council chief of staff and
2087 the lead staff for the local services, regional roads and bridges committee, or its
2088 successor.

2089 K. After the public comment period has ended, the permitting division shall
2090 prepare a final evaluation of the remote tasting room demonstration project A,
2091 incorporating or responding to the comments received. Within sixty days of the end of
2092 the public comment period, the executive shall file a final evaluation report, a motion that
2093 should accept the report, and an ordinance that implements any proposed permanent code
2094 changes.

2095 L. The final report and proposed legislation shall be filed in the form of a paper
2096 original and an electronic copy with the clerk of the council, who shall retain the original
2097 and provide an electronic copy to all councilmembers, the council chief of staff and the
2098 lead staff for the local services, regional roads and bridges committee, or its successor.

2099 SECTION 29. Ordinance 13623, Section 37, as amended, and K.C.C. 23.32.010
2100 are hereby amended to read as follows:

2101 A.1. Civil fines and civil penalties for civil code violations shall be imposed for
2102 remedial purposes and shall be assessed for each violation identified in a citation, notice
2103 and order, voluntary compliance agreement or stop work order pursuant to the following
2104 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. <u>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:</u>	
<u>(1) with no previous similar code violations within the past twelve months;</u>	<u>\$500</u>
<u>(2) with one or more previous similar code violations within the past twelve months;</u>	<u>\$1,000</u>
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 basic penalty	\$25

(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 \$150 the 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

2105 2. For the purposes of this section, previous similar code violations that can
2106 serve as a basis for a higher level of civil penalties include violations of the same chapter
2107 of the King County Code. Any citation, stop work order or notice and order previously
2108 issued by the department shall not constitute a previous code violation for the purposes of
2109 this section if that stop work order or notice and order was appealed and subsequently
2110 reversed.

2111 B. The penalties assessed pursuant to this section for any failure to comply with a
2112 notice and order or voluntary compliance agreement shall be assessed daily, according to
2113 the schedule in subsection A of this section, for the first thirty days following the date the
2114 notice and order or voluntary compliance agreement required the code violations to have
2115 been cured. If after thirty days the person responsible for code compliance has failed to
2116 satisfy the notice and order or voluntary compliance agreement, penalties shall be
2117 assessed daily at a rate of double the rate for the first thirty days. Penalties may be
2118 assessed daily until the person responsible for code compliance has fully complied with
2119 the notice and order.

2120 C. Penalties based on violation of a stop work order shall be assessed, according
2121 to the schedule in subsection A. of this section, for each day the department determines
2122 that work or activity was done in violation of the stop work order.

2123 D. Citations and cleanup restitution payments shall only be subject to a one-time

2124 civil penalty.

2125 E. The director may suspend the imposition of additional civil penalties if the
2126 person responsible for code compliance has entered into a voluntary compliance
2127 agreement. If the person responsible for code compliance enters into a voluntary
2128 compliance agreement and cures the code violations, the director may also waive all or
2129 part of the accrued civil penalties in accordance with K.C.C. 23.32.050. Penalties shall
2130 begin to accrue again pursuant to the terms of the voluntary compliance agreement if any
2131 necessary permits applied for are denied, canceled or not pursued, or if corrective action
2132 identified in the voluntary compliance agreement is not completed as specified.

2133 F. The civil penalties in this section are in addition to, and not in lieu of, any
2134 penalties, sanctions, restitution or fines provided for in any other provisions of law.

2135 SECTION 30. Map Amendment #2 is hereby adopted, as shown in Attachment B
2136 to this ordinance.

2137 SECTION 31. A. The executive shall transmit a an efficacy evaluation report,
2138 proposed motion and proposed ordinance that evaluates the efficacy of the regulations for
2139 adult beverage businesses, including winery, brewery, distillery facilities, remote tasting
2140 rooms and nonconforming home occupations and home industries, adopted as part of this
2141 ordinance, and any recommended changes to the regulations and the rationale for those
2142 recommended changes. The efficacy evaluation report shall include, at a minimum:

2143 1. A list of all adult beverage businesses with valid business licenses as of five
2144 years from the effective date of this ordinance;

2145 2. A list of adult beverage businesses permit applications submitted, reviewed
2146 and decided in the prior five years, including the date of original submittal, date of

2147 complete application, date and type of final decision whether approved or denied and
2148 categorization of typical conditions were applied;

2149 3. A list of all code enforcement complaints filed against adult beverage
2150 businesses over the prior five years, including the final resolution of resolved cases and
2151 the status of open cases; and

2152 4. An evaluation of and recommendations for changes to the following
2153 development conditions, if any, and the rationale for the proposed change or for
2154 maintaining the development condition as adopted by this ordinance:

2155 a. Citation and civil fine structure adopted in K.C.C. 23.32.010 for adult
2156 beverage businesses;

2157 b. Parking requirements, including the minimum required and the maximum
2158 allowed;

2159 c. Hours of operation for tasting rooms associated with production facilities
2160 and remote tasting rooms;

2161 d. Temporary use permit criteria related to special events for adult beverage
2162 businesses, including the criteria for and minimum requirements of and obtaining a
2163 temporary use permit established in K.C.C. 21A.32.100 and 21A.32.120, and the public
2164 notice requirements; and

2165 e. Product content requirement in the A zone, including the growth on-site
2166 requirements and the agricultural accessory use language adopted by this ordinance.

2167 B. This efficacy evaluation report shall have a public comment period in
2168 conjunction with that required for the final evaluation in section 28 of this ordinance.

2169 C. The efficacy evaluation report and proposed ordinance shall be transmitted to

2170 the council with a motion that should accept the report and a proposed ordinance making
2171 recommended code changes, concurrently with the final evaluations required in section
2172 28 of this ordinance, in the form of a paper original and an electronic copy to the clerk of
2173 the council, who shall retain the original and provide an electronic copy to all
2174 councilmembers, the council chief of staff and the lead staff for the local services,
2175 regional roads and bridges committee, or its successor.

2176 SECTION 32. Severability. If any provision of this ordinance or its application
2177 to any person or circumstance is held invalid, the remainder of the ordinance or the
2178 application of the provision to other persons or circumstances is not affected."

2179

2180 Strike Attachment A, Map Amendment #1-Remote Tasting Room Demonstration Project
2181 A dated March 11, 2019, and insert Attachment A, Map Amendment #1-Remote Tasting
2182 Room Demonstration Project A dated September 16, 2019

2183 The clerk of the council is instructed to insert the final enactment number in Attachment
2184 A where the Proposed Ordinance number is referenced.

2185

2186 Strike Attachment B, Map Amendment #2-Special Event Demonstration Project B dated
2187 March 11, 2019, and insert Attachment B, Map Amendment #2- Modifying P-Suffix VS-
2188 P29 Vashon Town Plan – Restricted Uses for CB Zoned Properties

2189

2190 **EFFECT:** This striking amendment makes substantive, clarifying and technical changes,
2191 including:

2192

2193 Substantive/Policy Changes

2194

- 2195 1. WBD I Interim Use in the A zone is removed from the permitted use tables.
2196 Associated changes to business license requirements, definitions, special
2197 events/TUP, and evaluation are also removed.
- 2198 2. Modifies the business license section to:
2199 a. Allow existing businesses, subject to criteria, to establish their previous
2200 compliance with the zoning code in order to obtain legal nonconforming
2201 status. These businesses are required to submit documentation with their
2202 first business license. The first business license will be good for six
2203 months, with a six month extension possible if they have made progress in
2204 demonstrating past compliance.
2205 b. Give Permitting the authority to deny a business license based on
2206 noncompliance with the Zoning Code.
2207 c. Modify the appeal period for business licenses to be consistent with other
2208 kinds of zoning appeals.
- 2209 3. WBD I in RA zone:
2210 a. Use is moved from a residential accessory use to a permitted use in the
2211 Manufacturing Land Use Table.
2212 b. Reference to "nonresident employee" removed.
2213 c. Allows one parking stall on-site.
2214 d. Prohibits on-site sales and tasting.
2215 e. Provides additional clarification for special events – 2 per year, maximum
2216 50 guests, no permit required.
- 2217 4. WBD II and III
2218 a. In A zone, limits conversion of agricultural land to less than 1 acre for
2219 nonagricultural accessory uses.
2220 b. In A and RA zones:
2221 i. Limits on-site tasting and retail sales to 15% of the aggregated
2222 floor area.
2223 ii. Requires that access be from an arterial (or public roadway for
2224 WBD II in RA zone with a CUP).
2225 iii. Sets maximum parking at 150% of the minimum required.
2226 iv. Removes language regarding nonconforming status of existing
2227 parking spaces.
2228 v. For WBD III, eliminates allowance for 8,000 square feet of
2229 underground storage.
2230 vi. For WBD III, removes allowance to connect to a Group B water
2231 system. Only Group a water system connection would be allowed.
- 2232 5. All WBDs:
2233 a. Removes option to reduce 75' setback from RA and R zones to 25' with
2234 screening and a CUP.
2235 b. In A and RA zones
2236 i. Requires one of the two stages of production to be crushing,
2237 fermenting, or distilling.
2238 ii. Limits impervious surface to a maximum of 25%, or the maximum
2239 allowed by the underlying zoning, whichever is less.
- 2240 6. Home Occupations and Home Industries:

- 2241 a. Allows the existing business with a liquor license from the state LCB as of
2242 the effective date of this ordinance (rather than January 1, 2019) to have
2243 the opportunity to demonstrate nonconformance.
2244 b. Tightens language to avoid loopholes.
2245 c. Removes language allowing businesses 1-year to come into conformance
2246 with home occupation or home industry standards.
2247 d. Removes language for home industries to obtain legal nonconforming
2248 status, and recognizes that vested CUP applications should be treated as
2249 nonconforming (if approved).
- 2250 7. Modifies the Fall City business district overlay to allow remote tasting rooms on
2251 the ground floor of the CB zoned land in the Fall City Rural Town.
- 2252 8. Remote tasting room demonstration project A:
- 2253 a. Remove Vashon Rural Town and Fall City Rural Town CB zoning from
2254 demonstration project.
2255 b. Clarify the purpose section, business license requirements, and special
2256 event allowance.
2257 c. Modifies evaluation requirements to
2258 i. Eliminate requirement for annual transmittal to Council. Post to
2259 website instead with email to clerk of the Council.
2260 ii. Adds requirements in annual evaluation to include date of
2261 submittal, complete application, and decision date and type
2262 iii. Removes requirements in annual evaluation for reporting on
2263 comments made by the community, known interactions between
2264 demonstration project applicants and nearby agricultural users and
2265 land, inventory of available properties, and recommended code
2266 changes
2267 iv. For final evaluation, require that the evaluation include whether the
2268 purposes of the demonstration project have been fulfilled by the
2269 demonstration project, and recommended permanent code changes.
- 2270 9. Eliminates special event demonstration project B.
- 2271 10. Modifies VS-P29, allowing remote tasting rooms as a permitted use in CB zone in
2272 the Vashon Rural Town.
- 2273 11. Modifications to efficacy evaluation:
- 2274 a. Include evaluation of regulations on existing businesses – including
2275 information on businesses licenses, permit applications, and code
2276 enforcement complaints/violations.
2277 b. Include recommended code changes to development conditions, including
2278 citation and civil infractions, parking, hours of operation for tasting rooms,
2279 temporary use permits for special events, and product content
2280 requirements for the A zone.
2281 c. Removes evaluation of the impact of urban uses within UGA have on rural
2282 character of adjacent rural areas outside the UGA
2283 d. Specifies that public comment period for the efficacy evaluation occur in
2284 conjunction with the public comment period for the remote tasting room
2285 demonstration project.
2286

- 2287 Clarifying
2288
2289 12. Modifications to Findings:
2290 a. Reflect other substantive changes and add additional context.
2291 b. Adds new Findings regarding water use, retail sales and tasting, and
2292 special district overlays.
2293 13. Definitions: modifies definition for WBD I, II and III to add "distilling" as a step
2294 in the production process.
2295 14. WBDs in A zone: adds in missing language so that WBD III in A zone are
2296 allowed as an accessory to a primary agricultural use.
2297 15. Industrial zone: clarifies that wineries are not allowed.
2298 16. For criteria of events that require a temporary use permit, clarify that events that
2299 require traffic control or extend beyond allowed hours of operation will require a
2300 temporary use permit.
2301 17. For citations, clarifies the timeframe (1 year) for citing a first time violation,
2302 rather than subsequent violations.
2303
2304 Technical
2305
2306 18. Corrects references to King County Comprehensive Plan Policies.
2307 19. Corrects capitalization, punctuation, and typographical errors.
2308 20. Makes code reviser edits.

