



King County

1200 King County
Courthouse
516 Third Avenue
Seattle, WA 98104

Meeting Agenda Committee of the Whole

*Councilmembers: Joe McDermott, Chair
Jeanne Kohl-Welles, Vice Chair;
Claudia Balducci, Rod Dembowski, Reagan Dunn, Larry Gossett,
Kathy Lambert, Dave Upthegrove, Pete von Reichbauer*

*Staff: Patrick Hamacher, Lead Staff (206-477-0880)
Marka Steadman, Committee Assistant (206-477-0887)*

1:30 PM

Monday, September 16, 2019

Room 1001

Pursuant to K.C.C. 1.24.035 A. and F., this meeting is also noticed as a meeting of the Metropolitan King County Council, whose agenda is limited to the committee business. In this meeting only the rules and procedures applicable to committees apply and not those applicable to full council meetings.

1. Call to Order

2. Roll Call

To show a PDF of the written materials for an agenda item, click on the agenda item below.

3. Public Comment

4. Approval of Minutes

August 19, 2019, meeting pp. 3-4



Sign language and communication material in alternate formats can be arranged given sufficient notice (206-1000).
TDD Number 206-1024.
ASSISTIVE LISTENING DEVICES AVAILABLE IN THE COUNCIL CHAMBERS.



Briefing

5. [Briefing No. 2019-B0146](#) pp. 5-33

4Culture Annual Report

Erica Newman, Council staff

Brian Carter, Executive Director, 4Culture

Ben Hunter, Artist, 4Culture

Discussion and Possible Action

6. [Proposed Substitute Ordinance No. 2018-0241.2](#) pp. 35-301

AN ORDINANCE relating to planning and permitting; amending Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030, Ordinance 10870, Section 334, as amended, and K.C.C. 21A.08.070, Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080, Ordinance 10870, Section 336, as amended, and K.C.C. 21A.08.090, Ordinance 10870, Section 407, as amended, and K.C.C. 21A.18.030, Ordinance 10870, Section 536, as amended, and K.C.C. 21A.30.080, Ordinance 15606, Section 20, as amended, and K.C.C. 21A.30.085, Ordinance 10870, Section 537, as amended, and K.C.C. 21A.30.090, Ordinance 10870, Section 547, as amended, and K.C.C. 21A.32.100, Ordinance 10870, Section 549, as amended, and K.C.C. 21A.32.120 and Ordinance 13623, Section 37, as amended, and K.C.C. 23.32.010, adding new sections to K.C.C. chapter 21A.06, adding new sections to K.C.C. chapter 21A.55, adding a new chapter to K.C.C. Title 6, repealing Ordinance 15974, Section 5, and K.C.C. 21A.06.1427 and prescribing penalties.

Sponsors: Ms. Lambert

Erin Auzins, Council staff

Other Business

Adjournment



King County

Metropolitan King County Council Committee of the Whole

STAFF REPORT

Agenda Item:	6	Name:	Erin Auzins
Proposed No.:	2018-0241	Date:	September 16, 2019

SUBJECT

Proposed Ordinance 2018-0241 would update King County's development regulations for wineries, breweries and distilleries.

SUMMARY

Following a years-long process, the Executive transmitted a Proposed Ordinance that would modify the development regulations for wineries, breweries and distilleries. The Executive's transmitted Proposed Ordinance would add a new business license requirement for these uses; create a new "remote tasting room" use; add new development conditions and permit requirements for wineries, breweries and distilleries; establish two demonstration projects, one for remote tasting rooms and one for special events related temporary use permits; and increase citation penalties for violations by these types of businesses.

The Local Services, Regional Roads and Bridges Committee passed the legislation out of committee on March 11, 2019, Without Recommendation. After a public hearing at full Council on June 11, 2019, the Council re-referred the legislation to the Committee of the Whole.

BACKGROUND

Wineries and breweries have been listed in the permitted use tables since at least the 1993 Zoning Code.¹ The development conditions that apply today were largely adopted in 2003,² and included standards relating to minimum lot size, maximum building size, special event limitations, and product content. Distilleries were first recognized as a land use in 2013.³ Wineries, breweries and distilleries are considered the same land use category under the code, and for each zone in which they are allowed (either outright as a Permitted Use, or with a Conditional Use Permit), they have the same development conditions.

¹ Ordinance 10870

² Ordinance 14781

³ Ordinance 17539

In 2010, the City of Woodinville submitted a docket request that would have expanded the Urban Growth Boundary and established new commercial zoning. In 2011, a private resident submitted a similar docket request. In each case, the County Executive did not support the proposal; any changes would have been required to be taken up during a major Comprehensive Plan update. As part of the next such update, in 2012,⁴ the Council adopted a work plan item to work with the City of Woodinville on joint recommendations for wine and agriculture industries:

P.1. The executive shall work collaboratively with the city of Woodinville to develop joint recommendations for promoting the wine and agriculture industries.

2. In developing these recommendations, the county shall work with the city to analyze and consider the following:

a. Identification of existing and needed transportation infrastructure including traffic safety improvements, roads, sidewalks, parking, trails, tourism buses, signage and way finding;

b. The finite nature and value of agricultural soil resources and the agricultural potential of the APD;

c. The character of the surrounding rural area;

d. Vacant, buildable, and redevelopable land within the existing urban growth area;

e. The adopted Countywide Planning Policies and King County Comprehensive Plan;

f. Input from the public and interested stakeholders, including local businesses and surrounding city and unincorporated area communities;

g. Failing septic systems and pollution in the valley, in conjunction with the report set forth in subsection I of this section; and

h. Nonconforming uses on the unincorporated lands in King County and on the agricultural lands.

Between 2012 and 2015, Public Health Seattle-King County instituted a pilot program that allowed wine and distillery tasting rooms to apply for an exemption from the annual operating food permit. The pilot project was intended as an alternative to a required food permit for these businesses, and was tested to see if the businesses would still comply with food safety practices. Public Health discovered during the pilot program that only about 50% of the businesses complied and decided to end the program. For beverage-related businesses that qualified for the pilot program, extensive outreach was conducted via a series of meetings and communications with stakeholders, an evening meeting at the Columbia Winery, and information including FAQs⁵ posted to the Food Program website.

When the Public Health decided to end the pilot program, extensive outreach to all known beverage related associations and businesses, such as wineries, tap rooms, and distilleries was conducted in the summer of 2015 to notify them of the change. This

⁴ Ordinance 17485

⁵ Here is a link to these FAQs: <https://www.kingcounty.gov/depts/health/environmental-health/food-safety/food-business-permit/~media/depts/health/environmental-health/documents/food-safety/FAQ-Beverages.ashx>

included two public meetings, emails, notices via social media, and updates posted to the FAQs on the website.

Following the 2012 Comprehensive Plan work program and the end of the food permit pilot program in 2015, and as part of the mid-biennial budget supplemental in 2016,⁶ the Executive requested, and the Council approved, an appropriation of \$75,000 for the Office of Performance, Strategy and Budget to hire a consultant to conduct a “[s]tudy to develop recommendations to improve the interface of the burgeoning wine industry with the surrounding communities. The funding will be used to secure consultant assistance to support the outreach, research and recommendation process. The study will focus on economic development, transportation, land use and agriculture in the Sammamish Valley area, and may also make recommendations for other parts of unincorporated King County as appropriate.”

Around the same time, neighbors of wineries within the Sammamish Valley filed a number of code enforcement complaints for operating in violation of the zoning code and construction without required permits. The Department of Permitting and Environmental Review (DPER), knowing that the Executive would be beginning a study to look at policy recommendations, signed settlement agreements with 20 of the wineries. These settlement agreements acknowledged that aspects of the winery uses were not permitted, that the business owner would not increase non-compliance, and that any life-safety issues would be corrected. In return, DPER would not move forward with any code enforcement process while the Executive’s study was being complete and before any legislative changes were considered and adopted by the Council.

Following approval of the budget supplemental request, the Executive formed a stakeholder group of Sammamish Valley wineries, agricultural interests, and the Cities of Woodinville and Redmond. The consultant performed stakeholder interviews, and held five meetings with the stakeholders to review the goals and priorities, wine industry needs and issues, the issues with the existing development regulations, transportation issues, and potential policy changes and infrastructure improvements. The consultant also held an open public meeting and used an online public comment tool. The stakeholder group and consultant provided a series of policy recommendations in their final report, issued in September 2016.⁷

Since that time, the Executive has been working through a series of proposed policy changes, as well as on improvements within the Sammamish Valley (shuttle van, trail connections, signage). A public review draft of the proposed regulations was issued in June 2017, outlining an initial proposal for public comment. After reviewing and considering the feedback on the public review draft, the Executive transmitted a final report (Attachment 4) and Proposed Ordinance 2018-0241 to the Council in April 2018.

⁶ Ordinance 18239

⁷ Link to report: <https://www.kingcounty.gov/~media/depts/executive/performance-strategy-budget/regional-planning/Sammamish-Study-Area/CAISammValleyWineBeverageStudyFINAL-091216.ashx?la=en>

ANALYSIS

Summary of Changes in Executive's Transmitted Proposed Ordinance

Proposed Ordinance 2018-0241 would make a number of changes to the development regulations for wineries, breweries and distilleries.

Business license requirement

The Proposed Ordinance would add a new business license requirement for “adult beverage businesses”, which includes “winery, brewery, distillery or cidery, and remote tasting rooms for any of those businesses.” The annual fee for this business license would be \$100.

New Definitions

The Proposed Ordinance would establish new definitions for “remote tasting room”, and three types of “winery, brewery, distillery facilities.” Remote tasting rooms under the Executive's proposal would be allowed for wineries that have an “additional location” liquor license from the state LCB.

The three facility definitions are different based on size, with a Facility I being “very small”, Facility II being “small”, and Facility III not having a size qualifier. In addition, a Facility I would not allow on-site sales or tasting.

Permitted Use Table

The Proposed Ordinance makes modifications to the Manufacturing permitted uses table, where wineries, breweries, and distilleries are regulated today. Within the Manufacturing permitted uses table, the Proposed Ordinance would:

- Add Winery/Brewer/Distillery Facility I to the table, and permit it with development conditions in the RA and UR zones.
- Add Winery/Brewer/Distillery Facility II to the table, and permit it with varying development conditions in the A, RA, UR, NB, CB, RB and I zones. This use would also be allowed with a Conditional Use Permit (and development conditions) in the RA zone.
- Add Winery/Brewer/Distillery Facility III to the table, and permit it as a Conditional Use Permit and with varying development conditions, in the A, RA, UR, NB, CB, RB and I zones.

The development conditions for each of the facility sizes, and in different zones, vary considerably. There is a summary of the changes by zone with a comparison to the existing code in Attachment 5. In general, the development conditions address:

- Minimum lot sizes
- Maximum building sizes
- Allowances for tasting and hours of operation

- Water use
- Product content
- Production requirements
- Facility locations for agricultural lands
- Parking maximums
- Setbacks from Rural Area and Residential zones

Parking Requirements

The parking requirements are proposed to be modified by the Proposed Ordinance. The existing parking requirements for wineries, breweries and distilleries are 0.9 spaces per 1,000 square feet of manufacturing area, plus 1 per 50 square feet of tasting area.

Under the Proposed Ordinance, the parking ratio for the tasting area would be changed to 1 per 300 square feet for that area.

Home Occupation and Home Industry

Home occupations and home industries are regulated based on zoning district, in three sections of Code. The Proposed Ordinance would add wineries, breweries and distilleries, and remote tasting rooms, to the list of specifically prohibited uses in home occupations and home industries.

Special Events/Temporary Use Permit

The Proposed Ordinance includes the following changes for special events and temporary use permits (TUP):

- For Facility II and III in A zones, events are limited to 2 per month and all parking must be accommodated on site or through a plan approved by the director.
- For Facility II and III in RA zones, events are limited to 24 within a one-year period and all parking must be accommodated on site or through a plan approved by the director.
- For Facility II in A and RA zones, consider building occupancy limits and parking limitations during permit review, shall condition the number of guests and shall not be more than 125 guests.
- For Facility III in A and RA zones, consider building occupancy limits and parking limitations during permit review, shall condition the number of guests and shall not be more than 250 guests.
- No events or temporary use permits for facility I, legally nonconforming home occupations, or home industries.
- Facility II and III in all other zones events may be allowed under a TUP for up to 60 days a year.

Demonstration Project A

The first demonstration project proposed by the Executive would allow “remote tasting rooms” within an identified area in the Sammamish Valley near the city limits of Woodinville, and within the Vashon Rural Town. The demonstration project would allow remote tasting rooms with the following regulations:

- One or more remote tasting rooms could operate in a single location
- The approval of the remote tasting rooms would be a Type 1 land use decision.⁸
- Total space for tasting and retail is 1,000 square feet plus storage, restroom, back-of-the-house uses
- Additional 500 square feet of outdoor space allowed
- Direct access to an arterial required
- No production allowed on-site
- Incidental retail sales of products related to products tasted allowed
- Hours of operation are limited to Monday - Thursday 11am-5pm, Friday - Sunday 11am-9pm
- Required to obtain a liquor license from the state
- No events or temporary use permits allowed
- Parking limited to 150 percent of minimum required

Demonstration project A would be in effect for 3 years from effective date of the ordinance, after which DPER would stop accepting applications and the existing remote tasting rooms would become legally nonconforming uses. Annually, DPER would compile a list of applications approved and related code complaints. Based on this data, the Executive may submit additional proposed legislation extending or amending the regulation within the 3 year demonstration project.

Demonstration Project B

The second demonstration project proposed by the Executive would allow “tourism district events” such as weddings and similar uses to be reviewed and conditioned as part of Facility III Conditional Use Permit review within an identified area in the Sammamish Valley, south of city limits and east of State Route 202. The demonstration project would waive the TUP requirement for CUP approved Facility III events. Event uses would be reviewed and approved only as part of a CUP application; CUPs are a Type 2 land use permit.⁹ This demonstration project may allow more than 24 events per year, depending on the site-specific review of each application.

Demonstration project B would be in effect for 3 years from effective date of the ordinance, after which DPER would stop accepting applications, and the existing CUPs with the special event allowance would become legally nonconforming. Annually, DPER would compile a list of applications approved and related code complaints. Based on

⁸ Type 1 land use decisions are made by the DPER Director, or their designee (usually a product line manager). These decisions do not have public notice and have no administrative appeal to the Hearing Examiner.

⁹ Type 2 land use decisions are made by the DPER Director, or their designee. These decisions do have public notice and have an administrative appeal to the Hearing Examiner.

this data, the Executive may submit additional proposed legislation extending or amending the regulations within the 3 year demonstration project.

Citation Penalties

The Proposed Ordinance would modify the citation penalties for wineries, breweries, and distilleries and remote tasting rooms. Under existing code, most code violations are subject to a \$100 penalty for the first violation, and \$500 for subsequent violations. The Proposed Ordinance would increase the citation penalty for these uses to \$500 for the first violation and \$1,000 for subsequent violations.

Version 2 of the Legislation

The Local Services, Regional Roads and Bridges Committee amended the Executive's proposal and moved the legislation out of committee without recommendation on March 11, 2019. The substantive changes made in Version 2 of the legislation is described as part of Attachment 5 to this staff report.

AMENDMENT

Council staff continues to work with Councilmembers on possible amendments to the legislation.

INVITED

- Jim Chan, Director, Permitting Division, DLS
- Karen Wolf, Senior Policy Advisory, PSB
- Calli Knight, External Relations Specialist, Executive's Office

ATTACHMENTS

1. Proposed Ordinance 2018-0241.2 with attachments
2. Transmittal Letter
3. Fiscal Note
4. King County Action Report: Sammamish Valley Winery and Beverage Study
5. Comparison of Existing Code, Executive's Proposal, and Version 2 as passed out of Local Services, Regional Roads and Bridges Committee
6. Public Comments received through September 13, 2019

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KING COUNTY

Signature Report

ATTACHMENT 1
1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Ordinance

Proposed No. 2018-0241.2

Sponsors Lambert

1 AN ORDINANCE relating to planning and permitting;
2 amending Ordinance 10870, Section 330, as amended, and
3 K.C.C. 21A.08.030, Ordinance 10870, Section 334, as
4 amended, and K.C.C. 21A.08.070, Ordinance 10870,
5 Section 335, as amended, and K.C.C. 21A.08.080,
6 Ordinance 10870, Section 336, as amended, and K.C.C.
7 21A.08.090, Ordinance 10870, Section 407, as amended,
8 and K.C.C. 21A.18.030, Ordinance 10870, Section 536, as
9 amended, and K.C.C. 21A.30.080, Ordinance 15606,
10 Section 20, as amended, and K.C.C. 21A.30.085,
11 Ordinance 10870, Section 537, as amended, and K.C.C.
12 21A.30.090, Ordinance 10870, Section 547, as amended,
13 and K.C.C. 21A.32.100, Ordinance 10870, Section 549, as
14 amended, and K.C.C. 21A.32.120 and Ordinance 13623,
15 Section 37, as amended, and K.C.C. 23.32.010, adding new
16 sections to K.C.C. chapter 21A.06, adding new sections to
17 K.C.C. chapter 21A.55, adding a new chapter to K.C.C.
18 Title 6, repealing Ordinance 15974, Section 5, and K.C.C.
19 21A.06.1427 and prescribing penalties.

20 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

21 SECTION 1. Findings:

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

25 B. The existing regulations for wineries and breweries were last substantively
26 amended by Ordinance 14781 in 2003. Distilleries were added as a permitted use, with
27 the same development conditions as wineries and breweries, with Ordinance 17539 in
28 2013. No other substantive regulatory changes for wineries, breweries and distilleries
29 (collectively "the adult beverage industry") have occurred since 2003. Since that time
30 King County has encountered unprecedented economic and population growth, resulting
31 in major changes to the adult beverage industry and causing concerns about land
32 speculation in some areas of the county, while leaving others in need of economic
33 stimulation.

34 C. Population growth, combined with the growing popularity of small producers
35 and local sourcing within the adult beverage industry has created a need for: clarification
36 regarding core industry functions versus other types of more intensive on-site special
37 events that may help a developing business thrive and consideration of the planning
38 requirements of the Growth Management Act, including economic growth, rural
39 character and protection for water resources and Agricultural and Industrial zoned areas.
40 Changes in state regulations have also occurred, driving a need to bring adult beverage
41 industry development regulations up to date with state licensing allowances. In particular,
42 a state winery allowance for off-site tasting created confusion for business owners

43 regarding the interplay between state licensing requirements and county land use
44 regulations.

45 D. This ordinance follows a multiyear study of the adult beverage industry,
46 which included the 2016 King County Sammamish Valley Wine and Beverage Study.
47 The study period was necessary to evaluate existing zoning regulations for the adult
48 beverage industry in light of changes in industry practices, state licensing allowances and
49 the growing popularity of adult beverage industry across King County and the state of
50 Washington.

51 E. The changes made by this ordinance will help King County to prepare for and
52 support the future of the adult beverage industry as it evolves in the region, to better
53 implement and comply with the policies of the King County Comprehensive Plan
54 ("Comprehensive Plan" or "Plan"), Countywide Planning Policies and the Growth
55 Management Act, and to minimize the ambiguities in existing development regulations
56 that were identified in the study period. The changes are intended to improve clarity,
57 administrative efficiencies and enforceability while avoiding confusion for the industry
58 users that may have been caused by lack of consistency with state regulatory systems.
59 The ordinance adds additional protection for the Agricultural zone and provides guidance
60 on enhancing economic activity in the Rural Area zones while also honoring and
61 protecting rural character.

62 F. King County continues to support and foster agriculture, especially within the
63 five designated Agricultural Production Districts. King County also supports the adult
64 beverage industry and recognizes the synergistic relationship between the agricultural and
65 the adult beverage industries. The ordinance aims to establish a strong foundation for

66 moving both industries into the future. There is a historical and continuing crossover
67 between the agricultural industry and the adult beverage industry, including factors such
68 as agricultural uses providing aesthetic value and raw materials that support the adult
69 beverage industry; and the exposure, opportunity and market demand for agricultural
70 products that the adult beverage industry provides for the agricultural industry. This
71 ordinance recognizes competing and complimentary interests between the two industries,
72 and aims to provide a balance consistent with the Growth Management Act and the
73 Comprehensive Plan.

74 G. Consistent with Comprehensive Plan policies R-610, R-615 R-633 and R-
75 677b, the adult beverage industry uses allowed by the ordinance support development of
76 new markets for local agricultural products and help ensure that agricultural production
77 districts continue to be economically viable and farmed into the future. By promoting
78 complimentary relationships with the adult beverage industry, these regulations will help
79 to improve access to locally grown agricultural products throughout King County.

80 H. Economic development polices in the Comprehensive Plan, including ED-
81 102, ED-103 and ED-106 recognize that the Rural Area and Natural Resource Lands
82 have a role in economic activity in the county. The ordinance aims to implement these
83 Comprehensive Plan Policies and is focused on protecting the economic value of the
84 natural environment through traditional land use controls such as minimum lot size
85 limitations and structural and other impervious surface limitations in Rural Area and
86 Agricultural zones. The ordinance creates space for new kinds of small, limited-scope
87 businesses, such as tasting rooms, and small wineries, breweries and distilleries that are
88 visually compatible with rural character and provide cultural opportunities to enhance the

89 region's quality of life and economic vitality.

90 I. Comprehensive Plan policies ED-601 through ED-606, which are part of the
91 rural economic strategies plan, call for a "sustainable and vibrant rural economy that
92 allows rural residents to live and work throughout the Rural Area and Natural Resource
93 Lands." By creating clear direction regarding scope and intensity limits for adult
94 beverage industry uses, this ordinance protects rural character while encouraging new
95 economic and employment opportunities for rural residents. The Comprehensive Plan
96 "recognizes the value of home-based business, recreation and tourism, and commercial
97 and industrial clusters for their ability to provide job opportunities in the Rural Area and
98 Natural Resource Lands, and help sustain the rural economic base." This ordinance takes
99 advantage of the existing, organically developing adult beverage industry to implement
100 this policy in a variety of ways. The plan directs the county to explore opportunities to
101 support agricultural tourism and to encourage value-added programs related to the
102 production of food specifically including specialty beverages such as beer, distilled
103 beverages, and wine in the county. The ordinance carefully follows this directive, and
104 was developed over several years as the county considered existing and proposed
105 regulations, balancing the differing needs and emerging trends of the agricultural and
106 adult beverage businesses. The ordinance adds flexibility, maintains existing size and
107 scale limits on adult beverage industry uses in the Agricultural zone and the rural area
108 and adds new limits to enhance open and green space values and preserve the natural
109 aesthetic which helps both industries grow.

110 J. The Comprehensive Plan addresses the Growth Management Act's requirement
111 to plan for industrial uses. Plan Policy ED-211 encourages the county to "support

112 programs and strategies to preserve and plan for an adequate supply of industrial and
113 commercial land," including through "[p]reventing the encroachment of non-industrial
114 uses on industrially-zoned land and the rezoning of industrial land to other uses." This
115 ordinance recognizes that although King County has a finite amount of industrial land
116 available, at their highest levels of intensity, some adult beverage businesses can grow to
117 a level of mechanization, volume and intensity suited for the Industrial zone, but avoids
118 funneling smaller, less mechanized, community-serving businesses into the county's
119 limited Industrial zoned areas. Those smaller scale adult beverage industry uses are
120 appropriately placed in more aesthetically pleasing areas, where rural community
121 consumers and a healthy population of visitors to the county's many regional recreation
122 and tourism opportunities can support economic success. This ordinance aims to avoid
123 bringing low-impact, low-intensity adult beverage uses into limited Industrial zone
124 spaces that are reserved for more intensive industrial uses.

125 K. Comprehensive Plan Policy ED-212 states "King County shall encourage and
126 support community based and community led efforts to support and retain existing small
127 businesses." Although rapid industry growth has resulted in some adult beverage
128 businesses becoming incompatible with rural character, this ordinance honors the
129 sometimes competing Comprehensive Plan policies to support and retain existing small
130 businesses with equally important policy to protect rural character by setting clear scope
131 and size limits to protect the Agricultural zone and Rural Area zone. In the specific case
132 of the previously untested remote tasting room use, which was recently created within
133 state licensing provisions, the ordinance allows some small businesses to continue within
134 limited rural area demonstration projects but also makes space available for tasting rooms

135 in Community Business and Regional Business zones for those businesses that wish to
136 expand their scope.

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

149 M. The Comprehensive Plan, describes rural character and notes that King
150 County "...recognizes that each of its rural communities has distinct and unique
151 characteristics." For instance, "...residents of Vashon-Maury Island, accessible only by
152 ferry, sea or air, enjoy an island's leisurely and scenic lifestyle..." while "...[i]n the
153 Snoqualmie Valley, farming is still the mainstay...". The Sammamish valley, which was
154 a study area during development of this ordinance, has its own distinctively rural
155 character, despite its close proximity to urban incorporated areas and to the city of
156 Woodinville's popular, concentrated winery district. Some of the regulations adopted as
157 part of this ordinance, such as the various allowances for tasting associated with winery,

158 brewery, distillery production facilities, vary across the different rural communities in
159 unincorporated King County. Individual rural communities take different positions and
160 have different priorities, and this is reflected in some of the regulations, while generally a
161 county-wide lens was used for analyzing potential regulatory impacts on the wider rural
162 area and natural resource lands.

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

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

175 P. The county is required to balance protecting rural character and agricultural
176 resources over diverse communities, with creating space for rural industries to thrive
177 within those communities. Existing and proposed regulations on the adult beverage
178 industry are designed for a size and scale appropriate for the rural communities they are
179 located in, and add protections for the Agriculture zone and agricultural production
180 district as well as measures that enhance enforceability of the regulations. This ordinance

181 aims to implement Comprehensive Plan Policy R-204, which encourages
182 "...establishment of new rural resource-based uses, with appropriate site management
183 and that protects habitat resources..." and Comprehensive Plan Policy R-205 which states
184 uses that "...include those relating to agriculture, forestry, mineral extraction, and
185 fisheries, such as the raising of livestock, growing of crops, creating value-added
186 products, and sale of agricultural products; small-scale cottage industries; and
187 recreational and small-scale tourism uses that rely on a rural location..." are appropriate
188 in the Rural Area zones.

189 Q. Comprehensive Plan Policy R-324 describes the type of nonresidential use
190 appropriate for the Rural Area. These include uses that "[p]rovide convenient local
191 products and services for nearby residents," "[r]equire location in a Rural Area,"
192 "[s]upport natural resource-based industries" or "[p]rovide recreational and tourism
193 opportunities that are compatible with the surrounding Rural Area," as long as the use is
194 "sited, sized and landscaped to complement rural character" and "prevent impacts to the
195 environment and function with rural services including on-site wastewater disposal."
196 This ordinance implements the plan by creating clear regulations for the adult beverage
197 industry, requiring uses to be sited, sized and landscaped to complement rural character,
198 and by creating a business license so adult beverage industry uses can be better evaluated.
199 Adult beverage uses provide convenient local products for rural residents, support
200 agricultural resource-based industries, and provide new regional recreational and tourism
201 opportunities.

202 R. Other development regulations, including stormwater management,
203 impervious surface, critical area and landscaping requirements, remain in place and are

204 unchanged by this ordinance.

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

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

211 U. K.C.C. chapter 21A.55 authorizes demonstration projects, "as a mechanism to
212 test and evaluate alternative development standards and processes prior to amending
213 King County policies and regulations." Two demonstration projects are established by
214 this ordinance. The first demonstration evaluates the presence of remote tasting rooms in
215 Rural Area zoned land in the Sammamish valley, and within the Vashon Rural Town and
216 Fall City Rural Town. The second demonstration evaluates incorporating rural industry-
217 supporting special events through a joint conditional use permit and temporary use permit
218 review process for winery, brewery, distillery facility III, and applies to Rural Area zoned
219 land in the Sammamish valley. Those two demonstrations are located in areas where
220 businesses are supported by nearby small-scale agriculture and proximity to consumers,
221 and rely on a pastoral setting and a rural sense of community for economic viability and
222 traditional rural-based activities. The criteria for site selection for the two demonstration
223 projects were based on existing levels of development on the property, lot size, current
224 zoning, availability of arterial access, proximity to Agricultural zoned areas and
225 agricultural production districts, proximity to local and rural industry-supportive uses and
226 to areas in need of economic stimulus and availability of arterial access. These criteria

227 implement Comprehensive Plan policy direction to protect agricultural lands and rural
228 character, and to provide rural economic opportunities. State Route 202, state Route 203
229 and Vashon Highway SW are designated arterials designed to carry significant traffic
230 loads and are not expected to reflect measurable impacts over loads already generated by
231 Rural Area residents and businesses. These selected locations are ideal places to test the
232 demonstration projects' ability to support businesses that are primarily nonurban in
233 nature, and to evaluate their positive and negative impacts before adopting potential
234 countywide regulations.

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

244 W. Parcels chosen for the remote tasting room demonstration project A in the
245 Sammamish valley are located directly on an arterial. Parcels chosen for the remote
246 tasting room demonstration project A on Vashon-Maury Island and in Fall City are zoned
247 Community Business, and are inside the boundaries of the designed Rural Town. The
248 parcel selection complies with the policies in the Comprehensive Plan. For instance, the
249 Comprehensive Plan states that "[t]he purposes of Rural Town designations within the

Comprehensive Plan are to recognize existing concentrations of higher density and economic activity in Rural Areas and to allow modest growth of residential and economic uses to keep them economically viable into the future." Comprehensive Plan Policy R-507 states, in part, "Rural Towns serve as activity centers for the Rural Area and Natural Resource Lands and may be served by a range of utilities and services, and may include several or all of the following land uses, if supported by necessary utilities and other services and if scaled and designed to protect rural character: a. Retail, commercial, and industrial uses to serve the surrounding Rural Area and Natural Resource Lands population...c. Other retail, commercial, and industrial uses, such as resource industries, tourism, commercial recreation, and light industry." Tasting rooms are similar to other, more intensive uses contained within the stated categories and may be appropriately located in Rural Towns.

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

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

NEW SECTION. SECTION 3. There is hereby added to the chapter established

273 in section 2 of this ordinance a new section to read as follows:

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

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

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

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

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

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

293 An application for an adult beverage business license or license renewal must be
294 submitted in the name of the person, the persons or the entity proposing to operate the
295 business. The application shall be signed by each person, or a responsible principal or

officer of the entity proposing to operate the business, certified as true under penalty of perjury. All applications shall be submitted on a form supplied by the director, and shall include the following:

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

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

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

D. For businesses in the A zone, a signed statement that at least sixty percent of the products to be used by the business are grown on-site, as prescribed under K.C.C. 21A.08.030 and 21A.08.080, or for winery, brewery, distillery I businesses in the A zone, that at least sixty percent of the products to be used by the business are grown in Puget Sound counties, as defined in K.C.C. chapter 21A.06.

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

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

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

321 The director shall deny, suspend or revoke a license issued under this chapter if
322 the Washington state Liquor and Cannabis Board does not issue a license to the business,
323 or if the department of local services, permitting division receives notice that the state
324 license issued to the business is suspended or revoked, or was not reissued. A business
325 owner whose application for a business license has been denied or whose license has
326 been suspended or revoked may appeal the decision to the office of the hearing examiner
327 in accordance with K.C.C. 6.01.150.

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

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

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

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

340 NEW SECTION. SECTION 11. There is hereby added to the chapter established
341 in section 2 of this ordinance a new section to read as follows:

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

346 SECTION 12. Ordinance 15974, Section 5, and K.C.C. 21A.06.1427 are each
347 hereby repealed.

348 NEW SECTION. SECTION 13. There is hereby added to K.C.C. chapter
349 21A.06 a new section to read as follows:

350 Remote tasting room: A small facility licensed by the Washington state Liquor
351 and Cannabis Board and limited to the following non-retail liquor licenses: a Craft
352 Distillery; a Tasting Room - Additional Location for a winery licensed as a Domestic
353 Winery; or a Microbrewery, including, but not limited to, a Microbrewery operating in
354 accordance with an off-site tavern license subject to the retail sale limitations for a
355 Microbrewery in WAC 314-20-015(1). "Remote tasting room" does not include any
356 additional privileges allowed for such licenses or approvals or any use that would require
357 a license under chapter 314-02 WAC, except as specifically set forth in this chapter.

358 NEW SECTION. SECTION 14. There is hereby added to K.C.C. chapter
359 21A.06 a new section to read as follows:

360 Winery, brewery, distillery facility I: A very small-scale production facility
361 licensed by the state of Washington to produce adult beverages such as wine, cider, beer
362 and distilled spirits, and that includes an adult beverage production use such as crushing,
363 fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility I
364 may include additional production-related uses such as vineyards, orchards, wine cellars

or similar product-storage areas as authorized by state law. On-site product tasting or retail sale of merchandise as authorized by state law is limited. "Winery, brewery, distillery facility I" does not include any retail liquor licenses that would be authorized by chapter 314-02 WAC.

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

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

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

Winery, brewery, distillery facility II: A small-scale production facility licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits and that includes an adult beverage production use such as crushing, fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility II

388 may include additional production-related uses such as vineyards, orchards, wine cellars
 389 or similar product-storage areas as authorized by state law, on-site product tasting and
 390 sales as authorized by state law and sales of merchandise related to products available for
 391 tasting as authorized by state law. "Winery, brewery, distillery facility II" does not
 392 include any retail liquor licenses that would be authorized by chapter 314-02 WAC.

393 NEW SECTION. SECTION 17. There is hereby added to K.C.C. chapter
 394 21A.06 a new section to read as follows:

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

404 SECTION 18. Ordinance 10870, Section 330, as amended, and K.C.C.
 405 21A.08.030 are each hereby amended to read as follows:

406 A. Residential land uses.

P-Permitted Use C- Conditional Use S-Special Use	RESOURC E	R U R A	RESIDENTIA L	COMMERCIAL/INDUST RIAL
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					L								
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R1-2-48	NB	CB	RB	O	I
	DWELLING UNITS, TYPES:												
*	Single Detached	P C1 2	P2		P C1 2	P C1 2	P C12 2	P C1 2	P15				
*	Townhouse				C4	C4	P11 C12	P	P3	P3	P3	P3	
*	Apartment				C4	C4	P5 C5	P	P3	P3	P3	P3	
*	Mobile Home Park				S1 3		C8	P					
*	Cottage Housing						P15						
	GROUP RESIDENCES:												
*	Community Residential Facility-I				C	C	P14 .a C	P	P3	P3	P3	P3	
*	Community Residential Facility-II						P14 .b	P	P3	P3	P3	P3	

*	Dormitory				C6	C6	C6	P					
*	Senior Citizen Assisted Housing					P4	P4	P	P3	P3	P3	P3	
	ACCESSORY USES:												
*	Residential Accessory Uses	P7 <u>P1</u> 2	P7		P7 <u>P1</u> 7 <u>C1</u> 7	P7	P7	P7	P7	P7	P7	P7	
*	Home Occupation	P1 8	P1 8		P1 8	P1 8	P18	P18	P18	P18	P18	P18	
*	Home Industry	C			C	C	C						
	TEMPORARY LODGING:												
7011	Hotel/Motel (1)									P	P	P	
*	Bed and Breakfast Guesthouse	P9			P9	P9	P9	P9	P9	P10	P10		
7041	Organization Hotel/Lodging Houses										P		

407

B. Development conditions.

408

1. Except bed and breakfast guesthouses.

409

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

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

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

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

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

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

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

(1) At least fifty percent of the site is constrained by unbuildable critical areas. For purposes of this subsection, unbuildable critical areas includes wetlands,

433 aquatic areas and slopes forty percent or steeper and associated buffers; and

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

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

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

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

441 7.a. Accessory dwelling units:

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

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

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

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

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

448 (3) The primary dwelling unit or the accessory dwelling unit shall be owner
449 occupied;

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

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

456 (5) On a site zoned RA:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12. Required before approving more than one dwelling on individual lots, except on lots in subdivisions, short subdivisions or binding site plans approved for multiple unit lots, and except as provided for accessory dwelling units in subsection B.7.