Issue	Rationale	Location in CM Balducci's S1 of 9/16/2019
Remove Overlay A	<p>Remove Overlay A from the ordinance.</p> <p>Overlay A is urban uses—drinking establishments—on Rural land; it violates the letter and spirit of the GMA and CPPs. In Overlay A and surroundings, creating the overlay rewards violators and invites more to join them. Compounding the evil, all applicants accepted into Overlay A during the 3-year entry period are grandfathered as permanent nonconforming uses (lines 2041-2043).</p> <p>Countywide, creating the overlay clearly signals the County's softening resolve, and puts all land outside the UGB at risk for speculation.</p>	Pages 113-114, Sections 27-28, Lines 1968-2098
Definitions and permitted uses for WBD I, II, and III: Make them mutually consistent, and set a meaningful steps-of-production threshold to qualify as a winery	<p>Fix several problems with definitions and permitted uses, and the correspondence between them.</p> <p>First, note that what some are referring to as “definition” of a winery is actually several lists of permitted uses. The paragraphs below distinguish between the two sections.</p> <p>Consistency: <u>Definitions</u> call for only <u>one</u> production step; <u>permitted uses</u> call for <u>two</u> production steps. These should be resolved to be mutually consistent.</p> <p>Raise production steps requirement: Set a <u>higher</u> requirement for the number of steps of production so that the winery meets a common-sense understanding of actually being a production winery. We recommend crushing, fermenting, and barrel or tank aging. Avoid vague, undefined terms such as “finishing” that are easy to abuse.</p> <p>“Such as” loophole: The “<u>such as</u>” language in the definitions and permitted uses of WBD I, II, and III in the striker allows an applicant to, essentially, identify or invent their own production steps. The definition should specify steps of production that impartial professionals would agree are steps in winemaking, brewing, or manufacture of distilled spirits.</p> <p>Lack of minima: The lack of <u>quantitative thresholds</u> in the definitions allow a barrel in the corner to satisfy “fermentation” and “aging,” or a bottle in a cupboard to satisfy “fermentation” and “finishing.” This is a clear invitation to violators to create sham wineries. Definitions should reflect a common-sense understanding of the quantities produced at a genuine production winery.</p>	<u>Definitions:</u> Lines 433-463, <u>Permitted uses:</u> Lines 672-676, 760-769, 1009-1012, 1052-1055

Sales should be limited to products produced on-site	<p>Require product sold to be produced on-site, currently found in 21A.08.070.B.13 and 21A.08.080.B.3.g.: In the definitions and permitted uses, the requirement for on-site production is <u>removed</u> for the RA zone, which makes the ordinance weaker than existing code. Keep the requirement that the product sold at this site is produced at this site.</p> <p>“Related merchandise” loophole: In both RA and A zones, the draft ordinance allows “Incidental retail sales of merchandise related to the products produced on-site . . .” This is a clear invitation to sell any product that can be remotely tied to those dusty barrels of wine in the corner. The vagueness of this language should be restored to the current requirement that products sold at this site are produced at this site. The goal is to allow a winery to sell its own product, and simultaneously to prevent exploitation by sham wineries and drinking establishments.</p>	<p><u>Related merchandise loophole:</u> Lines 687-689, 781-782, 994-996</p>
Remove grandfathering	<p>Grandfathering should be eliminated from the ordinance. Grandfathering takes two principal forms:</p> <ul style="list-style-type: none"> • Lines 1619-1631 grandfather current violators who meet certain criteria. • Lines 2041-2043 permanently grandfather all entrants to Overlay A. <p>Grandfathering rewards violators, and as a result encourages future violations. Thus, it fuels the land speculation that is already a serious problem.</p>	<p>Lines 1619-1631, 2041-2043</p>
Define “event” and bring parameters into consistency with rural character, fire codes, etc.	<p>(The proposed code does not provide a <u>definition</u>; it gives permitted use <u>parameters</u> for an undefined term.)</p> <p>Definition: “Event” should be defined, not just parameterized, because events, in contrast with random retail traffic, have different impacts in terms of traffic pulses, inebriated drivers and pedestrians, parking needs, demand for toileting facilities, amplified sound. Woodinville’s letter and Resolution 532 provide suggested elements of a definition.</p> <p>Parameters:</p> <ul style="list-style-type: none"> • Events should not be allowed to exceed the building occupancy set per fire codes. The County cannot, and should not, encourage businesses to risk the life and safety of persons. • Events should not be allowed to extend beyond allowed hours of operation. In combination with the unlimited events provided for in this amendment, this provision merely sets up 24/7 nightclubs in the RA and A zones of King County. • Events should never be allowed to park cars in excess of parking spaces permitted under parking code. This encourages hardscaping, soil compaction, and polluted runoff onto agricultural land. • Requiring a TUP only if the event “Requires traffic control for public rights-of-way” encourages businesses to <u>not</u> provide traffic control. This is an unacceptable disservice to local residents and commuters. <p>Duration: The above are parameters for a temporary use permit, with duration of a full year. This is hardly temporary, especially given the extraordinary entitlements that this section explicitly confers upon WBDs.</p>	<p>Pages 90-91 Lines 1806-1816</p>

Reduce events to “rural” size and frequency	Set event limits (frequency and size) that are consistent with rural character. 24 events per year, and up to 250 guests per event, are not rural in character. Woodinville’s recommendation is that “rural” is no more than 60 guests per event for RA and A zones, and 6 events per year for RA and 2 events per year for A Zone, regardless of the size of the winery.	Lines 1831-1853
Rescind CM Dunn’s Amendment 3, Event exception for certain parcels 8 acres or more	<p>Description from the amendment:</p> <p>“EFFECT: This amendment would add an exemption from TUP requirements for special events at WBD II and IIIs in the RA zone, subject to criteria listed below. Such events would not be subject to the limitations on events for WBDs found in K.C.C. 21A.32.120. The criteria for this exemption are:</p> <ul style="list-style-type: none"> • Only applies to existing WBDs with a production liquor license • The parcel is at least 8 acres in size • Structures for the event are at least 150' from interior property lines • The parcel use a principal arterial [this mischaracterizes ordinance text] • There is no amplified sound outdoors between 8:00 p.m. and 12:00 p.m.” <p>Rationale:</p> <ul style="list-style-type: none"> • This amendment opens up RA-zoned parcels over 8 acres in size (currently or as aggregated in the future) and located on a principal arterial to <u>unlimited</u> events, for up to 250 guests per event. Large frequent events are not Rural in character; the ordinance should limit event size and frequency to recognizably rural amounts. • The amendment requires the parcel to be on a principal arterial but (contrary to the staff summary above) does not <u>restrict</u> access to the principal arterial nor does it require the parcel even to <u>use</u> the principal arterial for access. The ordinance should require access from the principal arterial. • The amendment allows outdoor amplified sound from noon to 8:00pm every day. Outdoor amplified sound is not rural in character and should not be permitted. • WS LCB has not heeded a municipality’s zoning for about 5 years. I will research this next week, but I’m not sure the LCB even asks any more. 	CM Dunn’s Amendment 3, file name 6. 2018-0241.2 - Amendment 3
Fine a wider range of undesirable activities, scale the fines, and increase fines for repeat infractions	<p>The fine structure should <u>scale</u> with the size of the infraction by means of fines per person, per bottle, per ticket, per vehicle, etc.</p> <p>The fine structure should also <u>escalate</u> much higher for repeated infractions, into the tens of thousands of dollars for a repeat, large violator.</p> <p>These changes ensure that the biggest violators incur the highest fines, and create a fine structure that results in meaningful deterrence for the biggest violators (which is not the case with the striker’s fine structure).</p>	Pages 103-104 Section 29 Line 2104
Do not invite conversion of agricultural land	The ordinance states, “No more than one acre of agricultural land may be converted to a nonagricultural accessory use.” One acre is far too much land to invite speculators to convert to an “accessory use,” especially given the small size of many agricultural parcels.	Page 39 Line 774

Commercial activities should use public utility water, not well water	Water supply should not only hook up, but should be <u>required to be used</u> for commercial activities.	Lines 746-748
Building sizes	Cap building size limits to be consistent with rural character. Limits in Balducci striker: WBD I (RA P32), lines 1041-1042: 1500 square feet WBD II (RA and A P3), lines 656-662: 3500 square feet, 5000 for historic, unoccupied decks excluded WBD II (RA C30), lines 979-985: 3500 square ft, 5000 for historic, unoccupied decks excluded WBD III (RA and A C12), lines 725-733: 8000 square feet, additional underground removed, unoccupied decks excluded	Lines 656-662, 725-733, 979-985, 1041-1042 (Overlay A: Page 99-100, Lines 2012-2018) Lines
Percent tasting area (CM Lambert amendment .5)	Amendment raised tasting limit in WBDs from 15% to 30% of building. Current code does not limit tasting area, but does limit tasting to product produced on-site.	Page 35, Lines 685-687 CM Lambert amendment .5
Hours	Tasting room hours during commute times are unacceptably disruptive to local residents and commuters, and real tasting rooms nationwide typically are open during work hours for the wine maker, not bar hours. Reduce tasting hours to end by 5:00pm on weekdays.	Page 35, Lines 689-693, 782-786, 996-1000
Parking ratios	Limited to 150% of minimum in KCC 21A.18.030. Impervious surface limited to 25% of site or KCC 21A.12.030.A or 21A.12.040.A, whichever is less. One stall for WBD I.	Lines 695-696, 702-705, 788-790, 796-799, 1002-1003, 1014-1017, 1047-1048, 1059-1062

Auzins, Erin

From: Susan Webster <gatheringfabric@aol.com>
Sent: Tuesday, December 3, 2019 5:22 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

Distinguished Council Members,

Is it not obvious that agricultural farm lands in the Sammamish Valley need further protections from a robust wine industry in our region? Are there any Council Members that are concerned with the loss of rural lands and open space in this era of mounting climate threats and loss of protected lands to farm?

I am a local business woman in the City of Woodinville. I own a Quilt Shop at the central roundabout and have operated here for the last 18 years. I pay the big bucks to be in the City but would rather be on less expensive county lands and take the chance that King County would not interfere in my operating a business in rural lands, because of zoning. That would increase my bottom line but it sure would not increase my peace of mind because I see that it is rapidly threatened by speculators that are sitting on the side lines, just waiting to snatch up cheap county land land (by comparison) because there are no protections or code enforcements. Shame.

I urge you to vote NO. In this day of climate change and loosening of environmental protections, it is critical that you act to save the rural ag lands in King County, now more than ever before. The Wine Industry is thriving in Woodinville, as in our state. I know, they are my neighbors. I see it every day. We, in the City of Woodinville, are blessed with services and codes that support our businesses. It is critical that King County support and protect the ag and farm lands.

I would humbly ask that Council Member Balducci, take the initiative and place even stricter protections on the rural ag lands in King County. If you're going to loosen the codes for wine violators then double down on farm protection. Be the vote that makes a real impact.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Susan Webster
14450 Woodinville Redmond Road NE, Suite 103
Woodinville, WA 98072

Auzins, Erin

From: Communications, Comments
Sent: Tuesday, December 3, 2019 5:26 PM
To: Auzins, Erin
Subject: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>

Submitted from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Submitted at 5:25:37 PM, on Tuesday, December 3, 2019

Winery_Code:

MessageText: This is totally unnecessary and destructive to local businesses. Please kill this ordinance.