502 of this section.

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

504 14.a. Limited to domestic violence shelter facilities.

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

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

508 a. developments no larger than one acre;

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

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

515 21A.14.025.B; and

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

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

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

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

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

524 17. ~~((Repealed))~~ a. The aggregated floor area of structures and areas for

525 winery, brewery, distillery facility uses shall not exceed one thousand five hundred
526 square feet;

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

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

534 d. Parking shall be provided as follows:

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

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

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

548 applicable state and local regulations;

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

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

555 g. Tasting of products shall be limited as follows:

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

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

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

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

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

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

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

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

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

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

584 (5) If approved, a winery, brewery, distillery facility I interim use permit shall
585 be effective for one year from the date of issuance and may be renewed up to four times
586 annually, subject to the provisions for a temporary use permit provided in K.C.C.
587 21A.32.120.D.;

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

592 (7) A winery, brewery, distillery facility I interim use permit shall, no later
593 than the expiration of the original approval or any extension granted by the permitting

594 division, whichever is later, either:

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

597 (b) cease operations and vacate a site;

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

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

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

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

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

610 g. Parking shall be provided as follows:

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

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

616 (3) parking shall be limited to one hundred fifty percent of minimum required

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

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

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

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

636 k. Product tasting shall not be allowed;

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

639 m. Special events shall not be allowed; and

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

644 SECTION 19. Ordinance 10870, Section 334, as amended, and K.C.C.
 645 21A.08.070 are each hereby amended to read as follows:

646 A. Retail land uses.

P-Permitted Use C- Conditional Use S-Special Use		RESOURCE			RUR AL	RESIDENTIA L			COMMERCIAL/INDUS TRIAL				
SI C#	SPECIF IC LAND USE	A	F	M	RA	UR	R1 -8	R1 2- 48	NB	C B	R B	O	I (3 0)
*	Building Material s and Hardwar e Stores		P2 3						P2	P	P		
*	Retail Nursery, Garden	P1 C1			P1 C1				P	P	P		

	Center and Farm Supply Stores											
*	Forest Products Sales	P3 and 4	P4		P3 and 4					P		
*	Departm ent and Variety Stores					C1 4a	P1 4	P5	P	P		
54	Food Stores					C1 5a	P1 5	P	P	P	C	P6
*	Agricult ural Product Sales (28)						P2 5	P25	P2 5	P2 5	P2 5	P2 5
*	Farmers Market	P24	P2 4		P24	P24	P2 4	P2 4	P24	P2 4	P2 4	P2 4
*	Motor Vehicle and Boat									P8		P

	Dealers											
55 3	Auto Supply Stores								P9	P9		P
55 4	Gasoline Service Stations							P	P	P		P
56	Apparel and Accesso ry Stores								P	P		
*	Furnitur e and Home Furnishi ngs Stores								P	P		
58	Eating and Drinking Places			P21 C19		P2 0 C1 6	P2 0 P1 6	P10	P	P	P	P
* —	<u>Remote Tasting Room</u>								<u>P7</u>	<u>P7</u>		

	(13)												
*	Drug Stores						C1 5	P1 5	P	P	P	C	
*	Marijuana retailer									P2 6 C2 7	P2 6 C2 7		
59 2	Liquor Stores	((P1 3))			((P13)	((P1 3))			((P1 3))	P	P		
59 3	Used Goods: Antiques / Secondh and Shops									P	P		
*	Sporting Goods and Related Stores			P2 2	P22	P22	P2 2	P2 2	P22	P	P	P2 2	P2 2
*	Book, Stationer y, Video						C1 5a	P1 5	P	P	P		

	and Art Supply Stores											
*	Jewelry Stores								P	P		
*	Monume nts, Tombsto nes, and Gravesto nes									P		
*	Hobby, Toy, Game Shops							P	P	P		
*	Photogra phic and Electron ic Shops							P	P	P		
*	Fabric Shops								P	P		
59 8	Fuel Dealers								C1 1	P		P
*	Florist						C1	P1	P	P	P	

	Shops						5a	5					
*	Personal Medical Supply Stores									P	P		
*	Pet Shops								P	P	P		
*	Bulk Retail									P	P		
*	Auction Houses										P1 2		P
*	Livestoc k Sales (28)												P

647 B. Development conditions.

648 1.a. As a permitted use, covered sales areas shall not exceed a total area of two
649 thousand square feet, unless located in a building designated as historic resource under
650 K.C.C. chapter 20.62. With a conditional uses permit, covered sales areas of up to three
651 thousand five hundred square feet may be allowed. Greenhouses used for the display of
652 merchandise other than plants shall be considered part of the covered sales area.
653 Uncovered outdoor areas used to grow or display trees, shrubs, or other plants are not
654 considered part of the covered sales area;

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

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

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

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

681 15.a. Not permitted in R-1 and limited to a maximum of five thousand square
682 feet of gross floor area and subject to K.C.C. 21A.12.230; and

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

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

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

690 17. Repealed.

691 18. Repealed.

692 19. Only as:

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

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

698 20. Only as:

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

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

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

703 square feet.

704 22. Only as an accessory use to:

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

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

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

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

709 Industry No. 2431-Millwork and;

710 a. limited to lumber milled on site; and

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

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

713 24. Requires at least five farmers selling their own products at each market and

714 the annual value of sales by farmers should exceed the annual sales value of nonfarmer

715 vendors.

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

717 a. The sales area shall be limited to three hundred square feet and must be

718 removed each evening;

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

720 c. The site must be in an area that is easily accessible to the public, will

721 accommodate multiple shoppers at one time and does not infringe on neighboring

722 properties.

723 26.a. Per lot, limited to a maximum aggregated total of two thousand square feet

724 of gross floor area devoted to, and in support of, the retail sale of marijuana.

725 b. Notwithstanding subsection B.26.a. of this section, the maximum

726 aggregated total gross floor area devoted to, and in support of, the retail sale of marijuana
727 may be increased to up to three thousand square feet if the retail outlet devotes at least
728 five hundred square feet to the sale, and the support of the sale, of medical marijuana, and
729 the operator maintains a current medical marijuana endorsement issued by the
730 Washington state Liquor and Cannabis Board.

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

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

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

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

749 activity as an intended use;

750 (3) if more than one building permit or change of use permit application was
751 submitted on the same date, or if no building permit or change of use permit application
752 was submitted, then the director shall determine compliance based on the date a complete
753 business license application was submitted; and

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

762 e. Retail marijuana businesses licensed by the Washington state Liquor and
763 Cannabis Board and operating within one thousand feet of each other as of August 14,
764 2016, and retail marijuana businesses that do not require a permit issued by King County,
765 that received a Washington state Liquor and Cannabis Board license to operate in a
766 location within one thousand feet of another licensed retail marijuana business prior to
767 August 14, 2016, and that King County did not object to within the Washington state
768 Liquor and Cannabis Board marijuana license application process, shall be considered
769 nonconforming and may remain in their current location, subject to the provisions of
770 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

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

772 and

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

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

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

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

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

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

795 activity as an intended use;

796 (3) if more than one building permit or change of use permit application was
797 submitted on the same date, or if no building permit or change of use permit application
798 was submitted, then the director shall determine compliance based on the date a complete
799 business license application was submitted; and

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

808 c. Retail marijuana businesses licensed by the Washington state Liquor and
809 Cannabis Board and operating within one thousand feet of each other as of August 14,
810 2016, and retail marijuana businesses that do not require a permit issued by King County,
811 that received a Washington state Liquor and Cannabis Board license to operate in a
812 location within one thousand feet of another licensed retail marijuana business prior to
813 August 14, 2016, and that King County did not object to within the Washington state
814 Liquor and Cannabis Board marijuana license application process, shall be considered
815 nonconforming and may remain in their current location, subject to the provisions of
816 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

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

818 and

819 (2) the gross floor area of a nonconforming retail outlet may be increased up

820 to the limitations in subsection B.27. of this section, subject to K.C.C. 21A.42.190.

821 28. If the agricultural product sales or livestock sales is associated with

822 agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

823 SECTION 20. Ordinance 10870, Section 335, as amended, and K.C.C.

824 21A.08.080 are each hereby amended to read as follows:

825 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	R 1- 8	R12 -48	NB	CB	RB	O	I (11)
20	Food and Kindred Products (28)								P2	P2	P2 C		P2 C
*((/2082 /2085))	Winery/ Brewery/ Distillery Facility II	P3 ((C12)) C3			P3 C3 C((42)) 30	((P3))			P17 C17	P17 C17	P29 C29		P31 C31
*	Winery/ Brewery/ Distillery Facility III	C12			C12				C29	C29	C29		C31
*	Materials Processing Facility		P13 C	P14 C15	P16 C								P

22	Textile Mill Products												C
23	Apparel and other Textile Products										C		P
24	Wood Products, except furniture	P4 P18	P4 P18 C5		P4 P18 C5	P4						C6	P
25	Furniture and Fixtures		P19		P19							C	P
26	Paper and Allied Products												C
27	Printing and Publishing								P7	P7	P7C	P 7 C	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

826 B. Development conditions.

827 1. Repealed.

828 2. Except slaughterhouses.

829 3.a. (~~Limited to wineries, SIC Industry No. 2082 Malt Beverages and SIC~~

830 ~~Industry No. 2085 Distilled and Blended Liquors;~~

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

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

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

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

850 ~~((f.))~~ e. In the A zone, ((S))sixty percent or more of the products processed
851 must be grown ((in the Puget Sound counties)) on-site. At the time of the initial
852 application under K.C.C. chapter 6.xx (the new chapter created in section 2 of this

853 ordinance), the applicant shall submit a projection of the source of products to be
854 produced; ~~((and~~

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

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

863 h. Tasting of products produced on-site may be provided in accordance with
864 state law. The area devoted to tasting shall be included in the aggregated floor area
865 limitation in subsection B.3.c. of this section. Hours of operation for on-site tasting of
866 products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays,
867 tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays,
868 Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00
869 p.m.;

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

872 j. On a site with direct access to an arterial;

873 k. Off-street parking is limited to a maximum of one space per 50 square feet
874 of tasting and retail area, except for winery, brewery, distillery facility II business
875 locations licensed to produce by the Washington state Liquor and Cannabis Board before

876 January 1, 2019, without objection from King County during the license application
877 processes, and that signed a settlement agreement with King County before January 1,
878 2019, parking spaces exceeding the limits of this section shall be considered
879 nonconforming and may continue, subject to the provisions of K.C.C. 21A.32.020
880 through 21A.32.075. Such parking spaces remain subject to all other applicable state and
881 local regulations;

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

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

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

889 5. Limited to SIC Industry Group No. 242-Sawmills and SIC Industry No.
890 2431-Millwork. For RA zoned sites, if using lumber or timber grown off-site, the
891 minimum site area is four and one-half acres.

892 6. Limited to uses found in SIC Industry No. 2434-Wood Kitchen Cabinets and
893 No. 2431-Millwork, (excluding planing mills).

894 7. Limited to photocopying and printing services offered to the general public.

895 8. Only within enclosed buildings, and as an accessory use to retail sales.

896 9. Only within enclosed buildings.

897 10. Limited to boat building of craft not exceeding forty-eight feet in length.

898 11. For I-zoned sites located outside the urban growth area designated by the

899 King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C.
900 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for
901 rural industrial uses as set forth in K.C.C. chapter 21A.12.

902 12.a. ~~((Limited to wineries, SIC Industry No. 2082 Malt Beverages and SIC~~
903 ~~Industry No. 2085 Distilled and Blended Liquors;~~

904 ~~b.(1) Except as provided in subsection B.12.b.(2) of this section, t))~~The
905 aggregated floor area of structures and areas for ((wineries, breweries and distilleries and
906 any accessory)) winery, brewery, distillery facility uses shall not exceed a total of eight
907 thousand square feet~~((:)), except that ((F))~~the floor area may be increased by up to an
908 additional eight thousand square feet of underground storage that is constructed
909 completely below natural grade, not including required exits and access points, if the
910 underground storage is at least one foot below the surface and is not visible above
911 ground. Decks that are not occupied and not open to the public are excluded from the
912 calculation for maximum aggregated floor area; ((and

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

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

920 c. Wineries, breweries and distilleries shall comply with Washington state
921 Department of Ecology and King County board of health regulations for water usage and

wastewater disposal, and must connect to an existing Group A water system or an existing Group B water system if a Group A water system is not available (~~((Wineries, breweries and distilleries using water from exempt wells shall install a water meter;~~

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

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

~~((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)) e. 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 2 of this ordinance), the applicant shall submit a~~

945 projection of the source of products to be processed; ~~((and))~~

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

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

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

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

963 j. On a site with direct access to an arterial;

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

967 l. The business operator shall obtain an adult beverage business license in

968 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this
969 ordinance); and

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

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

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

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

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

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

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

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

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

990 17.a. ~~((Limited to wineries, SIC Industry No. 2082 Malt Beverages and SIC~~

991 ~~Industry No. 2085 Distilled and Blended Liquors;~~

992 ~~b.))~~ The aggregated floor area ((devoted to all processing)) of structures and
993 areas for winery, brewery, distillery facility uses shall not exceed three thousand five
994 hundred square feet, unless located in ~~((a building))~~ whole or in part in a structure
995 designated as historic resource under K.C.C. chapter 20.62, in which case the aggregated
996 floor area of structures and areas devoted to winery, brewery, distillery facility uses shall
997 not exceed five thousand square feet. Decks that are not occupied and not open to the
998 public are excluded from the calculation for maximum aggregated floor area;

999 ~~((e.))~~ b. Structures and parking areas ((used for processing)) for winery,
1000 brewery, distillery facility uses shall maintain a minimum distance of seventy-five feet
1001 from interior property lines adjoining rural area and residential zones, unless located in a
1002 building designated as historic resource under K.C.C. chapter 20.62. As part of the
1003 review of a conditional use permit, the setback may be reduced to twenty-five feet if there
1004 is sufficient screening between the proposed use and adjacent rural area and residential
1005 zones; ((and

1006 ~~d.))~~ c. Tasting and retail sale of products produced on site, and merchandise
1007 related to the products produced on-site, may be provided in accordance with state law.
1008 The area devoted to tasting shall be included in the aggregated floor area limitation in
1009 subsection B.~~((18.b.))~~17.a. of this section;

1010 d. Off-street parking for the tasting and retail areas shall be limited to a
1011 maximum of one space per fifty square feet of tasting and retail areas;

1012 e. The business operator shall obtain an adult beverage business license in
1013 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this

1014 ordinance); and

1015 f. Events may be allowed with an approved temporary use permit under K.C.C.
1016 chapter 21A.32.

1017 18. Limited to:

1018 a. SIC Industry Group No. 242-Sawmills and SIC Industry No. 2431-

1019 Millwork, as follows:

1020 (1) If using lumber or timber grown off-site, the minimum site area is four
1021 and one-half acres;

1022 (2) The facility shall be limited to an annual production of no more than one
1023 hundred fifty thousand board feet;

1024 (3) Structures housing equipment used in the operation shall be located at
1025 least one-hundred feet from adjacent properties with residential or rural area zoning;

1026 (4) Deliveries and customer visits shall be limited to the hours of 8:00 a.m. to
1027 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

1028 (5) In the RA zone, the facility's driveway shall have adequate entering sight
1029 distance required by the 2007 King County Road Design and Construction Standards. An
1030 adequate turn around shall be provided on-site to prevent vehicles from backing out on to
1031 the roadway that the driveway accesses; and

1032 (6) Outside lighting is limited to avoid off-site glare; and

1033 b. SIC Industry No. 2411-Logging.

1034 19. Limited to manufacture of custom made wood furniture or cabinets.

1035 20.a. Only allowed on lots of at least four and one-half acres;

1036 b. Only as an accessory use to a Washington state Liquor Control Board

1037 licensed marijuana production facility on the same lot;

1038 c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1039 d. Only with documentation that the operator has applied for a Puget Sound

1040 Clean Air Agency Notice of Construction Permit. All department permits issued to either

1041 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1042 Clean Air Agency Notice of Construction Permit be approved before marijuana products

1043 are imported onto the site; and

1044 e. Accessory marijuana processing uses allowed under this section are subject

1045 to all limitations applicable to marijuana production uses under K.C.C. 21A.08.090.

1046 21.a. Only in the CB and RB zones located outside the urban growth area;

1047 b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1048 c. Only with documentation that the operator has applied for a Puget Sound

1049 Clean Air Agency Notice of Construction Permit. All department permits issued to either

1050 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1051 Clean Air Agency Notice of Construction Permit be approved before marijuana products

1052 are imported onto the site;

1053 d. Per lot, the aggregated total gross floor area devoted to the use of, and in

1054 support of, processing marijuana together with any separately authorized production of

1055 marijuana shall be limited to a maximum of two thousand square feet; and

1056 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and

1057 every marijuana-related entity occupying space in addition to the two-thousand-square-

1058 foot threshold area on that lot shall obtain a conditional use permit as set forth in

1059 subsection B.22. of this section.

- 1060 22.a. Only in the CB and RB zones located outside the urban growth area;
- 1061 b. Per lot, the aggregated total gross floor area devoted to the use of, and in
- 1062 support of, processing marijuana together with any separately authorized production of
- 1063 marijuana shall be limited to a maximum of thirty thousand square feet;
- 1064 c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.; and
- 1065 d. Only with documentation that the operator has applied for a Puget Sound
- 1066 Clean Air Agency Notice of Construction Permit. All department permits issued to either
- 1067 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
- 1068 Clean Air Agency Notice of Construction Permit be approved before marijuana products
- 1069 are imported onto the site.
- 1070 23.a. Only in the CB and RB zones located inside the urban growth area;
- 1071 b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;
- 1072 c. Only with documentation that the operator has applied for a Puget Sound
- 1073 Clean Air Agency Notice of Construction Permit. All department permits issued to either
- 1074 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
- 1075 Clean Air Agency Notice of Construction Permit be approved before marijuana products
- 1076 are imported onto the site;
- 1077 d. Per lot, the aggregated total gross floor area devoted to the use of, and in
- 1078 support of, processing marijuana together with any separately authorized production of
- 1079 marijuana shall be limited to a maximum of two thousand square feet; and
- 1080 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
- 1081 every marijuana-related entity occupying space in addition to the two-thousand-square-
- 1082 foot threshold area on that lot shall obtain a conditional use permit as set forth in

subsection B.24. of this section.

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

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

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

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

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 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.

25.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 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;

1129 f. Only as an accessory use to a Washington state Liquor Cannabis Board
1130 licensed marijuana production facility on the same lot; and

1131 g. Accessory marijuana processing uses allowed under this section are subject
1132 to all limitations applicable to marijuana production uses under K.C.C. 21A.08.090.

1133 28. If the food and kindred products manufacturing or processing is associated
1134 with agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

1135 29.a. Tasting and retail sales of products produced on site, and merchandise
1136 related to the products produced on-site, may be provided in accordance with state law;

1137 b. Structures and parking areas for winery, brewery, distillery facility uses shall
1138 maintain a minimum distance of seventy-five feet from interior property lines adjoining
1139 rural area and residential zones, unless located in a building designated as historic
1140 resource under K.C.C. chapter 20.62. As part of the review of a conditional use permit,
1141 the setback may be reduced to twenty-five feet if there is sufficient screening between the
1142 proposed use and adjacent rural area and residential zones;

1143 c. For winery, brewery, distillery facility uses that do not require a conditional
1144 use permit, off-street parking for the tasting and retail areas shall be limited to a
1145 maximum of one space per fifty square feet of tasting and retail areas. For winery,
1146 brewery, distillery facility uses that do require a conditional use permit, off-street parking
1147 maximums shall be determined through the conditional use permit process, and the
1148 parking ratio for the tasting and retail areas should be limited to a maximum of one space
1149 per fifty square feet of tasting and retail areas;

1150 d. The business operator shall obtain an adult beverage business license in
1151 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this

1152 ordinance); and

1153 e. Events may be allowed with an approved temporary use permit under
1154 K.C.C. chapter 21A.32.

1155 30.a. Only allowed on lots of at least two and one-half acres;

1156 b. The aggregated floor area of structures and areas for winery, brewery,
1157 distillery facility uses shall not exceed three thousand five hundred square feet, unless
1158 located in whole or in part in a structure designated as historic resource under K.C.C.
1159 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to
1160 winery, brewery, distillery facility uses shall not exceed five thousand square feet. Decks
1161 that are not occupied and not open to the public are excluded from the calculation for
1162 maximum aggregated floor area;

1163 c. Structures and parking areas for winery, brewery, distillery facility uses
1164 shall maintain a minimum distance of seventy-five feet from interior property lines
1165 adjoining rural area and residential zones, unless located in a building designated as
1166 historic resource under K.C.C. chapter 20.62. As part of the review of the conditional use
1167 permit, the setback may be reduced to twenty-five feet if there is sufficient screening
1168 between the proposed use and adjacent rural area and residential zones;

1169 d. Tasting of products produced on-site may be provided in accordance with
1170 state law. The area devoted to tasting shall be included in the floor area limitation in
1171 subsection B.30.b. of this section. Hours of operation for on-site tasting of products shall
1172 be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting room
1173 hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and
1174 Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;

1175 e. Incidental retail sales of products produced on-site and merchandise related
1176 to the products produced on-site is allowed;

1177 f. On a site with direct access to a public roadway;

1178 g. Off-street parking for tasting and retail areas is limited to a maximum of one
1179 space per fifty square feet of tasting and retail areas, except for winery, brewery,
1180 distillery facility II business locations licensed to produce by the Washington state Liquor
1181 and Cannabis Board before January 1, 2019, without objection from King County during
1182 the license application processes, and that signed a settlement agreement with King
1183 County before January 1, 2019, parking spaces exceeding the limits of this section shall
1184 be considered nonconforming and may continue, subject to K.C.C. 21A.32.020 through
1185 21A.32.075. Such parking spaces remain subject to all other applicable state and local
1186 regulations;

1187 h. The business operator shall obtain an adult beverage business license in
1188 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this
1189 ordinance);

1190 i. Events may be allowed with an approved temporary use permit under K.C.C.
1191 chapter 21A.32; and

1192 j. At least two stages of production of wine, beer, cider or distilled spirits, such
1193 as crushing, fermenting, barrel or tank aging, or finishing, as authorized by the
1194 Washington state Liquor and Cannabis Board production license, shall occur on-site.

1195 31.a. Limited to businesses with non-retail brewery and distillery production
1196 licenses from the Washington state Liquor and Cannabis board. Wineries and remote
1197 tasting rooms for wineries shall not be allowed;

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

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

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

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

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

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

1221

A. Resource land uses.

P-Permitted Use C- Conditional Use S-Special Use		RESOURC E			R U R A L	RESIDENTI AL			COMMERCIAL/INDUSTR IAL				
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R 1- 8	R1 2- 48	NB	CB	RB	O	I
	AGRICULTUR E:												
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	P2 4C	P2 4C		P2 4C	P2 4C							
*	Agricultural Support Services	P2 5C	P2 5C		P2 6C	P2 6C	P2 6C		P27 C28	P27 C28			
*	Marijuana producer	P1 5 C2 2			P1 6 C1 7					P18 C19	P18 C19		P2 0 C2 1

*	Agriculture Training Facility	C1 0											
*	Agriculture- related special needs camp	P1 2											
*	Agricultural Anaerobic Digester	P1 3											
	FORESTRY:												
08	Growing & Harvesting Forest Production	P	P	P7	P	P	P						P
*	Forest Research		P		P	P						P 2	P
	FISH AND WILDLIFE MANAGEMENT: T:												
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:												
10,12,1	Mineral		P9	P									

4	Extraction and Processing		C	C1 1									
2951, 3271, 3273	Asphalt/Concrete Mixtures and Block		P8 C1 1	P8 C1 1									P
	ACCESSORY USES:												
*	Resource Accessory Uses	P3 P2 3	P4	P5	P3	P3							P4
*	Farm Worker Housing	P1 4			P1 4								

- 1222 B. Development conditions.
- 1223 1. May be further subject to K.C.C. chapter 21A.25.
- 1224 2. Only forest research conducted within an enclosed building.
- 1225 3. Farm residences in accordance with K.C.C. 21A.08.030.
- 1226 4. Excluding housing for agricultural workers.
- 1227 5. Limited to either maintenance or storage facilities, or both, in conjunction
- 1228 with mineral extraction or processing operation.
- 1229 6. Allowed in accordance with K.C.C. chapter 21A.30.
- 1230 7. Only in conjunction with a mineral extraction site plan approved in
- 1231 accordance with K.C.C. chapter 21A.22.
- 1232 8. Only on the same lot or same group of lots under common ownership or
- 1233 documented legal control, which includes, but is not limited to, fee simple ownership, a

1234 long-term lease or an easement:

1235 a. as accessory to a primary mineral extraction use;

1236 b. as a continuation of a mineral processing only for that period to complete
1237 delivery of products or projects under contract at the end of a mineral extraction; or

1238 c. for a public works project under a temporary grading permit issued in
1239 accordance with K.C.C. 16.82.152.

1240 9. Limited to mineral extraction and processing:

1241 a. on a lot or group of lots under common ownership or documented legal control,
1242 which includes but is not limited to, fee simple ownership, a long-term lease or an
1243 easement;

1244 b. that are located greater than one-quarter mile from an established residence;
1245 and

1246 c. that do not use local access streets that abut lots developed for residential
1247 use.

1248 10. Agriculture training facilities are allowed only as an accessory to existing
1249 agricultural uses and are subject to the following conditions:

1250 a. The impervious surface associated with the agriculture training facilities
1251 shall comprise not more than ten percent of the allowable impervious surface permitted
1252 under K.C.C. 21A.12.040;

1253 b. New or the expansion of existing structures, or other site improvements,
1254 shall not be located on class 1, 2 or 3 soils;

1255 c. The director may require reuse of surplus structures to the maximum extent
1256 practical;

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

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

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

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

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

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

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

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

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

11. Continuation of mineral processing and asphalt/concrete mixtures and block

uses after reclamation in accordance with an approved reclamation plan.

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

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

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

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

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

(2) Nothing in subsection B.12.d.(1) of this section prohibits the property

owner from selling or transferring the development rights for a portion or all of the site to the King County farmland preservation program or, if the development rights are extinguished as part of the sale or transfer, to a nonprofit entity approved by the director;

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

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

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

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

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

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

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

1326 residential zones;

1327 l. Except for legal nonconforming structures existing as of January 1, 2007,
1328 camp facilities, such as a medical station, food service hall and activity rooms, shall be of
1329 a scale to serve overnight camp users;

1330 m. Landscaping equivalent to a type III landscaping screen, as provided for in
1331 K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures
1332 and site improvements located within two hundred feet of an adjacent rural area and
1333 residential zoned property not associated with the camp;

1334 n. New sewers shall not be extended to the site;

1335 o. The total number of persons staying overnight shall not exceed three
1336 hundred;

1337 p. The length of stay for any individual overnight camper, not including camp
1338 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

1339 q. Traffic generated by camp activities shall not impede the safe and efficient
1340 movement of agricultural vehicles nor shall it require capacity improvements to rural
1341 roads;

1342 r. If the site is adjacent to an arterial roadway, access to the site shall be
1343 directly onto the arterial unless the county road engineer determines that direct access is
1344 unsafe;

1345 s. If direct access to the site is via local access streets, transportation
1346 management measures shall be used to minimize adverse traffic impacts;

1347 t. Camp recreational activities shall not involve the use of motor vehicles
1348 unless the motor vehicles are part of an agricultural activity or are being used for the

1349 transportation of campers, camp personnel or the families of campers. Camp personnel
1350 may use motor vehicles for the operation and maintenance of the facility. Client-specific
1351 motorized personal mobility devices are allowed; and

1352 u. Lights to illuminate the camp or its structures shall be arranged to reflect the
1353 light away from any adjacent property.

1354 13. Limited to digester receiving plant and animal and other organic waste from
1355 agricultural activities, and including electrical generation, as follows:

1356 a. the digester must be included as part of a Washington state Department of
1357 Agriculture approved dairy nutrient plan;

1358 b. the digester must process at least seventy percent livestock manure or other
1359 agricultural organic material from farms in the vicinity, by volume;

1360 c. imported organic waste-derived material, such as food processing waste,
1361 may be processed in the digester for the purpose of increasing methane gas production for
1362 beneficial use, but not shall exceed thirty percent of volume processed by the digester;
1363 and

1364 d. the use must be accessory to an operating dairy or livestock operation.

1365 14. Farm worker housing. Either:

1366 a. Temporary farm worker housing subject to the following conditions:

1367 (1) The housing must be licensed by the Washington state Department of
1368 Health under chapter 70.114A RCW and chapter 246-358 WAC;

1369 (2) Water supply and sewage disposal systems must be approved by the
1370 Seattle King County department of health;

1371 (3) To the maximum extent practical, the housing should be located on

1372 nonfarmable areas that are already disturbed and should not be located in the floodplain
1373 or in a critical area or critical area buffer; and

1374 (4) The property owner shall file with the department of executive services,
1375 records and licensing services division, a notice approved by the department identifying
1376 the housing as temporary farm worker housing and that the housing shall be occupied
1377 only by agricultural employees and their families while employed by the owner or
1378 operator or on a nearby farm. The notice shall run with the land; [or]

1379 b. Housing for agricultural employees who are employed by the owner or
1380 operator of the farm year-round as follows:

1381 (1) Not more than:

1382 (a) one agricultural employee dwelling unit on a site less than twenty acres;

1383 (b) two agricultural employee dwelling units on a site of at least twenty
1384 acres and less than fifty acres;

1385 (c) three agricultural employee dwelling units on a site of at least fifty acres
1386 and less than one-hundred acres; and

1387 (d) four agricultural employee dwelling units on a site of at least one-
1388 hundred acres, and one additional agricultural employee dwelling unit for each additional
1389 one hundred acres thereafter;

1390 (2) If the primary use of the site changes to a nonagricultural use, all
1391 agricultural employee dwelling units shall be removed;

1392 (3) The applicant shall file with the department of executive services, records
1393 and licensing services division, a notice approved by the department that identifies the
1394 agricultural employee dwelling units as accessory and that the dwelling units shall only

be occupied by agricultural employees who are employed by the owner or operator year-round. The notice shall run with the land. The applicant shall submit to the department proof that the notice was filed with the department of executive services, records and licensing services division, before the department approves any permit for the construction of agricultural employee dwelling units;

(4) An agricultural employee dwelling unit shall not exceed a floor area of one thousand square feet and may be occupied by no more than eight unrelated agricultural employees;

(5) To the maximum extent practical, the housing should be located on nonfarmable areas that are already disturbed;

(6) One off-street parking space shall be provided for each agricultural employee dwelling unit; and

(7) The agricultural employee dwelling units shall be constructed in compliance with K.C.C. Title 16.

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

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

b. With a lighting plan, only if 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

1418 are imported onto the site;

1419 d. Production is limited to outdoor, indoor within marijuana greenhouses, and
1420 within structures that are nondwelling unit structures that exist as of October 1, 2013,
1421 subject to the size limitations in subsection B.15.e. of this section;

1422 e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1423 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
1424 aggregated total of two thousand square feet and shall be located within a fenced area or
1425 marijuana greenhouse that is no more than ten percent larger than that combined area, or
1426 may occur in nondwelling unit structures that exist as of October 1, 2013;

1427 f. Outdoor production area fencing as required by the Washington state Liquor
1428 and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall
1429 maintain a minimum street setback of fifty feet and a minimum interior setback of thirty
1430 feet; and

1431 g. If the two-thousand-square-foot-per-lot threshold of plant canopy combined
1432 with area used for processing under K.C.C. 21A.08.080 is exceeded, each and every
1433 marijuana-related entity occupying space in addition to the two-thousand-square-foot
1434 threshold area on that lot shall obtain a conditional use permit as set forth in subsection
1435 B.22. of this section.

1436 16. Marijuana production by marijuana producers licensed by the Washington
1437 state Liquor and Cannabis Board is subject to the following standards:

1438 a. Marijuana producers in all RA zoned areas except for Vashon-Maury Island,
1439 that do not require a conditional use permit issued by King County, that receive a
1440 Washington state Liquor and Cannabis Board license business prior to October 1, 2016,

1441 and that King County did not object to within the Washington state Liquor and Cannabis
1442 Board marijuana license application process, shall be considered nonconforming as to
1443 subsection B.16.d. and h. of this section, subject to the provisions of K.C.C. 21A.32.020
1444 through 21A.32.075 for nonconforming uses;

1445 b. In all rural area zones, only with a lighting plan that complies with K.C.C.
1446 21A.12.220.G.;

1447 c. Only allowed on lots of at least four and one-half acres on Vashon-Maury
1448 Island;

1449 d. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,
1450 except on Vashon-Maury Island;

1451 e. Only with documentation that the operator has applied for a Puget Sound
1452 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1453 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1454 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1455 are imported onto the site;

1456 f. Production is limited to outdoor, indoor within marijuana greenhouses, and
1457 within nondwelling unit structures that exist as of October 1, 2013, subject to the size
1458 limitations in subsection B.16.g. of this section; and

1459 g. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1460 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
1461 aggregated total of two thousand square feet and shall be located within a fenced area or
1462 marijuana greenhouse, that is no more than ten percent larger than that combined area, or
1463 may occur in nondwelling unit structures that exist as of October 1, 2013;

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

i. If the two-thousand-square-foot-per-lot threshold of plant canopy within fenced areas or marijuana greenhouses is exceeded, each and every marijuana-related entity occupying space in addition to the two-thousand-square-foot threshold area on that lot shall obtain a conditional use permit as set forth in subsection B.17. of this section.

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

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

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

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

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

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

1487 f. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1488 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
1489 aggregated total of thirty thousand square feet and shall be located within a fenced area or
1490 marijuana greenhouse that is no more than ten percent larger than that combined area;
1491 and

1492 g. Outdoor production area fencing as required by the Washington state Liquor
1493 and Cannabis Board, and marijuana greenhouses shall maintain a minimum street setback
1494 of fifty feet and a minimum interior setback of one hundred feet, and a minimum setback
1495 of one hundred fifty feet from any existing residence.