User IP Address:10.84.2.22
User Software Client:Mozilla/5.0 (iPhone; CPU iPhone OS 13_1_3 like Mac OS X) AppleWebKit/605.1.15 (KHTML, like Gecko) Mobile/15E148
[FBAN/FBIOS;FBDV/iPhone10,1;FBMD/iPhone;FBSN/iOS;FBSV/13.1.3;FBSS/2;FBID/phone;FBLC/en_US;FBOP/5;FBCR/Verizon]

Auzins, Erin

From: john shephard <johnshephardjr@gmail.com>
Sent: Tuesday, December 3, 2019 5:36 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
john shephard
17324 185th ave ne
Woodinville, WA 98072

Auzins, Erin

From: Sarah Brolliar <sarah.ms50@gmail.com>
Sent: Tuesday, December 3, 2019 6:19 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

I didn't know it was possible to be more disappointed in King County than I am at this proposal.

I moved to the Cottage Lake area because of what it is now. It's a rural environment where we can all enjoy a the diverse wildlife, a long quiet walk, and be removed from the stresses of urban life. I feel this acutely as an employee of Harborview Medical Center.

In this commercial society rampant with poor health outcomes and income inequality, the last thing we need is more retail development in the few remaining quiet spaces. Natural spaces are a critical asset to communities in fostering better mental health and places to be physically active. As we push them out farther and farther, we decrease access to those in our county who rely on public transit to get out to natural spaces. You may not be the representative of a rural district, but I assure you, voting yes would be a disservice to those you claim to serve.

For once, listen to all of your constituents, not just the ones with deep pockets and promises of new tax revenue. Enforce the current code. Have the courage to tell the wineries in violation of the code to become compliant. Protect our salmon streams by not paving over our undeveloped lands. Stop prioritizing sales tax over small family farms. (Those who work the land certainly care more about our ecosystem than wineries spraying weed and feed on their pristine lawns). Development cannot be undone.

The foundational premise for "updating" the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some "tightening-up constraints." Remote tasting rooms should not be permitted in the Rural Area in the first place unless wine is being made onsite.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Do the right thing. Please VOTE NO on Ordinance 2018-0241.

Respectfully,
Sarah Broliar

Sincerely,
Sarah Broliar
16236 190th Ave NE
Woodinville, WA 98072

Auzins, Erin

From: Serena Glover <serena@allenglover.com>
Sent: Tuesday, December 3, 2019 7:09 PM
To: Auzins, Erin
Subject: Fwd: Sammamish Valley Land Speculation Increasing, Not Decreasing

For the Adult Beverage Ordinance record.

Thanks

Begin forwarded message:

From: Serena Glover <serena@allenglover.com>
Subject: Re: Sammamish Valley Land Speculation Increasing, Not Decreasing
Date: December 3, 2019 at 9:41:47 AM PST
To: Krista Camenzind <Krista.Camenzind@kingcounty.gov>
Cc: "Balducci, Claudia" <Claudia.Balducci@kingcounty.gov>

I also meant to add on the first point that the Proposed Ordinance is definitely driving speculation in the Sammamish Valley. It's all anyone talks about out here. It's in the Real Estate listings. Its in every conversation between violators, farmers, and local citizens. No one out here—the people who actually live and work in the Sammamish Valley and know what is actually going on—believes for one nanosecond that the Ordinance is not driving rampant speculation in the Sammamish Valley.

I do fully recognize that you did not originally sponsor this Ordinance. We all know who drove this effort. I also acknowledge the hard work and efforts you made to try to fix it. But unfortunately, the most egregious issues did not get fixed and we are still left with an Ordinance today that will have a profound negative impact on many constituencies across the County, only rewards a handful of violators and speculators—most of whom are in the Sammamish Valley and have already publicly and clearly stated their intent to commercialize the Valley—and will lead to nothing but more legal action and ongoing issues with code enforcement. As many of my colleagues have said to me, the lipstick didn't fix this pig.

- Serena

On Dec 3, 2019, at 9:29 AM, Serena Glover <serena@allenglover.com> wrote:

Krista,

I am going to respectfully disagree with your first two points, based on facts.

(1) The current code is crystal clear. No sales of alcohol not produced on site. That solves all issues with 10 of the 12 violators. All but a couple of home

occ in the Black Diamond area. The issue is the county did not enforce the clear rule already on the books.

(2) You are incorrect about cross selling. The law clearly allows winery to winery cross selling. There is much consolidation of wineries under umbrella orgs across the industry and they cross sell all the time. Just take a trip to Walla Walla and you will see this.

We are in a world today where in the RA they have to source 60% of grapes from puget sound counties, have to have 4.5 acres and can only sell what they produce onsite. This combination of regulations has kept most wineries out of the RA and farmland. We have Betz (Sammamish Valley RA) and I believe Cherry Valley (in Duvall RA) as the only real producers in the RA, besides a couple of really small home occupations that are causing no problems. (Betz is also causing no problems, for the record).

This Ordinance opens up all 2.5+ acre RA and A properties across the county on arterials (loosely defined and subject to change). With no 60% requirement in the RA, the ability to bring in bottles from offsite, and the need to only “ferment and age” in a barrel, the Ordinance opens the County to an onslaught of businesses whose main purpose is to SELL alcohol, not make it. The demand for these sales outlets is enormous. As a winery business (I am an investor in this space so do understand something of the businesses decisions), why would I pay way more for a retail outlet inside the UGA when I can get one for cheap in the RA? I won’t. I’d rent some cheap house in the RA, probably along a valley bottom arterial road. Sammamish Valley is preference of course, but I would look elsewhere too for cheap locations. Most likely those main arterial locations will be in the valley bottoms near to farmland.

This part of the Ordinance has a profound impact on the County. That is why so many people are fighting it. This set of regulations, coupled with Overlay A and the Dunn amendment, means the Sammamish Valley is certainly lost to development. **Why do you think there are so many different constituencies fighting this so hard?** We all have a million other things to do. But we (the orgs, businesses and people who again and again have spent significant time and money fighting this Ordinance) understand the negative impacts.

(3) I can’t comment on the legal aspect of Home Occ as there is no time for attorneys and its not been a focus for us. We have no home occ issues in the Sammamish Valley. Of the 12 current violators, verified recently with DPER, only 1 for sure and maybe 2 (I think the second one already self corrected) in the Black Diamond area are impacted. But I will say we have no disagreement with you on cleaning up the home occ issues. But you do not need to open the whole county to sham wineries and de-facto extend the Woodinville tourist district down 202 to accomplish that.

- Serena

On Dec 3, 2019, at 9:00 AM, Camenzind, Krista
<Krista.Camenzind@kingcounty.gov> wrote:

Serena,

I'm rolling a couple emails into one response.

Speculation – Claudia agrees that this is a major issue in the Valley and elsewhere in King County. It's fair to say that there are multiple factors driving speculation, not least of which is the astronomical increase in property values throughout King County in the last decade. The WBD code alone cannot stop speculation altogether. However, having clear rules in place that people can follow and Permitting can enforce will help dampen some of the wishful thinking that seems to be happening among some property owners. I have experience with developers coming to me seeking help interpreting the rules in a way that favors them. Help I did not provide. Because the rules are unclear now it allows them to think they can find a way to develop their property in ways contrary to GMA. Although it is complex, the proposed code provides more clear rules than we have today.

"Cross Selling" – yes, the State law allows wineries to sell their product at a location different from where it is produced. It is important to note that the intent of the law and associated regulations is that the second site is a remote tasting room, not another production facility.

Home Occupations – your attachment "FoSV Response Letter to Adult Beverage Ordinance 2018-0241" asserts that the County can simply enforce existing home occupation rules and solve the problem. The section of the code you cite is incorrect. 21A.30.080 applies to Residential (R), not Rural Area (RA) zoning. 21A.30.085 applies to the RA zone and it allows for more intense and extensive activity under the umbrella of home occupations than are allowed in the R zone. In particular, retail sales are allowed. This is an existing loophole that has been very difficult to enforce because it involves going into people's homes and has caused trouble in various parts of the County. The proposed change closes this loophole by not allowing WBDs to be home occupations and instead creates the WBD I category as a small scale option that does not allow retail sales or tasting in the RA or Ag zones.

Best,

Krista

From: Serena Glover <serena@allenglover.com>
Sent: Monday, December 2, 2019 4:03 PM
To: Balducci, Claudia <Claudia.Balducci@kingcounty.gov>
Cc: Camenzind, Krista <Krista.Camenzind@kingcounty.gov>
Subject: Sammamish Valley Land Speculation Increasing, Not Decreasing

CM Balducci,

In a recent reply to FoSV member Andrew Ely you wrote,

"Since the main area of angst seems to be around a fear that the code will prompt a major expansion of businesses in the unincorporated area: we've already seen one owner of land in the Sammamish Valley abandon longstanding plans to try to build a winery. That owner has sold his property. Another owner of a going concern in the area also sold his property after sending me a message complaining about the previous, compromise code proposal, which would have been more flexible for businesses. A third property owner who has been talking about a number of development ideas in this area, including a possible winery, has not been able to advance their plans and is unlikely to be able to do so. Finally, other existing businesses have either communicated directly or their customers have communicated, that the proposed code will cause their wine businesses to go out of business. The evidence I have seen, even before adoption of the code, suggests my conclusion that this approach will reduce activity in the unincorporated Sammamish Valley is correct. Of course, activity may morph and shift over time, but the immediate reaction has been a change toward less growth in the unincorporated area."

Unfortunately, this is absolutely not true. **Illegal uses and speculation in the Sammamish Valley are increasing.** There has not been a reduction of illegal or commercial activity in the Sammamish Valley since the S2 striker was unveiled. Here is a partial list of what is really happening in the Sammamish Valley since inception of S2 striker:

1. Yes, Brian Ross (a developer) sold his APD farmland zoned property. But, the family who bought it immediately started parking cars on the farmland, for the event center business two doors down. They stopped when informed they couldn't park cars on farmland. Now they are bringing in a whole bunch of fill dirt to the front of the property and its not clear what they are planning. But it doesn't look like farming.

2. Yes, Sal Leone (Silver Lake, Fish Brewing), operating illegally in the RA sold his offending property. But he sold it to Tenhulzen a local remodeling and development company. Tenhulzen told me directly they plan to continue Sal's operations "as is". They told another FoSV member (I paraphrase) that we should just give up because the County is going to roll over on the Sammamish Valley and it is going to be commercialized. The Tenhulzen family has no intent to live at this RA location.

3. Icarus Holding (aka Milo) who is running an illegal bakery and coffee shop in the APD has recently expanded his retail operations. He now also has a wine and distilled spirits retail outlet at the same location and

put up huge signs and a gate that are out of compliance with signage limitations. Milo also owns another piece of A zoned property in the SV.

4. A new property just went on the market in the RA just above the Valley at 16408 Northeast 143rd Street. Advertised for tasting room.

5. A property was on the market this summer at 13020 Woodinville Redmond Rd NE, Redmond, WA. Sammamish Valley Wine Study referenced as well as commercial opportunity. This RA parcel is immediately across from farmland in the SO-120 Buffer.

6 An APD farmland property at 13229 Woodinville-Redmond Rd NE was on the market, asking \$6.25m for 4 acres. The owners took it off the market but told us they would put it back on as soon as the Proposed Ordinance passes.

7. TRF Equities (a developer who built part of Woodinville) continue to escalate commercial operations for their development business on the two RA parcels they purchased adjacent to the APD. They have lobbied the city of Woodinville for annexation as well.

8. The current violators have all been expanding their businesses over the last few months. Cave B advertised jewelry and clothing sales all summer long. Feliciano is now parking cars at another property down the road and running a shuttle bus. People walk along the side of the road to get to Feliciano as well. Cougar Crest put up illegal signs. Forgeron expanded their impervious surfaces and parking area. The property owners at Sky Mead are putting in new trenches and drainage, and it's not clear as to why or whether it has been permitted as this is also in SO-120 buffer. Matthews continues to increase violations across too many categories to enumerate here.

9. Another couple with an event business and part ownership in an Eastern WA winery are on temporary hold with their plan to spend \$500k to convert a barn on their RA SO-120 property into an event center for their business. They are waiting for Ordinance passage.

This is just a start on the list. I'm sure there is much more we don't know. But to say that speculation is decreasing in the Sammamish Valley is simply not true. I hope the information above will help clarify that what may seem like good news (the departure of Brian Ross and Sal Leone) is not really good news, and furthermore there are many other speculative and illegal activities.

Serena Glover
ED, Friends of Sammamish Valley

425-985-2992

GoFoSV.org

Auzins, Erin

From: Serena Glover <serena@allenglover.com>
Sent: Tuesday, December 3, 2019 7:10 PM
To: Auzins, Erin
Subject: Fwd: WBD Retail Sales Legal Review
Attachments: Otis Lambert Balducci Email.pdf

For the Adult Beverage Ordinance record. Thanks

Begin forwarded message:

From: Serena Glover <serena@allenglover.com>
Subject: Re: WBD Retail Sales Legal Review
Date: December 2, 2019 at 8:55:44 AM PST
To: Krista Camenzind <Krista.Camenzind@kingcounty.gov>
Cc: "Balducci, Claudia" <Claudia.Balducci@kingcounty.gov>

Hi Krista,

We understand how the zoning code works. You are correct that under the normal rule - not listed, not permitted - would resolve the issue, **EXCEPT in the Proposed Ordinance the definition of the land use includes sales as permitted by state law.** The land use chart identifies the use as a permitted use (and in certain cases a conditional use). So, sales as permitted by State law are permitted. It is because of what state law allows that we have a massive disconnect.

I encourage you to focus on the issue of state licensed cross selling of alcohol and the scenario that will allow. Talking about dump trucks, trampolines and airplanes is a complete distraction. The Proposed Ordinance really allows:

Scenario: I own a big winery, Winery X, in Walla Walla that makes great wine. Ordinance passes. I go get another winery license for Winery Y (cheap \$200 easy paperwork process) for my A zoned parcel in the Sammamish Valley. I plant a few grapes out back. I "make wine" from those grapes. I could actually really make a tiny batch of wine or I could pretend to and just bring in a barrel to "ferment and age" and say I am making wine from those grapes (who would know as I'm only making a tiny bit.) Either way I can then truck in bottles from my real winery X in Walla Walla and sell them along with the wine that I "make" onsite at sham winery Y.

The key here is State liquor law allows wineries to cross sell if the ownership structure is the same. So if I have a real winery in Walla Walla and I set up a sham winery here under same ownership, I can use my sham winery as a sales outlet for my real winery. State law permits cross selling. The Ordinance specifically references state law, only requires me to "ferment and age" which I can do in a barrel, and doesn't prevent me from trucking in bottles from elsewhere.

This is what Milo (the illegal coffee shop/bakery on A land that just recently set up sales of wine and distilled spirits) is doing to get legal.

If I want to do a sham winery in the RA its even easier. Since I don't have to grow anything onsite, all I have to do is store a barrel that is "fermenting and aging" (that I bring in from my Walla Walla winery), and I can truck in bottled wine from Walla Walla. This is exactly what Matthews is doing today and how they will be fully legitimized by the Ordinance.

WBD businesses want and need retail distribution in KC. The above scenario is how they are going to get it, and cheaply. In the Proposed Ordinance they can do this across 2.5 acre parcels (itself an expansion) and up, on arterials (vaguely defined), throughout the County in RA and A zones. Just buy or rent a house on some rural arterial and you are good to go. Less cost because there is no commercial infrastructure, like you have to pay for in the urban areas (cities). And way fewer permitting costs and hassles.

We have three very experienced land use attorneys working with us. I stand by their assessment of the legal language. We can provide a much more detailed legal analysis if so requested.

From my own non-legal perspective, I note that we've been talking about this issue with the Proposed Ordinance sponsors for 18 months. In all that time, not once did anyone in the County actually clarify what they really wanted to allow. Do you want to allow the above scenario? It seems by now that if you didn't really want this scenario, someone would have clearly said so, and amended the two sentences in the Proposed Ordinance we suggested in order to resolve the issue.

I also want to remind you that the violators already fully understand the scenario I describe above. Matthews has previously discussed it in email with the sponsors (attached). Milo and Matthews are already implementing this scenario and more will come if the Proposed Ordinance passes.

Retail sales of alcohol produced elsewhere is NOT allowed today at RA and A zoned WBDs. The Proposed Ordinance allows this retail scenario, in several ways. Most egregiously through the sham WBD scenario above, but also through Overlay A and the Dunn amendment. Recent language added to "tighten up" these uses, such as allowable retail square footage, parking ratios, lot line setbacks, etc, only reinforce the point that the County is allowing a new retail use in the RA and A and then attempting to mitigate damages by adding some restrictions on the use. Those restrictions are meaningless without addressing the main issue regarding sales of alcohol produced elsewhere. Further, the restrictions are unenforceable. Who is going to check on Matthews at 9pm on a Friday night to see if they are only using 30% of their building? Who is going to stop a customer from leaving the 500 sq ft outdoor space allowed for a Remote Tasting Room? And in a world of dedicated alcohol shuttles (the Sammamish Valley has one), Lyft and Uber, parking ratios are window dressing.

Add restrictions to a brand new retail use, that significantly alters decades of land use policy in the RA and A, is not "tightening up" existing code. These retail uses should not be allowed in the RA and A in the first place, as per existing code. The long list of organizations, businesses, and people who are opposed to the Ordinance see it for what it is. That is why opposition to the Ordinance continues to increase.

The action the County needs to take right now is to enforce existing code.

Thank you,

Serena Glover
ED, Friends of Sammamish Valley
425-985-2992

On Nov 26, 2019, at 10:18 AM, Camenzind, Krista
<Krista.Camenzind@kingcounty.gov> wrote:

Hi Serena,

I took a look at the document you sent and it's important to note that under the King County Zoning Code, uses that are not specifically authorized in the zoning tables are not allowed. See KCC 21A.08.020.B, KCC 21A.08.025. The proposed zoning conditions also do not address retail sales of cattle, trampolines, dump trucks, or airplanes. By the applied logic in the document you sent a winery could therefore engage in retail sales of any of those things because they are not explicitly prohibited. That is not how the KC zoning code works (or the rules of statutory construction for that matter). If the code had to list out every activity that was not allowed in a zone it would be incredibly unwieldy.

I hope this response allays your concerns.

Krista

From: Serena Glover <serena@allenglover.com>
Sent: Thursday, November 21, 2019 3:26 PM
To: Camenzind, Krista <Krista.Camenzind@kingcounty.gov>
Cc: Balducci, Claudia <Claudia.Balducci@kingcounty.gov>
Subject: WBD Retail Sales Legal Review

Krista, thank you for your time today on the phone. Per our conversation I have attached a legal review (done by FoSV land use attorneys) of the language around retail sales for both on-site and off-site consumption at production WBDs. Note that this review does not include remote tasting rooms.


I've had a half dozen attorneys look at this language, three of whom specialize in land use. All agree that in existing code today, wineries, breweries and distilleries in RA and A zones can sell for either on-site or off-site consumption only what they produce/manufacture on-site. In the Proposed Ordinance the language that specifies you can only sell for off-site consumption what is produced on-site has been removed. The language around on-site consumption is vague.

The result is WBDs that produce elsewhere (mostly in Eastern WA) will be able to truck in beverages from elsewhere and use their RA properties as a retail outlet. Some are already doing this—it's an existing and real scenario. The pressure from the beverage industry is for retail space, not production space. If the Ordinance passes as written the effect will be adult beverage retail outlets throughout the RA.

The question is, do you really intend to allow expansion of retail sales to product trucked in from somewhere else at WBDs located in the RA and A? That is definitely not allowed under the current code.

Thank you for your consideration,

Serena Glover
ED, Friends of Sammamish Valley
425-985-2992

From: Serena Glover serena.glover@gmail.com 
Subject: FW: Adult Beverage Ordinance Feedback - March 2019
Date: May 20, 2019 at 5:42 PM
To: serena@allenglover.com

SG

From: cliff <cliff@matthewswinery.com>
Date: Monday, March 11, 2019 at 5:38 PM
To: "'Kathy. Lambert@kingcounty. gov (Kathy.Lambert@kingcounty.gov)'"
<Kathy.Lambert@kingcounty.gov>, "claudia.balducci@kingcounty.gov"
<claudia.balducci@kingcounty.gov>
Subject: Adult Beverage Ordinance Feedback - March 2019

Kathy and Claudia,

THANK YOU SO MUCH! This ordinance is a compromise on so many levels. Thank you for managing thru all the tension!

Absolutely an awesome job of good policy making for sure by both of you!

Bottom line.. We are very happy that the Adult Beverage Ordinance [S2] was voted up to KC Council [without recommendation]

for ultimate review and approval. [4-0] Let's drive this process to closure in the next 60-90 days. Couple of suggestions:

First, Legal → I would get a final determination on the legality of the Ordinance vs the GMA and COMP plan.

The opposition has there rational. You need one for the KC Council to review. It would add more legitimacy to what you are going to vote on. It would forever shutdown that Argument. This would be critical because FoSV folks are really planning on suing. Your legal departments opinion would be golden right now. Think about it.

Second, Road Show → I would setup a road show to visit EVERY district at least once to have the opportunity to explain this ordinance to everyone concerned. FoSV fears about development in the Samm Valley are completely unfounded. There are NO wineries now in the AG zone, this is going to stay that way giving all the restrictions in S2.

Third, Hours → I would extend hours from 11 – 7pm Monday – Thursday to 11-9pm [especially in the summertime] and from

11am to 9pm to 11am to 11pm on the weekends [Friday – Sunday]. The more time we are open, the more Sales Tax

revenue for King County plus its just what our customers want. Leisurely fun in the evenings.

Fourth, Roads → The TransPO [Kirkland] transportation study that was done using Matthews, indicated 99% of traffic 8am to 5pm went between Redmond and Woodinville and visa versa.

We had no concurrence issues whatsoever at that time. DPER has this study. The TRAFFIC issues are not because of wineries 9am to 5pm on 140th.

We do however need better and wider roads. I would levy an admissions tax for each winery and tasting room to be used for bonds for infrastructure road and bridge projects. It may not fund all of them, but it would make a dent. More thinking perhaps on this might lead to a solution. We have to do something to help address this problem

Fifth, Production → we can choose fermentation and barrel aging. So we are good. My understanding is that we don't need to have hundreds barrels in our building for every vintage in order to taste wine. All we need is a representative sample of a red and white wine. This was good with WSLCB and TTB. Please clarify the "you can only taste what you produce on site". We

produce a small batch of wine now. Please reassure us that this is ok and will scale into the future.

Sixth, Pathway to compliance → please give us as much time as possible & please define a pathway timetable that is reasonable. Our civil engineering firm says that It may be 2-3 years to get thru all

the DPER twists and turns. I need probably a year to just get “a good plan” together given all the constraints of commercial land use and commercial building codes.

Finally, → Here are the latest totals from our petition as they keep building now at 4,236 supporters.

We have 200-300 paper ones as well from our tasting room. All good feedback to add to this mix.

Looking forward to seeing this process completed. Honestly it’s a huge win for everyone concerned.

Respectfully,

Cliff Otis

Partner

Matthews + Tenor

16116 140th Pl NE Woodinville, WA 98072

O: 425.487.9810 | C: 425-442-8390

matthewswinery.com | tenorwines.com

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Keep Wineries and Tasting Rooms in Rural King County



Jeff Otis started this petition to King County.

My family owns Matthews Winery, located in the

4,236 have signed. Let's get to 5,000!



Tom Williams signed this petition



TERRY MILLER signed this petition

First name

Last name


Email

Issaquah, 98027
United States



my family owns [Hessville Farm](#), located in the Woodinville area of rural King County. King County should be voting soon on what to do with zoning codes impacting businesses like ours. We hope they modify and update the zoning codes to allow for tasting rooms of our size to operate on certain rural-residential parcels along main arterials

☒ Display my name and comment on this petition

 **Sign this petition**

By signing, you accept Change.org's [Terms of Service](#) and [Privacy Policy](#), and agree to receive occasional emails about

Auzins, Erin

From: Serena Glover <serena@allenglover.com>
Sent: Tuesday, December 3, 2019 7:11 PM
To: Auzins, Erin
Subject: Fwd: Splitting the Baby

For the Adult Beverage Ordinance record.