1496 18.a. Production is limited to indoor only;

1497 b. With a lighting plan only as required by and that complies with K.C.C.
1498 21A.12.220.G.;

1499 c. Only with documentation that the operator has applied for a Puget Sound
1500 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1501 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1502 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1503 are imported onto the site; and

1504 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1505 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1506 aggregated total of two thousand square feet and shall be located within a building or
1507 tenant space that is no more than ten percent larger than the plant canopy and separately
1508 authorized processing area; and

1509 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 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

1533 are imported onto the site;

1534 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1535 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1536 aggregated total of two thousand square feet and shall be located within a building or
1537 tenant space that is no more than ten percent larger than the plant canopy and separately
1538 authorized processing area; and

1539 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and every
1540 marijuana-related entity occupying space in addition to the two-thousand-square-foot
1541 threshold area on that lot shall obtain a conditional use permit as set forth in subsection
1542 B.21. of this section.

1543 21.a. Production is limited to indoor only;

1544 b. With a lighting plan only as required by and that complies with K.C.C.
1545 21A.12.220.G.;

1546 c. Only with documentation that the operator has applied for a Puget Sound
1547 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1548 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1549 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1550 are imported onto the site; and

1551 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1552 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1553 aggregated total of thirty thousand square feet and shall be located within a building or
1554 tenant space that is no more than ten percent larger than the plant canopy and separately
1555 authorized processing area.

1556 22. Marijuana production by marijuana producers licensed by the Washington
1557 state Liquor and Cannabis Board is subject to the following standards:

1558 a. With a lighting plan only as required by and that complies with K.C.C.
1559 21A.12.220.G.;

1560 b. Only allowed on lots of at least four and one-half acres;

1561 c. Only with documentation that the operator has applied for a Puget Sound
1562 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1563 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1564 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1565 are imported onto the site;

1566 d. Production is limited to outdoor, indoor within marijuana greenhouses, and
1567 within structures that are nondwelling unit structures that exist as of October 1, 2013,
1568 subject to the size limitations in subsection B.22. e. and f. of this section;

1569 e. On lots less than ten acres, per lot, the plant canopy, as defined in WAC
1570 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall
1571 be limited to a maximum aggregated total of five thousand square feet and shall be
1572 located within a fenced area or marijuana greenhouse that is no more than ten percent
1573 larger than that combined area, or may occur in nondwelling unit structures that exist as
1574 of October 1, 2013;

1575 f. On lots ten acres or more, per lot, the plant canopy, as defined in WAC 314-
1576 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be
1577 limited to a maximum aggregated total of ten thousand square feet, and shall be located
1578 within a fenced area or marijuana greenhouse that is no more than ten percent larger than

that combined area, or may occur in nondwelling unit structures that exist as of October 1, 2013; and

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

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

a. agricultural is the primary use of the site;

b. the storage and processing are in accordance with best management practices included in an approved farm plan; and

c. except for areas used for manure storage, the areas used for storage and processing do not exceed three acres and ten percent of the site.

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

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

1602 (2) in the RA and UR zones, only allowed on sites of at least four and one-
1603 half acres;

1604 (3) (a) as a permitted use, the floor area devoted to all processing shall not
1605 exceed two thousand square feet, unless located in a building designated as an historic
1606 resource under K.C.C. chapter 20.62. The agricultural technical review committee, as
1607 established in K.C.C. 21A.42.300, may review and approve an increase in the processing
1608 floor area as follows: up to three thousand five hundred square feet of floor area may be
1609 devoted to all processing in the RA zones or on farms less than thirty-five acres located in
1610 the A zones or up to seven thousand square feet on farms greater than thirty-five acres in
1611 the A zone; and

1612 (b) as a permitted use, the floor area devoted to all warehousing,
1613 refrigeration, storage or other similar activities shall not exceed two thousand square feet,
1614 unless located in a building designated as historic resource under K.C.C. chapter 20.62.
1615 The agricultural technical review committee, as established in K.C.C. 21A.42.300, may
1616 review and approve an increase of up to three thousand five hundred square feet of floor
1617 area devoted to all warehouseing, storage, including refrigeration, or other similar
1618 activities in the RA zones or on farms less than thirty-five acres located in the A zones or
1619 up to seven thousand square feet on farms greater than thirty-five acres in the A zone;

1620 (4) in the A zone, structures and areas used for processing, warehousing,
1621 refrigeration, storage and other similar activities shall be located on portions of
1622 agricultural lands that are unsuitable for other agricultural purposes, such as areas within
1623 the already developed portion of such agricultural lands that are not available for direct
1624 agricultural production, or areas without prime agricultural soils; and

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

b. For activities relating to the retail sale of agricultural products, except livestock:

(1) sales shall be limited to agricultural products and locally made arts and crafts;

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

(3) as a permitted use, the covered sales area shall not exceed two thousand square feet, unless located in a building designated as a historic resource under K.C.C. chapter 20.62. The agricultural technical review committee, as established in K.C.C. 21A.42.300, may review and approve an increase of up to three thousand five hundred square feet of covered sales area;

(4) forty percent or more of the gross sales of agricultural product sold through the store must be sold by the producers of primary agricultural products;

(5) sixty percent or more of the gross sales of agricultural products sold through the store shall be derived from products grown or produced in the Puget Sound counties. At the time of the initial application, the applicant shall submit a reasonable projection of the source of product sales;

(6) tasting of products, in accordance with applicable health regulations, is allowed;

1648 (7) storage areas for agricultural products may be included in a farm store
1649 structure or in any accessory building; and

1650 (8) outside lighting is permitted if there is no off-site glare.

1651 c. Retail sales of livestock is permitted only as accessory to raising livestock.

1652 d. Farm operations, including quipment repair and related facilities, except

1653 that:

1654 (1) the repair of tools and machinery is limited to those necessary for the
1655 operation of a farm or forest;

1656 (2) in the RA and UR zones, only allowed on sites of at least four and one-
1657 half acres;

1658 (3) the size of the total repair use is limited to one percent of the farm size in
1659 the A zone, and up to one percent of the size in other zones, up to a maximum of five
1660 thousand square feet unless located within an existing farm structure, including but not
1661 limited to barns, existing as of December 31, 2003; and

1662 (4) Equipment repair shall not be permitted in the Forest zone.

1663 e. The agricultural technical review committee, as established in K.C.C.
1664 21A.42.300, may review and approve reductions of minimum site sizes in the rural and
1665 residential zones and minimum setbacks from rural and residential zones.

1666 25. The department may review and approve establishment of agricultural
1667 support services in accordance with the code compliance review process in K.C.C.
1668 21A.42.300 only if:

1669 a. project is sited on lands that are unsuitable for direct agricultural production
1670 based on size, soil conditions or other factors and cannot be returned to productivity by

1671 drainage maintenance; and

1672 b. the proposed use is allowed under any Farmland Preservation Program

1673 conservation easement and zoning development standards.

1674 26. The agricultural technical review committee, as established in K.C.C.

1675 21A.42.300, may review and approve establishment of agricultural support services only

1676 if the project site:

1677 a. adjoins or is within six hundred sixty feet of the agricultural production

1678 district;

1679 b. has direct vehicular access to the agricultural production district;

1680 c. except for farmworker housing, does not use local access streets that abut

1681 lots developed for residential use; and

1682 b. has a minimum lot size of four and one-half acres.

1683 27. The agricultural technical review committee, as established in K.C.C.

1684 21A.42.300, may review and approve establishment of agricultural support services only

1685 if the project site:

1686 a. is outside the urban growth area,

1687 b. adjoins or is within six hundred sixty feet of the agricultural production

1688 district,

1689 c. has direct vehicular access to the agricultural production district,

1690 d. except for farmworker housing, does not use local access streets that abut

1691 lots developed for residential use; and

1692 e. has a minimum lot size of four and one-half acres.

1693 28. Only allowed on properties that are outside the urban growth area.

1694 SECTION 22. Ordinance 10870, Section 407, as amended, and K.C.C.

1695 21A.18.030 are each hereby amended to read as follows:

1696 A. Except as modified in K.C.C. 21A.18.070. B((-)). through D., off-street
1697 parking areas shall contain at a minimum the number of parking spaces as stipulated in
1698 the following table. Off-street parking ratios expressed as number of spaces per square
1699 feet means the usable or net square footage of floor area, exclusive of non-public areas.
1700 Non-public areas include but are not limited to building maintenance areas, storage areas,
1701 closets or restrooms. If the formula for determining the number of off-street parking
1702 spaces results in a fraction, the number of off-street parking spaces shall be rounded to
1703 the nearest whole number with fractions of 0.50 or greater rounding up and fractions
1704 below 0.50 rounding down.

LAND USE	MINIMUM PARKING SPACES REQUIRED
RESIDENTIAL (K.C.C. 21A.08.030.A):	
Single detached/Townhouse	2.0 per dwelling unit
Apartment:	
Studio units	1.2 per dwelling unit
One bedroom units	1.5 per dwelling unit
Two bedroom units	1.7 per dwelling unit
Three bedroom units or larger	2.0 per dwelling unit
Mobile home park	2.0 per dwelling unit

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

	REQUIRED
GENERAL SERVICES (K.C.C. 21A.08.050.A):	
General services uses:	1 per 300 square feet
Exceptions:	
Funeral home/Crematory	1 per 50 square feet of chapel area
Daycare I	2 per facility
Daycare II	2 per facility, plus 1 space for each 20 children
Churches, synagogue, temple	1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes
Outpatient and Veterinary clinic offices	1 per 300 square feet of office, labs and examination rooms
Nursing and personal care Facilities	1 per 4 beds
Hospital	1 per bed
Elementary schools	1 per classroom, plus 1 per 50 students
Secondary schools	
Middle/junior high schools	1 per classroom, plus 1 per 50 students
High schools	1 per classroom, plus 1 per 10 students
High schools with stadiums	greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium
Vocational schools	1 per classroom, plus 1 per five students
Specialized instruction Schools	1 per classroom, plus 1 per two students
Artist Studios	.9 per 1,000 square feet of area used for

	studios
GOVERNMENT/BUSINESS SERVICES (K.C.C. 21A.08.060.A):	
Government/business services uses:	1 per 300 square feet
Exceptions:	
Public agency yard	1 per 300 square feet of offices, plus <u>0.9</u> per 1,000 square feet of indoor storage or repair areas
Public agency archives	<u>0.9</u> per 1000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas
Courts	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas
Police facility	(director)
Fire facility	(director)
Construction and trade	1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area
Warehousing and storage	1 per 300 square feet of office, plus <u>0.9</u> per 1,000 square feet of storage area
Self-service storage	1 per 3,500 square feet of storage area, plus 2 for any resident director's unit
Outdoor advertising services	1 per 300 square feet of office, plus <u>0.9</u> per 1,000 square feet of storage area

Heavy equipment repair	1 per 300 square feet of office, plus <u>0.9</u> per 1,000 square feet of indoor repair areas
Office	1 per 300 square feet
LAND USE	MINIMUM PARKING SPACES REQUIRED
RETAIL/WHOLESALE (K.C.C. 21A.08.070.A):	
Retail trade uses:	1 per 300 square feet
Exceptions:	
Food stores, less than 15,000 square feet	3 plus 1 per 350 square feet
Gasoline service stations w/o grocery	3 per facility, plus 1 per service bay
Gasoline service stations w/grocery, no service bays	1 per facility, plus 1 per 300 square feet of store
Restaurants	1 per 75 square feet in dining or lounge areas
<u>Remote tasting rooms</u>	<u>1 per 300 square feet of tasting and retail areas</u>
Wholesale trade uses	<u>0.9</u> per 1000 square feet
Retail and wholesale trade mixed use	1 per 300 square feet
MANUFACTURING (K.C.C. 21A.08.080.A):	
Manufacturing uses	<u>0.9</u> per 1,000 square feet
Winery/Brewery/ <u>Distillery Facility II and III</u>	<u>0.9</u> per 1,000 square feet, plus 1 per ((50))

	<u>300</u> square feet of tasting <u>and retail</u> areas
RESOURCES (K.C.C. 21A.08.090.A):	
Resource uses	(director)
REGIONAL (K.C.C. 21A.08.100.A):	
Regional uses	(director)

1705 B. An applicant may request a modification of the minimum required number of
1706 parking spaces by providing that parking demand can be met with a reduced parking
1707 requirement. In such cases, the director may approve a reduction of up to fifty percent of
1708 the minimum required number of spaces.

1709 C. When the county has received a shell building permit application, off-street
1710 parking requirements shall be based on the possible tenant improvements or uses
1711 authorized by the zone designation and compatible with the limitations of the shell
1712 permit. When the range of possible uses result in different parking requirements, the
1713 director will establish the amount of parking based on a likely range of uses.

1714 D. Where other provisions of this code stipulate maximum parking allowed or
1715 reduced minimum parking requirements, those provisions shall apply.

1716 E. In any development required to provide six or more parking spaces, bicycle
1717 parking shall be provided. Bicycle parking shall be bike rack or locker-type parking
1718 facilities unless otherwise specified.

1719 1. Off-street parking areas shall contain at least one bicycle parking space for
1720 every twelve spaces required for motor vehicles except as follows:

1721 a. The director may reduce bike rack parking facilities for patrons when it is

1722 demonstrated that bicycle activity will not occur at that location.

1723 b. The director may require additional spaces when it is determined that the
1724 use or its location will generate a high volume of bicycle activity. Such a determination
1725 will include but not be limited to the following uses:

1726 (1) Park/playfield,

1727 (2) Marina,

1728 (3) Library/museum/arboretum,

1729 (4) Elementary/secondary school,

1730 (5) Sports club, or

1731 (6) Retail business (when located along a developed bicycle trail or
1732 designated bicycle route).

1733 2. Bicycle facilities for patrons shall be located within 100 feet of the building
1734 entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a
1735 structure attached to the pavement.

1736 3. All bicycle parking and storage shall be located in safe, visible areas that do
1737 not impede pedestrian or vehicle traffic flow, and shall be well lit for nighttime use.

1738 4. When more than ten people are employed on site, enclosed locker-type
1739 parking facilities for employees shall be provided. The director shall allocate the
1740 required number of parking spaces between bike rack parking and enclosed locker-type
1741 parking facilities.

1742 5. One indoor bicycle storage space shall be provided for every two dwelling
1743 units in townhouse and apartment residential uses, unless individual garages are provided
1744 for every unit. The director may reduce the number of bike rack parking spaces if indoor

1745 storage facilities are available to all residents.

1746 SECTION 23. Ordinance 10870, Section 536, as amended, and K.C.C.

1747 21A.30.080 are each hereby amended to read as follows:

1748 In the R, UR, NB, CB and RB zones, residents of a dwelling unit may conduct
1749 one or more home occupations as accessory activities, only if:

1750 A. The total floor area of the dwelling unit devoted to all home occupations shall
1751 not exceed twenty percent of the floor area of the dwelling unit.

1752 B. Areas within garages and storage buildings shall not be considered part of the
1753 dwelling unit and may be used for activities associated with the home occupation;

1754 C. All the activities of the home occupation or occupations shall be conducted
1755 indoors, except for those related to growing or storing of plants used by the home
1756 occupation or occupations;

1757 D. A home occupation or occupations is not limited in the number of employees
1758 that remain off-site. No more than one nonresident employee shall be permitted to work
1759 on-site for the home occupation or occupations;

1760 E. The following uses, by the nature of their operation or investment, tend to
1761 increase beyond the limits permitted for home occupations. Therefore, the following
1762 shall not be permitted as home occupations:

- 1763 1. Automobile, truck and heavy equipment repair;
- 1764 2. ~~((Autobody))~~ Auto body work or painting;
- 1765 3. Parking and storage of heavy equipment;
- 1766 4. Storage of building materials for use on other properties;
- 1767 5. Hotels, motels or organizational lodging;

- 1768 6. Dry cleaning;
- 1769 7. Towing services;
- 1770 8. Trucking, storage or self service, except for parking or storage of one
- 1771 commercial vehicle used in home occupation; ~~((and))~~
- 1772 9. Veterinary clinic; ~~((and))~~
- 1773 10. Recreational marijuana processor, recreational marijuana producer or
- 1774 recreational marijuana retailer; and
- 1775 11. Winery, brewery, distillery facility I, II, and III, and remote tasting room,
- 1776 except that home occupation adult beverage businesses operating under an active
- 1777 Washington state Liquor and Cannabis Board production license issued for their current
- 1778 location before January 1, 2019, and where King County did not object to the location
- 1779 during the Washington state Liquor and Cannabis Board license application process, shall
- 1780 be considered legally nonconforming and allowed to remain in their current location
- 1781 subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is currently in compliance
- 1782 with or is brought into compliance with the home occupation requirements of this section
- 1783 within one year of the effective date of this ordinance. Such businesses remain subject to
- 1784 all other applicable state and local regulations. The business operator for a
- 1785 nonconforming home occupation shall obtain an adult beverage business license in
- 1786 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this
- 1787 ordinance).
- 1788 F. In addition to required parking for the dwelling unit, on-site parking is
- 1789 provided as follows:
- 1790 1. One stall for each nonresident employed by the home occupations; and

1791 2. One stall for patrons when services are rendered on-site;
1792 G. Sales are limited to:
1793 1. Mail order sales;
1794 2. Telephone, Internet or other electronic commerce sales with off-site delivery;
1795 and
1796 3. Items accessory to a service provided to patrons who receive services on the
1797 premises;
1798 H. On-site services to patrons are arranged by appointment;
1799 I. The home occupation or occupations use or store a vehicle for pickup of
1800 materials used by the home occupation or occupations or the distribution of products
1801 from the site, only if:
1802 1. No more than one such a vehicle is allowed; and
1803 2. The vehicle is not stored within any required setback areas of the lot or on
1804 adjacent streets; and
1805 3. The vehicle does not exceed an equivalent licensed gross vehicle weight of
1806 one ton;
1807 J. The home occupation or occupations do not:
1808 1. Use electrical or mechanical equipment that results in a change to the
1809 occupancy type of the structure or structures used for the home occupation or
1810 occupations; or
1811 2. Cause visual or audible interference in radio or television receivers, or
1812 electronic equipment located off-premises or fluctuations in line voltage off-premises;
1813 ((and))

1814 K. There shall be no exterior evidence of a home occupation, other than growing
1815 or storing of plants under subsection C. of this section or a permitted sign, that would
1816 cause the premises to differ from its residential character. Exterior evidence includes, but
1817 is not limited to, lighting, the generation or emission of noise, fumes or vibrations as
1818 determined by using normal senses from any lot line or on average increase vehicular
1819 traffic by more than four additional vehicles at any given time;

1820 L. Customer visits and deliveries shall be limited to the hours of 8:00 a.m. to 7:00
1821 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends; and

1822 M. Uses not allowed as home occupations may be allowed as a home industry
1823 under K.C.C. 21A.30.090.

1824 SECTION 24. Ordinance 15606, Section 20, as amended, and K.C.C.
1825 21A.30.085 are each hereby amended to read as follows:

1826 In the A, F and RA zones, residents of a dwelling unit may conduct one or more
1827 home occupations as accessory activities, under the following provisions:

1828 A. The total floor area of the dwelling unit devoted to all home occupations shall
1829 not exceed twenty percent of the dwelling unit.

1830 B. Areas within garages and storage buildings shall not be considered part of the
1831 dwelling unit and may be used for activities associated with the home occupation;

1832 C. Total outdoor area of all home occupations shall be permitted as follows:

1833 1. For any lot less than one acre: Four hundred forty square feet; and

1834 2. For lots one acre or greater: One percent of the area of the lot, up to a
1835 maximum of five thousand square feet.

1836 D. Outdoor storage areas and parking areas related to home occupations shall be:

- 1837 1. No less than twenty-five feet from any property line; and
- 1838 2. Screened along the portions of such areas that can be seen from an adjacent
- 1839 parcel or roadway by the:
- 1840 a. planting of Type II landscape buffering; or
- 1841 b. use of existing vegetation that meets or can be augmented with additional
- 1842 plantings to meet the intent of Type II landscaping((-));
- 1843 E. A home occupation or occupations is not limited in the number of employees
- 1844 that remain off-site. Regardless of the number of home occupations, the number of
- 1845 nonresident employees is limited to no more than three who work on-site at the same
- 1846 time and no more than three who report to the site but primarily provide services off-
- 1847 site((-));
- 1848 F. In addition to required parking for the dwelling unit, on-site parking is
- 1849 provided as follows:
- 1850 1. One stall for each nonresident employed on-site; and
- 1851 2. One stall for patrons when services are rendered on-site;
- 1852 G. Sales are limited to:
- 1853 1. Mail order sales;
- 1854 2. Telephone, Internet or other electronic commerce sales with off-site delivery;
- 1855 3. Items accessory to a service provided to patrons who receive services on the
- 1856 premises;
- 1857 4. Items grown, produced or fabricated on-site; and
- 1858 5. On sites five acres or larger, items that support agriculture, equestrian or
- 1859 forestry uses except for the following:

- 1860 a. motor vehicles and parts (North American Industrial Classification System
1861 ("NAICS" Code 441);
- 1862 b. electronics and appliances (NAICS Code 443); and
- 1863 c. building material and garden equipments and supplies (NAICS Code 444);
- 1864 H. The home occupation or occupations do not:
- 1865 1. Use electrical or mechanical equipment that results in a change to the
1866 occupancy type of the structure or structures used for the home occupation or
1867 occupations;
- 1868 2. Cause visual or audible interference in radio or television receivers, or
1869 electronic equipment located off-premises or fluctuations in line voltage off-premises; or
- 1870 3. Increase average vehicular traffic by more than four additional vehicles at any
1871 given time;
- 1872 I. Customer visits and deliveries shall be limited to the hours of 8:00 a.m. to 7:00
1873 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;
- 1874 J. The following uses, by the nature of their operation or investment, tend to
1875 increase beyond the limits permitted for home occupations. Therefore, the following
1876 shall not be permitted as home occupations:
- 1877 1. Hotels, motels or organizational lodging;
- 1878 2. Dry cleaning((÷));
- 1879 3. Automotive towing services, automotive wrecking services and tow-in
1880 parking lots; ((and))
- 1881 4. Recreational marijuana processor, recreational marijuana producer or
1882 recreational marijuana retailer((-)); and

1883 5. Winery, brewery, distillery facility I, II, and III, and remote tasting room,
1884 except that home occupation adult beverage businesses operating under an active
1885 Washington state Liquor and Cannabis Board production license issued for their current
1886 location before January 1, 2019, and where King County did not object to the location
1887 during the Washington state Liquor and Cannabis Board license application process, shall
1888 be considered legally nonconforming and allowed to remain in their current location
1889 subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is currently in compliance
1890 with or is brought into compliance with the home occupation requirements of this section
1891 within one year of the effective date of this ordinance. Such businesses remain subject to
1892 all other applicable state and local regulations. The business operator for a
1893 nonconforming home occupation shall obtain an adult beverage business license in
1894 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this
1895 ordinance);

1896 K. Uses not allowed as home occupation may be allowed as a home industry
1897 under K.C.C. chapter 21A.30; and

1898 L. The home occupation or occupations may use or store vehicles, as follows:

1899 1. The total number of vehicles for all home occupations shall be:

1900 a. for any lot five acres or less: two;

1901 b. for lots greater than five acres: three; and

1902 c. for lots greater than ten acres: four;

1903 2. The vehicles are not stored within any required setback areas of the lot or on
1904 adjacent streets; and

1905 3. The parking area for the vehicles shall not be considered part of the outdoor

1906 storage area provided for in subsection C. of this section.

1907 SECTION 25. Ordinance 10870, Section 537, as amended, and K.C.C.

1908 21A.30.090 are each hereby amended to read as follows:

1909 A resident may establish a home industry as an accessory activity, as follows:

1910 A. The site area is one acre or greater;

1911 B. The area of the dwelling unit used for the home industry does not exceed fifty
1912 percent of the floor area of the dwelling unit.

1913 C. Areas within attached garages and storage buildings shall not be considered
1914 part of the dwelling unit for purposes of calculating allowable home industry area but
1915 may be used for storage of goods associated with the home industry;

1916 D. No more than six nonresidents who work on-site at the time;

1917 E. In addition to required parking for the dwelling unit, on-site parking is
1918 provided as follows:

1919 1. One stall for each nonresident employee of the home industry; and

1920 2. One stall for customer parking;

1921 F. Additional customer parking shall be calculated for areas devoted to the home
1922 industry at the rate of one stall per:

1923 1. One thousand square feet of building floor area; and

1924 2. Two thousand square feet of outdoor work or storage area;

1925 G. Sales are limited to items produced on-site, except for items collected, traded
1926 and occasionally sold by hobbyists, such as coins, stamps, and antiques;

1927 H. Ten feet of Type I landscaping are provided around portions of parking and
1928 outside storage areas that are otherwise visible from adjacent properties or public rights-

1929 of-way;

1930 I. The department ensures compatibility of the home industry by:

1931 1. Limiting the type and size of equipment used by the home industry to those
1932 that are compatible with the surrounding neighborhood;

1933 2. Providing for setbacks or screening as needed to protect adjacent residential
1934 properties;

1935 3. Specifying hours of operation;

1936 4. Determining acceptable levels of outdoor lighting; and

1937 5. Requiring sound level tests for activities determined to produce sound levels
1938 that may be in excess of those in K.C.C. chapter 12.88; ~~((and))~~)

1939 J. Recreational marijuana processors, recreational marijuana producers and
1940 recreational marijuana retailers shall not be allowed as home industry; and

1941 K. Winery, brewery, distillery facility I, II, and III, and remote tasting room shall
1942 not be allowed as home industry, except that home industry adult beverage businesses
1943 operating under an active Washington state Liquor and Cannabis Board production
1944 license issued for their current location before January 1, 2019, and where King County
1945 did not object to the location during the Washington state Liquor and Cannabis Board
1946 license application process, shall be considered legally nonconforming and allowed to
1947 remain in their current location subject to K.C.C. 21A.32.020 through 21A.32.075 if the
1948 use is currently in compliance with or is brought into compliance with the home industry
1949 requirements of this section within one year of the effective date of this ordinance. Such
1950 businesses remain subject to all other applicable state and local regulations. The business
1951 operator for a nonconforming home industry shall obtain an adult beverage business

1952 license in accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of
1953 this ordinance).

1954 SECTION 26. Ordinance 10870, Section 547, as amended, and K.C.C.
1955 21A.32.100 are each hereby amended to read as follows:

1956 Except as provided by K.C.C. 21A.32.110, a temporary use permit shall be
1957 required for any of the following:

1958 A. A use not otherwise permitted in the zone that can be made compatible for a
1959 period of up to sixty days a year; ~~((or))~~

1960 B. The expansion of an established use that:

- 1961 1. Is otherwise allowed in the zone;
1962 2. Is not inconsistent with the original land use approval;
1963 3. Exceeds the scope of the original land use approval; and
1964 4. Can be made compatible with the zone for a period of up to sixty days a year;

1965 or

1966 C. Events at a winery, brewery, distillery facility or remote tasting room that
1967 include one or more of the following activities:

- 1968 1. Exceeds the permitted building occupancy;
1969 2. Utilizes portable toilets;
1970 3. Utilizes parking that exceeds the maximum number of spaces allowed by this

1971 Title on-site or utilizes off-site parking;

- 1972 4. Utilizes temporary stages;
1973 5. Utilizes temporary tents or canopies that require a permit;
1974 6. Utilizes traffic control for public rights-of-way; or

1975 7. Extends beyond stated hours of operation.

1976 SECTION 27. Ordinance 10870, Section 549, as amended, and K.C.C.

1977 21A.32.120 are each hereby amended to read as follows:

1978 Except as otherwise provided in this chapter or in K.C.C. chapter 21A.45,
1979 temporary use permits shall be limited in duration and frequency as follows:

1980 A. The temporary use permit shall be effective for one year from the date of
1981 issuance and may be renewed annually as provided in subsection D. of this section;

1982 B.1. The temporary use shall not exceed a total of sixty days in any three-
1983 hundred(~~((and))~~)-sixty-five-day period. This (~~((requirement))~~) subsection B.1. applies only
1984 to the days that the event or events actually take place.

1985 2. For a winery, brewery, distillery facility II and III in the A (~~((or RA))~~)
1986 zone(~~((s))~~), the temporary use shall not exceed a total of two events per month and all
1987 event parking (~~((for the events))~~) must be accommodated on site or managed through a
1988 parking management plan approved by the director. This subsection B.2. applies only to
1989 the days that the event or events actually take place;

1990 3. For a winery, brewery, distillery facility II and III in the RA zone, the
1991 temporary use shall not exceed a total of twenty-four days in any three-hundred-sixty-
1992 five-day period and all event parking must be accommodated on site or managed through
1993 a parking management plan approved by the director. This subsection B.3. applies only
1994 to the days that the event or events actually take place;

1995 4. For a winery, brewery, distillery facility II in the A or RA zones, in addition
1996 to all other relevant facts, the department shall consider building occupancy and parking
1997 limitations during permit review, and shall condition the number of guests allowed for a

1998 temporary use based on those limitations. The department shall not authorize attendance
1999 of more than one hundred fifty guests.

2000 5. For a winery, brewery, distillery facility III in the A or RA zones, in addition
2001 to all other relevant facts, the department shall consider building occupancy and parking
2002 limitations during permit review, and shall condition the number of guests allowed for a
2003 temporary use based on those limitations. The department shall not authorize attendance
2004 of more than two hundred fifty guests.

2005 6. Events for any winery, brewery, distillery facility I in the RA zone, any
2006 nonconforming winery, brewery, distillery facility home occupation, and any
2007 nonconforming winery, brewery, distillery facility home industry shall be limited to two
2008 per year, and limited to a maximum of fifty guests. If the event complies with this
2009 chapter, a temporary use permit is not required for a special event for a winery, brewery,
2010 distillery facility I in the RA zone, a nonconforming home occupation winery, brewery,
2011 distillery facility or a nonconforming home industry winery, brewery, distillery facility.

2012 7. Special events shall not be permitted for any winery, brewery, distillery
2013 facility I in the A zone. The permitting division shall not issue temporary use permits to
2014 winery, brewery, distillery facility I uses in the A zone.

2015 C. The temporary use permit shall specify a date upon which the use shall be
2016 terminated and removed; and

2017 D. A temporary use permit may be renewed annually for up to a total of five
2018 consecutive years as follows:

2019 1. The applicant shall make a written request and pay the applicable permit
2020 extension fees for renewal of the temporary use permit at least seventy days before the

2021 end of the permit period;

2022 2. The department must determine that the temporary use is being conducted in
2023 compliance with the conditions of the temporary use permit;

2024 3. The department must determine that site conditions have not changed since
2025 the original temporary permit was issued; and

2026 4. At least forty-five days before the end of the permit period, the department
2027 shall notify property owners within five hundred feet of the property boundaries that a
2028 temporary use permit extension has been requested and contact information to request
2029 additional information or to provide comments on the proposed extension.

2030 SECTION 28. The King County executive shall conduct a demonstration project
2031 to create and evaluate a remote tasting room demonstration project A as provided for in,
2032 and consistent with, section 29 of this ordinance.

2033 NEW SECTION. SECTION 29. There is hereby added to K.C.C. chapter
2034 21A.55 a new section to read as follows:

2035 A. The purpose of the remote tasting room demonstration project A is to:

2036 1. Support agriculture and synergistic development of mixed use adult beverage
2037 facilities in order to boost agritourism and the areas' reputations as food and adult-
2038 beverage destinations;

2039 2. Enable the county to determine if expanded adult beverage-based uses can be
2040 permitted while maintaining the core functions and purposes of the Rural Area and
2041 Agricultural zones;

2042 3. Determine the impacts and benefits of the adult beverage industry on Rural
2043 Area and Agricultural zoned areas, including the impacts and benefits of the industry on

2044 Agricultural Production Districts, and including those properties where the demonstration
2045 project sites are located and the surrounding areas;

2046 4. Provide an opportunity for additional exposure for locally sourced and
2047 produced agricultural products; and

2048 5. Identify and evaluate potential changes to countywide land use regulations to
2049 support the development of additional areas of unincorporated King County that may
2050 benefit from growth in agritourism.

2051 B. The demonstration project shall only be implemented on a site identified in
2052 Attachment A to this ordinance.

2053 C. The use that the permitting division may approve under the remote tasting
2054 room demonstration project A shall include only "remote tasting room" as defined in
2055 section 13 of this ordinance.

2056 D.1. An application for a remote tasting room under this section may be submitted
2057 in conjunction with an application for an adult beverage business license or a building
2058 permit.

2059 2. Requests shall be submitted to the permitting division in writing, together
2060 with any supporting documentation and must illustrate how the proposal meets the
2061 criteria in subsection F. of this section.

2062 3. An application for a remote tasting room under this section shall be reviewed
2063 as a Type I land use decision in accordance with K.C.C. 20.20.020.

2064 E. The department of local services, permitting division, shall administer the
2065 demonstration project, and shall approve or deny a remote tasting room application under
2066 this section based upon compliance with subsection F. of this section. Approval or denial

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

F.1. A remote tasting room under this section may be approved, subject to the following:

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

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

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

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

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

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

2090 g. Each remote tasting room business operator shall have proof of Washington
2091 state Liquor and Cannabis Board approval;

2092 h. Events shall be limited to two per year, and limited to no more than fifty
2093 guests. As long as the event complies with this section, a temporary use permit is not
2094 required for a special event;

2095 i. Off-street parking shall be provided in accordance with the parking ratios
2096 for remote tasting room uses in K.C.C. 21A.18.030. Off-Street parking is limited to a
2097 maximum of one space per fifty square feet of tasting and retail areas; and

2098 j. The use shall be consistent with general health, safety and public welfare standards,
2099 and shall not violate state or federal law.

2100 2. This section supersedes other variance, modification or waiver criteria of
2101 K.C.C. Title 21A.

2102 3. Remote tasting room uses approved in accordance with this section may
2103 continue as long as an underlying business license or renewal is maintained, and subject
2104 to the nonconformance provisions of K.C.C. chapter 21A.32.

2105 G. Demonstration project applications shall be accepted by the permitting
2106 division for three years from the effective date of this ordinance. Complete applications
2107 submitted before the end of the three years shall be reviewed and decided on by the
2108 permitting division.