Thanks

Begin forwarded message:

From: Serena Glover <serena@allenglover.com>
Subject: Splitting the Baby
Date: October 7, 2019 at 10:42:30 AM PDT
To: Claudia.Balducci@kingcounty.gov, rod.dembowski@kingcounty.gov, jeanne.kohl-welles@kingcounty.gov, joe.mcdermott@kingcounty.gov, dave.upthegrove@kingcounty.gov
Cc: "Camenzind, Krista" <Krista.Camenzind@kingcounty.gov>, Garrett Holbrook <Garrett.Holbrook@kingcounty.gov>, "Cooper, Adam" <Adam.Cooper@kingcounty.gov>, Casey Bloom <Casey.Bloom@kingcounty.gov>, Zoe Mullendore <zoe.mullendore@kingcounty.gov>

The Adult Beverage Ordinance striker on the table today contains 'political concessions' ** that open the Sammamish Valley to retail drinking establishments by way of DPO A and murky definitions and permitted uses on WBDs. It attempts to mitigate the damage of what are commercial businesses operating in the RA without proper infrastructure by limiting their activities through restrictions on parking, building sizes, outdoor space and hours.

An approach that splits the baby by letting commercial development in with some restrictions will lead to endless code enforcement battles. The violators claim they can't work within the restrictions - you've heard this directly from them. And they won't. Because what we already know about the 8 violators in the Sammamish Valley is they won't do anything to reduce their profits. Time and again they have pushed the boundaries of their businesses with repeated violations. They have violated the terms of their early 2016 settlement letters by increasing activities such as parking, size of crowds and sales of other retail goods.

What the Ordinance leaves us with is commercial development in a sensitive farmland buffer area where no commercial infrastructure exists. Then throw in a complaint driven code enforcement system, some murky code language, de minimis fines, and a handful of restrictions such as limits on square footage of retail space which are basically impossible to maintain in real time with customers on site. The result is these violators will keep growing, 8 more retail operations will be allowed in via DPO A, additional speculators will be encouraged to violate causing more land price speculation, and the environmental and public health and safety issues will only increase. We will never be able to stop this onslaught on the Sammamish Valley.

The environment operates on its own immutable laws and can't work around the political concessions contained in the Ordinance. Because you've not done an EIS you have no idea about the Valley's hydrology or other negative impacts created by the violators and expansion in this Ordinance. You've ignored the pleas from farm businesses, environmental organizations, and those of us who live here who already know the damage occurring to the farmland and watershed. The APD and watershed can't continue to withstand this pressure.

The demand to locate adult beverage retail outlets in King County is huge and growing. Most want to be in the Woodinville area. You have one chance to get this right and the time is now. There is no mulligan on development. Clear legislation from the Council that locates all retail drinking establishments with no production into the Urban Area is the only way to protect the Sammamish Valley.

If you adopt this striker with a "split the baby" approach you will lose the Sammamish Valley. That will be your legacy. Make no mistake about it.

** Political concessions referenced in the opening sentence:

DPO A rewards 5 violators under the guise of a "demonstration." We already have all the data on what happens when commercial businesses are located in the RA where no commercial infrastructure exists. No demonstration is needed.

DPO A contains 13 parcels, extending south well past the last violator. Why 8 more and why in that direction? It turns out the southernmost parcel in DPO A is owned by Greg Lill. The same person with repeated violations on another property in the Valley - Chateau Lill. The same person who proposed to KC Council in July 2017 a new commercial zone on top of the SV APD, laying bare his ambitions for development of the Valley. Is the DPO A boundary a coincidence?

The WBD definitions now require 2 stages of production. For a winery one stage is "fermenting". Unfortunately this does nothing to stop sham wineries. Cliff and Diane Otis have 2 barrels in their back left closet of their Matthews retail outlet. Those barrels are "fermenting and aging." Under the current striker this type of sham operation will be totally legal. Is this what you really want? Wineries should really make wine, which means conducting all stages of production.

The violators signed settlement letters in early 2016. That letter acknowledged code complaints, said they were free from enforcement during the study period, required they didn't increase activities, and required they comply with KC code once legislation was complete. It also gave them the opportunity to prove they were legal prior to the settlement letter. They all got a free hall pass for 3 years. All of them violated the letter and increased activities. You own them nothing.

The 8 violators in the Sammamish Valley have no production on site. The current King County has very clear language about this use. Under 21A.08.070 Retail Land Uses, P13 it says: **13. Only as accessory to a winery or SIC Industry No. 2082-Malt Beverages, and limited to sales of products produced on site and incidental items where the majority of sales are generated from products produced on site.** Limited to sales of products produced on site. None of them produce on site. They should have been told to move or start production long ago. Saying that the current code isn't clear on this particular use and further saying the current striker tightens the rules is flat out incorrect. The current striker will allow all these violators and more

to operate retail outlets in the valley. They current code does not. You just need to enforce the code you already have. None of the violators were legal under the existing KC code. You owe them nothing.

Serena Glover
ED, Friends of Sammamish Valley
425-985-2992
GoFOSV.org

From: [Serena Glover](#)
To: [Auzins, Erin](#)
Subject: Fwd: New Data on the Adult Beverage Ordinance
Date: Tuesday, December 3, 2019 7:13:06 PM
Attachments: [FoSV 11-10-19 Response Letter to Adult Beverage Ordinance 2018 -0241.pdf](#)

For the Adult Beverage Ordinance record. Thanks

Begin forwarded message:

From: Serena Glover <serena@allenglover.com>
Subject: Fwd: New Data on the Adult Beverage Ordinance
Date: November 11, 2019 at 10:31:23 AM PST
To: "Camenzind, Krista" <Krista.Camenzind@kingcounty.gov>

Krista, I meant to copy you on this.

Thank you,

Serena Glover

Begin forwarded message:

From: Serena Glover <serena@allenglover.com>
Subject: New Data on the Adult Beverage Ordinance
Date: November 11, 2019 at 9:30:46 AM PST
To: Claudia.Balducci@kingcounty.gov

CM Balducci,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable. The premise that Proposed Ordinance 2018-0241 “tightens-up” current code is also flawed. Unfortunately, some comments made during the Oct 7, 2019 COW meeting tend to accept these premises, which on closer examination are not supported by facts or data.

The following memo contains the facts and data to show that both premises are incorrect.

I recognize you have worked very hard to try to wrangle this Ordinance into an acceptable place and realize you basically inherited an ordinance that was sponsored by someone else. I heard you are not interested in any further amendments or meetings, but were willing to listen to new facts, so I present them here.

We may perhaps disagree on vision or on policies to achieve that vision. But we should not be disagreeing on core facts, based on the

language in the current code and the proposed ordinance.

This ordinance will have a profound impact on how the adult beverage industry evolves in concert with the environment, farmland and rural areas in King County. I hope we can be in agreement on facts before the vote.

I would appreciate an opportunity to discuss this with you before the next Council meeting on the Ordinance. I would like to at least understand whether you agree with the facts presented or if not, where our data is flawed. Please let me know if that is possible.

Thank you,

Serena Glover
ED, Friends of Sammamish Valley
425-985-2992

Memo To: Chair Dembowski and King County Councilmembers
CC: Executive Dow Constantine, Erin Auzins, Karen Wolfe
From: Friends of Sammamish Valley
Date: November 10, 2019
RE: WBDs: The “Problem” is Enforcement – Not the Current Code

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable. The premise that Proposed Ordinance 2018-0241 “tightens-up” current code is also flawed. Unfortunately, some comments made during the Oct 7, 2019 COW meeting tend to accept these premises, which on closer examination are not supported by facts or data. (Exhibit D).

The problem is *not* in the current code; it’s in the failure to enforce it.

Existing code for adult beverage businesses is clear. (Exhibit A). Specifically, code states: “**sales are limited to products produced on-site.**” The eight Sammamish Valley violators all truck in product from their production facilities in Eastern Washington or elsewhere. None of them produce on site.

Code enforcement can deal with the eight Sammamish Valley violators using this one clause alone. A new ordinance is not needed.

Home occupation code complaints can also be dealt with using existing code. Some home occupation breweries in the South Sound have generated complaints because on-site drinking has grown to a scale that disrupts neighbors. Home occupation requirements that “sales of on-site services to patrons are arranged by appointment” and “one parking stall for patrons when services are rendered on-site” and “closing hours of 5pm on weekdays and 7pm on weekends” are sufficient to contain a small Rural Area home occupation brewery from turning into a full-scale pub. (Exhibit A).

Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code.

Under the guise of “tightening up” code, the Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments – businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. (Exhibit B). The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County’s Comprehensive Plan and the GMA. (Exhibit C).

The Proposed Ordinance also increases WBD building sizes and reduces WBD minimum lot size from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage. (Exhibit B). A new analysis conducted on just one square mile of Rural Area reveals that 40 parcels could be converted to WBDs with up to 328,500 sq. ft. of alcohol production and sales space. (Exhibit F). The impact of the Proposed Ordinance throughout King County Rural and Agricultural Areas is significant.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. **Remote tasting rooms are not allowed at all under the existing code and should not be permitted in the Rural Area in the first**

place. Not to mention that of some of these constraints are extremely difficult to enforce once customers are on-site.

The Proposed Ordinance is completely inconsistent with decades of carefully upheld land use policy. It rewards a handful of persistent violators, some of whom have already proposed even broader commercial development for the Sammamish Valley farmland. (Exhibit E). **Rewarding violators drives further land speculation. The County must take a very strong stand against the violators and speculators by upholding the Urban Growth Boundary, or our farmland and Rural Area buffers will be lost forever.**

There may be some room for limited discrete improvements in the current code. **But a 100+ page, extremely confusing Ordinance that in effect opens up Rural and Agricultural Areas to retail development does not improve the current code.** Nor does it solve the real problem – lack of code enforcement.

Numerous constituencies including farmers, environmental organizations, legally operating businesses and residents from throughout the County have extensively documented all the negative impacts of the current violators and the Proposed Ordinance. **Adoption of the Proposed Ordinance could cause much harm before a court or the Growth Management Hearings Board would be able to intervene.**

Please vote NO on the Proposed Ordinance.

Exhibit A: Current King County Zoning

Definitions

“Wineries”, “Breweries” and “Distilleries” are defined, classified and regulated as manufacturing facilities. The primary activity of these facilities is manufacturing of wine, beer and distilled spirits. Any winery, brewery or distillery that requires a conditional use permit is “limited to processing agricultural products”.

Zoning Conditions

Businesses manufacturing wine, beer, and liquor (“Adult Beverages”) on Rural and Agricultural sites must meet certain conditions:

- On sites zoned Agricultural, manufacturing of Adult Beverages is allowed only as an accessory use. The primary use of the site must be farming or raising livestock. An “accessory use” is defined as being subordinate and incidental to the primary use.
- In both Rural and Agricultural Areas, floor area of structures used for processing may not exceed 3,500 square feet unless a conditional use permit is obtained. The area devoted to tasting shall be included in the floor area limitation.
- In Rural Areas the minimum lot size is 4.5 acres for facilities up to 3,500 square feet.
- Sixty percent or more of the products processed on Rural and Agricultural sites must be grown in Puget Sound counties.
- Whenever a conditional use permit is required, the following conditions must be met:
 - If the total floor area of structures exceeds 6,000 square feet in Rural and Agricultural Areas:
 - The minimum site size (two or more lots under common ownership) is ten acres; and
 - At least two and one-half acres of the site must be used for growing agricultural products.
 - The facility shall be limited to processing agricultural products and sixty percent or more of the products processed must be grown in Puget Sound Counties.
 - Except on Vashon-Maury Island, the total maximum floor area for processing and all accessory uses is 8,000 square feet. A below-grade basement up to 8,000 square feet is also allowed. (Structure size limits exclude historic structures). On Vashon-Maury Island the floor area for processing and all accessory uses, including below-grade basements is limited to a total of 6,000 square feet (total above and below-grade).
 - Off-street parking is limited to one hundred and fifty percent of the minimum requirement. The minimum requirement is 0.9 of a space per 1,000 square feet of manufacturing area, plus 1 space per 50 square feet of tasting area.