2109 H. Starting one year after the effective date of this ordinance, and each year for
2110 four years thereafter, the executive shall prepare and transmit to the council preliminary
2111 evaluations of remote tasting room demonstration project A. These preliminary
2112 evaluation reports shall include:

- 2113 1. A list of remote tasting room demonstration project applications submitted,
2114 reviewed and decided;
- 2115 2. Comments received from neighboring residents, including code complaints, if
2116 any, related to the applications received and approved or the demonstration project;
- 2117 3. Comments received from neighboring cities and community service areas;
- 2118 4. Comments received from project applicants attempting to utilize the
2119 demonstration project, including the application and review process, and the criteria for
2120 approving remote tasting rooms;
- 2121 5. Comments received from customers of the project applicants' businesses;
- 2122 6. A description of known interactions or relationships between projects
2123 approved under the demonstration project and nearby agricultural users and lands, such
2124 as additional exposure for local agricultural products;
- 2125 7. An inventory of remaining parcels or properties available for development
2126 under the demonstration project; and
- 2127 8. Any known recommended code changes that would further the purposes of
2128 the demonstration project.
- 2129 I. Within ninety days of five years after the effective date of this ordinance, the
2130 permitting division shall prepare a draft final report and proposed permanent code
2131 changes that includes the information compiled under subsection H. of this section, and
2132 include the following:
- 2133 1. Evaluation of the parking requirements, including whether the parking ratios
2134 required in K.C.C. chapter 21A.18 for production facilities and for remote tasting rooms
2135 provide sufficient, but not excessive, parking;

2136 2. Description of the industry standards for tasting room hours for wineries,
2137 breweries and distilleries; evaluation of the tasting room hours allowed under the
2138 demonstration project, and the benefits or negative impacts of these hours relative to the
2139 purposes of the demonstration project;

2140 3. Outreach to those projects approved through the demonstration project, with
2141 requested information to include, at a minimum:

- 2142 a. when they were approved by the permitting division;
- 2143 b. when they opened subsequent to that approval;
- 2144 c. whether they are still operating at the time of the final report; and
- 2145 d. any recommendations on final regulations;

2146 4. Evaluation of the permit review timelines for the demonstration project
2147 applications; and

2148 5. A recommendation on permanent code changes, or further demonstration
2149 project requirements, regarding remote tasting rooms.

2150 J. The permitting division shall include a public comment period for the
2151 permitting division's draft evaluation described in subsection I. of this section. The
2152 public comment period shall last at least forty-five days beginning with the date of
2153 publication in the newspapers of record for the demonstration project areas identified in
2154 Attachment A to this ordinance. As part of the public comment period, the permitting
2155 division shall:

2156 1. Publish notice of the draft evaluation's availability in each newspaper of
2157 record, including locations where the draft evaluation is available;

2158 2. Send notice and request for comment to the water districts for the

2159 demonstration project areas identified in Attachment A to this ordinance;

2160 3. Request comments from any developer that has applied for approval under
2161 the demonstration project;

2162 4. Provide a copy at the local libraries for the demonstration project areas
2163 identified in Attachment A to this ordinance;

2164 5. Post an electronic copy on the permitting division's website; and

2165 6. Send electronic notice to the clerk of the council, who shall retain the original
2166 email and provide an electronic copy to all councilmembers, the council chief of staff and
2167 the lead staff for the local services, regional roads and bridges committee, or its
2168 successor.

2169 K. After the public comment period has ended, the permitting division shall
2170 prepare a final evaluation of the remote tasting room demonstration project A,
2171 incorporating or responding to the comments received. Within sixty days of the end of
2172 the public comment period, the executive shall file a final evaluation report, a motion that
2173 should accept the report, and an ordinance that implements any proposed permanent code
2174 changes.

2175 L. For each preliminary evaluation, and the final report and proposed legislation,
2176 the reports shall be filed in the form of a paper original and an electronic copy with the
2177 clerk of the council, who shall retain the original and provide an electronic copy to all
2178 councilmembers, the council chief of staff and the lead staff for the local services,
2179 regional roads and bridges committee, or its successor.

2180 SECTION 30. The King County executive shall conduct a demonstration project
2181 to create and evaluate a special event demonstration project B as provided for in, and

2182 consistent with, section 31 of this ordinance.

2183 NEW SECTION. SECTION 31. There is hereby added to K.C.C. chapter

2184 21A.55 a new section to read as follows:

2185 A. The purpose of the special events demonstration project B is to:

2186 1. Support agriculture and synergistic development of adult beverage facilities
2187 in order to boost agritourism and the Sammamish valley's reputation as a food and adult
2188 beverage destination;

2189 2. Enable the county to determine if the number of special events held at adult
2190 beverage-facilities can be increased while maintaining the core functions and purposes of
2191 the Rural Area and Agricultural zones;

2192 3. Identify the impacts and benefits of adult beverage industry special events on
2193 Rural Area and Agricultural zoned communities including Agricultural Production
2194 Districts, properties where the demonstration projects are located, and surrounding areas;

2195 4. Provide an opportunity for additional exposure for locally sourced and
2196 produced agricultural products; and

2197 5. Identify and evaluate potential changes to countywide land use regulations to
2198 support the development of additional areas of unincorporated King County that may
2199 benefit from growth in agritourism.

2200 B. A special event demonstration project shall only be implemented on a site
2201 identified in Attachment B to this ordinance.

2202 C. As part of the demonstration project B, the permitting division may, for a
2203 winery, brewery, distillery facility III, consolidate temporary use review for special
2204 events under K.C.C. 21A.32.100 through 21A.32.140, with conditional use review under

2205 K.C.C. 21A.44.040, and applicable to those uses under K.C.C. 21A.08.080;

2206 D.1. Demonstration project B applications shall include review of:

2207 a. a conditional use permit, or conditional use permit modification or
2208 expansion, for a winery, brewery, distillery facility III; and

2209 b. a temporary use permit for special events associated with the winery,
2210 brewery, distillery facility III.

2211 2. The joint conditional use permit and temporary use permit application shall
2212 include a request in writing to apply for the special event demonstration project, together
2213 with supporting documentation and must illustrate how the proposal meets the criteria in
2214 subsection F. and G. of this section and the criteria in K.C.C. 21A.44.020 and
2215 21A.44.040.

2216 3. As part of the joint conditional use and temporary use permit review process,
2217 the applicant shall be required to pay all required fees for a conditional use permit. The
2218 temporary use permit fees in K.C.C. 27.10.170.D. shall be waived for the joint permit
2219 review process.

2220 4. An application for a special event demonstration project under this section
2221 shall be reviewed as a Type II land use decision in accordance with K.C.C. 20.20.020. As
2222 part of the joint conditional use and temporary use permit review, the review procedures
2223 in K.C.C. chapters 20.20, 20.44 and 21A.42 shall be applied, and compliance with K.C.C.
2224 21A.44.020 and K.C.C. 21A.44.040 shall be met.

2225 5. Any deadline in this subsection shall be adjusted to include the time for
2226 appeal of all or any portion of the project approval.

2227 E. The department of local services, permitting division, shall administer the

demonstration project, and shall approve or deny the special event demonstration project under this section as part of a joint conditional use permit and temporary use permit based upon compliance with subsections F. and G. of this section. Approval or denial of a special event demonstration project shall not be construed as applying to any other development application either within the demonstration project area or elsewhere in the county, and shall not render uses authorized under this section "otherwise permitted in the zone" under K.C.C. 21A.32.100.A.

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

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

b. K.C.C. 21A.08.080.B.12.1.;

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

G. Approval of a special event demonstration project authorized by this section shall impose conditions regarding:

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

- 2251 b. parking limits or parking plan;
- 2252 c. the number of events allowed per year, which shall occur on no more than
- 2253 sixty days per year; and
- 2254 d. reasonable measures to provide notification to the permitting division and
- 2255 the public on the time, date, duration and size of special events authorized under the
- 2256 demonstration project, which could include, but is not limited to, posting the information
- 2257 on the operator's website or on-site.
- 2258 2. During the duration of the special event demonstration project, and only for
- 2259 the purposes of the special event demonstration project, parcels within the special event
- 2260 demonstration project area identified in Attachment B to this ordinance may not be
- 2261 consolidated to meet the minimum lot size required for a winery, brewery, distillery
- 2262 facility III.
- 2263 3. Special event demonstration projects shall be consistent with general health,
- 2264 safety and public welfare standards, and shall not violate state or federal law.
- 2265 H. Special event demonstration project applications shall be accepted by the
- 2266 permitting division for three years from the effective date of this ordinance. Complete
- 2267 applications submitted before the end of the three years shall be reviewed and decided on
- 2268 by the permitting division.
- 2269 I. Beginning one year after the effective date of this ordinance, and each year for
- 2270 four years thereafter, the executive shall prepare and transmit to the council preliminary
- 2271 evaluations of special event demonstration project B. These preliminary evaluation
- 2272 reports shall include:
- 2273 1. A list of demonstration project applications submitted, reviewed and decided;

- 2274 2. Comments received from neighboring residents, including code complaints, if
2275 any, related to the applications received and approved, or the demonstration project;
- 2276 3. Comments received from neighboring cities and community service areas;
- 2277 4. Comments received from project applicants attempting to utilize the
2278 demonstration project, including the application and review process, and the criteria for
2279 approving special event demonstration projects;
- 2280 5. Comments received from customers of the project applicants' businesses;
- 2281 6. A description of known interactions or relationships between projects
2282 approved under the demonstration project and nearby agricultural users and lands, such
2283 as additional exposure for local agricultural products;
- 2284 7. An inventory of remaining parcels or properties available for development
2285 under the demonstration project;
- 2286 8. A description of the number and size of the events and the parking plans
2287 approved through the joint conditional use permit and temporary use permit process; and
- 2288 9. Any known recommended code changes that would further the purposes of
2289 the demonstration project.
- 2290 J. Within ninety days of five years after the effective date of this ordinance, the
2291 permitting division shall prepare a draft final report and proposed permanent code
2292 changes, that includes the information compiled under subsection I. of this section, and
2293 includes the following:
- 2294 1. Evaluation of water use by winery, brewery, distillery facility III uses,
2295 including amount of water used, impacts to watershed basins, impacts to public water
2296 systems, and whether these facilities should be required to connect to a Group A or

2297 Group B system;

2298 2. Evaluation of the parking requirements, including whether the parking ratios
2299 required in K.C.C. chapter 21A.18 for production facilities, associated tasting rooms, and
2300 special events provide sufficient, but not excessive, parking;

2301 3. Outreach to those applicants with projects approved through the
2302 demonstration project, with requested information to include, at a minimum:

2303 a. when they were approved by the permitting division;

2304 b. when they opened subsequent to that approval;

2305 c. whether they are still operating at the time of the final report; and

2306 d. any recommendations on final regulations;

2307 4. An evaluation of the requirements for temporary use permits for special
2308 events for all winery, brewery, distillery facilities, home occupations, home industries,
2309 and remote tasting rooms. This shall include, at a minimum:

2310 a. an evaluation of the minimum requirements for obtaining a temporary use
2311 permit established in K.C.C. 21A.32.100 and 21A.32.120, and whether they should be
2312 modified;

2313 b. an evaluation of what is considered an "industry standard event" for a
2314 winery, brewery, distillery facility or remote tasting room. As a guideline, an "industry
2315 standard event" may mean an event that is essential to the operation of the business and is
2316 directly related to the business, such as a release party or dinner for club members. The
2317 evaluation shall include recommendations on what types of industry standard events
2318 should require a temporary use permit, based on the scale of the event or any other factor
2319 the executive deems relevant;

2320 c. an evaluation of what is not an "industry standard event," such as renting out
2321 space for an event that is unrelated to the business. Those types of events typically
2322 require a temporary use permit;

2323 d. a recommended set of specific temporary use permit triggers related to
2324 special events for winery, brewery, distillery facilities, nonconforming home occupations
2325 and home industries and remote tasting rooms;

2326 e. a recommendation of the maximum number of special events that should be
2327 allowed for winery, brewery, distillery facilities, nonconforming home occupations and
2328 home industries and remote tasting rooms;

2329 f. a description of the current temporary use permit review process, and an
2330 evaluation of and recommendations for simplification of the temporary use permit review
2331 process, including, but not limited to, code requirements, internal process and procedures,
2332 and fees;

2333 g. an evaluation of the current two per year limit on events that may be held
2334 without a permit, and whether that limitation should be modified;

2335 h. an evaluation of the limits on the number of guests in K.C.C. 21A.32.120,
2336 and whether those limitations should be modified; and

2337 i. an evaluation of the public notice requirements for special events allowed for
2338 winery, brewery, and distillery facilities, and whether those requirements should be
2339 modified;

2340 5. Evaluation of the consolidated permit review process, including permit
2341 review timelines for the demonstration project applications compared to review times for
2342 similar types of projects that do not use the demonstration project allowance for

2343 consolidated review under this section, the cost to the applicant and the cost for the
2344 county to administer and review the demonstration project applications;

2345 6. Evaluation of stormwater and surface water issues within Overlay B, impacts
2346 on downstream properties and agricultural land, and potential remedies for identified
2347 stormwater and surface water issues; and

2348 7. A recommendation on permanent code changes, or further demonstration
2349 project requirements, regarding special events.

2350 K. The permitting division shall include a public comment period for the draft
2351 evaluation described in subsection J. of this section. The public comment period shall be
2352 at least forty-five days beginning with the date of publication in the newspapers of record
2353 for the demonstration project areas identified in Attachment B to this ordinance. As part
2354 of the public comment period, the permitting division shall:

2355 1. Publish notice of the draft evaluation's availability in each newspaper of
2356 record, including locations where the draft evaluation is available;

2357 2. Send notice and request for comment to the water districts for the
2358 demonstration project areas identified in Attachment B to this ordinance;

2359 3. Request comments from any developer that has applied for approval under
2360 the demonstration project;

2361 4. Provide a copy at the local libraries for the demonstration project areas
2362 identified in Attachment B to this ordinance;

2363 5. Post an electronic copy on the permitting division's website; and

2364 6. Send electronic notice to the clerk of the council, who shall retain the original
2365 email and provide an electronic copy to all councilmembers, the council chief of staff and

2366 the lead staff for the local services, regional roads and bridges committee, or its
2367 successor.

2368 L. After the public comment period has ended, the permitting division shall
2369 prepare a final evaluation of the special event demonstration project B, incorporating or
2370 responding to the comments received. Within sixty days of the end of the end of the
2371 public comment period, the executive shall file a final evaluation report, a motion that
2372 should accept the report, and an ordinance that implements any proposed permanent code
2373 changes.

2374 M. For each preliminary evaluation, and the final report and proposed legislation,
2375 the reports shall be filed in the form of a paper original and an electronic copy with the
2376 clerk of the council, who shall retain the original and provide an electronic copy to all
2377 councilmembers, the council chief of staff and the lead staff for the local services,
2378 regional roads and bridges committee, or its successor.

2379 SECTION 32. Ordinance 13623, Section 37, as amended, and K.C.C. 23.32.010
2380 are each hereby amended to read as follows:

2381 A.1. Civil fines and civil penalties for civil code violations shall be imposed for
2382 remedial purposes and shall be assessed for each violation identified in a citation, notice
2383 and order, voluntary compliance agreement or stop work order pursuant to the following
2384 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 | \$125 |

within the past twelve months

(3) with one previous code violation of K.C.C. chapter 12.86 \$250

within the past twelve months

(4) with one or more previous similar code violations, or with \$500

two previous code violations of K.C.C. chapter 12.86 within the
past twelve months

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

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

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

(2) with one or more previous similar code violations within \$1,000

the past twelve months;

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

(1) stop work order basic penalty \$500

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

penalty

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

(a) public health risk \$15

(b) environmental damage risk \$15

(c) damage to property risk \$15

(d) one previous similar code violation \$25

(e) two previous similar code violations \$50

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

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

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

23.02.140.

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

(1) first reinspection, which shall occur no sooner than the day \$150 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 only be \$450 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

2385 2. For the purposes of this section, previous similar code violations that can
2386 serve as a basis for a higher level of civil penalties include violations of the same chapter
2387 of the King County Code. Any citation, stop work order or notice and order previously
2388 issued by the department shall not constitute a previous code violation for the purposes of
2389 this section if that stop work order or notice and order was appealed and subsequently

2390 reversed.

2391 B. The penalties assessed pursuant to this section for any failure to comply with a
2392 notice and order or voluntary compliance agreement shall be assessed daily, according to
2393 the schedule in subsection A of this section, for the first thirty days following the date the
2394 notice and order or voluntary compliance agreement required the code violations to have
2395 been cured. If after thirty days the person responsible for code compliance has failed to
2396 satisfy the notice and order or voluntary compliance agreement, penalties shall be
2397 assessed daily at a rate of double the rate for the first thirty days. Penalties may be
2398 assessed daily until the person responsible for code compliance has fully complied with
2399 the notice and order.

2400 C. Penalties based on violation of a stop work order shall be assessed, according
2401 to the schedule in subsection A. of this section, for each day the department determines
2402 that work or activity was done in violation of the stop work order.

2403 D. Citations and cleanup restitution payments shall only be subject to a one-time
2404 civil penalty.

2405 E. The director may suspend the imposition of additional civil penalties if the
2406 person responsible for code compliance has entered into a voluntary compliance
2407 agreement. If the person responsible for code compliance enters into a voluntary
2408 compliance agreement and cures the code violations, the director may also waive all or
2409 part of the accrued civil penalties in accordance with K.C.C. 23.32.050. Penalties shall
2410 begin to accrue again pursuant to the terms of the voluntary compliance agreement if any
2411 necessary permits applied for are denied, canceled or not pursued, or if corrective action
2412 identified in the voluntary compliance agreement is not completed as specified.

2413 F. The civil penalties in this section are in addition to, and not in lieu of, any
2414 penalties, sanctions, restitution or fines provided for in any other provisions of law.

2415 SECTION 33. A. The executive shall transmit a report and proposed ordinance
2416 that evaluates the efficacy of the regulations for winery, brewery, distillery facilities and
2417 remote tasting rooms adopted as part of this ordinance. The report shall include, at a
2418 minimum:

2419 1. An evaluation of the effectiveness of the citation and civil fine structure in
2420 K.C.C. 23.32.010 adopted for winery, brewery, distillery and remote tasting room uses as
2421 part of this ordinance, and a recommended citation and civil fine structure, if the
2422 evaluation finds that the current structure is not effective or could be modified to increase
2423 effectiveness;

2424 2. An evaluation of the impacts that urban uses within urban growth area have
2425 on rural character and adjacent rural areas outside the urban growth area, and
2426 recommendations for how to reduce impact of those urban uses;

2427 3. Analysis of product content requirement adopted as part of this ordinance for
2428 winery, brewery distillery facilities in the Agriculture zone. Include, at a minimum, an
2429 evaluation of requiring sixty percent of product content to be grown on-site, sixty percent
2430 of product content to be grown in Puget Sound Counties, or allowing these facilities as
2431 agricultural accessory uses in accordance with WAC 365-196-815, and a
2432 recommendation for how these facilities should be regulated in the Agriculture zone to
2433 comply with the requirements for agricultural production areas under the Growth
2434 Management Act; and

2435 4. Analysis of winery, brewery, distillery facility I as interim use in the

2436 Agriculture zone, and evaluation of the effectiveness of the regulations adopted by this
2437 ordinance, the impacts to the agricultural production districts, and any recommended
2438 changes to the regulations regarding winery, brewery, distillery facility and remote
2439 tasting rooms, adopted by this ordinance.

2440 B. The report and proposed ordinance shall be transmitted to the council with a
2441 motion that should accept the report and a proposed ordinance making recommended
2442 code changes, concurrently with the final evaluations required in sections 29 and 31 of
2443 this ordinance, in the form of a paper original and an electronic copy to the clerk of the
2444 council, who shall retain the original and provide an electronic copy to all
2445 councilmembers, the council chief of staff and the lead staff for the local services,
2446 regional roads and bridges committee, or its successor.

2447 SECTION 34. Severability. If any provision of this ordinance or its application

2448 to any person or circumstance is held invalid, the remainder of the ordinance or the
2449 application of the provision to other persons or circumstances is not affected.
2450

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Rod Dembowski, Chair

ATTEST:


Melani Pedroza, Clerk of the Council

APPROVED this ____ day of _____, ____.

Dow Constantine, County Executive

Attachments: A. Map Amendment #1-Remote Tasting Room Demonstration Project A dated March 11, 2019, B. Map Amendment #2-Special Event Demonstration Project B dated March 11, 2019

Demonstration Project Overlay A: Remote Tasting Rooms

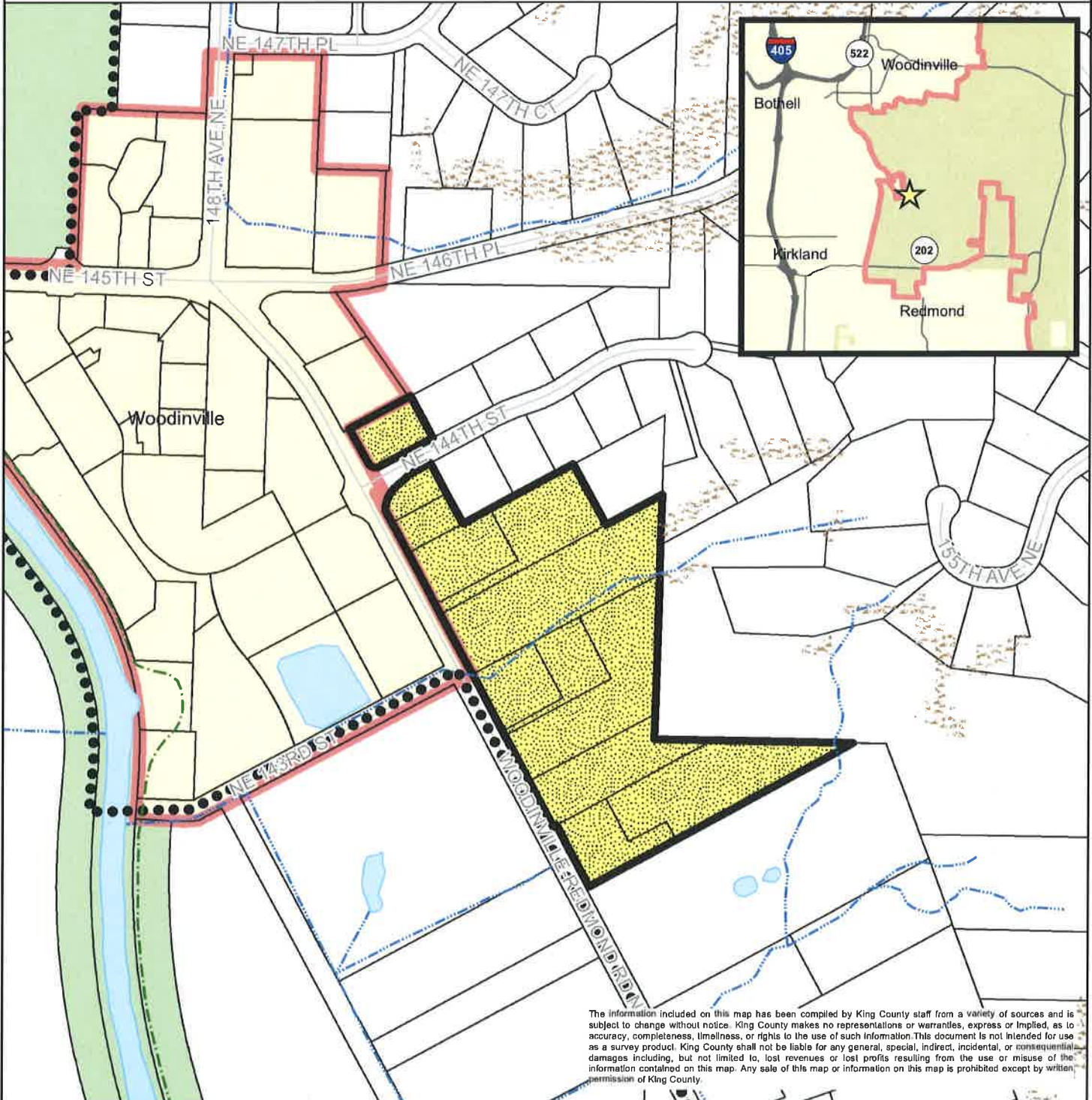
- | | |
|--|---|
|  Demonstration Overlay A |  Parcels |
|  Agricultural Production District |  Incorporated Area |
|  Regional Trails |  Wetland & Steep Slope |
|  Streams |  Parks & OS |
|  Railroads |  Waterbodies |
|  Urban Growth Boundary | |



0 200 400
Feet



Date: 3/7/18



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Demonstration Project Overlay A: Remote Tasting Rooms

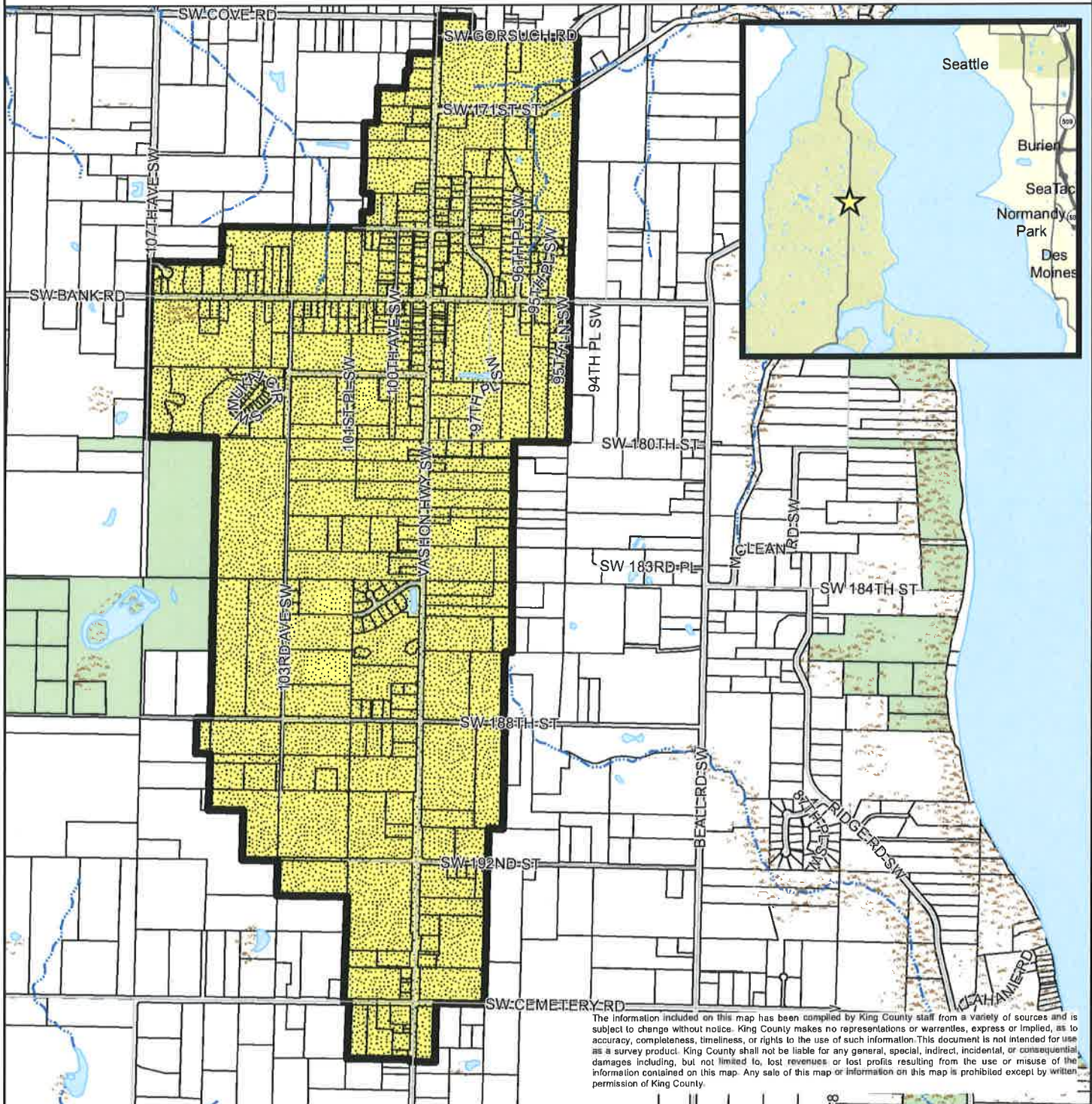
- Regional Trails
- Agricultural Production District
- Waterbodies
- Streams
- Railroads
- Wetland & Steep Slope
- Parcels
- Incorporated Area
- Demonstration Overlay A
- Parks & OS



0 650 1,300
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






Date: 3/7/18



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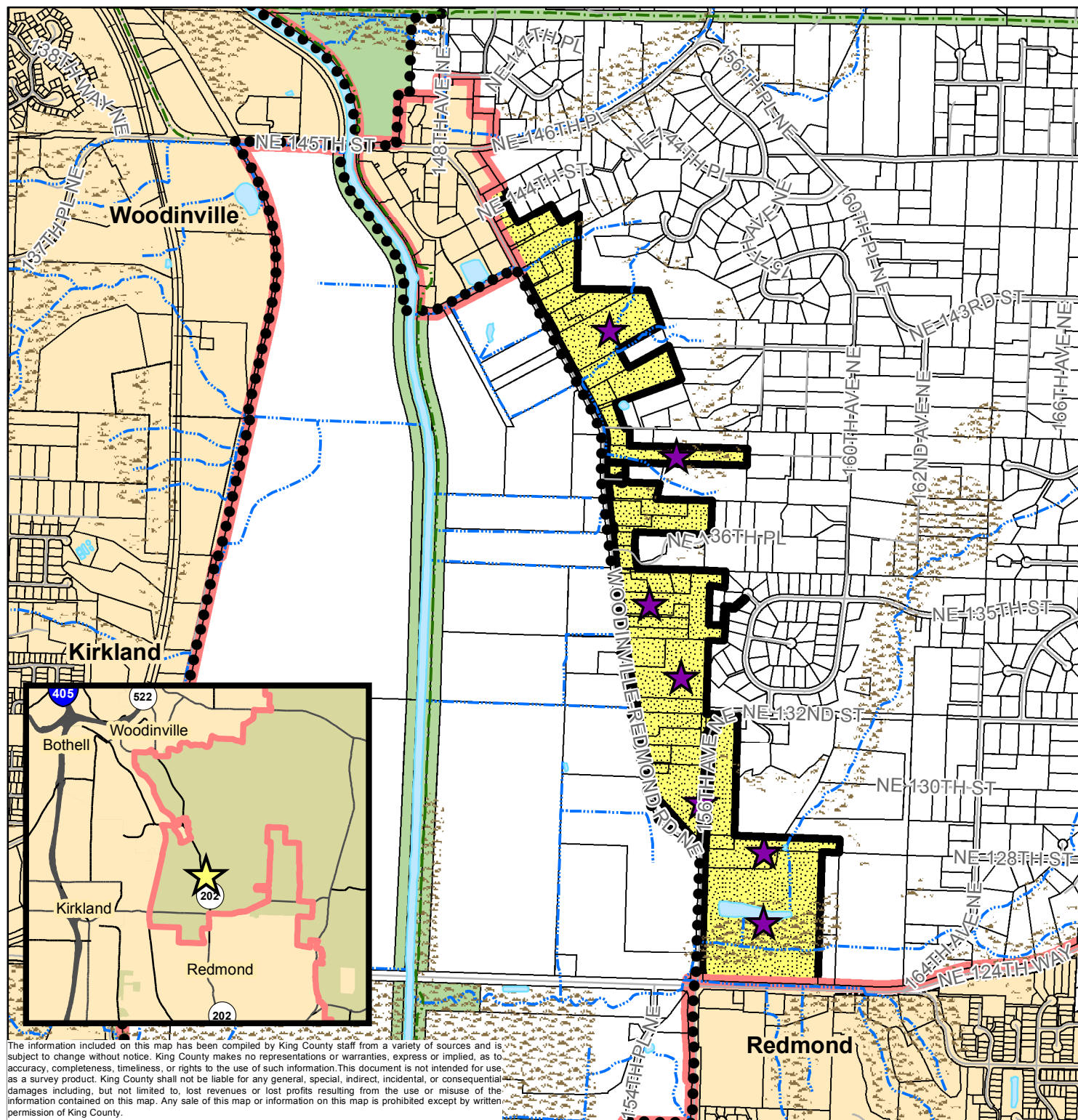
Demonstration Project Overlay B: Winery, Brewery, Distillery III Events

-  Affected Parcels 4.5 acres or larger
-  Demonstration Overlay B
-  Agricultural Production District
-  Regional Trails
-  Streams
-  Railroads
-  Urban Growth Boundary
-  Parcels
-  Incorporated Area
-  Wetland & Steep Slope
-  Parks & OS
-  Waterbodies

Date: 1/31/18



0 0.125 0.25
Miles



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April 26, 2018

The Honorable Joe McDermott
Chair, King County Council
Room 1200
C O U R T H O U S E

Dear Councilmember McDermott:

This letter transmits an ordinance and a report that will enable King County to prepare for and support the future of the wine and adult beverage industry as it grows and evolves in King County while respecting our rural and agricultural areas. We refer to the “wine industry” generally, but our response addresses all adult beverage industry uses including wineries, breweries, distilleries, and cideries.

The ordinance and report are in response to the King County Sammamish Valley Wine and Beverage Study, which was released in September 2016 following a six-month review process with a stakeholder committee and the general public. While the initial motivation for the report was the rapidly growing wine industry in and around the Sammamish Valley, this response addresses the wine industry throughout the rural and agricultural areas of King County.

In Washington, the wine and beverage industry is a fast growing and quickly evolving industry. These businesses support local economic development through the production and sale of wine, beer, and distilled beverages, as well as through tourism. With growth comes concern about enforcement of current land use regulations and the overall impact of the wine and beverage industry on the quality of life and the sense of place not only in the Sammamish Valley, but throughout rural King County. The attached ordinance updates the regulatory structure for wineries, breweries, and distilleries, establishes a business license for these industries, and proposes two short-term demonstration projects in limited areas to test the suitability of tasting rooms and an alternative way to regulate events at the larger wineries.

This proposal integrates the requirements of the state Growth Management Act and the county’s Comprehensive Plan as they relate to urban growth areas, farmland preservation, and rural areas using a framework that is based on accommodating the wine and adult beverage industries at a size and scale appropriate for the rural and agricultural areas in King County. The attached report outlines a series of possible actions including an adult beverage

toolkit, updated signage, and trail connections in the Sammamish Valley. This report advances the Healthy Environment and Economic Vitality goals of the King County Strategic Plan.

Robust stakeholder and community engagement guided our work at each step in the process. Public involvement included: five stakeholder meetings, one large public meeting, an online comment portal, issuance of the public review draft for broad public comment, and 213 emails received over the course of developing the proposal.

We retained a consultant to assist staff in supporting the stakeholder committee, conducting public outreach, and preparing the King County Sammamish Valley Wine and Beverage Study. The consultant contract was \$75,000. In addition, King County staff from several departments contributed to the report over the course of two years. The estimated cost of the staff time spent on preparing the report is \$150,000 for an estimated total cost of \$225,000.

Thank you for your consideration of this ordinance. This important legislation will allow King County to establish a strong foundation for moving the wine and adult beverage industry into the future, while honoring and protecting the rural and agricultural lands in the Sammamish Valley and throughout King County.

If you have any questions, please feel free to contact Rachel Smith, Chief of Staff to the King County Executive, at 206-263-9628.

Sincerely,

Dow Constantine
King County Executive

Enclosures

cc: King County Councilmembers
 ATTN: Carolyn Busch, Chief of Staff
 Melani Pedroza, Clerk of the Council
Dwight Dively, Director, Office of Performance, Strategy and Budget
Rachel Smith, Chief of Staff to the King County Executive

2017-2018 FISCAL NOTE

ATTACHMENT 3

Ordinance/Motion:

Title:

Affected Agency and/or Agencies: Department of Permitting and Environmental Review

Note Prepared By: Andrew Bauck

Date Prepared: June 8, 2017

Note Reviewed By: Warren Cheney

Date Reviewed: June 8, 2017

Description of request:

This ordinance implements the recommendations of the Sammamish Valley area wine and beverage industry study by implementing a new annual license for affected businesses and making changes to the regulation of wineries and other alcoholic beverage businesses.

Revenue to:

Agency	Fund Code	Revenue Source	2017-2018	2019-2020	2021-2022
DPER - Permit Administration	1340	Winery licenses	3,000	3,000	3,000
TOTAL			3,000	3,000	3,000

Expenditures from:

Agency	Fund Code	Department	2017-2018	2019-2020	2021-2022
DPER	1340	Permit Admin.	0	0	0
TOTAL			0	0	0

Expenditures by Categories

	2017-2018	2019-2020	2021-2022
TOTAL	0	0	0

Does this legislation require a budget supplemental? No.

Notes and Assumptions:

-Revenue estimate assumes 30 annual licenses per year at a cost of \$100 each.

-Permitting and code enforcement requirements of this ordinance will be done within DPER's existing appropriation.

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King County Action Report

April 26

2018

**Sammamish Valley Winery and
Beverage Study**

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King County Action Report: Sammamish Valley Wine and Beverage Study Responses

Introduction

This report is a proposed response to the King County Sammamish Valley Wine and Beverage Study that was released in September, 2016. King County supports the wine and adult beverage industry and recognizes the need to establish a strong foundation for moving the industry into the future while respecting our rural and resource communities. The goal is to add more clarity to the current regulations, which were adopted when King County's wine industry was in its infancy. The over arching goal is that the proposed strategies and actions adhere to the framework of the state Growth Management Act and ensure continued protection for Agricultural Production Districts (APD) and support for rural communities.

Background

The Sammamish Valley, located primarily in unincorporated King County is adjacent to the cities of Redmond and Kirkland and contains portions of the City of Woodinville, one of the state's major wine tourism destinations. The valley also contains one of the county's five designated APD's, which are intended to protect and support the continuing presence of agriculture in the county.

The agricultural activity adds to the distinctive character in the area, particularly for visitors to the more than 100 wineries and tasting rooms in Woodinville and the nearby unincorporated areas. This area attracts hundreds of thousands of wine tourists annually. Nearly all of the Woodinville area wineries use grapes grown in Eastern Washington.

The wine industry is a fast growing, and quickly evolving sector in Washington, supporting broad-based economic activity. Wineries support local economic development through the production and sale of wine, as well as through tourism, the latter drawing visitors from outside the region. With growth has come concerns about enforcement of current land use regulations and the overall impact of the wine and beverage industry on the quality of life and the sense of place in the Sammamish Valley.

In the spring of 2016, King County engaged Community Attributes, Inc. (CAI) to assist in the facilitation of a stakeholder group and the development of a report to address the burgeoning wine industry in King County.

The Sammamish Valley Wine and Beverage Study Report – September 2016

The primary objectives of the study were to develop policy and code recommendations for King County to consider in addressing the wine industry as it has evolved in the county based on the following guiding principles:

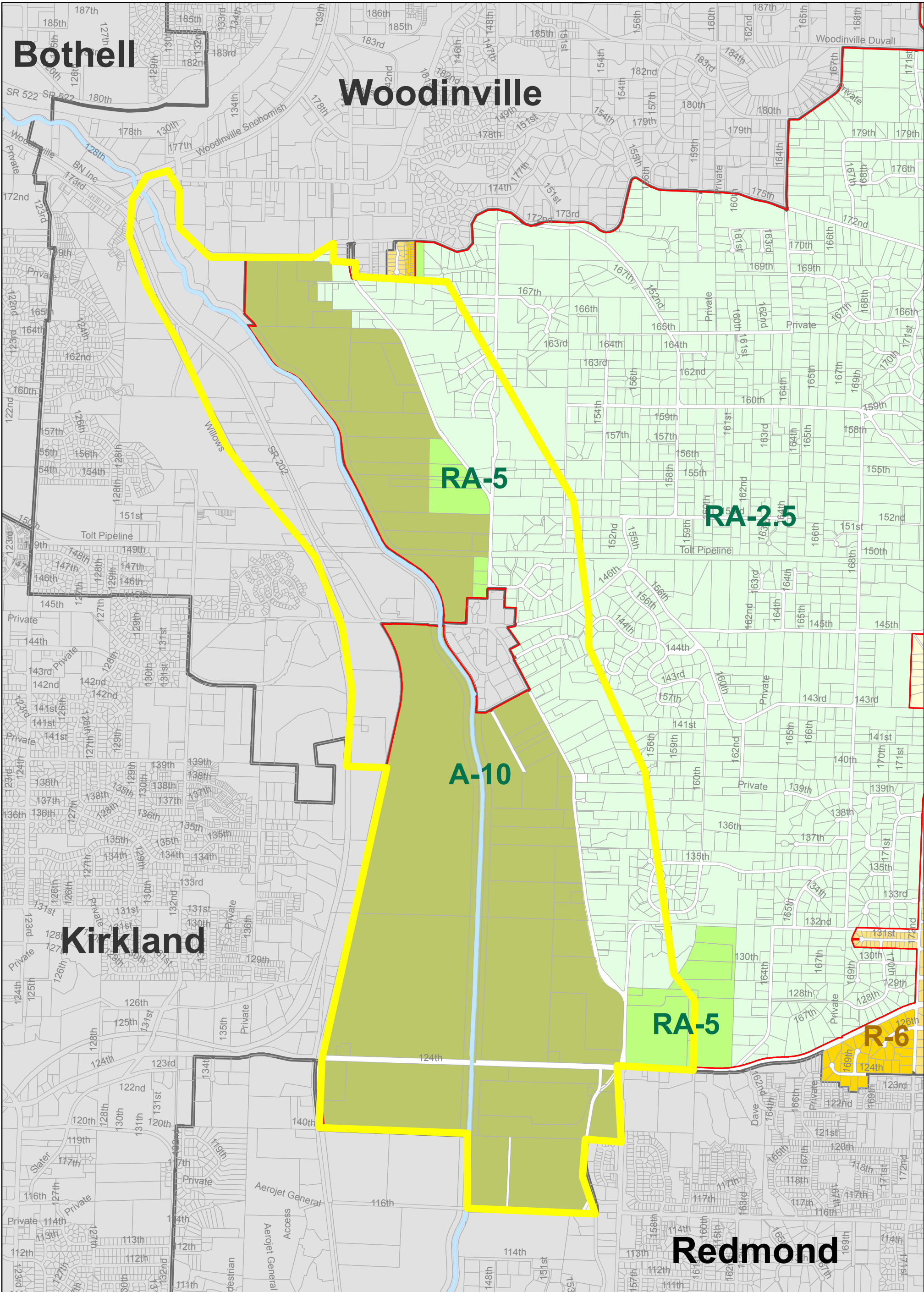
- Nurture the burgeoning wine and beverage industry in King County;
- Improve the interface of wine-related businesses with the surrounding communities; and
- Honor the requirements of the state Growth Management Act and the policies of the county's Comprehensive Plan as they relate to urban growth areas, farmland preservation, and to rural areas.

The policy recommendations incorporate feedback and ideas from the stakeholder working group, public comments received during the workshop and through the online project portal, and analysis of existing conditions.



The King County Action Report

This report is King County's response to the policy recommendations outlined in the report, as described above. The response focuses on those recommendations that received strong or mixed support from the stakeholders. The organization of the action report follows the structure of the policy recommendations in the study report, which are included and use the same numbering system.






The action report addresses issues both specific to the Sammamish Valley and the original study area, and to the county in its entirety. For example, the proposed trail connections outlined in the report are located in the Sammamish Valley while the updated winery regulations will apply countywide.



Sammamish Valley Area Winery Study

 Urban Growth Boundary
 Cities



-  A-10 - Agricultural, one DU per 10 acres
-  A-35 - Agricultural, one DU per 35 acres
-  RA-2.5 - Rural Area, one DU per 5 acres
-  RA-5 - Rural Area, one DU per 5 acres
-  RA-10 - Rural Area, one DU per 10 acres



Map by: Nanette M Lowe
Map Date: Oct 16, 2015
File: karenwolf/WooAPD.mxd

1 Defining and Implementing

Study Recommendation: Code Enforcement

1.1.1 Review current methods and commit to a more consistent land use enforcement program in the Sammamish Valley.

King County Response:

Once the new regulations are in place, King County will ensure that businesses comply with them. The proposed approach to achieving compliance is to dedicate specific resources using existing staff augmented with a contract resource and implementing a tailored approach for addressing code enforcement for those adult beverage businesses that are out of compliance.

The Department of Permitting and Environmental Review (DPER) proposes to contract with a firm that is experienced in the Washington wine industry. The firm would start the enforcement process with personal visits to adult beverage businesses that are out of compliance to explain the process the County has recently used to update its zoning requirements, why this was necessary, talk about their own non-conformance, and encourage compliance as a way not only to be legal but also as a way to be a good representative of the industry. The aim of this approach is to achieve compliance results faster than the standard code enforcement process, because many such businesses would willingly comply with the new regulations. This process is estimated to last six months.

At the same time, there will be some businesses that are less willing to comply. If DPER finds that to be the case after initial contacts, the cases will be transferred to the County's direct code enforcement staff to take over those files. Also, if there is any legal documentation that is required or interpretation of code—even for willing compliers—direct code enforcement staff will handle those tasks, too.

The proposed approach to code enforcement for adult beverage businesses would not begin until new zoning regulations are adopted by the King County Council. If after six months, this process is not achieving voluntary compliance, cases will be moved through the normal code enforcement process.

Adult beverage businesses compliant with King County regulations prior to the adoption of new regulations would be permissible in the future as a non-conforming use if not compliant with the new regulations. However, an adult beverage business that was not permissible prior to the study must comply with the new regulations, which may result in such a business needing to close, relocate, or change its use.

Study Recommendation: Wine and Beverage Industry Toolkit

1.1.2 Create a wine and beverage industry tool kit and/or bulletin for prospective businesses in unincorporated King County to improve awareness of adopted rules and regulations.

King County Response:

DPER has a number of customer bulletins that provide permit requirements and helpful tips for preparing an application for submittal. DPER would create a new bulletin for the adult beverage business. By way of illustration, a link is provided to the existing bulletin for tenant improvements. A new bulletin for the adult beverage business will be created based on this format once new zoning regulations are adopted by the Council.

The establishment of a mandatory business license (see below) for adult beverage businesses will enable DPER to create a list of all operating businesses and then contact them with information on the new regulations and procedures.

For an example of a bulletin issued by the Department of Permitting and Environmental Review, please refer to the Tenants Improvement [Bulletin](http://www.kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/bulletins/5.ashx?la=en).
<http://www.kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/bulletins/5.ashx?la=en>

Study Recommendation: Business License

1.1.3 Establish a business license for wine and beverage production establishments in unincorporated King County to assist in regulating monitoring growth in the industry.

King County Response:

If approved by the Council, King County will establish a business license requirement for all adult beverage producers in unincorporated King County. Under the proposal, all remote tasting rooms, and wineries, breweries, and distilleries would need to obtain an annual, renewable business license from the DPER. The purpose of the license would be to have greater certainty about where adult beverage producers and tasting rooms are in the County and verify that they are in compliance with the County rules and laws that apply to them. Only adult beverage businesses that are required to obtain a license from the Washington State Liquor and Cannabis Board would be required to obtain a County license, meaning that hobby wineries, breweries, and distilleries that are not selling their products nor making their products available to the general public for sampling would not be required to obtain a County business license. The proposed application process is simple, and has an annual fee of \$100.

2 Wine, Beverage, and Tourism

Study Recommendation:

- 2.1.1** *Support development of mixed use wine and beverage facilities in Woodinville that support and boost the tourism industry and the area's reputation as a food destination.*
- 2.1.2** *Engage the Port of Seattle in supporting the wine industry in the Sammamish Valley and Woodinville through, for example, partnerships with the cruise ship industry.*
- 2.1.5** *Support agriculture in the Sammamish Valley as a synergistic component of the tourism and wine and beverage industries.*

King County Response:

Staff from King County met with the City of Woodinville and Port of Seattle representatives in September 2016 to discuss opportunities for cooperative actions that would assist in support of the wine and beverage industry within the Sammamish Valley and the City of Woodinville. At that time, the Port of Seattle was offering a new grant program to cities (Economic Development Partnership Program) for economic development purposes. The City of Woodinville determined their next step would be to seek a grant from the Port to conduct a study to identify issues and barriers facing businesses and visitors. The grant was funded and a community survey was initiated Feb. 1, 2017, with in May 2017. Results of the survey provided the City of Woodinville potential actions to support the tourism industry (Woodinville Tourism Study, May 2017).

King County will continue to engage with the City, as they identify actions from the study, and with representatives from the wine and beverage industry, to determine how the County can support activities that will boost the tourism industry throughout the entire area. Several areas of recommendation in the Woodinville Tourism Study that align with King County priorities relate to supporting local food. The Woodinville study identifies a local food hub, a permanent farmers market facility, food and beverage tours and trails as potential tools to support existing businesses and working farmlands.

King County will continue to support and work with the Sammamish Valley Alliance through the Community Service Area program, Farm King County, the Local Food Initiative and other programs. One simple way to spotlight the area is to identify when visitors are entering the Agricultural Production district by installing distinctive signs around the district. King County has developed prototype signs and will work with the Agriculture Commission and community representatives to refine design and identify the best locations for sign placement in the Agriculture Production District, with the goal of installing the new signs by the end of 2017/early 2018. See a more detailed description of two approaches to signage under the Agriculture section of this report.

3 Transportation

Study Recommendation: Alternative Means of Access

- 3.1.1** *Study the feasibility of instituting a weekend shuttle service from Downtown Woodinville, Marymoor Park or other park & ride lots through a partnership between King County and the City of Woodinville.*
- 3.1.2** *Explore the feasibility of a bicycle rental program through partnerships with local companies and/or non-profits and improve biking access from trails to local businesses.*

King County Response:

The Metro Community Connections program currently has a project underway in Bothell and Woodinville. This project includes a number of mobility solutions that will serve people traveling to, from, and within these communities. Two of these solutions could address needs identified in the strategies above.

Metro Community Connections: Bothell – Woodinville Project

In the first quarter of 2016, Metro Community Connections (formerly Alternative Services) conducted a community engagement process to understand mobility needs in and around Bothell and Woodinville. During this process community members identified an important transit gap in the Woodinville Tourist District. Many survey respondents and stakeholder group members said the area has no fixed-route service and that they would go to the Woodinville tourism district more often and without driving alone if an alternative service were developed to serve that area. However, these trips are different from the rest of the transportation needs identified through the outreach process. Tourists want to access the area from hotels in Bothell for one-off trips on weekends and evenings. Employees want to reach the area during their work hours, but these work hours may be irregular and fall outside the peak.

Community Van

One of the solutions that Metro will be implementing as part of the Bothell-Woodinville Community Connections project could be well suited to providing group trips to and from the Winery District – A *Community Van*. This new transportation pilot program offers prearranged, recurring, or one-time group trips that meet locally identified transportation needs. Metro owns the vans and provides fuel, maintenance, and vehicle insurance. Metro also vets the volunteer drivers and provides funding for a part-time Community Transportation Coordinator. An Advisory Group comprised of representatives from Metro, UW Bothell/Cascadia College Commuter Services and the cities of Bothell and Woodinville to provide program direction and oversight to the Community Transportation Coordinator. Launch planning and roll-out for the Bothell-Woodinville Community Van is pending hiring of the Community Transportation Coordinator.

Bike Share

The Sammamish Valley is currently served by the Sammamish River Trail and in the future will also have the Eastside Rail Corridor system connecting it to the west, south and north. The trail system and connected parks and destinations offer an opportunity to encourage and promote biking as a way to experience the agricultural and beverage industry within the Valley, to downtown Woodinville and the industrial area where the other concentration of wineries are found. As trails and connections are improved, the ability to move around by bike will also improve.

Pairing and promoting bicycling and winery/beverage tours is being done in many areas across the country. For example, Napa has a [Napa Valley Vine Trail](#), and in the Yakima River Valley, there is the [Rattlesnake Hills Wine Trail](#).

The recommendation to explore a bike share program from the winery stakeholder group could provide an added option for visitors to park remotely and ride to the concentrated areas of wineries and tasting rooms in the Sammamish Valley area. It could also serve as a recreational attraction for hotel guests to visit the wineries without having to rely on a car.

A bike share concept that mirrors this recommendation from the winery study stakeholder group is also under consideration as a potential service solution from Metro's Community Connection program. As a next step, Metro staff will be working with staff from the City of Woodinville to discuss development of a framework for a daytime bike sharing concept in order to assess its viability as a solution.

Study Recommendation: Parks and Trails

3.1.4 Develop long term east-west connections--explore Eastside Rail Corridor concepts to develop a shared use path along 145th connecting to the Sammamish River Trail

King County Response:

King County Parks has developed two options for creating an east-west connection between the Eastside Rail Corridor (ERC), Sammamish River Trail and extending into the Hollywood District. The County and the City of Woodinville have begun discussing these plans and will proceed on further feasibility studies and alternatives development. The goal for either option would be to improve trail connectivity between the County's regional trails and directly into wine tourism areas, in particular the Hollywood District from the ERC Trail and Sammamish River Trail. Please refer to the Trails Connection map (located at the end of this section).

The first option would be a connection between the ERC trail spur line and Sammamish River Trail along NE 145th Street, which has been studied during ERC master planning and is another way to integrate trails with the wine and tourism areas. In addition to developing east-west connectivity between the ERC and the Sammamish River Trail, this option would include a trail extension along the NE 145th Street alignment further east from the Sammamish River Trail directly to the Hollywood District. There would be different alternative alignments to achieve these connections that would need to be further studied in coordination with the City of Woodinville, area stakeholders and the community.

Key considerations for an east-west connection along NE 145th Street include whether to place it on the south or north side of the roadway. On the north side there is an existing pathway that would need to be improved. Appropriate improvements to the existing path could include widening, vegetation/tree clearing to avoid further root damage to the trail and limb overhang, and resurfacing. The existing path traverses Red Hook Brewery and Willows Lodge properties, and improvements would require approval from these property owners.

To extend this path into the Hollywood District, a bike path would need to be built between the Sammamish River Trail and 148th Ave. NE along the north side of NE 145th Street, which could impact the parking area to the Northshore Athletic Fields, and could require use of portions of City of Woodinville ROW to extend to 148th Ave. NE.

One benefit to this alignment is that a trail bridge already exists across the Sammamish River and this east-west path already has a direct connection to the Sammamish River Trail. This option would also require the installation of a trail crossing of NE 145th Street along the ERC Spur. The City of Woodinville has expressed a preference to build this as a grade-separated crossing, or bridge, over the roadway. The need for this crossing would exist independently of the east-west connector trail but would otherwise not be developed until the ERC Spur is going to be developed further to the north of NE 145th Street.

If the east-west connection were to be developed on the south side of NE 145th there would be additional technical and environmental challenges that would need further study to determine feasibility. The current understanding of this scenario includes the following factors:

- Topography south of the road drops away quickly so that a trail with adequate separation from the eastbound travel lane would likely require substantial fill.
- The low-lying areas south of the road are within the 100-year floodplain so compensatory storage would likely be required for the substantial fill.
- The low-lying area south of the road has a fish-bearing stream connected to the Sammamish River.
- There are above-ground power poles along the south side of the road that may have to be relocated to accommodate trail.
- The available right of way on the south side of the road may not be wide enough to cover the trail, potential stream relocation, and potential power pole relocations. Any property acquisition will involve agricultural land.
- A new pedestrian/bicycle bridge would be required to cross the Sammamish River.
- The connecting loop to the Sammamish River Trail may require property acquisition to achieve accessible grades.
- A bike path would need to be built between the Sammamish River Trail and 148th Ave. NE along the south side of NE 145th, either reconfiguring a portion of the sidewalk in the City of Woodinville ROW, or acquiring an easement for the path on the northern edge of a privately owned parcel or parcels.

The second option would be to develop an improved, or paved, connection between the Sammamish River Trail and 148th Ave. NE along the existing gravel Tolt Pipeline Trail alignment. The Tolt Pipeline Trail is a gravel and dirt path located in a utility right of way owned by Seattle Public Utilities (SPU). The County's use and actions related to the trail are governed by a Trails Agreement between the parties. The Trails Agreement allows for the trail surface to be improved, but only with prior written consent from the SPU Director, and conditioned by SPU approval of all plans and specifications at 30%, 60% and 90% design. The County's use of the Tolt Pipeline right of way is also subject to all terms and conditions of an easement held by Puget Sound Energy. King County Roads is installing a signalized roadway crossing on 148th Ave. NE at the location where the Tolt Pipeline Trail crosses.

This trail connection would be independent of any improvements to the ERC Trail and would not create connections between the ERC and the Sammamish River Trail or between the ERC and the wine tourism area.

For this option to serve as a feasible and appropriate route for winery tourism, there would need to be bike lanes or a separate bike path constructed along 148th Ave. to connect the Tolt Pipeline Trail improvement to the Hollywood Wine District. The approximately 600 foot segment of 148th Ave NE south of the Tolt Pipeline Trail to the city limits of Woodinville is significantly constrained by an adjacent Class 2 salmon-bearing stream, wetlands, and a steep embankment. The feasibility of widening the road to construct a bike lane or pathway is questionable. If it were to be determined feasible after additional technical analysis, there would be significant stream alterations and mitigation needed and cost of the project would likely be more than \$1 million.

King County will continue to explore these trail development options with the City of Woodinville and with involvement from area stakeholders and community members.

Study Recommendation: Road Improvements

3.1.6 *Conduct an interjurisdictional transportation study to fully vet traffic growth, concurrency, impacts and potential mass transit solutions.*

3.1.8 *Improve the pedestrian environment and overall pedestrian safety in the Sammamish Valley, especially those areas connecting major tourism draws and winery concentrations.*

King County Response:

The Road Services Division reviewed the potential for nonmotorized and capacity improvements along the 148th Avenue NE/140th Place NE Corridor. The physical and environmental conditions along the corridor were found to pose several significant challenges.

Right-of-Way: The available right-of-way (approximately 18 feet on each side) is not sufficient to accommodate widening the road from two to four lanes, based on county standards. The right-of-way appears sufficient to accommodate a nonmotorized pathway on one side of the roadway or potentially a turn lane in some locations.

Transportation concurrency: The corridor is currently meeting the county's adopted concurrency level of service standard of "B" for rural areas.

Environmental Issues: The corridor contains numerous wetlands and streams, as well as seismic, steep slope, and landslide hazard areas and buffers. Portions of the corridor are also within a Shoreline Management Act rural shoreline, Critical Aquifer Recharge Area, and Farmland Preservation area. All of these features have stringent regulatory requirements. Construction of a nonmotorized or capacity improvement project would involve impacts to the wetlands, streams, buffers, and other environmentally sensitive features along the corridor. Environmental mitigation and other regulatory compliance efforts would be required. These may include wetland and stream mitigation or payment for mitigation banking, fish passable culvert installation, additional stormwater treatment infrastructure, etc.

The existing open drainage ditches along the roadway would need to be relocated or put into a new piped drainage system to address environmental regulations.

Expanding the roadway for nonmotorized or capacity improvements would require removal or relocation of numerous trees, power poles, fences, landscaping, mailboxes and other public or private features along the roadside.

Cost Estimates: The planning level cost estimate to construct a nonmotorized pathway on one side of the road and meet the associated drainage and environmental regulatory requirements is approximately \$5 million. Capacity improvements could cost upwards of \$20 million. Further study would be necessary to evaluate more specific improvement concepts such as nonmotorized improvements or turn lanes.

4 Agriculture

Study Recommendation: Agriculture Production District (APD)

4.1.1 Continue to support retail sales of locally grown products on agricultural zoned lands

4.1.2 Limit changes to the current agricultural production zone rules and regulations

King County Response:

King County recommends that no changes be made to the boundaries and or primary regulatory structure of the APD. The proposal does change the product content requirement for production to be at least 60% grown on site.

APD History:

Agricultural land in King County had declined by approximately 60% between 1950 and 1969 and was projected to occupy less than 3% of the 1964 coverage by 2000. As a result of the documented loss of significant farmland acreage, King County Council passed Ordinance 1096 in 1972 to recognize and protect agricultural lands as “Open Space Elements” in the revised Comprehensive Plan, which was originally adopted in 1964. Specifically, Ordinance 1096 stated:

Farmlands must be included in the open space system because they provide products for consumption; serve as buffers between urbanizing areas; and provide beautiful and natural scenery. These land areas will be lost to industrial development, subdivision, and to highway development unless they are included in the system.”

The following year, that directive was strengthened by Council Ordinance 1839, which stated:

“The Council of King County declares it to be in the public interest to retain prime agricultural lands and certain farmlands within a system of open space. This open space system is recognized as having scenic and aesthetic values that contributes natural buffers within existing and potential urban areas. Furthermore, the retention of agricultural and certain farmlands provide both unique and supplemental food stuffs and contribute to and diversify the economic base.”

The 1975 Supplement to the King County Comprehensive Plan called out the Lower Green-Duwamish Valley and Sammamish Valley as being especially threatened from continued urban expansion because “of the valley’s proximity to a highly urban area, but because of transportation lines and flood control improvements that make these areas also highly suited for industrial and

commercial development.” The Supplement combined Ordinance 1839 and others that, together, provided justification for establishing agricultural zones that protected “prime agricultural lands.”

The Supplement provided one overarching goal for agricultural land preservation: “To preserve prime agricultural lands and significant other farmlands in the open space system.” A suite of criteria were provided to help identify priority agricultural lands, including soil type, size, cropping history, flood risk, public opinion, and lack of water and sewer services. Agricultural zoning (A Zone) was to be applied “wherever appropriate to protect good, agricultural land from incompatible use and development.”

In 1977, Council Ordinance 3064 amended the Comprehensive Plan and created eight “King County Agricultural Districts,” which were the Snoqualmie Valley/Patterson Creek Agricultural District, the North Creek Agricultural District, the Upper Snoqualmie Agricultural District, the Sammamish Valley/Bear Creek Agricultural District, the Lower Green River Valley Agricultural District, the Upper Green River Valley Agricultural District, the Enumclaw Plateau Agricultural District, and the Vashon Island Agricultural District. The County was directed to use rezoning options, permit reviews and other options to “ensure that to the fullest extent possible the agricultural potential of the District will not be adversely affected.”

Ordinance 3064 provided maps of the eight Agricultural Districts as well as the “Agricultural Lands of County Significance,” which were the highest priority agricultural lands within those districts. The district boundaries were many times larger than the areas delineated as priority agricultural lands. For example, the Sammamish Valley/Bear Creek Agricultural District included the entire Sammamish River and Bear Creek floodplain, as well as the major tributaries, and stretched from Lake Sammamish to the Snohomish County line. The identified priority agricultural lands comprised less than 20 percent of the delineated district.

The Technical Appendix for the Executive Proposed General Development Guide was released in 1984 to provide further guidance for resource land conservation and use in rural and urban areas. The Guide proposed revised Agricultural Districts, which were based upon a review of the existing Agricultural Districts established by Ordinance 3064. The districts established in Ordinance 3064 included many lands not suited to agriculture and the new districts excluded non-productive lands and land uses differed based upon whether a parcel was within or adjacent to a district. Major changes from the Ordinance 3064 districts included elimination of the Vashon and Bear Creek districts and refining the Sammamish Agricultural District to eliminate the Bear Creek watershed and constricting the remaining boundaries to include the most productive agricultural lands near Woodinville.

The 1989 King County Resource Lands (Area Zoning) document, which further modified the boundaries of the Sammamish and Green River Valley Agricultural Districts, was adopted by King County Council via Ordinance 8848. Ordinance 8848 further recognized the importance of the agricultural districts and established “Agricultural Production Districts” within those agricultural

districts via enhanced agricultural zoning. The current boundaries of the Sammamish APD are very similar to the boundaries outlined in the Area Zoning document.

King County Council passed Ordinance 4341 in June 1979 to provide for the issuance of general obligation bonds to purchase property interest in priority agricultural regions in King County with the Sammamish and Green River valleys specifically identified as first priorities. Proposition 3 on the November 1979 General Election Ballot, which proposed the issuance of up to \$50 million in general obligation bonds for the purpose of “acquiring and preserving voluntarily offered farm and open space lands in the county,” was passed by King County voters.

1979 bond money provided the initial capital to support establishment of King County’s Farmland Protection Program (FPP), which subsequently has benefited from additional infusion of funding from other sources, most significantly funds generated through the Transfer of Development Rights and grants through the Conservation Futures Tax program.
Summary of Sammamish APD conservation activities:

- Total acres in APD: **1,082**
- Acres in the APD protected via FPP easements: **779**
- Acres in food production within the APD: **305**
- Acres in equestrian, sod, nursery or tree farm: **500**
- Acres currently “not farmable”: **230**

Study Recommendation: Land Conservation in the Agriculture Production District (APD)

4.1.4 Explore and facilitate additional development right purchases for agricultural zoned properties in the Sammamish Valley

King County Response:

Protecting Remaining Unprotected Acreage in the APD: While King County has been successful in protecting three quarters of the acreage in the Sammamish APD, there are still several parcels that do not have Farmland Preservation Program (FPP) easements protecting them from future development. These parcels, particularly those that are on the boundary between the APD and the City of Woodinville are a high priority for protection by the County.

King County’s Farmland Preservation Program will continue to conduct outreach to the owners of these high priority parcels to engage them in a discussion about removing the development rights from their parcel, and preserving it as agricultural land in perpetuity. Preservation of these lands will be a top priority for the County.

Sammamish River
Agricultural Production District
2013 Ag. Land Use

- 2013 Ag. Land Use**
- Livestock, Forage
 - Managed Field, Grassland
 - Market Crops (Produce)
 - Corn
 - Nursery
 - Orchard
 - Tree Farm
 - Horse
 - Topsoil Production
 - Unmanaged
 - Too Wet to Farm
 - Forested
 - Marsh or Wetland Preserve
 - Sports, Recreational
 - Other (roads, residential, water bodies, etc.)
- Reference Features**
- Ag. Production District
 - Incorporated Area
 - Major Road

Woodinville

Unincorporated
King County

Kirkland

Sammamish River

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

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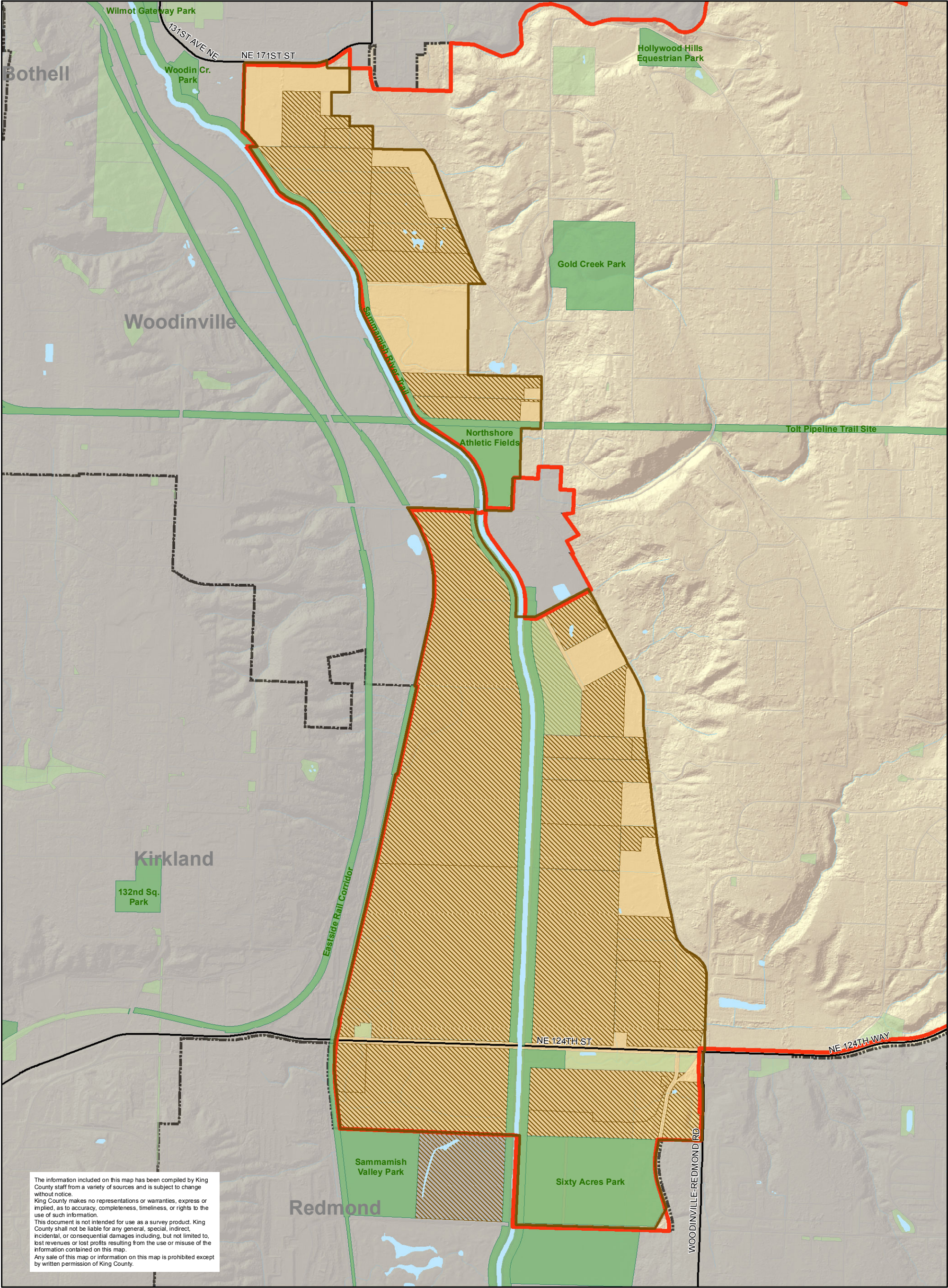
March 28, 2016



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SAMMAMISH VALLEY AGRICULTURAL PRODUCTION DISTRICT



Agricultural Production District
 Current King County Urban Growth Boundary
 Protected Farmland (FPP)

Parks in King County
 Other Public Lands
 Incorporated Cities in KC
 Major Roads

Study Recommendation: Signage

2.1.5 Support agriculture in the Sammamish Valley as a synergistic component of the tourism and wine and beverage industries

King County Response:

Public Signage for the Agricultural Production District (APD) and Farmland Preservation Program (FPP) Parcels

APD Signage. King County has erected signs identifying some, but not all of the Agricultural Production Districts. Given that these areas are critical to protecting valuable agricultural soils and form the foundation of the King County's agricultural economy they should be clearly signed, with the intent of alerting the public that they are entering an area of natural resource and economic significance. In evaluating a program for placing signage in all of the APDs, the County has developed the following principle to guide development and placement of the signs:

- Signs should be distinctive and readily identifiable as an indication of the boundary for an agricultural zone.
- Signs should be placed in multiple areas of high-visibility.
- Should help avoid incompatible land use decisions that arise out of ignorance of the existence of the APD.
- Signs should have the same basic design, but could be customized for each APD.
- Signs should be readable and aesthetically pleasing.
- King County has developed a "Farm King County" brand to promote the County Executive's Local Food Initiative – we may want to consider expanding use of the brand in the APD signs.
- We want to integrate an emphasis on driving safety with an increased awareness of APDs.