- Structures and areas used for processing must be set back a minimum of seventy-five feet from property lines adjacent to rural area and residential zones (excluding historic structures).

Tastings and Sales

- Manufacturing facilities may offer tastings of beverages produced on site. Beverages produced elsewhere may not be served.
- Manufacturing facilities are limited to sales of products produced on-site for consumption off site as an accessory use to the primary manufacturing land use. “Accessory Use” is defined as an activity that is subordinate and incidental to the primary manufacturing activity. Beverages produced elsewhere may not be sold.

Sanitation and Water Use

- Wineries, breweries and distilleries must comply with all health, water and wastewater regulations:

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. Wineries, breweries and distilleries using water from exempt wells shall install a water meter.

Winery Special Events on Agricultural and Rural Sites

- Limited to two events per month.
- All parking must be accommodated on site.
- A temporary use permit is required.

Home Occupation

Under King County Code, section 21A.30.080 the following restrictions, among others, apply to home occupation businesses in the Rural zone:

- No more than one nonresident employee shall be permitted to work on-site for the home occupation or occupations;
- In addition to required parking for the dwelling unit [the homeowners], on-site parking is provided as follows:
 - One stall for each nonresident employed by the home occupations; and
 - One stall for patrons when services are rendered on-site;
- There shall be no exterior evidence of a home occupation, other than growing or storing of plants or a permitted sign, that would cause the premises to differ from its residential character. Exterior evidence includes, but is not limited to, lighting, the generation or emission of noise, fumes or vibrations as determined by using normal senses from any lot line or on average increase vehicular traffic by more than four additional vehicles at any given time
- Sales are limited to:
 - Mail order sales;

- Telephone, Internet or other electronic commerce sales with off-site delivery; and
 - Items accessory to a service provided to patrons who receive services on the premises;
 - On-site services to patrons are arranged by appointment;
- Customer visits and deliveries shall be limited to the hours of 8:00 a.m. to 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends

Exhibit B: Ordinance Expands Alcohol Sales onto Rural and Agricultural Lands

Despite claims by King County to the contrary, the Proposed Ordinance does not “tighten up” regulations on alcohol sales and production. In fact, it significantly relaxes regulations in the current code as follows:

- **The Ordinance legalizes retail “Remote Tasting Rooms” in Demonstration Project Overlay A, in the Sammamish Valley Rural Area.**

This particular location could not be worse as it already serves as an ecological buffer for the farmland, protecting it from runoff from upslope residential activities and requiring 75% non-impervious surface. (SO-120 Agricultural Production District Overlay). Any number of WBDs can jointly operate their bars in one remote tasting room facility. These facilities have no production and are purely retail sales outlets. The name “Tasting” is a misnomer, as they can serve alcohol by the glass and bottle. “Demonstration Project” is also a misnomer as these locations become legally non-conforming after 5 years and are permanent.

It appears the primary reason for Overlay A is to legitimize five of the eight Sammamish Valley violators (Casa Felciana, Cougar Crest, Cave B, Forgeron, and Sky Mead). Yet, Overlay A contains 13 parcels and extends south well past the violators’ sites along Redmond-Woodinville Road. Are the Councilmembers aware that the southern-most parcel – a single family home – is owned by Greg Lill? Mr. Lill has proposed large-scale development of the Sammamish Valley (Exhibit E). His existing event center business in the Rural Area, Chateau Lill, directly benefits from the Proposed Ordinance, and the gerrymandered boundary obviously benefits him. It appears Overlay A has been tailored to facilitate expansion of Mr. Lill’s retail drinking establishment operations in the Rural Area, or at a minimum it certainly gives that impression.

- **The Ordinance legalizes sham WBDs that really operate as retail bars with no production.**

Until recently, wineries actually made wine, through all the steps of the production cycle: from crushing the grapes, to fermenting the grapes, blending and bottling. The same has been true for breweries and distilleries. And anyone who has walked into an actual winery, brewery, or distillery knows these manufacturing facilities use up lots of space for equipment.

But that is not the scenario the Proposed Ordinance legitimizes. A new “sham winery acting as a bar” business model has emerged.

One business in the Sammamish Valley Rural Area – Matthews – has decided to call itself a winery even though it only stores a couple of barrels in a back closet. Matthews is owned by Diane and Cliff Otis. Cliff is also a co-author on the proposed large-scale development of the Sammamish Valley. (Exhibit E). All their wine is trucked in from their state-of-the-art winery in Walla Walla. They use all their space in the Sammamish Valley location for a retail bar, as there is no manufacturing equipment. They serve wine by the glass and bottle, have live music and dancing, and bring food trucks and other entertainment on-site. They’ve been referred to online as a nightclub and they’re packed on a typical Friday night. They’ve recently served over 400 customers in just one day.

All of this is occurring in a location with no commercial infrastructure – no sidewalks, lighting, or turn lanes, and with no urban sewer hookup, but only grossly undersized holding tanks with no septic drain

field whatsoever. The majority of their property serves as a parking lot, severely compacting the soils. This property sits in the SO-120 buffer zone, which is supposed to be rural land with 75% impervious soils, in order to protect downslope farmland from toxic runoff. Immediately across the road is an active organic vegetable farm.

Matthews has invented a new business model – a sham winery acting as a bar – which the County hasn't had to deal with before. Today, the King County code classifies alcoholic beverage production as a manufacturing activity. Sales of beverages are an ancillary activity. Under current code, sales are limited to sales of products produced on-site.

The Proposed Ordinance removes the sentence on WBD manufacturing facilities in the current code that says they are **“limited to sales of products produced on-site and incidental items where the majority of sales are generated from products produced on-site.”** This sentence has been replaced with language that says: “tasting and retail sales of products produced on-site may occur....” The devil is always in the details. The new language does not specifically limit sales to products produced on-site and leaves the origin of some products open to possible interpretation. Why is the current, perfectly clear language being changed?

The Proposed Ordinance also attempts to redefine production by stating that a WBD must “conduct two stages of production such as crushing, fermentation, distilling, barrel or tank aging, and finishing. At least one of the stages of on-site production shall include crushing, fermenting, or distilling.” With this definition a winery can “ferment and finish” or “ferment and age” or “ferment and make up whatever stage they want to” and satisfy the definition. Wine can be fermented and aged in a barrel. Throw a couple of barrels in the back, truck in wine from elsewhere by arguing that is not dis-allowed in the Proposed Ordinance, and a sham winery is legal. This is exactly what Matthews is doing today and their operation will be legitimized under the Proposed Ordinance.

Most WBD businesses are looking for retail distribution in King County, not locations for production. Most will keep production in Eastern WA near to their source materials (e.g., grapes, grains) due to cost and quality reasons. KC legitimizes sham wineries in the Proposed Ordinance through the loopholes described above which generates a significant negative impact across 2.5 and 4.5-acre properties throughout rural King County. In a recent analysis of just one square mile of Rural Area near Redmond, it was determined that 40 parcels could be converted to WBDs, resulting in up to 328,500 sq ft of commercial space related to alcohol. In just one square mile. Within Rural Area neighborhoods. (Exhibit F) This can happen all over rural King County.

Over the last 18 months numerous organizations and individuals have repeatedly pointed out to the County that they need to **require all stages of beverage production and limit sales and tastings to products produced on-site** in order to prevent legitimizing WBD retail outlets across King County Rural and Agricultural Areas. If the Council does not fix the WBD definitions in the Proposed Ordinance the County will legitimize Matthews and the many new sham WBDs who will certainly follow this new business model.

- **The Ordinance allows WBDs on 8+ acres an unlimited number of events with no mitigation process.**

Today, WBDs are limited to 2 events per month and they must get at Temporary Use Permit (TUP), a process which allows for some input from the community and requires renewal that could be denied if the use is deemed inappropriate for the location. Temporary use permits are just that — temporary. They are not intended to permanently authorize a business activity that is not allowed by the applicable zoning. Under the current zoning code, TUPs must be renewed annually and the maximum number of consecutive renewals is five.

The Proposed Ordinance allows WBDs with an existing state liquor license for a Rural Area site that is eight acres or larger, to waive the TUP process, subject to certain setbacks and other restrictions. This means these businesses can permanently conduct an unlimited number of events, with up to 250 guests, with no process in place to review or mitigate uses that are incompatible with the surrounding area. Together with the loopholes in the WBD definitions described above, this really means that full-on event centers with no beverage production will be legitimized.

The waiver of the TUP requirement, added on at the last minute in the most recent KC Committee of the Whole (COW) meeting, is clearly designed for one business — Chateau Lill (owners: Greg & Stacy Lill) — a Sammamish Valley event center violator. At least four other locations may also be legitimized by this provision.

- **The Ordinance reduces the minimum lot size required for a WBD and increases the building sizes and allowed parking in the Rural Area and Agricultural zones**

The Ordinance includes a 44% reduction in the current minimum lot size required for a WBD from 4.5 acres in RA and A to 2.5 acres. Allowed building sizes are increased from 3,500 sq ft to 6,000 sq ft on 4.5-acre properties. The 3,500 sq ft buildings previously allowed on 4.5 acres are now allowed on 2.5 acres. Because parking lot size is tied to the size of the building, parking lot sizes also increase throughout the Rural Area and Agricultural zones. By reducing the lot size and increasing building sizes the Proposed Ordinance inappropriately increases the density of manufacturing activities, and with the fundamental flaws in the WBD definitions, retail outlets as well, in Rural and Agricultural Areas.

Exhibit C: Ordinance Incompatible with Infrastructure and Land Use Policies

If adopted, the proposed Adult Beverage Ordinance would allow businesses selling alcoholic beverages to expand into Rural and Agricultural Areas. The Ordinance will fundamentally change our system of land use regulation in King County by expanding impacts generated by retail facilities, customers, and traffic beyond Urban Areas onto Agricultural Lands and into Rural Communities.

- It will create needs in Rural and Agricultural Areas for sewer, water and stormwater facilities; require expanded streets and sidewalks; and increase needs for law enforcement.
- These needs for urban services exceed the capacity of the minimal public services and infrastructure provided in Agricultural and Rural Communities.
- Expanding retail activities outside of Urban Areas will require increased public spending on infrastructure and services that the County cannot afford, and that is contrary to the express policy stated in the KCCP that services should be kept at rural levels.

This fundamental expansion of land use impacts to Agricultural and Rural Areas is incompatible with the character and natural environment of these communities. If adopted, the repercussions of the Adult Beverage Ordinance will violate SEPA, the GMA, Countywide Planning Policies and the King County Comprehensive Plan, all of which mandate that the County preserve Agricultural Lands and protect natural systems and Rural character.

Exhibit D: Select Comments from 10/7/19 COW Meeting and Rebuttal

A recording of the KC Committee of the Whole (COW) meeting on October 7, 2019 is available at http://king.granicus.com/MediaPlayer.php?view_id=4&clip_id=7737. Councilmembers deliberated on the Ordinance starting at 1:14:58 on the recording. Below are some highlights from that discussion and a response to some of the more relevant statements.

CM Upthegrove asked what “allowable retail uses” in the RA and A zones are under current code and whether products are “required to be manufactured on-site.” Council Central Staff Erin Auzins confirmed for wine and beer that products are currently “limited to sales of products produced on-site.” Her response is consistent with the assertion we make throughout this document.

In a discussion of her amendment to increase the allowable “tasting” space in a WBD from 15% to 30%, CM Lambert said that in the original Executive version of the Proposed Ordinance a WBD owner “can use 100% in your property” [for tasting, of the square footage allowed for your WBD]. She argued going from 100% to 15% was too radical and that 30% was more reasonable.