The current timeline is to develop several sign options, and present them to the King County Agriculture Commission and solicit input on design and level of community outreach needed to engage the broader agricultural community. Based on feedback from the Commission we will develop final designs and an engagement process.

FPP Signage. King County's Farmland Preservation Program has been successful in protecting almost 15,000 acres of farmland from development. While we have approximately 300 farms across the County enrolled in the program, we have never asked property owners to take any action to acknowledge or celebrate that parcels are permanently protected. King County

agriculture program staff has been exploring the option of developing signage for all parcels enrolled in the FPP program. Following are principles the staff drafted to guide development of such a program:

- Placement of signs would be contingent on agreement by the landowner. FPP is a voluntary program, and we want to recognize landowner commitment to farmland preservation and sustainable land management.
- Signs would be standardized for FPP program, but we would try to have an option of customizing for individual farms.
- Signs need to be clear that they do not indicate public access – FPP parcels remain private property.

The goal would be to develop this program in consultation with the King County Agriculture Commission and a stakeholder group of FPP program participants. We would need to work through issues of design, placement, and how to allocate the cost of the program. This effort would be implemented on a separate timeline from the effort to provide signage in and around the APDs.

5 Rural and Agriculture Zoning – The Regulations

Study Recommendation:

Defining and Implementing

- 1.2.1 Production Facilities-- define based on the size and scale of the facilities and use this definition to scale regulations***
- 1.2.2 Limit impacts of tasting rooms through regulation of number of events, size of events, and hours of operation***
- 1.2.3 Develop new definitions for tasting rooms, special events, winery production facilities, and other associated uses***

Wine, Beverage, and Tourism Industries

- 3.1.7 Limit the operating hours or size of tasting rooms/event spaces to be outside of the PM peak hour of traffic***

Transportation

- 4.1.5 Direct wine and beverage industry facilities looking to locate in unincorporated portions of the Sammamish Valley to properties located along arterial roads (see 5.2.5)***

Agriculture

- 4.1.6 Explore potential impacts of expanding the locally grown requirement for product sales in agriculture zones (currently at 60% originating from the Puget Sound) to include Washington State***

Rural Zoned Areas

- 5.1.1 Differentiate between tasting room only facilities and winery production facilities in terms of land use regulations in unincorporated King County***
- 5.1.3 Consider smaller lot size requirements in the study area for smaller production facilities (not applicable to subdivisions of land)***

- 5.1.4** *Develop regulations that limit hours of operation, special events, and overall traffic to facilities where appropriate and tailor regulations for distinct neighborhoods within the RA Zone*
- 5.2.3** *Allow for wine and beverage industry uses through the home occupation regulations and be clear about when tasting rooms/production facilities can exist outside of a home occupation*
- 5.2.5** *Direct wine and beverage industry facilities looking to locate in unincorporated portions of the Sammamish Valley to properties located along arterial roads (see 4.1.5)*

King County Response:

Please refer to the proposed ordinance for specific details on the regulatory structure for Winery, Brewery, Distillery Facilities.

Approach:

Recognize the changing nature of the wine industry in King County. Allow less intensive winery, brewery, distillery uses on smaller lots in the Rural Area and more intensive uses on larger lots with direct access to an arterial. Allow for remote tasting rooms in a very limited area as a pilot project. Prohibit wineries and tasting rooms as home occupations or home industries. In the Rural Area, allow agricultural products being processed to be grown without restriction to location. Limited changes to the current regulations in the Agriculture Production District.
(Reference to Strategy Number in parenthesis)

Definitions and Allowed Uses:

Remote Tasting Room: (Permitted Use) A 1,000 maximum square foot facility indoor with additional 500 square foot of outdoor space that is remote from the production facility of the winery. Limited to serving wine and minimal food items and sales of merchandise related to products available for tasting. Events are prohibited. Hours are limited as follows: Monday, Tuesdays, Wednesdays, and Thursdays, tasting rooms can be open from 11:00 AM through 5:00 PM. On Fridays, Saturdays, and Sundays tasting rooms can be open from 11:00 AM through 9:00 PM. To be allowed in a very limited area as a pilot program in two areas defined as Demonstration Overlay A, Exhibits 1 and 2. (1.2.3, 3.1.7, 5.1.1, 5.2.3)

Winery, Brewery, Distillery Facility I: (Permitted Use) A very small production establishment limited to 1,500 square feet. No on-site product tasting, events, or sales of merchandise would be allowed. The intent is to authorize a small-scale production facility to replace the allowance for a home occupation but with more conditions of operations to limit impacts to neighboring properties. (1.2.1, 5.1.1, 5.1.3, 5.2.3)

Winery, Brewery, Distillery Facility II: (Permitted Use) A small-scale production facility located on at least 2.5 acres and limited to 3,500 square feet. Product tasting and sales of related merchandise would be allowed. Events subject to a Temporary Use Permit. No growing requirement in the RA and UR zones. In the A zones, 60% of products produced required to be grown on-site. (1.2.1, 1.2.3, 4.1.5, 4.1.6, 5.1.3, 5.2.3, 5.2.5)

Winery, Brewery, Distillery Facility III: (Conditional Use) A larger-scale production facility located on at least 4.5 acres and limited to 6,000 square feet, or up to 8,000 square feet on properties of at least 10 acres. Product tasting and sales of related merchandise would be allowed. Remove square footage limitation for Vashon Island so same as rest of the Rural Area. No growing requirement in the RA and UR zones. In the A zones, 60% of products required to be grown on-site. Events subject to a Temporary Use Permit. In a very limited area, as a pilot program in the area defined as Demonstration Overlay B, events will be allowed as a condition of acquiring the Conditional Use Permit. (1.2.1, 1.2.3, 4.1.5, 4.1.6, 5.1.3, 5.2.3, 5.2.5)

Demonstration Overlays: King County is proposing two Demonstration Overlays as pilot projects for new concepts regarding wine and beverage facilities that will be evaluated annually and then expire after three years. DPER will compile a list of demonstration project applications submitted and any related code complaints. At the end of the three-year period, the concepts will be evaluated for expansion to other areas of King County.

- **Demonstration Overlay A:** Two distinct areas in unincorporated King County. One is a very small area directly east of the Woodinville city boundaries ranging from one property north of NE 144th street south for approximately .25 miles. In this area, remote tasting rooms will be allowed. The second area is within the boundaries of the Vashon Town Center.(1.2.2)
- **Demonstration Overlay B:** a defined area directly east of the Sammamish Valley Agriculture Production District as it extends south from Woodinville city limits along SR 202 to the Redmond city limits. In this area, a facility with a Conditional Use Permit to operate as a Winery, Brewery, Distillery III can hold events without being subject to a Temporary Use Permit. (5.1.4)

Special Events: Temporary Use Permit (TUP) required for events beyond regular promotion and sales of the product being produced and tasted. In the RA zones, the number of events for Winery, Brewery, Distillery Facility II & III will be limited to 24 events per year. In the A zones, the number of events will remain as currently defined at two per month. All events will be limited in size: 125 guests for a Winery, Brewery, Distillery Facility II and 250 guests for a Winery, Brewery, Distillery Facility III. For Winery, Brewery, Distillery III in the area defined as Demonstration Overlay B, east of the Sammamish Valley Agricultural Production District, events allowed as integral to the Conditional Use Permit, as a pilot program.

Summary of Proposed Regulations for Winery/Brewery/Distillery Uses in the Rural Area and the Agriculture Zones

Issue/Condition	Rural Area			Agriculture Zones		Demonstration Projects – Rural Area		Comments
	Winery I	Winery II	Winery III	Winery II	Winery III	Tasting Room in Overlay A Exhibit 1: Sammamish Valley Exhibit: Vashon Town Center	Winery III in Overlay B	
Type of Permit	Permitted	Permitted ¹ Conditional Use ²	Conditional Use	Permitted	Conditional Use	Permitted	Conditional Use	Allowed square footage remains the same (<i>except that tasting rooms & Winery I's are new uses</i>)
Min. Lot Size	n/a	2.5 acres	4.5 acres* 10 acres**	2.5 acres	4.5 acres* 10 acres**	n/a	4.5 acres+ 10 acres**	Reduction in lot size for Winery II from current 4.5 acres
Max. Building Size	1,500 sf	3,500 sf	6,000 sf* 8,000 sf**	3,500 sf	6,000 sf* 8,000 sf**	1,000 sf + 500 sf outdoors	6,000 sf+ 8,000 sf**	Same square footage as currently allowed (<i>except for tasting rooms & Winery I's are new uses</i>)
Tastings	Not allowed	Allowed with ltd. hrs: Mon-Th: 11am – 5pm F-Sun: 11am – 9 pm	Allowed with ltd. hrs: Mon-Th: 11am – 5pm F-Sun: 11am – 9 pm	Allowed with ltd. hrs: Mon-Th: 11am – 5pm F-Sun: 11am – 9 pm	Allowed with ltd. hrs: Mon-Th: 11am – 5pm F-Sun: 11am – 9 pm	Allowed with ltd. hrs: Mon-Th: 11am – 5pm F-Sun: 11am – 9 pm	Allowed with ltd. hrs: Mon-Th: 11am – 5pm F-Sun: 11am – 9 pm	Remote tasting rooms not currently allowed; establish hours of operation.
Home Occupations	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Currently allowed – to be replaced with Winery I
Events	Not allowed	Up to 24/year with TUP – max. size = 125 guests; parking accommodated on-site or managed through parking plan	Up to 24/year with TUP – max. size = 250 guests; parking accommodated on-site or managed through parking plan	Up to 2/month with TUP – max. size = 125 guests; parking accommodated on-site or managed through parking plan	Up to 2/month with TUP – max. size = 250 guests; parking accommodated on-site or managed through parking plan	Not allowed	No specific limit – conditions set with CUP w/ annual monitoring of impacts	Current limit is 2/month with Temporary Use Permit with no limit on number of guests
Water	Adhere to Public Health standards	Adhere to Public Health standards	Must connect to existing Group A water system, or existing Group B water system if Group A water system not available	Adhere to Public Health standards	Must connect to existing Group A water system, or existing Group B water system if Group A water system not available	Adhere to Public Health standards	Must connect to existing Group A water system, or existing Group B water system if Group A water system not available	New condition: Winery III's must hook-up to an existing domestic public water system – preference for existing Group A systems
Access	Not specified	¹ Direct access from an arterial ² Can be modified through CUP	Direct access from an arterial	Direct access from an arterial	Direct access from an arterial	Direct access from an arterial	Direct access from an arterial	New condition
Product Content	Not specified	Not specified	Not specified	60% of product to be processed to be grown on site.	60% of product to be processed to be grown on site.	Not specified	Not specified	Currently, require 60% of product to be processed to be grown in Puget Sound counties for all wineries in both RA & A-zones – requirement changed for wineries in A-zone to be grown on site
Production	Required	Required	Required	Required	Required	Not allowed	Required	Production defined as including one or more of the following: crushing, fermentation, barrel/tank aging, and finishing
Parking	Not allowed	Limited to 150% of minimum required (e.g. 8-9 spaces)	Determined through CUP	Limited to 150% of minimum required (e.g. 8-9 spaces)	Determined through CUP	Limited to 150% of minimum required (e.g. 7-8 spaces)	Determined through CUP	New requirement – changing code requirement to be consistent with ratio for other retail uses (from 1/50 sq. ft. to 1/300 sq. ft.)
Setbacks	75'	75'	75'	75'	75'	Not specified	75'	Current standard
KC Bus. License	Required	Required	Required	Required	Required	Required	Required	New requirement. \$100/year.
Fines & Penalties	\$500/\$1,000	\$500/\$1,000	\$500/\$1,000	\$500/\$1,000	\$500/\$1,000	\$500/\$1,000	\$500/\$1,000	Increase from \$100 for 1 st & \$500 for subsequent violations
Demonstration Project Review	n/a	n/a	n/a	n/a	n/a	3 years with annual review	3 years with annual review	Demon. project can be stopped prior to 3 yr. period if annual data indicates problems; can be extended to other areas if data positive

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
As Voted Out of Local Services, Regional Roads and Bridges Committee 3/11/19**

Issue #	Existing Code	Executive Transmitted	As Adopted by LSRRB
1	N/A	<p>New chapter in Title 6 – <u>business licenses</u></p> <p>Adds a definition for adult beverage business:</p> <p>An adult beverage business means a winery, brewery, distillery or cidery, and remote tasting rooms for any of those businesses.</p> <p>Adds a new requirement to get a business license for wineries, breweries, and distilleries, and remote tasting rooms.</p> <p>The business license fee would be \$100 for initial and renewal of licenses.</p>	Same as Executive Transmitted
4	N/A	<p>Adds a <u>definition for remote tasting room</u>:</p> <p>A small facility approved by the Washington state Liquor and Cannabis Board as a remote tasting room for a licensed winery, brewery or distillery that is operating at a location other than the licensed winery, brewery or distillery production facility, for the purpose of the retail sale and sampling of the licensed product.</p>	<p>Adds a <u>definition for remote tasting room</u>:</p> <p>A small facility licensed by the Washington state Liquor and Cannabis Board and limited to the following non-retail liquor licenses: a Craft Distillery; a Tasting Room - Additional Location for a winery licensed as a Domestic Winery; or a Microbrewery, including, but not limited to, a Microbrewery operating in accordance with an off-site tavern license subject to the retail sale limitations for a Microbrewery in WAC 314-20-015(1). "Remote tasting room" does not include any additional privileges allowed for such licenses or approvals or any use that would require a license under chapter 314-02 WAC, except as specifically set forth in this chapter.</p>
5	N/A	<p>Adds a <u>definition for winery, brewery, distillery facility I</u>:</p> <p>A very small establishment licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits and where on-site product tasting or retail sale of merchandise does not occur.</p>	<p>Adds a <u>definition for winery, brewery, distillery facility I</u>:</p> <p>A very small-scale production facility licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits, and that includes an adult beverage production use such as crushing, fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility I may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law. On-site product tasting or retail sale of merchandise as authorized by state law is limited. "Winery, brewery, distillery facility I" does not include any retail liquor licenses that would be authorized by chapter 314-02 WAC.</p>
5.5	N/A	N/A	<p>Adds a <u>definition for winery, brewery, distillery facility I interim use permit</u>:</p> <p>A term-limited permit for a winery, brewery, distillery facility I in the Agriculture zone. A winery, brewery, distillery facility I interim use</p>

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
As Voted Out of Local Services, Regional Roads and Bridges Committee 3/11/19**

Issue #	Existing Code	Executive Transmitted	As Adopted by LSRRB
			permit is a one-time approval, effective for one year, with four annual renewals possible for up to five years. After the interim use permit or any renewals have expired, a winery, brewery, distillery facility I interim use is required to either comply with zoning conditions for a winery, brewery, distillery facility II or III use, and meet the requirements of one of those uses, or cease operations and vacate the site. Applications for a winery, brewery, distillery facility I interim use permit may only be accepted by the permitting division within five years of the effective date of this ordinance. The time limitations on a winery, brewery, distillery facility I interim use permit do not apply to agricultural uses such as vineyards and orchards.
6	N/A	<p>Adds a <u>definition for winery, brewery, distillery facility II</u>:</p> <p>A small scale production facility licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits and that includes an adult beverage production use such as crushing, fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility II may include additional product-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law, on-site product tasting and sales as authorized by state law, and sales of merchandise related to products available for tasting as authorized by state law.</p>	<p>Adds a <u>definition for winery, brewery, distillery facility II</u>:</p> <p>A small-scale production facility licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits and that includes an adult beverage production use such as crushing, fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility II may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law, on-site product tasting and sales as authorized by state law and sales of merchandise related to products available for tasting as authorized by state law. "Winery, brewery, distillery facility II" does not include any retail liquor licenses that would be authorized by chapter 314-02 WAC.</p>
7	N/A	<p>Adds a <u>definition for winery, brewery, distillery facility III</u>:</p> <p>An establishment licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits and that includes an adult beverage production use such as crushing, fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility III may include additional product-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law, on-site product tasting as authorized by state law, and sales of merchandise related to products available as authorized by state law.</p>	<p>Adds a <u>definition for winery, brewery, distillery facility III</u>:</p> <p>A production facility licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits and that includes an adult beverage production use such as crushing, fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility III may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law, on-site product tasting and sales as authorized by state law and sales of merchandise related to products available as authorized by state law. "Winery, brewery, distillery facility III" does not include any retail liquor licenses that would be authorized by chapter 314-02 WAC.</p>
8	For winery and brewery facilities, 0.9 per 1,000 square feet plus 1 per 50 square feet of tasting area	<p>Modifies <u>parking requirements</u>:</p> <p>Requires for WBD II facilities, 0.9 per 1,000 square feet plus 1 per 300 square feet of tasting area</p>	<p>Modifies <u>parking requirements</u>:</p> <p>Requires for WBD II and III facilities, 0.9 per 1,000 square feet plus 1 per 300 square feet of tasting and retail area</p>

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
As Voted Out of Local Services, Regional Roads and Bridges Committee 3/11/19**

Issue #	Existing Code	Executive Transmitted	As Adopted by LSRRB
		Does not specify parking requirements for other WBD facilities.	Requires for remote tasting rooms, 1 per 300 square feet of tasting and retail areas
9	Home occupations and home industries allowed for WBDs (tasting permitted as part of a production facility)	Modifies home occupation and home industry requirements: Prohibits all WBD facilities and remote tasting rooms.	Prohibit WBDs and remote tasting rooms as home occupations and home industries. Allow grandfathering for legally established home occupations within one year of effective date of ordinance. Require a business license for existing, nonconforming home occupations and home businesses. In supplemental appropriation (PO 2019-0114), add technical assistance for determining grandfathering, aid with conversion to new WBD facility categories, and enforcement.
12	Temporary use permits for <i>winery</i> : In A or RA zones, TUPs limited to 2 per month and all parking for events must be accommodated onsite. <i>For all other uses (and wineries in other zones)</i> , TUPs limited to 60 days in a one-year period.	Modifies <u>temporary use permit</u> requirements: For WBD II and III in A zones, events limited to 2 per month and all parking must be accommodated on site or through a plan approved by the director. For WBD II and III in RA zones, events limited to 24 within a one-year period and all parking must be accommodated on site or through a plan approved by the director. For WBD II in A and RA zones, consider building occupancy limits and parking limitations during permit review, shall condition the number of guests and shall not be more than 125 guests. For WBD III in A and RA zones, consider building occupancy limits and parking limitations during permit review, shall condition the number of guests and shall not be more than 250 guests. No events or temporary use permits for WBD I, nonconforming home occupations, home industries. WBD II and III in other zones are allowed 60 days a year	Modifies <u>temporary use permit</u> requirements: For WBD II and III in A zones, events limited to 2 per month and all parking must be accommodated on site or through a plan approved by the director. For WBD II and III in RA zones, events limited to 24 within a one-year period and all parking must be accommodated on site or through a plan approved by the director. For WBD II in A and RA zones, consider building occupancy limits and parking limitations during permit review, shall condition the number of guests and shall not be more than 150 guests. For WBD III in A and RA zones, consider building occupancy limits and parking limitations during permit review, shall condition the number of guests and shall not be more than 250 guests. For WBD I in RA zone, legal nonconforming home occupations and legal nonconforming home industries, 2 events per year, maximum 50 people, without a TUP is allowed WBD II and III in other zones are allowed 60 days a year No events for WBD I interim use permit in A zone Add language that specifies when a TUP is required. Include events that exceed the building occupancy, that use portable toilets, off-site

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
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Issue #	Existing Code	Executive Transmitted	As Adopted by LSRRB
			parking or parking beyond the maximum, temporary stages, temporary tents or canopies that require a permit, traffic control in public rights-of-way, or extends beyond stated hours of operation. (added to K.C.C. 21A.32.100)
13	N/A	<p>Adds a Sammamish Valley and Vashon Rural Town wine and adult beverage <u>remote tasting room demonstration project A</u>.</p> <ul style="list-style-type: none"> • Administrative approval by DPER – as a Type I land use decision • May apply for approval simultaneously as business license application • Allowed uses under the demonstration project limited to remote tasting room. • Adds criteria for remote tasting room: <ul style="list-style-type: none"> ○ One or more WBD I, II or III may operate ○ Total space for tasting and retail is 1,000sf plus storage, restroom, back-of-the-house uses ○ Additional 500sf of outdoor space allowed ○ Direct access to an arterial ○ No production allowed ○ Incidental retail sales of products related to products tasted allowed ○ Hours of operation M-Th 11am-7pm, F-S 11am-9pm ○ Need a liquor license ○ No events or temporary use permits ○ Parking maximum of 150 percent of minimum required • Only allowed in area identified in Attachment A to ordinance, including Vashon Rural Town and an area in the Sammamish Valley. • Must be consistent with general health, safety and welfare. • Supersedes other variance, modification and waiver criteria in Title 21A. • Demonstration project A is in effect for 3 years from effective date of the ordinance, after which the remote tasting rooms would become nonconforming. • Annually, DPER compiles a list of applications submitted and related code complaints. • The Executive may submit additional proposed legislation extending or amending this ordinance within the 3 year demonstration project. 	<p>Adds a <u>remote tasting room demonstration project A</u>.</p> <ul style="list-style-type: none"> • Administrative approval by Permitting – as a Type I land use decision • May apply for approval in conjunction with business license application or building permit application • Allowed uses under the demonstration project limited to remote tasting room. • Adds criteria for remote tasting room: <ul style="list-style-type: none"> ○ One or more WBD I, II or III may operate ○ Total space for tasting and retail is 1,000sf not including storage, restroom, nonpublic uses ○ Additional 500sf of outdoor space allowed ○ Incidental retail sales of products related to products tasted allowed ○ Hours of operation M-Th 11am-7pm, F-S 11am-9pm ○ Need a business license ○ Need a liquor license ○ Events limited to 2 per year, no more than 50 people ○ Off-street parking maximum of 1 space per 50 sf of tasting and retail area • Only allowed in area identified in Attachment A to ordinance, including CB zoning within the Vashon Rural Town, CB zoning within the Fall City Rural Town, and an area in the Sammamish Valley. • Must be consistent with general health, safety and welfare and not violate state or federal law. • Supersedes other variance, modification and waiver criteria in Title 21A. • Projects can apply for approval under Demonstration project A for 3 years from effective date of the ordinance. • Annually for 4 years, Executive prepares preliminary evaluations that includes: applications submitted; comments from neighbors, including code complaints; comments from neighboring cities and community service areas; comments from project applicants; comments from customers; description of known interactions

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Issue #	Existing Code	Executive Transmitted	As Adopted by LSRRB
			<p>between demonstration projects and nearby agricultural users and lands; inventory of remaining parcels available for use under the demonstration project; and known recommended code changes.</p> <ul style="list-style-type: none"> • Final evaluation starts after 5 years of the demonstration project. Includes a draft and final report and proposed ordinance, public comment period • Final evaluation includes items in preliminary evaluations, and evaluation of: parking requirements; industry standard tasting room hours; outreach to and evaluation of projects approved under the demonstration project; permit review timelines; recommended permanent code changes or further demonstration project requirements.
14	N/A	<p>Adds a Sammamish Valley wine and adult beverage <u>special events demonstration project B</u>.</p> <ul style="list-style-type: none"> • Administrative approval by DPER, using review procedures in 21A.42 and decision criteria in 21A.44.040 (for CUPs) • Allowed for WBD III • Waives requirements in 21A.32.100 through .140; 21A.44.020 and 21A.08.080.B.12.I • Allowed to obtain authorization for on-site weddings and similar uses under the CUP • No waiver from other requirements (including review procedures) • Only allowed with an application for a new or modified CUP for WBD III, either in conjunction with that application or before. Must demonstrate compliance with 21A.44.040. • CUPs are a Type II land use decision • Only allowed in area identified in Attachment B to ordinance. • Must be consistent with general health, safety and welfare. • Demonstration project B is in effect for 3 years from effective date of the ordinance (plus any time for appeal timelines), after which the CUPs would become nonconforming. • Annually, DPER compiles a list of applications submitted, evaluation of impacts of events authorized by the demonstration project, and related code complaints. • The Executive may submit additional proposed legislation within the 3 year demonstration project. 	<p>Adds a <u>special events demonstration project B</u>.</p> <ul style="list-style-type: none"> • Only allowed in area identified in Attachment B to ordinance, in an area in the Sammamish Valley. • Overlay B allows consolidated review of CUP for WBD III and the first TUP for that business. • Project applicant pays full cost for CUP, and no extra fees for TUP • Project reviews follow Type II process, including SEPA for the consolidated review • Administrative approval by Permitting • Waives requirements in 21A.32.100 through .140; 21A.44.020 and 21A.08.080.B.12.I • TUP follows code requirements (approved for one year, with 4 possible renewals for a total of 5 years). Must get a new TUP at the end of the 5 year, pay full cost and comply with the code in place at the time of complete TUP application filing. • Conditions for demonstration projects include: maximum number of guests allowed, up to 250 guests; parking; number of events, up to 60 days per year; and notification of events to Permitting and the public. • During the demonstration period properties in overlay B cannot be consolidate to create a winery III. • Must be consistent with general health, safety and welfare, and not violate state or federal law. • Projects can apply for approval under Demonstration project B for 3 years from effective date of the ordinance. • Annually for 4 years, Executive prepares preliminary evaluations that includes: applications submitted; comments from neighbors,

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Issue #	Existing Code	Executive Transmitted	As Adopted by LSRRB
			<p>including code complaints; comments from neighboring cities and community service areas; comments from project applicants; comments from customers; description of known interactions between demonstration projects and nearby agricultural users and lands; inventory of remaining parcels available for use under the demonstration project; and known recommended code changes.</p> <ul style="list-style-type: none"> • Final evaluation starts after 5 years of the demonstration project. Includes a draft and final report and proposed ordinance, public comment period • Final evaluation includes items in preliminary evaluations, and evaluation of: water use; parking requirements; outreach to and evaluation of projects approved under the demonstration project; minimum requirements for a temporary use permit (triggers), industry standard event versus what is not, and what should require a TUP required; permit review timelines; stormwater and surface water impacts; and recommended permanent code changes or further demonstration project requirements.
15	\$100 for first violation, \$500 for subsequent violations	<p>Modifies <u>citation penalty</u>:</p> <p>Adds specific citations for WBD I, II, II and remote tasting rooms: \$500 for first violation, and \$1,000 for subsequent violations</p>	<p>Modifies <u>citation penalty</u>:</p> <p>Adds specific citations for WBD I, II, II and remote tasting rooms: \$500 for first violation, and \$1,000 for subsequent violations.</p>
15.5	N/A	Study requirements – not included in Executive’s proposal	<p>Add a study requirement – at the end of the 5 years, in conjunction with the studies done for the demonstration projects.</p> <ul style="list-style-type: none"> • Analysis of effectiveness of citation and civil fine structure in 23.32.010. • Analysis of impact urban uses within UGA have on rural character of adjacent rural areas outside the UGA and provide recommendations to reduce impact of those urban uses. • Analysis of product content requirement (60% onsite, Puget Sound Counties, or ag accessory use). • Analysis of effectiveness of TUP triggers in KCC 21A.32.100. • Analysis of WBD I as interim use in A zone.
16	See below	<p>Modifies the <u>Permitted Land Use tables</u>:</p> <p>Adds WBD I, WBD II, and WBD III to the permitted use table and permits them in multiple zones, either as permitted outright with development conditions or with a conditional use permit with development conditions in several zones.</p>	<p>See separate tables on following pages for changes to this table.</p> <p>Interim Use Approval:</p> <ul style="list-style-type: none"> • Must be applied for within 5 years of effective date of this ordinance • Good for one year, with up to 4 yearlong renewals (good for a total of 5 years) like for TUP • Use must cease once interim use approval is expired

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Issue #	Existing Code	Executive Transmitted	As Adopted by LSRRB
		Modifies development conditions for WBD facilities related to minimum lot size, floor area, parking area, setbacks, product content, location of facilities on farmland, tasting hours, site access, business license, events, connection to water supply, growing requirements, and employee maximums.	<ul style="list-style-type: none">• Subject to same criteria as the TUP• Fee same as TUP• Process as a Type II permit.• Application requirements set by Title 20

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
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Manufacturing Table - Agriculture Zones – Production Facilities

Note: if the LSRRB Direction cell is blank, then the Executive's transmittal is carried forward

Issue #	Condition	Existing Code		Executive Transmitted	As Adopted by LSRRB	Executive Transmitted	As Adopted by LSRRB	Executive Transmitted	As Adopted by LSRRB
				WBD I	WBD I (DC#19 in Residential table)	WBD II permitted (DC#3) conditional (DC#3)		WBD III (DC#12)	
17	Type of Permit	Permitted – as an accessory to agricultural use	Conditional Use	Not permitted	Allow in A zones as a residential accessory use, accessory to a primary ag use, and for an interim use period of up to 5 years (1 year plus 4 renewals) Must apply within 5 years of ordinance adoption	Permitted, accessory to agricultural use	Use is conditional if setbacks to RA and residential zones are reduced to 25 feet	Conditional Use	
18	Min. Lot Size	None	4.5 acres when floor area is less than 6,000 sf Except if floor area is over 6,000 sf, the minimum lot size is 10 acres and a minimum 2.5 acres must be used to grow products	n/a		2.5 acres		4.5 acres Except if floor area is over 6,000 square feet, the minimum lot size is 10 acres	
19	Max. Building Size	3,500 sf, except historic buildings	Maximum floor area 8,000 sf; additional 8,000 sf for underground storage On Vashon-Maury Island, maximum floor area 6,000 sf, including underground storage	n/a	1,500 sf Decks that are not occupied and not open to the public are excluded from the calculation for aggregated floor area.	3,500 sf (historic buildings maximum is 5,000 sf)	Add decks that are not occupied and not open to the public are excluded from the calculation for aggregated floor area.	Maximum floor area 8,000 sf; additional 8,000 sf for underground storage	Add decks that are not occupied and not open to the public are excluded from the calculation for aggregated floor area.
20	Tastings	Tasting of products produced on-site, and no extra floor area allowed for tasting	Tasting of products produced on-site, and no extra floor area allowed for tasting	n/a	No tasting allowed Allow on-site sales of items produced on-site and incidental items.	Tasting of products produced on-site, and no extra floor area allowed for tasting Hours for on-site tasting: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm		Tasting of products produced on-site, and no extra floor area allowed for tasting Hours for on-site tasting: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm	

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Issue #	Condition	Existing Code		Executive Transmitted	As Adopted by LSRRB	Executive Transmitted	As Adopted by LSRRB	Executive Transmitted	As Adopted by LSRRB
				WBD I	WBD I (DC#19 in Residential table)	WBD II permitted (DC#3) conditional (DC#3)		WBD III (DC#12)	
22	Water	Not specified	Meet requirements for water and wastewater; water meters required for use of wells	n/a	Not specified	Not specified		Must connect to existing Group A water system, or existing Group B water system if Group A water system not available	
23	Access	Not specified	Not specified	n/a	Direct access from an arterial	Direct access from an arterial		Direct access from an arterial	
24	Product Content	60% of product content required to be grown in Puget Sound counties	Limited to processing of agricultural products and 60 percent of the products must be from Puget Sound counties	n/a	60% of product to be processed must be grown in Puget Sound Counties.	60% of product to be processed must be grown on site.		60% of product to be processed must be grown on site.	
25	Production/ Facility Location	Not specified	Not specified	n/a	Required Non-agricultural facility uses must be on portion of the property unsuitable for agricultural production purposes. Require production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing	Required Non-agricultural facility uses must be on portion of the property unsuitable for agricultural production purposes.	Add requirement for production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing	Required Non-agricultural facility uses must be on portion of the property unsuitable for agricultural production purposes.	Add requirement for production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing
26	Parking	.9 per 1,000 square feet, plus 1 per 50 square feet of tasting area	.9 per 1,000 square feet, plus 1 per 50 square feet of tasting area Parking maximum 150% of minimum requirement	n/a	One stall for non-resident employee Parking for customers: minimum 1, plus 1:1,000sf of area dedicated to WBD facility uses, with a maximum of 150% of the minimum required. Add provision for grandfathering for existing parking (permits still required)	0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting/retail area Limited to 150% of minimum required	Add provision for grandfathering for existing parking (permits still required)	Not specified	0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting/retail area Maximum parking determined through CUP process, tasting and retail areas should be limited to 1:50sf Add provision for grandfathering for existing parking (permits still required)

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
As Voted Out of Local Services, Regional Roads and Bridges Committee 3/11/19**

Issue #	Condition	Existing Code		Executive Transmitted	As Adopted by LSRRB	Executive Transmitted	As Adopted by LSRRB	Executive Transmitted	As Adopted by LSRRB
				WBD I	WBD I (DC#19 in Residential table)	WBD II permitted (DC#3) conditional (DC#3)		WBD III (DC#12)	
27	Setbacks	75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones.	75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones.	n/a	75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas. Setbacks only apply to interior lot lines.	75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.	C: Allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25' Setbacks only apply to interior lot lines.	75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.	Allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25' Setbacks only apply to interior lot lines.

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
As Voted Out of Local Services, Regional Roads and Bridges Committee 3/11/19**

Manufacturing Table – Rural Area Zones – Production Facilities

Note: if the LSRRB Direction cell is blank, then the Executive's transmittal is carried forward

Issue #	Issue/Condition	Existing Code	Existing Code	Executive Transmitted	As Adopted by LSRRB	Executive Transmitted	As Adopted by LSRRB	Executive Transmitted	As Adopted by LSRRB
				WBD I	WBD I (DC#17 in Residential table)	WBD II (DC#3 and DC#30)		WBD III (DC#12)	
29	Type of Permit	Permitted	Conditional Use	Permitted – only one nonresident employee allowed	Move WBD I to a residential accessory use. Allow in RA and A zones. Use is conditional if setbacks to RA and residential zones are reduced to 25 feet	Permitted Conditional Use		Conditional Use	
30	Min. Lot Size	4.5 acres	4.5 acres Except if floor area is over 6,000 sf, the minimum lot size is 10 acres and a minimum 2.5 acres must be used to grow products	None		P and C: 2.5 acres		4.5 acres Except if floor area is over 6,000 square feet, the minimum lot size is 10 acres	
31	Max. Building Size	3,500 sf, except historic buildings	Maximum floor area 8,000 sf; additional 8,000 sf for underground storage On Vashon-Maury Island, maximum floor area 6,000 sf, including underground storage	1,500 sf		P and C: 3,500 sf (historic buildings maximum is 5,000 sf)	Add decks that are not occupied and not open to the public are excluded from the calculation for aggregated floor area.	Maximum floor area 8,000 sf; additional 8,000 sf for underground storage	Add decks that not occupied and are not open to the public are excluded from the calculation for aggregated floor area.
32	Tastings	Tasting of products produced on-site, and no extra floor area allowed for tasting	Tasting of products produced on-site, and no extra floor area allowed for tasting	Not allowed	Sammamish Valley: No tastings. Allow on-site sales of items produced on-site and incidental items. Other areas: Tastings allowed by appointment only. Tastings must occur within these hours: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm	P and C: Tasting of products produced on-site, and no extra floor area allowed for tasting Hours for on-site tasting: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm		Tasting of products produced on-site, and no extra floor area allowed for tasting Hours for on-site tasting: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm	

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
As Voted Out of Local Services, Regional Roads and Bridges Committee 3/11/19**

Issue #	Issue/Condition	Existing Code	Existing Code	Executive Transmitted	As Adopted by LSRRB	Executive Transmitted	As Adopted by LSRRB	Executive Transmitted	As Adopted by LSRRB
				WBD I	WBD I (DC#17 in Residential table)	WBD II (DC#3 and DC#30)		WBD III (DC#12)	
					Allow on-site sales of items produced on-site and incidental items.				
34	Water	Not specified	Meet requirements for water and wastewater; water meters required for use of wells	Not specified		Not specified		Must connect to existing Group A water system, or existing Group B water system if Group A water system not available	
35	Access	Not specified	Not specified	Not specified		P: Direct access from an arterial C: Direct access from public roadway.		Direct access from an arterial	
36	Product Content	60% of product content required to be grown in Puget Sound counties	Limited to processing of agricultural products and 60% percent of the products must be from Puget Sound counties	None		None		None	
37	Production/ Facility Location	Not specified	Not specified	Required	Require production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing	Required	Require production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing	Required	Require production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing
38	Parking	.9 per 1,000 square feet, plus 1 per 50 square feet of tasting area	.9 per 1,000 square feet, plus 1 per 50 square feet of tasting area Parking maximum 150% of minimum requirement	One parking stall allowed for nonresident employee	Add parking for customers: minimum 1, plus 1:1,000sf of area dedicated to WBD facility uses, with a maximum of 150% of the minimum required. Add provision for grandfathering for existing parking (permits still required)	0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting area P/C: Limited to 150% of minimum required	0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting/retail area Tasting/retail limited to 1 per 50 square feet of tasting area (and 150% max is removed) Add provision for grandfathering for existing parking (permits still required)	Not specified	0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting/retail area Max parking set by CUP, but tasting/retail should be limited to 1 per 50 square feet of tasting area Add provision for grandfathering for existing parking (permits still required)

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
As Voted Out of Local Services, Regional Roads and Bridges Committee 3/11/19**

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

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
As Voted Out of Local Services, Regional Roads and Bridges Committee 3/11/19**

Manufacturing Table – Urban Reserve Zone – Production Facilities

Issue #	Issue/Condition	Existing Code		Executive Transmitted			As Adopted by LSRRB
				WBD I (DC#30)	WBD II (DC#3)	WBD III (DC#12)	
41							
	Type of Permit	Permitted	Conditional Use – No separate authorization for a CUP in UR zone	Permitted – only one nonresident employee allowed	Permitted	Conditional Use	Remove allowance for WBD in the UR zone. These facilities would not be permitted in the UR zone. Don't want to bind the Cities to these regulations, want to learn from the pilot first, and each UR zone is unique (one-size regulations may not work).
	Min. Lot Size	4.5 acres		None	2.5 acres	4.5 acres Except if floor area is over 6,000 square feet, the minimum lot size is 10 acres	
	Max. Building Size	3,500 sf, except historic buildings		1,500 sf	3,500 sf (historic buildings maximum is 5,000 sf)	Maximum floor area 8,000 sf; additional 8,000 sf for underground storage	
	Tastings	Tasting of products produced on-site, and no extra floor area allowed for tasting		Not allowed	Tasting of products produced on-site, and no extra floor area allowed for tasting Hours for on-site tasting: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm	Tasting of products produced on-site, and no extra floor area allowed for tasting Hours for on-site tasting: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm	
	Water	Not specified		Not specified	Not specified	Must connect to existing Group A water system, or existing Group B water system if Group A water system not available	
	Access	Not specified		Not specified	Direct access from an arterial	Direct access from an arterial	
	Product Content	60% of product content required to be grown in Puget Sound counties		None	None	None	
	Production/ Facility Location	Not specified		Required	Required	Required	
	Parking	.9 per 1,000 square feet, plus 1 per 50 square feet of tasting area		One parking stall allowed for nonresident employee	0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting area Limited to 150% of minimum required	Not specified	
	Setbacks	75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones.		75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.	75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.	75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.	

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
As Voted Out of Local Services, Regional Roads and Bridges Committee 3/11/19**

Manufacturing Table – Commercial and Industrial Zones – Production Facilities

Note: if the LSRRB Direction cell is blank, then the Executive's transmittal is carried forward

Issue #	Issue/Condition	Existing Code NB and CB	Existing Code RB and I	Executive Transmitted NB and CB (DC#17 and DC#29)	As Adopted by LSRRB	Executive Transmitted RB (DC#29) and I (DC#31)	As Adopted by LSRRB
42	Type of Permit	Permitted	Permitted	WBD I – not permitted WBD II – permitted and conditional use (DC#17) WBD III – conditional use (DC#29)		WBD I – not permitted WBD II – permitted and conditional use WBD III – conditional use	In I zone, limit to breweries and distilleries. No wineries or remote tasting rooms.
43	Min. Lot Size	None	None	None		None	
44	Max. Building Size	3,500 sf, except historic buildings	None	WBD II – 3,500 sf, except historic buildings are 5,000 sf	Decks that are not occupied and not open to the public are excluded from the calculation for aggregated floor area.	None	
45	Tastings	Tasting of products produced on-site, and no extra floor area allowed for tasting	Not specified	WBD II – Tasting of products produced on-site, and no extra floor area allowed for tasting	Add tasting allowance to WBD III for consistency.	Not specified	Add tasting allowance to II and III for consistency. Prohibit remote tasting rooms in I zone (tasting with production okay) Add a limitation on tasting size in the I zone to 1,500sf.
47	Water	None	None	None		None	
48	Access	None	None	None		None	
49	Product Content	None	None	None		None	
50	Production/Facility Location	Not specified	Not specified	Not specified		Not specified	
51	Parking	0.9 per 1,000 square feet, plus 1 per 50 square feet of tasting area	0.9 per 1,000 square feet, plus 1 per 50 square feet of tasting area	WBD II – 0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting area WBD III – not specified	WBD II and III: 0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting/retail area Tasting/retail limited to 1 per 50 square feet of tasting and retail area (For WBD III: maximum parking set by CUP, tasting/retail should be limited to 1 per 50 square feet of tasting area)	WBD II – 0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting area WBD III – not specified	WBD II and III: 0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting/retail area Tasting/retail limited to 1 per 50 square feet of tasting area (When max parking set by CUP, tasting/retail should be limited to 1 per 50 square feet of tasting area)
52	Setbacks	75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones.	5 or 10 feet	WBD II – 75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas. WBD III – 5 or 10 feet	WBD II and III: Require 75', but allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25' Setbacks only apply to interior lot lines.	RB zone: 5 or 10 feet I zone: 5 or 10 feet	For WBD II and III: Require 75', but allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25'. Setbacks only apply to interior lot lines.

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
As Voted Out of Local Services, Regional Roads and Bridges Committee 3/11/19**

Retail Table – Commercial Zones – Remote Tasting Rooms Countywide

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

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
As Voted Out of Local Services, Regional Roads and Bridges Committee 3/11/19**

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

Note: if the LSRRB Direction cell is blank, then the Executive's transmittal is carried forward

Issue #		Executive Transmitted	As Adopted by LSRRB	Executive Transmitted	As Adopted by LSRRB
		Remote Tasting Room Overlay A		Special Events Overlay B	
82	Use	Allows a remote tasting room One or more WBD I, II, III allowed to operate		On-site weddings and similar uses with a WBD III	Special events normally permitted through the Temporary Use Permit process
83	Type of Permit	Permitted – Type 1 land use permit		Conditional Use	Consolidate review of TUP and CUP for WBD III Applicants do not pay for TUP under demonstration project
84	Areas allowed	Sammamish Valley area Vashon Rural Town	Extend Sammamish Valley north from Woodinville City limits (up to just north of Tolt Pipeline) Vashon CB zoning, not entire Rural Town Add CB zoning in Fall City Rural Town	Sammamish Valley area	
85	Min. Lot Size	Specified by underlying zoning		Specified by underlying zoning	
86	Max. Building Size	1,000 sf for tasting and retail only 500 sf outdoors		Specified by underlying zoning	
87	Tastings	Tasting hours: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm		Specified by underlying zoning	
88	Sales	Incidental retail sales of products related to tasting allowed		Specified by underlying zoning	
89	Events	Not allowed	2/year. Max 50 people. No TUP required.	No specific limit – conditions set with CUP w/ annual monitoring of impacts	60 maximum per year
90	Water	Not specified		Specified by underlying zoning	
91	Access	Direct access from an arterial	Not specified	Specified by underlying zoning	
92	Product Content	None		Specified by underlying zoning	
93	Production	Not allowed	Not specified	Specified by underlying zoning	
94	Parking	1 space per 300 square feet of public tasting and retail area Limited to 150% of minimum required	1 per 300 square feet of tasting/retail area Tasting/retail limited to 1 per 50 square feet of tasting area	Specified by underlying zoning	
95	Setbacks	Not specified		Specified by underlying zoning	

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Public Comments on Proposed Ordinance 2018-0241

Winery/Brewery/Distillery Code Update

Received June 12, 2019 through
September 13, 2019

From: [Serena Glover](#)
To: [Auzins, Erin](#); [Dembowski, Rod](#); [Dunn, Reagan](#); [von Reichbauer, Pete](#); [Gossett, Larry](#); [Lambert, Kathy](#); [Wolf, Karen](#); [McDermott, Joe](#); [Kohl-Welles, Jeanne](#); [Upthegrove, Dave](#); [Balducci, Claudia](#); kcexec@kingcounty.gov
Subject: Response to Beverage Ordinance Draft Balducci Striker of 9/16/19
Date: Thursday, September 12, 2019 5:46:58 PM

Dear King County Councilmembers,

While the new striker has taken a few steps to improve on the version forwarded to COW on 6/12/19, it still contains significant loopholes that would open the door for urban uses to sprawl outside of the UGA. The most significant issues are:

1. Sammamish Valley (SV) DPO A still remains. 5 of the 8 SV violators are in DPO A and it further expands development to a total of 13 parcels.
2. The definitions and permitted uses of WBDs, while on the surface may look more restrictive in the new striker, are still worded in a way that creates several loopholes and “room for interpretation”, allowing sham WBDs that really operate as retail outlets to locate outside the UGA. The language needs to be much clearer and needs to stipulate that WBDs conduct all stages of production if located in the RA or A, and that they can only sell adult beverage products that are produced on-site.
3. Due to the way language in certain sections of this lengthy Ordinance is constructed, it is almost incomprehensible, and will be extremely difficult if not impossible to enforce.

Land speculation and environmental degradation are destroying the SV APD. In addition, violators already create significant health and safety issues for everyone. I recently spoke a length with a new speculator who is considering purchase of a RA property adjacent to the APD. He was confident he could run a cluster of bars on his prospective property, which given the current Ordinance wording he is probably correct. And just two weeks ago a violator opened a bar on his APD property that already contains a coffee shop.

The Ordinance as written will not stop these speculators. If you reward violators and allow urban use businesses outside the UGA they will just keep coming at us and nothing will stop them.

The Sammamish Valley is at a tipping point. Which is why Friends of Sammamish Valley will challenge any Ordinance that rewards violators and allows urban use businesses outside the UGA.

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

On behalf of the many HOAs, UACs, environmental organizations, farm businesses, local businesses, and citizens who support our position. GoFoSV.org/endorsements

From: [Pedroza, Melani](#)
To: [Steadman, Marka](#)
Subject: FW: Ordinance #2018-0241.2
Date: Thursday, September 12, 2019 2:22:18 PM

Here is public comment for 2018-0241. I'll let her know that I've forwarded it to you as it is still in COW.

Melani

From: susan powell <honcha@gmail.com>
Sent: Thursday, September 12, 2019 2:13 PM
To: Pedroza, Melani <Melani.Pedroza@kingcounty.gov>
Subject: Ordinance #2018-0241.2

Please see that all council members receive this letter and that it is read into the minutes of the meeting. Thank you!

Hello, my name is Susan Powell and I am a member of the community on Vashon Island. I am calling/emailing to voice support for the amendment that Councilmember McDermott has proposed to the winery, brewery, and distillery that you will be considering this coming Monday, September 16th.

The wineries and breweries on Vashon Island are integral to the community on the island, and contribute to the economy in ways that go far beyond purchases of beverages. Tasting room visitors and wine club members that visit Vashon enjoy our small tasting venues and then head into town and spend their money in the shops and restaurants on Vashon before returning home.

The wineries, cideries, and breweries on Vashon Island have never had the kind of traffic and parking complaints you have heard from the community in Sammamish Valley. Unfortunately, the consultant who helped draft the proposed legislation never visited Vashon and didn't understand that.

The wineries and cideries in our island community support King County's agricultural heritage by growing grapes, apples and pears in their own vineyards and orchards.

Our Vashon economy teeters on a knife edge. This legislation, if not amended, will damage our community. King County needs to find ways to support small businesses on Vashon Island, not enact legislation that would force them to shut down.

Please vote to include the amendment drafted by Councilmember McDermott that will protect current businesses but ensure that future beverage makers will be included in the new regulations.

Thank you, Susan Powell

From: [Communications, Comments](#)
To: [Auzins, Erin](#)
Subject: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Date: Wednesday, September 11, 2019 12:44:15 PM

Submitted from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Submitted at 12:44:11 PM, on Wednesday, September 11, 2019

Winery_Code:

FromUser: Lisa Brummel

EMail: brumshop@outlook.com

addr1: 14330 160th Ave NE

city: Woodinville

state: WA

zip: 98072

MessageText: I appreciate Rep. Balducci's interest in making this proposal work for our community. However, there are still loopholes which must be closed in order to effectively maintain the community we care about so deeply. I would respectfully request that the following action be taken related to the amendment and future draft of the code:

1. Please retain "Sales limited to a product made on-site".
2. Definition of "winery" should follow Wa. state definitions and include ALL of the following: "the crush, fermentation and tank or barrel aging". There is no reason to create new definitions when there are clearly acceptable guidelines already in place.
3. Overlay A should also be removed. Overlay A would be rewarding willful lawbreakers and would open the county to lawsuits for equal treatment by owners of similarly zoned parcels.

Thank you.

Lisa Brummel

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/64.0.3282.140 Safari/537.36 Edge/18.17763

From: [Communications, Comments](#)
To: [Auzins, Erin](#)
Subject: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Date: Wednesday, September 11, 2019 12:29:18 PM

Submitted from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Submitted at 12:29:15 PM, on Wednesday, September 11, 2019

Winery_Code:

FromUser: patty anderson

EMail: anderro@frontier.com

addr1: 20806 NE 58th St

city: Redmond

state: WA

zip: 98053

MessageText: I would like to request that the 75 foot setback also apply to buildings with historic designation, such as King County Heritage Barns. A WBD impacts the neighbors the same, regardless of the historic status of the building. I see no reason that there should be different rules.

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: [Communications, Comments](#)
To: [Auzins, Erin](#)
Subject: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Date: Tuesday, September 10, 2019 9:46:10 AM

Submitted from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Submitted at 9:46:08 AM, on Tuesday, September 10, 2019

Winery_Code:

FromUser: Justas Vilgalys

EMail: justasvilgalys@hotmail.com

addr1: 18320 NE 204 ct.

city: Woodinville

state: AZ

zip: 98077

MessageText: I am very concerned that the WBD will ruin the character of the Sammamish valley. Illegal wineries and tasting rooms have already over run the area, making it difficult and dangerous to pass through. All of these illegal operations need to move. No exceptions, regardless of how big or small they are. In addition to not allowing WBD's in agricultural areas (period, no exceptions), we need to not allow them in adjacent buffer areas such as where the Mathews winery is today. Pollution runoff from those areas are bad for the agricultural areas as well.

King county needs to encourage wineries, breweries and distilleries to be developed in non agricultural areas. A great example is the new Black Raven. The Raven built their new brewery in an area of Woodinville zoned for industrial work.

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/64.0.3282.140 Safari/537.36 Edge/17.17134

From: [Communications, Comments](#)
To: [Auzins, Erin](#)
Subject: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Date: Wednesday, September 11, 2019 1:38:52 PM

Submitted from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Submitted at 1:38:50 PM, on Wednesday, September 11, 2019

Winery_Code:

FromUser: Amanda Sepe

EMail: A_sepe@hotmail.com

addr1: 18008 176 Ave NE

city: Woodinville

state: Wa

zip: 98072

MessageText: I support upholding the Sammamish Valley as an agricultural area. Tasting rooms, although fun, can move to the warehouse districts. Wineries that crush, ferment, etc at least 70% of wine/brew/cider should remain as that is an agricultural process.

My concerns are that the wineries are purchasing valuable agricultural land for tasting rooms. There are plenty of other areas tasting rooms can move. Thank you.

User IP Address:10.84.2.22

User Software Client:Mozilla/5.0 (iPhone; CPU iPhone OS 12_4_1 like Mac OS X) AppleWebKit/605.1.15 (KHTML, like Gecko) Version/12.1.2 Mobile/15E148 Safari/604.1

From: [Communications, Comments](#)
To: [Auzins, Erin](#)
Subject: FW: Futurewise Clarifying Comments - Wineries, Breweries and Distilleries Ordinance
Date: Thursday, September 5, 2019 2:39:27 PM
Attachments: [FW Coms on Proposed Ord 2018-0241 2 Winery Regs Sept 2019.pdf](#)

From: Bryce Yadon <bryce@by-consulting.com>
Sent: Thursday, September 5, 2019 2:26 PM
To: Communications, Comments <council@kingcounty.gov>
Cc: Knight, Calli <CKnight@kingcounty.gov>; Camenzind, Krista <Krista.Camenzind@kingcounty.gov>
Subject: Futurewise Clarifying Comments - Wineries, Breweries and Distilleries Ordinance

Chair McDermott and King County Councilmembers:

Please find the attached letter from Futurewise regarding Proposed Ordinance 2018-0241.2 – Regulations for Wineries, Breweries, and Distilleries. Futurewise wanted to provide an updated letter providing further clarification on key issues within the ordinance. The goal is to provide better feedback for further discussions of this ordinance and suggestions for changes. If you have any questions, please feel free to reach out to me. I am happy to work with the council on our suggested changes contained with the legislation.

Thanks,
BY

Bryce Yadon
Bryce Yadon Consulting
253.249.4430
bryce@by-consulting.com



816 Second Ave, Suite 200, Seattle, WA 98104
p. (206) 343-0681
futurewise.org



September 4, 2019

The Honorable Joe McDermott, Chair – Committee of the Whole
King County Council
516 3rd Ave Room 1200
Seattle, Washington 98104

Dear Chair McDermott and King County Councilmembers:

Subject: Futurewise **CLARIFYING** comments on Proposed Ordinance 2018-0241.2 -
Regulations for Wineries, Breweries, and Distilleries.
Sent via email to: council@kingcounty.gov

Thank you for providing Futurewise the opportunity to clarify our letter dated June 6, 2019. After further review, we believe it is necessary to simplify our comments on a few key provisions. Under the current draft, Futurewise continues to recommend that the proposed ordinance not be adopted as written and suggest the below changes.

Agricultural Zones

King Country needs to protect agricultural lands and agricultural operations from nonagricultural uses. Therefore, we are opposed to including Winery/Brewery/Distillery Facility I that would allow for sourcing of products offsite to be used by the business for five years within the Agricultural zones which makes them nonagricultural uses.

Futurewise is opposed to Winery/Brewery/Distillery Facility IIs and IIIs in Agricultural zones as written. We appreciate the requirement that 60% of the products to be used by the business must be grown on-site, however further requirements should be included to adequately protect agricultural lands. The ordinance needs to require that the uses associated with the Winery/Brewery/Distillery Facility IIs and IIIs shall not convert more than one acre of agricultural land to nonagricultural uses as RCW 36.70A.177(3)(b)(ii) requires.

In addition, the proposed code does not provide consistency with the size, scale, and intensity of the existing agricultural use of the property as RCW 36.70A.177(3)(b)(ii) requires, as the allowed 3,500-foot buildings for the Winery/Brewery/Distillery Facility IIs and 8,000 to 16,000 square foot buildings for the Winery/Brewery/Distillery Facility IIIs are larger than many buildings in the Sammamish Valley Agricultural 10 zone and other agricultural zones.



The Winery/Brewery/Distillery Facility IIs and IIIs have limited protections for adjacent agricultural uses allowing setback to be reduced from 75 feet down to 25 feet. The setback only applies to “adjoining rural area and residential zones ...”, not agricultural uses. We believe that setbacks are needed to protect adjacent agricultural lands from encroachment and impacts.

Rural Zones

Futurewise is opposed to allowing remote tasting rooms in the rural area except for within designated Rural Towns; we also reluctantly support Demonstration Area A to legalize a number of the tasting rooms. We are opposed to Demonstration Area B as these are urban uses and shouldn’t be allowed in the Rural Areas. Tasting rooms are not dependent upon being in a rural area or near resource lands, unlike a use that processes local agricultural products, as the Growth Management Act requires so they are not an appropriate rural use.

The Winery/Brewery/Distillery Facility IIs and IIIs proposed for the rural area are also not allowed rural uses as there is no requirement that they process local agricultural products. For these types of facilities to be allowed in rural areas, that they process agricultural products predominately from King County with some of the products processed from other nearby counties.

Water Availability

Group B water systems shouldn’t be allowed to serve these uses. The Sammamish River is closed to new appropriations and permits for ground water appropriations are not allowed under WAC 173-508-030(1) and WAC 173-508-050. Allowing these uses, other than home occupations, to be served by Group B systems unless they have adequate water rights violates these requirements as well as reduces instream flows. Low flows reduce available instream habitat and contribute to higher temperatures adversely impact salmon production and salmon habitats.¹

Parking

We appreciate the update to limiting parking throughout the ordinance, but we oppose grandfathering in of existing parking.

Home Occupations

If a current home occupation is a legally existing licensed business under current code and have followed all the regulation to comply, we believe they should be able to continue operating

¹ 2016 *State of Our Watersheds: A Report by the Treaty Tribes in Western Washington* p. 111.

King County Council RE: Proposed Ordinance 2018-0241.2
September 4, 2019
Page 3

under the current code. Futurewise is opposed to allowing a yearlong grace period to comply with code that will no longer exist with the passage of this ordinance.

Thank you for considering our comments. If you require additional information, please contact Bryce at telephone 253-249-4430 and email bryce@by-consulting.com.

Sincerely,



Bryce Yadon
Government Affairs Representative - Futurewise

From: [Susan Boundy-Sanders](#)
To: [Communications, Comments; Auzins, Erin](#)
Subject: Land speculation in Sammamish Valley
Date: Wednesday, September 4, 2019 8:27:06 PM
Attachments: [SpeculationList.docx](#)

Good evening, Council and Erin,

Public comments and conversations about Beverage Ordinance 2018-0241 have included concerns about the level of land speculation in the Sammamish Valley. The attached document formalizes this information.

Points to note:

- Of the 24 Agricultural-zoned parcels that are in the APD but not in the Farmland Preservation program, 5 of them -- more than 20% -- have been subjects of speculation, either sold or for sale at speculative prices.
- The level of speculation in Agricultural parcels suggests that speculators expect the County to release Agricultural land for development, and likely indicates that the speculators are willing to exert considerable pressure to achieve this outcome.

My hope is that having this information increases your resolve to end the climate of speculation in both Agricultural and Rural zones.

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

Land speculation in the Sammamish Valley

Susan Boundy-Sanders, as an individual citizen
17859 149th Ave NE
Woodinville, WA 98072

Below are tables that give an overview of land speculation in the Sammamish Valley. Things to note:

- There are as many Agricultural as Rural zoned parcels caught in speculation – five of each. Regardless of the intentions of the Executive, Council, and staff, this suggests that the climate of land speculation generated by King County’s indecision and willingness to “work with” speculators is as damaging to Agricultural as to Rural lands. *It also appears to telegraph speculators’ intent to pressure the County to cede Agricultural land to development.*
- Of the twenty-four Sammamish Valley APD parcels that are not in the Farmland Preservation Program, five—more than 20%—have been subjects of land speculation since 2016, either as sales or as parcels for sale.
- There are roughly sixty Rural parcels that border the road in the Sammamish Valley. The five Rural parcels involved in land speculation represent about 8% of these parcels.

Agricultural parcels

Parcel #	Address/aka	Asking/sale \$	Acres	\$/acre	Sale date
1026059030	Zante 13415 NE 171 st St.	\$7,000,000	14.90	\$470,000	Asking price
1026059031	Brown/Icarus 16725 140 th Ave NE	\$1,850,000	7.98	\$232,000	06/28/2016
1526059028	Kirshner/Icarus 16507 140 th PI NE	\$1,500,000	5.00	\$300,000	06/21/2016
3404700170	Ross/Yarrow Bay 14123 Wood-Red Rd	\$1,000,000	4.82	\$207,000	05/03/2019
2326059024	Walker 13229 Wood-Red Rd	\$6,500,000	4.00	\$1,625,000	Asking price

Rural parcels

Parcel #	Address/aka	Asking/sale \$	Acres	\$/acre	Sale date
1026059095	Bluemay 165 th and 140th	\$1,520,000	5.00	\$304,000	10/30/2018
3407700011 3407700006	Carlson/Feliciana 15114 148 th Ave NE	\$2,600,000	6.09	\$427,000	Asking price
1526059052 1526059056	Carlson/TRF 14711 148 th Ave NE	\$1,200,000	2.89 acres	\$415,000	05/22/2017
1526059051	Jack’s/Leone/Larone 14701 148 th Ave NE	\$995,000	1.48	\$672,000	08/28/2014
1526059051	Jack’s/Leone/Larone 14701 148 th Ave NE	\$1,300,000	1.48	\$878,000	Asking price
2326059067	Hospitalis LLC 13652 Wood-Red Rd	\$850,000	1.84	\$462,000	12/05/2017

From: [T. V. Kurien](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Monday, September 2, 2019 6:59:38 AM

Dear Supervising Legislative Analyst Erin Auzins,

The Sammamish Valley Agricultural Production District (APD) is one of the most fertile valleys in the country. If farmed to full potential, the Valley could annually supply local organic vegetables to 80,000 people, at a value of \$54 million. These sustainable, high yields are essential as climate change decreases yields in the Midwest and California.

It makes ZERO SENSE to support the Lambert/Balducci version of the Beverage Ordinance, which undermines the efforts of dozens of hard working farmers in the Valley, works at cross purposes to well-established land use regulations, and is totally counterproductive to multiple KC initiatives supporting local farming with taxpayer dollars.

* The Ordinance allows for commercial development on top of the Valley's steep-sloped, environmentally sensitive KC SO-120 Ag Buffer Overlay area. The RA Buffer and the APD are an integrated environmental ecosystem. Development in the RA Buffer damages the adjoining farmlands with sediment-laden, toxic, and overheated water runoff from impervious and compacted surfaces. Groundwater flow is also degraded by commercial activity which exceeds the capacity of residential septic systems.

* Land use speculation pushes out the farmers. Farmland in the Valley's APD, when sold for farming, is typically priced at \$15k-35k per acre. Recently several parcels have sold for as much as \$850k per acre and another was on the market for \$1.6m per acre – with intention for uses other than agriculture.

* KC farmers will be put out of business. Additionally, these farmers support a broad ecosystem of local restaurants, chefs, foodbanks, and landscaping companies that will be harmed by the Ordinance.

* The 60% rule for product to be grown ON SITE should be restored, to prevent productive farmland from being turned into manufacturing uses.

* Commercial development of Rural Area and APD lands goes against many taxpayer-funded KC efforts to support locally sourced food, including the Local Food Initiative, the Farmland Preservation Program, Puget Sound Fresh, Farm King County, and the Land Conservation Initiative.

* The WA State GMA mandates that King County protect the County's Rural Areas and APDs. The Ordinance allows for commercial development throughout KC Rural Areas and will negatively impact not only the Sammamish Valley APD but the other KC APDs as well.

Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmlands.

Sincerely,
T. V. Kurien

22120 NE 23RD STREET
SAMMAMISH, WA 98074

From: [Leonard Elliott](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Monday, August 26, 2019 3:34:10 PM

Dear Supervising Legislative Analyst Erin Auzins,

The Sammamish Valley Agricultural Production District (APD) is one of the most fertile valleys in the country. If farmed to full potential, the Valley could annually supply local organic vegetables to 80,000 people, at a value of \$54 million. These sustainable, high yields are essential as climate change decreases yields in the Midwest and California.

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Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmlands.

(I was fortunate to live on a farm in my younger years -- purchase of the farm was a life-long dream come true for my father after having to leave his farm because of the Depression.

I have supported farms, farmers and the protection of farm land financially and by serving on the board of Washington Sustainable Food and Farming Network, donating to American Farmland Trust, and volunteering at the Auburn International Farmers Market since its inception in 2009. Please protect farmlands from intrusion by wineries, etc.

Sincerely,
Leonard Elliott
2006 Riverview Dr NE
Auburn, WA 98002

From: [Steve Palmen](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Monday, August 26, 2019 9:52:52 AM

Dear Supervising Legislative Analyst Erin Auzins,

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Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmlands.

Sincerely,
Steve Palmen

4755 118th Ave SE
Bellevue, WA 98006

From: [Kristofer Plunkett](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Monday, August 26, 2019 8:23:04 AM

Dear Supervising Legislative Analyst Erin Auzins,

The Sammamish Valley Agricultural Production District (APD) is one of the most fertile valleys in the country. If farmed to full potential, the Valley could annually supply local organic vegetables to 80,000 people, at a value of \$54 million. These sustainable, high yields are essential as climate change decreases yields in the Midwest and California.

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Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmlands.

Sincerely,
Kristofer Plunkett

9745 Phinney Ave N
Seattle, WA 98103

From: [Michael Lewis](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Sunday, August 25, 2019 10:09:28 AM

Dear Supervising Legislative Analyst Erin Auzins,

The Sammamish Valley Agricultural Production District (APD) is one of the most fertile valleys in the country. If farmed to full potential, the Valley could annually supply local organic vegetables to 80,000 people, at a value of \$54 million. These sustainable, high yields are essential as climate change decreases yields in the Midwest and California.

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Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmlands.

Sincerely,
Michael Lewis

910 E Aloha Street, Apt D
Seattle, WA 98102

From: [sharon.schneider](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Sunday, August 25, 2019 7:48:13 AM

Dear Supervising Legislative Analyst Erin Auzins,

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Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmlands.

Sincerely,
sharon.schneider

120 North 50th Street
Seattle, WA 98103

From: [Dana Jacobson](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Thursday, July 18, 2019 3:04:36 PM

Dear Supervising Legislative Analyst Erin Auzins,

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Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmlands.

Sincerely,
Dana Jacobson

14602 NE 51st Pl Apt D3
Bellevue, WA 98007

From: [Linda Risinger](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Thursday, July 18, 2019 10:00:21 AM

Dear Supervising Legislative Analyst Erin Auzins,

While on a drive recently my husband and I were talking about how well protected the farmlands around here seem to be. Instead of businesses being allowed to slowly move into and encroach upon much needed agriculture, we felt lucky that King County was protecting those farmers. THEN we found out about this beverage ordinance. The importance of agriculture vs more tasting rooms is pretty obvious. Nothing against small business, just common sense. I heartily agree with the statements below.

It makes ZERO SENSE to support the Lambert/Balducci version of the Beverage Ordinance, which undermines the efforts of dozens of hard working farmers in the Valley, works at cross purposes to well-established land use regulations, and is totally counterproductive to multiple KC initiatives supporting local farming with taxpayer dollars.

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Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmlands.

Sincerely,
Linda Risinger
24337 NE Vine Maple Way
Redmond, WA 98053

From: [Jim Risinger](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Thursday, July 18, 2019 10:00:21 AM

Dear Supervising Legislative Analyst Erin Auzins,

I do not support the new Beverage Ordinance. King County should do everything possible to protect the farmlands of the valley. These are far more essential than tasting rooms!

It makes ZERO SENSE to support the Lambert/Balducci version of the Beverage Ordinance, which undermines the efforts of dozens of hard working farmers in the Valley, works at cross purposes to well-established land use regulations, and is totally counterproductive to multiple KC initiatives supporting local farming with taxpayer dollars.

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Sincerely,
Jim Risinger
24337 NE Vine Maple Way
Redmond, WA 98053

From: [LouAnn Ballew](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Wednesday, July 17, 2019 9:02:11 AM

Dear Supervising Legislative Analyst Erin Auzins,

The Sammamish Valley Agricultural Production District (APD) is one of the most fertile valleys in the country. If farmed to full potential, the Valley could annually supply local organic vegetables to 80,000 people, at a value of \$54 million. These sustainable, high yields are essential as climate change decreases yields in the Midwest and California.

It makes ZERO SENSE to support the Lambert/Balducci version of the Beverage Ordinance, which undermines the efforts of dozens of hard working farmers in the Valley, works at cross purposes to well-established land use regulations, and is totally counterproductive to multiple KC initiatives supporting local farming with taxpayer dollars.

* The Ordinance allows for commercial development on top of the Valley's steep-sloped, environmentally sensitive KC SO-120 Ag Buffer Overlay area. The RA Buffer and the APD are an integrated environmental ecosystem. Development in the RA Buffer damages the adjoining farmlands with sediment-laden, toxic, and overheated water runoff from impervious and compacted surfaces. Groundwater flow is also degraded by commercial activity which exceeds the capacity of residential septic systems.

* Land use speculation pushes out the farmers. Farmland in the Valley's APD, when sold for farming, is typically priced at \$15k-35k per acre. Recently several parcels have sold for as much as \$850k per acre and another was on the market for \$1.6m per acre – with intention for uses other than agriculture.

* KC farmers will be put out of business. Additionally, these farmers support a broad ecosystem of local restaurants, chefs, foodbanks, and landscaping companies that will be harmed by the Ordinance.