Her argument is completely flawed and highlights a fundamental disconnect in the discussion. The Executive version does not say that 100% of a production facility can be used for tasting. No WBD today, under the current code, can dedicate 100% of their facility to retail tasting space. They need to actually produce alcoholic beverages because they can only sell what they produce on-site, and sales is an ancillary use to manufacturing the product. Production of alcoholic beverage requires large equipment which takes up lots of room. Anyone who has ever visited a **real** WBD knows this. The Executive version also requires that WBDs manufacture alcoholic beverages. CM Lambert can only be referring to the code violator Matthews as her baseline. Matthews illegally uses 100% of their space as a retail drinking establishment and event center. Starting with 100% as a baseline for the argument is nonsensical.

In her closing remarks CM Balducci said that it is time to move on and make a decision about the Ordinance. She continued to say that “anything we do with an Ordinance we can change with an Ordinance”, implying if we don’t get it right in this ordinance we can fix it with another one later. This is unfortunately and tragically untrue when it comes to land use and allowing commercial development in Rural and Agricultural Areas. Once land is paved over, it is paved over forever. There is no going back.

CM Balducci said, “we know what the on-the-ground impacts are of the current code. You can go out there and see it.” Again, this presumes the problem is with the current code. The “on-the-ground impacts” we see are created by code violators, illegally operating in disregard of the current code. The problem is lack of code enforcement of the current code, not the code itself, as discussed elsewhere in this document. This particular comment highlights another fundamental disconnect within the entire Proposed Ordinance discussion.

CM Balducci commented on some feedback she has received from the code enforcement division, as it related to the current code. She said she heard that “if the current code were enforced, winery and adult beverage businesses would not be required to conduct any stage of production of their product on-site.” While it is true that the current code does not specifically spell out which or how many stages of production are required to manufacture an adult beverage, the code does very clearly say that sales are limited to products produced on-site. So, if a WBD business is not actually making adult beverages on site, then it will have nothing to sell. Furthermore, sales are allowed only as an ancillary use to the

primary manufacturing activity. The problem is not that the existing code doesn't spell out the stages of production. The real problem is that the code enforcement division, for reasons that are unknown, did not use the on-site production requirement in the existing code to deal with businesses that are not producing and are very clearly trucking in product from elsewhere to sell.

CM Balducci stated that she believes a large part of the challenge [with negative impacts] in the Sammamish Valley is due to the presence of the City of Woodinville Tourist District, which lies in the middle of the Valley. What she failed to acknowledge, or perhaps recognize, is the fact that the Tourist District has commercial infrastructure. It is hooked up to the public sewer system, it has 3 roundabouts for ingress/egress, sidewalks and lighting. The hotel planned for development will also have underground parking. Comparing the impacts of urban use development in the Rural Area to similar development in a commercial area has to take into consideration the available infrastructure, or lack thereof.

The Tourist District is inside the Urban Growth Area (city). The Sammamish Valley RA and A lands do in fact abut this District. CM Balducci implies in her continued comments on the Tourist District that because its impacts are so great, the impacts created in the Rural Area by the Proposed Ordinance are minor in comparison, and that the Proposed Ordinance is "fair and balanced". First, this ignores the point about infrastructure mentioned above, which greatly mitigates the impact of the Tourist District. More worrying, it ignores the whole point of the Growth Management Act which carves out specific areas for development within the Urban Growth Area (UGA), as delineated by the Urban Growth Boundary. Just because rural land is on the edge of the UGA where denser development exists, does not mean that less impactful urban use development on the rural land is OK. In fact, the opposite is true. The Urban Growth Boundary was put in place to prevent exactly this kind of "trickle, trickle" urban sprawl development.

CM Balducci stated that SEPA analysis is not required when proposed code is "more restrictive" than current code...as the rationale for why no environmental impact study was completed. The Proposed Ordinance allows remote tasting rooms in the Rural Area, WBDs on 2.5 acres, and unlimited number of events at certain WBDs. None of this is allowed under current code. The Proposed Ordinance is not more restrictive. She also said, in so many words, she doesn't believe there is going to be any significant environmental impacts from this Ordinance. She did not provide any evidence to support her claims. A SEPA analysis is a requirement for expansion of this nature in order to determine what, if any, environmental impacts will occur with changes to land use.

Exhibit E: Violators Commercial Vision for the Sammamish Valley

This recommendation is part of a submission to the King County PRE Committee Meeting on July 17, 2017. It was submitted by the names below, some of whom are Sammamish Valley violators, and is on the public record at https://www.kingcounty.gov/council/committees/Planning_Rural_Service_and_Environment.aspx

Recommendation for Sammamish Valley (area along Hwy 202/148th)

Because the Sammamish Valley is such a unique area, unincorporated county land surrounded by major municipalities and Sammamish Valley's Agricultural Protection District, we believe you may need finer controls over what is allowed in this area. So, along with the definition and building further from the code changes noted above, we believe to really take advantage of the uniqueness the Sammamish valley, King County should really consider creating a Tourist overlay for this area.

We would recommend creating an Agritourist overlay similar to the Woodinville Tourist District:

- Stand-Alone, Wineries, breweries, distilleries, and other agricultural food stores including fruit and vegetable stands including administrative offices, grounds maintenance, gardens, visitor services, retail outlets primarily for products produced, public concerts, theatrical events, restaurants, as well as tastings events and facilities (remote tasting rooms). No restrictions on where product is grown or produced.
- Manufacture of arts and crafts provided at least 10% of floor area is devoted to retail.
- Manufacture of bakery, confectionary and other specialty food and kindred products provided that at least 10% of the products manufactured on site must be sold on site.
- Tourist related retail and commercial use; bike shops, miniature golf, delicatessens, art/northwest craft shops, and food stores limited to NAICS 4452.
- Theaters, museums, and outdoor performance centers with limitations
- Lodging facilities including but not limited to, bed and breakfast guest houses, lodges and inns, youth hostels, and campgrounds with limitations.
- Conference Centers
- Passenger Train Stations
- Parks, trails and recreation services providing rental of bicycles, roller skates or blades, canoes, kayaks, rowboats, and floatation devices
- Restaurants except drive-through facilities
- Antique stores and bookstores
- Art dealers and galleries

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PRE Meeting Materials

Page 724

July 17, 2018

Roger Porter – Cherry Valley Winery

Cliff Otis – Matthews Winery & Tenor Wines

Greg Lill – Delille Cellars

Larry Lindvig – Pleasant Hill Cellars

Bob Spencer – Cinq Cellars

Also in support:

Paul & Kay Talbott – Owners of "Sky River Mead" property on Woodinville Redmond Rd.

Exhibit F: Ordinance Impact on One Square Mile of Rural Area

Impacts of KC Ord 2018-0241.3 on Rural Area Arterials, example

RA Lots on Rural Area Arterials greater than 2.5 acres*

Novelty Hill - 208th Ave NE - Union Hill -196th Ave Ne WBD II &III lots

Road Distance Approximately 4 miles, Area 1 square mile

WBD II lots 2.5-4.5 acres (3,500 sf structure) , WBD III lots = 4.5 to 10 acres (6,000 sf structure);
greater than 10 acres (8,000 sf structure)

Parcel Number *	Owner *	Address*	Acrage*	2018-0241 land use	Sub-divide (\$)	Potential build. sq.ft.
Novelty Hill Between 195th Ave NE & 208th Ave NE						
062506-9001	ROCKENBECK WILLIAM H	9500 195TH AVE NE 98053	5.27	WBD III		6,000
52506-9089	ROCKENBECK WILLIAM H	9430 195TH AVE NE	25.52	WBD III	Y	22,000
52506-9080	BRIAN R OLSON	19805 NE NOVELTY HILL RD	10.90	WBD III		8,000
052506-9018	STRAY SUNDAY		9.14	WBD III		6,000
052506-9006	THE SALMI FAMILY TRUST	20243 NE NOVELTY HILL RD	8.18	WBD III		6,000
052506-9101	THE SALMI FAMILY TRUST		8.35	WBD III		6,000
322606-9060	BAYVIEW FARMS LLC	20224 NE NOVELTY HILL RD 98053	22.20	WBD III	Y	16,000
322606-9012	19910 PROPERTY	19910 NE NOVELTY HILL RD 98053	34.51	WBD III	Y	35,500
052506-9102	STRAY FREDRICK M+FRANCES K		9.54	WBD III		6,000
322606-9064	SHELTON DANNY+MARIA T	10100 203RD AVE NE	2.93	WBD II		3,500
805350-0040	BEUCA PETRU+MARIA	10019 206TH AVE NE 98053	9.46	WBD III		6,000
052506-9064	SREEBALAJI K SANKARAN+M	20409 NE NOVELTY HILL RD 98053	4.48	WBD II		3,500
052506-9049	ORTON JONATHAN K+TAMM	20535 NE NOVELTY HILL RD	3.32	WBD II		3,500
052506-9048	CARROLL RICHARD R+SUSAN	20629 NE NOVELTY HILL RD 98053	3.67	WBD II		3,500
RA lots on Segment > 2.5 acres			13			131,500
208th Ave NE between Novelty Hill and Union Hill						
052506-9094	KEASEY RAYMOND L+JACKEL	9800 208TH AVE NE 98053	2.99	WBD II		3,500
052506-9106	TUNG JENNIFER PATRICIA	9710 208TH AVE NE	2.56	WBD II		3,500
052506-9045	YANKIS ROBERT T+JOAN M	9619 208TH AVE NE 98053	4.28	WBD II		3,500
052506-9001	HELDT DALE	9616 208TH AVE NE 98053	6.02	WBD III		6,000
052506-9044	LUCE ROGER W+ANN	9515 208TH AVE NE 98053	3.86	WBD II		3,500
052506-9027	GRANGE ROGER C	9504 208TH AVE NE 98053	2.67	WBD II		3,500
052506-9099	FERLEMAN JASON MDOWNI	20630 NE 92ND PL 98053	5.05	WBD III		6,000
052506-9032	MCDOWELL BROCK A+MARI	8814 208TH AVE NE 98053	7.91	WBD III		6,000
052506-9060	WOODS WEIGHTSTILL W		3.56	WBD II		3,500
052506-9031	WOODS W W		12.47	WBD III		8,000
052506-9016	JACOBS BRIAN C	8079 208TH AVE NE	32.41	WBD III	Y	24,000
052506-9068	HENRY JANIS CAROL		4.5	WBD III		6,000
052506-9024	MCKAY BRIAN B	8080 208TH AVE NE 98053	9.06	WBD III		6,000
052506-9021	MCKAY BRIAN B+COLLEEN	8030 208TH AVE NE 98053	9.44	WBD III		6,000
052506-9076	JACOBS BRIAN C	8071 208TH AVE NE 98053	4.41	WBD II		3,500
082506-9053	VEDIC EDUCATION&DEVELO	7305 208TH AVE NE 98053	6.32	WBD III		6,000
RA lots on Segment > 2.5 acres			15			98,500

Union Hill Rd Frontage - between 208th Ave NE and 196th Ave NE

082506-9027 SHAH AMIT J	20515 NE UNION HILL RD 98053	3.41 WBD II		3,500
082506-9079 TEMKIN NANCY R+HENDRICI	7550 205TH AVE NE 98053	8.95 WBD III		6,000
082506-9080 AUGUSTO KAREN+JOHNSTO	7529 205TH AVE NE 98053	3.97 WBD II		3,500
082506-9009 UH 20326 LLC		19.47 WBD III	Y	14,000
082506-9103 NELSON BARBARA ESTATE OF		12.49 WBD III		8,000
082506-9013 NELSON BARBARA ESTATE O	20005 NE UNION HILL RD 98053	17.16 WBD III	Y	14,000
082506-9067 NELSON BARBARA J ESTATE+	19931 NE UNION HILL RD 98053	2.77 WBD II		3,500
RA lots on Segment > 2.5 acres		6		52,500

196th Ave NE - between Union Hill and Novelty Hill

062506-9050 UNION SHARES LLC	19520 NE UNION HILL RD 98053	6.05 WBD III		6,000
052506-9070 STEEH KATHLEEN	8226 196TH AVE NE 98053	4.81 WBD III		6,000
062506-9017 UNION SHARES LLC		19.65 WBD III	Y	14,000
062506-9029 625069042RES L L C	8733 196TH AVE NE 98053	9.77 WBD III		6,000
052506-9041 MIX JASON DALE	8700 196TH AVE NE 98053	12.49 WBD III	Y	8,000
062506-9042 UNION SHARES L L C	8733 196TH AVE NE 98053	9.64 WBD III		6,000
RA lots on Segment > 2.5 acres		6		46,000

Total Properties

40

Total Potential Commercial Space

328,500

* Data Source: King County Imap, Department of Assessments, property detail

\$ Table illustrates potential for simplest subdivision for properties greater than 10 acres.

From: [Serena Glover](#)
To: [Auzins, Erin](#)
Subject: Fwd: WBD Retail Sales Legal Review
Date: Tuesday, December 3, 2019 7:13:58 PM
Attachments: [Beverage Ordinance Analysis of Retail Sales Language.pdf](#)

For the Adult Beverage Ordinance record.

Begin forwarded message:

From: Serena Glover <serena@allenglover.com>
Subject: WBD Retail Sales Legal Review
Date: November 21, 2019 at 3:26:45 PM PST
To: Krista Camenzind <Krista.Camenzind@kingcounty.gov>
Cc: Claudia.Balducci@kingcounty.gov

Krista, thank you for your time today on the phone. Per our conversation I have attached a legal review (done by FoSV land use attorneys) of the language around retail sales for both on-site and off-site consumption at production WBDs. Note that this review does not include remote tasting rooms.

I've had a half dozen attorneys look at this language, three of whom specialize in land use. All agree that in existing code today, wineries, breweries and distilleries in RA and A zones can sell for either on-site or off-site consumption only what they produce/manufacture on-site. In the Proposed Ordinance the language that specifies you can only sell for off-site consumption what is produced on-site has been removed. The language around on-site consumption is vague.

The result is WBDs that produce elsewhere (mostly in Eastern WA) will be able to truck in beverages from elsewhere and use their RA properties as a retail outlet. Some are already doing this—it's an existing and real scenario. The pressure from the beverage industry is for retail space, not production space. If the Ordinance passes as written the effect will be adult beverage retail outlets throughout the RA.

The question is, do you really intend to allow expansion of retail sales to product trucked in from somewhere else at WBDs located in the RA and A? That is definitely not allowed under the current code.

Thank you for your consideration,

Serena Glover
ED, Friends of Sammamish Valley
425-985-2992

To: King County Councilmembers
From: Friends of Sammamish Valley
Date: November 19, 2019
RE: Adult Beverage Ordinance 2018-0241

The Current King County Code Limits Sales by Wineries, Breweries and Distilleries to Beverages Produced On-Site. The Adult Beverage Ordinance Greatly Expands Authority to Engage In Retail Sales Regardless of Where the Product was Manufactured.

The current King County Code limits retail sales and tastings conducted by wineries, breweries and distilleries at their manufacturing facilities to products they actually produce on site:

Only as accessory to a winery or SIC Industry No. 2082-Malt Beverages, and limited to sales of products produced on site and incidental items where the majority of sales are generated from products produced on site.

KCC 21A.08.070 B. 13.

The Ordinance would replace the “products produced on-site” limitation by adopting new definitions for land uses termed “Winery, Brewery and Distillery Facility II” and “Winery, Brewery and Distillery Facility III.” The new definitions allow retail sales by WBDs regardless of where the products were manufactured, similar to sales by typical bars and taverns:

A winery, brewery, distillery facility [II and III] may include . . . on-site tasting of products and sales as authorized by state law and sales of merchandise related to products available for tasting as authorized by state law.

9/16/9 Balducci Striker, Sections 15 and 16.

The reader of these definitions would have to be an expert in state liquor law to begin to know what they mean. We contacted the experts at the State Liquor and Cannabis Board. We were advised that State law allows the sale of alcoholic beverages at wineries, breweries and distilleries by the glass and bottle for consumption on the site, and by the bottle and case to take away for consumption elsewhere, without regard as to whether the product was produced on or off site. The only restriction is that the beverages sold must have been produced by a manufacturer licensed with the same corporate ownership structure. For example, if a location is selling Winery 1 wines, then that location must be under the same ownership as the Winery 1 manufacturing location. In addition, according to state law, the retail location can sell alcoholic beverages from any manufacturer that has the same corporate structure. For example, if Winery 1 and Winery 2 have the same corporate ownership structure, then they can cross sell each other’s wines, regardless of manufacturing or retail locations.

The Ordinance also includes the following ambiguous section in the development conditions placed on manufacturing uses:

Tasting and retail sales of products produced on-site may occur only as accessory to the primary winery, brewery, distillery production use and may be provided in accordance with state law¹.

The section does not address products produced off-site. As set forth above, the land uses defined as “winery, brewery and distillery II and III” include the right to sell products “as authorized by state law” which include products produced off-site. This section does not purport to regulate sale of products produced off-site. At best, the Ordinance is highly ambiguous with loopholes large enough to drive wine and beer delivery trucks through. At worst, the legal effect of the Ordinance is to treat the sale of products produced off-site as a component of the use that is allowed in Agriculture and Rural Area zones.

Some operators of currently illegal businesses argue that if state law allows WBDs to sell alcoholic beverages and merchandise regardless of where they have been produced, then this is what they are entitled to do on King County Agricultural and Rural Area land. This is patently false. The State Liquor and Cannabis Board does not have power to dictate land use regulation to the King County Council. The Council has a choice. The County has authority to reduce the scope of retail sales allowed at WBD facilities in King County Agricultural and Rural Areas to limit land use impacts. This is exactly the point explained by the King County Hearing Examiner in his Report and Decision in the appeal by Four Horsemen Brewery dated October 3, 2018:

10. Appellants next assert that they should be allowed a tasting room because the Washington State Liquor and Cannabis Board (Board) permits this without requiring an additional tasting room or retail license (on top of a brewery license), and so Appellants should be allowed to exercise these state-granted “privileges.” WAC 314-20-015(1) (“A licensed brewer may sell: (a) Beer of its own production at retail on the brewery premises”); Ex. A16-002. That the Board may authorize something as a matter of state licensing law does not mean that the County allows (or has to allow) it as a matter of local zoning law.

At best, the proposed Adult Beverage Ordinance is ambiguous as to the type of retail sales allowed by Winery, Brewery and Distillery Facility II and III land uses. FoSV’s position is that, to minimize the land use impacts of wineries, breweries and distilleries in Agricultural and Rural Areas, sales should be limited to products produced on site. That restriction is clear in the current King County Code.

If the Ordinance is adopted as-is, the Council will be making a choice to significantly expand retail sales in Agricultural and Rural Areas by allowing wineries, breweries and distilleries to operate as sales outlets for off-site manufacturing facilities. Note that in the case of the new Ordinance definition of “Winery, Brewery, Distillery I,” adoption of the Ordinance will result in the opposite choice to narrow permitted sales activity through language that is crystal clear:

¹ This language appears in the Balducci Striker, Section 18 dealing with manufacturing land uses. It is a part of development conditions 3,12 and 30.

[continued on next page]

433 Winery, brewery, distillery facility I: A very small-scale production facility
434 licensed by the state of Washington to produce adult beverages such as wine, cider, beer
435 and distilled spirits, and that includes an adult beverage production use such as crushing,
436 fermentation, distilling, barrel or tank aging, and finishing. A winery, brewery, distillery
437 facility I may include additional production-related uses such as vineyards, orchards,
438 wine cellars or similar product-storage areas as authorized by state law. On-site tasting
439 of products or retail sales are not allowed. "Winery, brewery, distillery facility I" does
440 not include any retail liquor licenses that would be authorized by chapter 314-02 WAC.

If you agree that retail sales by WBDs should be limited to products produced on-site:

- The manufacturing land uses development conditions 3 h. and 30 d. (WBD II), and 12. i. (WBD III), must be revised to read as follows²:

Tasting and retail sales of products produced on-site only may occur only as accessory to the primary winery, brewery, and distillery production use. On-site tasting and retail sales of products produced off-site are not allowed.

and

- The pertinent portions of the definitions of WBD II and III must be revised to read as follows³:

A winery, brewery, distillery facility [II] [III] may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas and on-site tasting and sale of products produced on-site only. On-site tasting or retail sales of products produced off-site shall not be allowed. "Winery, brewery, distillery facility [II] [III]" does not include any activity permitted pursuant to a retail liquor license authorized by Chapter 314-02 WAC.

² Revisions required to Balducci striker, in Section 18, lines 683-685; lines 776-78; and lines 990-992.

³ Revisions required to Balducci striker, in Section 15, lines 448-452; and Section 16, lines 460-463.

Auzins, Erin

From: Tony Meier <ajmeier@hotmail.com>
Sent: Tuesday, December 3, 2019 7:24 PM
To: Auzins, Erin
Subject: The problem is NOT in the current code. It's in the failure to enforce it. Vote NO on 2018-0241.

Dear Supervising Legislative Analyst Erin Auzins,

The foundational premise for “updating” the winery, brewery, distillery land use code is flawed, based on a false narrative that current code is vague and unenforceable.

The problem is NOT in the current code; it's in the failure to enforce it. Only twelve beverage industry businesses county-wide have active complaints, and all can be dealt with using existing code. Proposed Ordinance 2018-0241 is unnecessary.

The premise that the Proposed Ordinance “tightens-up” current code is also flawed.

The Proposed Ordinance actually opens up the Rural and Agricultural Areas to retail drinking establishments - businesses not allowed under the current code. It does so through Overlay A, fundamental flaws in the definitions and permitted uses of WBDs, and event centers. The commercial infrastructure needed for these retail establishments does not exist in the Rural and Agricultural Areas, is unaffordable, and is expressly against the County's Comprehensive Plan and the GMA.

In addition, WBD building sizes are increased and minimum lot sizes are reduced from 4.5 to 2.5 acres, opening up many more parcels throughout the county for WBD usage.

The Proposed Ordinance attempts to mitigate the damages from harmful expansion of retail uses into the Rural and Agricultural Areas by including some “tightening-up constraints.” For example, a remote tasting room is limited to 500 sq. ft. of outdoor space for retail drinking area. Remote tasting rooms should not be permitted in the Rural Area in the first place.

The Proposed Ordinance is unnecessary and rewards a handful of commercial violators and speculators. The extensive list of negative impacts to farms, the watershed, rural area residents, nearby urban residents, and legally operating businesses are already well documented.

Please VOTE NO on Ordinance 2018-0241.

Sincerely,
Tony Meier
13704 175th Ct NE
Redmond, WA 98052

Auzins, Erin

From: Ann Armstrong <annarm994@gmail.com>
Sent: Tuesday, December 3, 2019 7:34 PM
Subject: VOTE on proposed Ordinance #2018-0241 - King County Sammamish Valley Wine and Beverage Study

Dear King County City Councilmen and Councilwomen tomorrow you are set to vote on the proposed Ordinance #2018-0241. The King County Sammamish Valley Wine and Beverage Study. I hope you will reconsider your vote, and vote against opening up the rural land in King Co.

This has the potential to and will open up a broad swath of rural land to urban use retail and commercial businesses in areas that are meant to be protected. This rural land is part of the natural beauty that the PNW and King County are known for, it is also the land that feeds into the Puget Sound and Salish Sea filled with run off, and that flows into Rivers that flow into the waters that our wild Salmon live and breed in. Our very unique water ways are known for the Southern Resident Killer whales, J,K,and L pods live only here, and depend on the resources that live and benefit from these rural lands.

Having lived in King County for over 5 years I hope that you can help protect this land, and Stand up for the rivers, the wild salmon populations and critically endangered Southern Resident killer whales, and reconsider your vote on this Ordinance, and Vote NO against opening up the rural land in King County to urbanization.

Thank you very much for hearing me, and all the work you do for the County. I hope for the best result!

Ann Armstrong.