* The 60% rule for product to be grown ON SITE should be restored, to prevent productive farmland from being turned into manufacturing uses.

* Commercial development of Rural Area and APD lands goes against many taxpayer-funded KC efforts to support locally sourced food, including the Local Food Initiative, the Farmland Preservation Program, Puget Sound Fresh, Farm King County, and the Land Conservation Initiative.

* The WA State GMA mandates that King County protect the County's Rural Areas and APDs. The Ordinance allows for commercial development throughout KC Rural Areas and will negatively impact not only the Sammamish Valley APD but the other KC APDs as well.

Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmlands.

Sincerely,
LouAnn Ballew

7345 164th ave ne ste 145-207
Redmond, WA 98052

From: [Sheila Hoff](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Wednesday, July 17, 2019 9:02:07 AM

Dear Supervising Legislative Analyst Erin Auzins,

The Sammamish Valley Agricultural Production District (APD) is one of the most fertile valleys in the country. If farmed to full potential, the Valley could annually supply local organic vegetables to 80,000 people, at a value of \$54 million. These sustainable, high yields are essential as climate change decreases yields in the Midwest and California.

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Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmlands.

Sincerely,
Sheila Hoff

12628 Adair Creek Way Ne
Redmond, WA 98053

From: [Carolee Jones](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Wednesday, July 17, 2019 9:02:00 AM

Dear Supervising Legislative Analyst Erin Auzins,

The Sammamish Valley Agricultural Production District (APD) is one of the most fertile valleys in the country. If farmed to full potential, the Valley could annually supply local organic vegetables to 80,000 people, at a value of \$54 million. These sustainable, high yields are essential as climate change decreases yields in the Midwest and California.

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Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmlands.

Sincerely,
Carolee Jones

12141 SE 21st ST
Bellevue, WA 98005

From: [Julie Gunnarsson](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Tuesday, July 16, 2019 9:02:26 AM

Dear Supervising Legislative Analyst Erin Auzins,

The Sammamish Valley Agricultural Production District (APD) is one of the most fertile valleys in the country. If farmed to full potential, the Valley could annually supply local organic vegetables to 80,000 people, at a value of \$54 million. These sustainable, high yields are essential as climate change decreases yields in the Midwest and California.

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* The WA State GMA mandates that King County protect the County's Rural Areas and APDs. The Ordinance allows for commercial development throughout KC Rural Areas and will negatively impact not only the Sammamish Valley APD but the other KC APDs as well.

Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmlands.

Sincerely,
Julie Gunnarsson

19924 163rd ave ne
Woodinville, WA 98072

From: [Don Porterfield](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Sunday, September 8, 2019 12:43:34 AM

Dear Supervising Legislative Analyst Erin Auzins,

Councilmembers,

I will forgo the intelligent preface stated by the FoSV and say simply that ANY member voting for this absolutely destructive proposal should be REMOVED FROM THEIR POSITION AS COUNCILMEMBER for such an affirmation would be a complete injustice to the constituents of this county. Allowing retail in that area is inanity personified and for what? You can't eat dollars folks. Aren't you bright enough to understand that, yet? How does this 2018-0241 proposal display a sense of stewardship to the people of this county for whom you are responsible?

After all of our farmland is poisoned will you be bright enough then?

Most sincerely,
Don Porterfield

Sincerely,
Don Porterfield
3240 14th Ave W, Apt. #1
Seattle, WA 98119

From: [Communications, Comments](#)
To: [Auzins, Erin](#)
Subject: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Date: Tuesday, June 18, 2019 8:19:35 AM

Submitted from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Submitted at 8:19:32 AM, on Tuesday, June 18, 2019

Winery_Code:

FromUser: Virginia Bowen

EMail: Jadziabowen@gmail.com

addr1: 7311 View Lane SW

city: Seattle

state: WA

zip: 98136

MessageText: Farm lands should remain farm lands and not become parking lots and Hugh tasting rooms. Love having wineries in our state but it would make more sense to convert an under used shopping mall into a tasting room and leave the farm lands as functional water filters for our streams.

At the very least an EIS should be considered before doing more work on these projects.

User IP Address:10.84.2.22

User Software Client:Mozilla/5.0 (iPhone; CPU iPhone OS 12_3_1 like Mac OS X) AppleWebKit/605.1.15 (KHTML, like Gecko) Version/12.1.1 Mobile/15E148 Safari/604.1

From: [Communications, Comments](#)
To: [Auzins, Erin](#)
Subject: Form submission from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Date: Friday, June 14, 2019 7:04:40 PM

Submitted from: <https://www.kingcounty.gov/council/issues/winery-code.aspx>
Submitted at 7:04:37 PM, on Friday, June 14, 2019

Winery_Code:

FromUser: Pete Nelson

EMail: pete@nelsontreehouseandsupply.com

addr1: 32925 SE 46th Street

addr2: Unit B

city: Fall City

state: WA

zip: 98024

MessageText: Hello,
My name is Pete Nelson and I spoke last week before the Council in support of the A and B Overlays.

It was a busy session and I kept my comments brief. I'd like to expand on those comments here, and contribute my perspective to the debate.

My thoughts can be summed up in the word ?compromise.? It's clear that this proposed zoning change study has its advocates and its detractors. I guess that mirrors the current political climate nationally.

But we don't need to follow the national script with its constant clashes, personal attacks, and poisoned atmosphere that leaves inaction and a lack of progress in its wake.

Thankfully, in our beautiful valley we already enjoy forward progress in a number of locations. A healthy economy is a blessing many communities, unfortunately, do not enjoy. My desire is to see all interested parties come together via compromise to maintain our decades-old, hard-won economic status, and the forward progress that got us here. Together we can achieve an end result to be proud of.

Through compromise with all stakeholders ? including The King County Council, local businesses, and the region's residents ? we can set a healthy example for other communities in other parts of the country facing their own

impasses. If we hold compromise above all else, we can show what can happen when disparate interests come together to get things done.

We all agree that change is inevitable; more development is coming. The more-than-reasonable response suggested by the Council is to get ahead of the curve, study the possibilities, and manage oncoming growth in a sensible way. It's an excellent starting point.

The specific challenges are serious, among them traffic, parking, and drainage/run-off issues. But solutions are available if we take them in a spirit of compromise (that word again.) Here are a few examples from my own experiences:

First: When I was attending college in Colorado, the Telluride Bluegrass Festival was a fun, but relatively small event. Attendees were given parking passes that allowed them to drive nearly to the center of the bucolic small town and park their cars a stone's throw from the festivities. What fun. But what a hassle for the locals. As the years went by, The Festival and others (Telluride Jazz Fest, etc.) became major draws attracting world-class artists and many thousands of attendees not to mention a tax windfall. The town responded not by curtailing the events or slowing their growth, but by working together on a solution. In this case the problem was managed by establishing sufficient parking space far away from the town and its residents, while also providing free shuttle-bus service to transport concertgoers to the events.

And Second: When I was going through a lengthy permitting process for my own business, I was astounded at the hoops I was made to jump through by the King County Building and Development Office. Now, looking back, I realize that not only was the Development Office right on any number of issues that I had pushed back against, but that the eventual implementation of their suggested solutions made my business stronger and better moving forward than it would have been without them. Their careful focus on solutions served us all well. In one case, they had me planting native plants on my property wherever I could, including right up to the edge of the buildings. It seemed petty to me then, but now these beautiful and sometimes fragile plants are thriving, and add to the site's authenticity as an example of an indigenous Northwestern habitat. Our guests never fail to notice. It enhances their experience, and from a business standpoint it's an easily achieved bit of added-value.

Other solutions await the unbiased eye of those who are willing to compromise: Certainly modern filtration systems can recondition run-off to limit its impact on the local organic agricultural businesses.

And perhaps there's room for a shuttle bus of our own.

(Eco-friendly, of course.) It could on-board visitors at a centrally located parking site that boasts a permeable surface and run-off recapture. And its route could intersect with local hiking/biking trails and organic farm stands before depositing visitors at the start of a tasting room tour, and, later, whisking them back to the trail or the parking site once their visits have ended.

I'm hoping creative problem solving and the spirit of compromise will guide us as we look to meet the challenges we face both now and in the future.
Thanks for your time.

Pete Nelson,
Owner
Nelson Treehouse and Supply
Treehouse Point

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/74.0.3729.169 Safari/537.36

From: [Communications, Comments](#)
To: [Auzins, Erin](#)
Subject: FW: Beverage ordinance
Date: Thursday, June 13, 2019 9:57:08 AM

From: Susan Boundy-Sanders <sbsand@hotmail.com>
Sent: Wednesday, June 12, 2019 4:18 PM
To: Communications, Comments <council@kingcounty.gov>; Auzins, Erin <Erin.Auzins@kingcounty.gov>
Subject: Beverage ordinance

Councilmembers:

Thank you for sending the beverage ordinance, 2018-0241, to the Committee of the Whole. I appreciate your willingness to take on this significant project.

My request is that you consider reframing the ordinance. The current regulations, through loopholes, fall short of the GMA, the CPPs, current zoning and zoning purpose statements, and a host of King County programs such as the Local Food Initiative. A few bad actors pushed for changes that are atrocious for the land. My impression is that, in the spirit of compromise, the Executive and committee made concessions to the bad actors, putting forward versions of the ordinance that in many ways are worse than existing code.

I'd urge you to lay aside the approach of compromising between bad and worse. Please work toward an ordinance that raises the bar, to measure up to the GMA, CPPs, and so on. I'd love to see an ordinance that is a model for farmland protection and is legally above reproach.

Thank you again for your action today.

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

From: [Communications, Comments](#)
To: [Auzins, Erin](#)
Subject: FW: Proposed adult beverage ordinance
Date: Thursday, July 11, 2019 8:43:05 AM

From: Janis S. <janislsc@live.com>
Sent: Thursday, July 11, 2019 8:27 AM
To: Communications, Comments <council@kingcounty.gov>
Subject: Proposed adult beverage ordinance

WA wines has put our vineyards and wineries on the world map. Woodinville wineries and tasting rooms is a huge part of that world map and can be a positive revenue generator for King County. Please update codes as necessary but not to the detriment of business owners and customers.

Allow these businesses to stay open later in the evenings, so all can enjoy after working hours.
Allow these businesses to hold events at their facilities.

Thank you,
Janis S

From: [Communications, Comments](#)
To: [Auzins, Erin](#)
Subject: FW: Proposed Ordinance 2018-0241
Date: Monday, June 24, 2019 9:28:21 AM

From: Roycroft Secretary <6015secretary@gmail.com>
Sent: Saturday, June 22, 2019 8:59 AM
To: Communications, Comments <council@kingcounty.gov>
Subject: Proposed Ordinance 2018-0241

The Council should conduct an environmental impact study on Proposed Ordinance 2018-0241 updating development regulations for wineries, breweries and distilleries in unincorporated King County. If passed, local farmlands will be degraded to benefit the alcohol industry. This would impact rural and agricultural land throughout the county, the locally grown food supply and salmon migrating our local rivers through degradation of the agricultural production districts and destroying the Sammamish Valley farm and river ecosystem. It permits large wine tasting establishments with large parking lots on agricultural land, heavy event-center activity, and other significant impacts. How can we allow this if we are truly concerned about climate change, future food supplies and salmon?

Sincerely,
Lois Jones
Seattle

From: [Communications, Comments](#)
To: [Auzins, Erin](#)
Subject: FW: Proposed Ordinance 2018-0241
Date: Monday, June 24, 2019 11:14:22 AM

From: Beth Award <bethaward1@gmail.com>
Sent: Monday, June 24, 2019 10:25 AM
To: Communications, Comments <council@kingcounty.gov>
Cc: Beth Award <bethaward1@gmail.com>
Subject: Proposed Ordinance 2018-0241

Hi -

I ask you to please perform an environmental impact study on Proposed Ordinance 2018-0241. Our local farmlands are crucial to the food safety of our region, and I feel strongly that we preserve it, our rivers and our fisheries.

Thank you,
Beth Award
1434 31st Avenue
Seattle, WA 98122

--

Beth Award
Certified Yoga Teacher, E-RYT® 200, RYT® 500, YACEP®
Public & Private Instruction
Professional Organizing Consultant / Clutter Clearing
www.bethaward.com

From: [Communications, Comments](#)
To: [Auzins, Erin](#)
Subject: FW: Voicing my support for an update to King County Zoning to support Cougar Crest Winery and others
Date: Friday, June 14, 2019 9:38:11 AM

From: Mitch Colleran <mitchcolleran@gmail.com>
Sent: Friday, June 14, 2019 1:58 AM
To: Communications, Comments <council@kingcounty.gov>
Subject: Voicing my support for an update to King County Zoning to support Cougar Crest Winery and others

Dear council,

As a King County native and resident, I'd like to voice my support for an update to the Zoning laws to support the businesses like Cougar Crest Winery that have organically grown as our region has transitioned from farming to a more dynamic economy.

Thanks for listening,
Mitch Colleran

From: [Communications, Comments](#)
To: [Auzins, Erin](#)
Subject: FW: Winery Ordinance - Effect on 14701 148th Ave NE, Woodinville WA
Date: Thursday, June 13, 2019 3:14:32 PM

From: Sal Leone <leone@washingtonwine.com>
Sent: Thursday, June 13, 2019 1:08 PM
To: Balducci, Claudia <Claudia.Balducci@kingcounty.gov>; Lambert, Kathy <Kathy.Lambert@kingcounty.gov>
Cc: Camenzind, Krista <Krista.Camenzind@kingcounty.gov>; Communications, Comments <council@kingcounty.gov>
Subject: RE: Winery Ordinance - Effect on 14701 148th Ave NE, Woodinville WA

Ms. Balducci and Lamberts:

Although I was unable to attend yesterday, I understand that you heard public testimony but did not take a vote. Thanks you.

I was wondering if there is any consideration to granting existing property owners a grandfathering clause for those with an existing business as of January 1 2019 who had previously signed the settlement agreement?

Sal

From: Balducci, Claudia [<mailto:Claudia.Balducci@kingcounty.gov>]
Sent: Wednesday, June 12, 2019 10:33 AM
To: Sal Leone <leone@washingtonwine.com>; Lambert, Kathy <Kathy.Lambert@kingcounty.gov>
Cc: Camenzind, Krista <Krista.Camenzind@kingcounty.gov>
Subject: RE: Winery Ordinance - Effect on 14701 148th Ave NE, Woodinville WA

Good morning, Mr. Leone –

Thank you for writing again. We have been taking in many comments on this winery code proposal and I have sent out general responses to most of them. From my viewpoint, the current proposal is an attempt to balance many competing interests. For what it's worth, I can tell you that you are not alone in believing that we have failed to achieve an acceptable balance. The overlay boundaries were contained in the proposal that came over from the County Executive after they completed their stakeholder process and review. I believe that the main issue was keeping the overlays to the east of SR 202 and out of the valley floor itself. I have been attempting to review this code in terms of what makes sense and upholds my key priority of preserving the Sammamish Valley Agricultural area, while allowing for reasonable economic activity in Ag and rural areas.

Our public hearing is today, and I will share your message below with the other councilmembers for

consideration as we begin the final amendment and passage process. Thank you.

Claudia

P.S. Krista, please share with the other offices? Thank you.

From: Sal Leone <leone@washingtongwine.com>

Sent: Tuesday, June 11, 2019 5:40 PM

To: Balducci, Claudia <Claudia.Balducci@kingcounty.gov>; Lambert, Kathy <Kathy.Lambert@kingcounty.gov>

Cc: Communications, Comments <council@kingcounty.gov>

Subject: Winery Ordinance - Effect on 14701 148th Ave NE, Woodinville WA

Claudia:

Thank you for the follow-up on last weeks Winery Ordinance meeting but I was hoping you would specifically discuss my personal situation. I have sent at least two prior e-mails but have not received any response.

Although I signed a settlement agreement with the county, it appears that I will be the only winery & brewery to be closed down in the Woodinville area of unincorporated King County. My property is in neither Overlay A or Overlay B and is only 1.48 acres. Hence, I don't qualify for either a tasting room or a winery II and the Winery I classification is too restrictive to operate for a profit.

This does not make any sense considering:

My property is not adjacent to any farmland.

The city of Woodinville is across the street and immediately to the south of my property

My property is next to a sport field and a big parking lot operated by the county

My property is not in the Special Overlay Buffer

King County narrowly defeated annexing my property into the City of Woodinville by a narrow vote of 4-5.

My business is conducive to my neighbors.

Can you please respond to my concern and what is the solution. Please share this info with all of the council members so you may adopt an amendment to this ordinance. If writing is inconvenient, then perhaps we could meet somewhere.

Sal Leone

From: Balducci, Claudia [<mailto:Claudia.Balducci@kingcounty.gov>]

Sent: Tuesday, June 11, 2019 4:45 PM

To: Balducci, Claudia <Claudia.Balducci@kingcounty.gov>

Subject: Follow-up Questions from June 4 Community Meeting

Hello,

Thank you to everyone who attended the June 4th community meeting to discuss the Winery, Brewery, and Distillery code update currently being considered by the King County Council. We had a great turnout and a robust discussion with the audience. We were not able to answer all of the questions in the moment and have prepared written responses as promised. You can find the questions and answers attached to this email.

This document will be updated if more questions arise or if more information becomes available. We heard a few questions that were not directly related to the code update and will be answering those through other means.

The formal public hearing for the ordinance is tomorrow, Wednesday, June 12th at 10:30am on the 10th floor of the King County Courthouse in Seattle. I do not expect the Council will take action on the ordinance tomorrow as we will need time to think about the comments we hear.

Thank you for your continued engagement on this issue.

Claudia

Claudia Balducci

Metropolitan King County Council, District Six

King County Courthouse

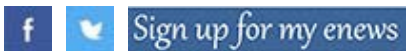
516 Third Avenue, Room 1200

Seattle, WA 98104-3272

206.477.1006

claudia.balducci@kingcounty.gov

www.kingcounty.gov/council



This email and any response to it constitute a public record and may be subject to public disclosure.

From: [Communications, Comments](#)
To: [Auzins, Erin](#)
Subject: FW: Zoning on Woodinville Redmond Road
Date: Friday, June 14, 2019 9:38:23 AM

-----Original Message-----

From: Renee Colleran <rcolleran@icloud.com>
Sent: Friday, June 14, 2019 6:31 AM
To: Communications, Comments <council@kingcounty.gov>
Subject: Zoning on Woodinville Redmond Road

Dear Council Members,

As a 64 year resident of Redmond and growing up on 45 acres on 116th in Redmond - I enjoy and value the thought out growth along Woodinville-Redmond road. The wineries bring vitality, diversity, jobs, a sense of community, a gathering place, and other businesses like restaurants to the area. I drive this road to work and back Monday through Fridays and for pleasure on weekends. The only time I try to avoid it is during concerts - and that is not a complaint just a smart move.

Sincerely
Renee Colleran

Renee Colleran. Sent from my iPhone

From: [Dwight Rousu](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Monday, July 15, 2019 10:18:48 PM

Dear Supervising Legislative Analyst Erin Auzins,

The Sammamish Valley Agricultural Production District (APD) is one of the most fertile valleys in the country. If farmed to full potential, the Valley could annually supply local organic vegetables to 80,000 people, at a value of \$54 million. These sustainable, high yields are essential as climate change decreases yields in the Midwest and California.

It makes ZERO SENSE to support the Lambert/Balducci version of the Beverage Ordinance, which undermines the efforts of dozens of hard working farmers in the Valley, works at cross purposes to well-established land use regulations, and is totally counterproductive to multiple KC initiatives supporting local farming with taxpayer dollars.

* The Ordinance allows for commercial development on top of the Valley's steep-sloped, environmentally sensitive KC SO-120 Ag Buffer Overlay area. The RA Buffer and the APD are an integrated environmental ecosystem. Development in the RA Buffer damages the adjoining farmlands with sediment-laden, toxic, and overheated water runoff from impervious and compacted surfaces. Groundwater flow is also degraded by commercial activity which exceeds the capacity of residential septic systems.

* Land use speculation pushes out the farmers. Farmland in the Valley's APD, when sold for farming, is typically priced at \$15k-35k per acre. Recently several parcels have sold for as much as \$850k per acre and another was on the market for \$1.6m per acre – with intention for uses other than agriculture.

* KC farmers will be put out of business. Additionally, these farmers support a broad ecosystem of local restaurants, chefs, foodbanks, and landscaping companies that will be harmed by the Ordinance.

* The 60% rule for product to be grown ON SITE should be restored, to prevent productive farmland from being turned into manufacturing uses.

* Commercial development of Rural Area and APD lands goes against many taxpayer-funded KC efforts to support locally sourced food, including the Local Food Initiative, the Farmland Preservation Program, Puget Sound Fresh, Farm King County, and the Land Conservation Initiative.

* The WA State GMA mandates that King County protect the County's Rural Areas and APDs. The Ordinance allows for commercial development throughout KC Rural Areas and will negatively impact not only the Sammamish Valley APD but the other KC APDs as well.

Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmlands.

Sincerely,
Dwight Rousu

13824 NE 70th Pl
Redmond, WA 98052

From: [Elizabeth Standal](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Monday, July 15, 2019 8:59:58 PM

Dear Supervising Legislative Analyst Erin Auzins,

I urge you to refuse to pass any version of the Beverage Ordinance that has negative impacts on our environment and on hardworking farmers. Instead, please adopt the Friends of Sammamish Valley Amended Ordinance.

The Sammamish Valley Agricultural Production District (APD) is one of the most fertile valleys in the country. If farmed to full potential, the Valley could annually supply local organic vegetables to 80,000 people, at a value of \$54 million. These sustainable, high yields are essential as climate change decreases yields in the Midwest and California.

It makes ZERO SENSE to support the Lambert/Balducci version of the Beverage Ordinance, which undermines the efforts of dozens of farmers in the Valley, works at cross purposes to well-established land use regulations, and is totally counterproductive to multiple KC initiatives supporting local farming with taxpayer dollars.

* The Ordinance allows for commercial development on top of the Valley's steep-sloped, environmentally sensitive KC SO-120 Ag Buffer Overlay area. The RA Buffer and the APD are an integrated environmental ecosystem. Development in the RA Buffer damages the adjoining farmlands with sediment-laden, toxic, and overheated water runoff from impervious and compacted surfaces. Groundwater flow is also degraded by commercial activity which exceeds the capacity of residential septic systems.

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* KC farmers will be put out of business. Additionally, these farmers support a broad ecosystem of local restaurants, chefs, foodbanks, and landscaping companies that will be harmed by the Ordinance.

* The 60% rule for product to be grown ON SITE should be restored, to prevent productive farmland from being turned into manufacturing uses.

* Commercial development of Rural Area and APD lands goes against many taxpayer-funded KC efforts to support locally sourced food, including the Local Food Initiative, the Farmland Preservation Program, Puget Sound Fresh, Farm King County, and the Land Conservation Initiative.

* The WA State GMA mandates that King County protect the County's Rural Areas and APDs. The Ordinance allows for commercial development throughout KC Rural Areas and will negatively impact not only the Sammamish Valley APD but the other KC APDs as well.

For these reasons, I urge you to adopt the Friends of Sammamish Valley Amended Ordinance

that would protect the APD farmlands.

Sincerely,
Elizabeth Standal
13015 102nd Ln NE, #6
Kirkland, WA 98034

From: [Sherry Bupp](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Monday, July 15, 2019 8:02:37 PM

Dear Supervising Legislative Analyst Erin Auzins,

As a Redmond resident and voter, I have a great fondness for the Sammamish River, the valley that surrounds it, and the farmers who steward it. The Sammamish Valley Agricultural Production District (APD) is one of the most fertile valleys in the country. If farmed to full potential, the Valley could annually supply local organic vegetables to 80,000 people, at a value of \$54 million. These sustainable, high yields are essential as climate change decreases yields in the Midwest and California.

It makes ZERO SENSE to support the Lambert/Balducci version of the Beverage Ordinance, which undermines the efforts of dozens of hard working farmers in the Valley, works at cross purposes to well-established land use regulations, and is totally counterproductive to multiple KC initiatives supporting local farming with taxpayer dollars.

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* The WA State GMA mandates that King County protect the County's Rural Areas and APDs. The Ordinance allows for commercial development throughout KC Rural Areas and will negatively impact not only the Sammamish Valley APD but the other KC APDs as well.

Once the farmlands have been developed, it would be virtually impossible to return them to farming. Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmlands.

Sincerely,
Sherry Bupp
8208 161st Ave NE Unit A403
Redmond, WA 98052

From: [Caryn Axelrad](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Monday, July 15, 2019 3:34:43 PM

Dear Supervising Legislative Analyst Erin Auzins,

Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmlands.

The original ordinance is unfair to businesses operating within the Urban Areas who need to follow different rules and therefore have higher operating costs.

The Rural Areas do not have the infrastructure in place to handle tasting rooms, taverns, event centers, etc.; and will cause damage to the environment.

I love the area we live in and don't want to see it ruined.

Thank you very much
Caryn Axelrad

Sincerely,
Caryn Axelrad
16320 198th Ave NE
Woodinville, WA 98077

From: [Yvonne Brandon](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Monday, July 15, 2019 3:07:44 PM

Dear Supervising Legislative Analyst Erin Auzins,

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Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmlands.

Sincerely,
Yvonne Brandon

5415 159th Pl NE
Redmond, WA 98052

From: [Yvonne Brandon](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Monday, July 15, 2019 12:59:47 PM

Dear Supervising Legislative Analyst Erin Auzins,

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Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmlands.

Sincerely,
Yvonne Brandon

5415 159th Pl NE
Redmond, WA 98052

From: [LINDA Meredith](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Wednesday, July 10, 2019 9:54:09 PM

Dear Supervising Legislative Analyst Erin Auzins,

The Sammamish Valley Agricultural Production District (APD) is one of the most fertile valleys in the country. If farmed to full potential, the Valley could annually supply local organic vegetables to 80,000 people, at a value of \$54 million. These sustainable, high yields are essential as climate change decreases yields in the Midwest and California.

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Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmlands.

Sincerely,
LINDA Meredith

13562 Adair Creek Way NE
Redmond, WA 98053

From: [Pedroza, Melani](#)
To: [Auzins, Erin](#)
Subject: Fwd: King County Council public hearing June 12th
Date: Wednesday, June 19, 2019 1:17:52 PM
Attachments: [Letter for Barbara Lau.docx](#)
[ATT00001.htm](#)

I'm told you are managing the comments.

Melani

Sent from my iPhone

Begin forwarded message:

From: "larrycmartin@comcast.net" <larrycmartin@comcast.net>
Date: June 19, 2019 at 12:56:29 PM PDT
To: "Pedroza, Melani" <Melani.Pedroza@kingcounty.gov>
Subject: RE: King County Council public hearing June 12th

Dear Ms. Pedroza,

I am submitting the attached letter from Claire Thomas regarding the Root Connection farm in the Sammamish Valley for consideration as part of the hearing record in connection with the proposed Adult Beverage Ordinance. This letter was read during the public hearing conducted on June 12th by Barabara Lau, but a hard copy of the letter was not available at that time.

Thank you.

Larry Martin

From: Pedroza, Melani <Melani.Pedroza@kingcounty.gov>
Sent: Monday, June 10, 2019 7:36 PM
To: larrycmartin@comcast.net
Cc: Allende, Angel <Angel.Allende@kingcounty.gov>
Subject: RE: King County Council public hearing June 12th

Hi Larry,

Video is not something the Council allows for public testimony. You can submit a video on a drive or dvd and we can distribute it to the members.

Melani Pedroza

Clerk | Clerk of the Council's Office

516 Third Ave, Room 1200 | Seattle, WA 98104

From: larrycmartin@comcast.net <larrycmartin@comcast.net>

Sent: Friday, June 7, 2019 4:14 PM

To: Pedroza, Melani <Melani.Pedroza@kingcounty.gov>

Subject: King County Council public hearing June 12th

Dear Ms. Pedroza,

I will be testifying at the Council hearing on June 12th regarding the proposed Adult Beverage ordinance. I want to project a short video from my laptop so that the images can be viewed, and the sound clearly heard, by the council members. Will the hearing room be equipped with a projector and an a screen or screens, or perhaps video monitors that I can use for this purpose? If yes, can I arrange for access prior to the start of the council meeting to verify that I am able to connect my laptop and that the system works properly?

Thank you.

Larry Martin

ROOTS OF OUR TIMES COOPERATIVE INC.

PO BOX 267 WOODINVILLE WA 98072 425 881 9895

Farm location 13607 Red-Wood Rd Hwy 202

root-coop@hotmail.com www.rootconnection.com

Our property has been in production for 32 years. It took 15 years to get it in full organic production. Current full production stats are:

10 acres can produce 10 tons per acre for a total of 100 tons annually of vegetables.

Market value estimated at \$4,000 per ton or \$400,000 for 10 acres.. Our costs of production run at 94% of gross value in an average year. Farming is an expensive and hard occupation with small financial return. Why do we do this? We can provide fresh organic vegetables for 1,000 families, or 4,000 people annually just on 10 acres. We also donate over 1,000 lbs annually to a local foodbank and provide another 1,2000 lbs annually to families in need through an associated non-profit called Farms for Life. There are 6 other local farms who also distribute through Farm for Life.

This ill-conceived proposed change to the agricultural area comes at a time when there is an increased interest from younger farmers who are starting up their own small farms in the valley. It also comes at a time when there is already increased pressure from run-off from new construction on the hills opposite the farmlands. At the Root Connection we have lost 3 acres of land at the front of the property that is now too wet to get early crops in. That amounts to 30 tons per year that could have been produced.

This only benefits a special interest group!. It will make money for a few, and drive the farmers out. It will destroy the existing farmland through run-off. It will pollute existing wells and affect the underground artesian streams that run everywhere in the valley.

It will destroy all chances of our local food supply security which is and will become more important as climate change continues and we become more dependent on produce from far away places which will continue to become more difficult to change. If you don't believe in climate change, maybe ask a farmer?

Sincerely

Claire Thomas

General Manager

Roots of Our Times Cooperative, The Root Connection CSA Farm

From: [Dorothy Saarinen](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Tuesday, June 18, 2019 7:00:40 PM

Dear Supervising Legislative Analyst Erin Auzins,

The Sammamish Valley Agricultural Production District (APD) is one of the most fertile valleys in the country. If farmed to full potential, the Valley could annually supply local organic vegetables to 80,000 people, at a value of \$54 million. These sustainable, high yields are essential as climate change decreases yields in the Midwest and California.

It makes ZERO SENSE to support the Lambert/Balducci version of the Beverage Ordinance, which undermines the efforts of dozens of hard working farmers in the Valley, works at cross purposes to well-established land use regulations, and is totally counterproductive to multiple KC initiatives supporting local farming with taxpayer dollars.

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* Commercial development of Rural Area and APD lands goes against many taxpayer-funded KC efforts to support locally sourced food, including the Local Food Initiative, the Farmland Preservation Program, Puget Sound Fresh, Farm King County, and the Land Conservation Initiative.

* The WA State GMA mandates that King County protect the County's Rural Areas and APDs. The Ordinance allows for commercial development throughout KC Rural Areas and will negatively impact not only the Sammamish Valley APD but the other KC APDs as well.

Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmlands.

Sincerely,
Dorothy Saarinen

13800 162nd Ave NE
Woodinville, WA 98072

From: [Ronald Saarinen](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Tuesday, June 18, 2019 1:07:45 PM

Dear Supervising Legislative Analyst Erin Auzins,

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Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmlands.

Sincerely,
Ronald Saarinen

13800 162nd Ave NE
Woodinville, WA 98072

From: [Susan Tucker](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Tuesday, June 18, 2019 10:49:09 AM

Dear Supervising Legislative Analyst Erin Auzins,

I recently moved to the Woodinville area and the primary reason for that was that I was tired of the unregulated sprawl and over building in the Bellevue Redmond area. Apartments, multi-use buildings and commercial buildings are going in without consideration of the residential areas around them. There is also no consideration of the amount of traffic that results from this uncontrolled growth. Please don't allow destruction of our wonderful valley!

The Sammamish Valley Agricultural Production District (APD) is one of the most fertile valleys in the country. If farmed to full potential, the Valley could annually supply local organic vegetables to 80,000 people, at a value of \$54 million. These sustainable, high yields are essential as climate change decreases yields in the Midwest and California.

It makes absolutely no sense to support the Lambert/Balducci version of the Beverage Ordinance, which undermines the efforts of dozens of hard working farmers in the Valley, works at cross purposes to well-established land use regulations, and is totally counterproductive to multiple KC initiatives supporting local farming with taxpayer dollars.

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Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmland

Sincerely,
Susan Tucker
16223 NE 153rd NE
Woodinville, WA 98072

From: [Teresa m](#)
To: [Auzins, Erin](#)
Subject: The Beverage Ordinance puts King County farmers out of business
Date: Thursday, June 13, 2019 1:37:51 PM

Dear Supervising Legislative Analyst Erin Auzins,

The Sammamish Valley Agricultural Production District (APD) is one of the most fertile valleys in the country. If farmed to full potential, the Valley could annually supply local organic vegetables to 80,000 people, at a value of \$54 million. These sustainable, high yields are essential as climate change decreases yields in the Midwest and California.

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Please adopt the Friends of Sammamish Valley Amended Ordinance that would protect the APD farmlands.

Sincerely,
Teresa m

18107 96th ave NE
bothell, WA 98011

From: [Serena Glover](#)
To: [Auzins, Erin](#)
Subject: Beverage Ordinance Hearing Testimony
Date: Thursday, June 13, 2019 10:53:34 AM
Attachments: [Testimony for June 12 Beverage Ordinance Hearing.docx](#)

Erin, please submit my testimony from yesterday to the official record.

Thank you,

Serena Glover

Testimony for June 12 King County Council Hearing on Beverage Ordinance 2018 – 0241

Dear King County Councilmembers,

The Beverage Ordinance is not about real WBDs that actually make alcoholic beverages. Regardless of whether they are called remote tasting rooms, bars, event centers, wine bars or taverns, this Ordinance is about drinking places – places where customers come to drink and where no real beverage making occurs.

The Sammamish Valley (SV) is ground zero for the Ordinance. Not one of the violators or land speculators pushing for this Ordinance really want to make product at their locations. They want drinking places, and they want them in the rural area where it is less expensive to operate.

The Overlays open the Sammamish Valley RA to drinking places. But that is just the tip of the iceberg. The loose way in which the definitions of WBDs are written, coupled with how WA State liquor laws work, makes it possible for a location to call themselves a winery while only storing a couple of barrels in the corner, and then bring in quantities of wine from a sister winery located elsewhere. Square footage that typically would be used for wine making equipment is then used as “tasting room” space, which then operates in a way that would be typically described as a bar. Parking is tied to square footage of tasting space. Matthews, already operating in the Sammamish Valley, is the bellwether example of this approach.

We have had a number of experts look closely at the interaction of the Ordinance WBD language with WA State liquor laws. We are extremely concerned by what this Ordinance actually allows, perhaps unintended, when you look carefully at the important details. The devil is always in the details.

Matthews has also discovered how to use this same path to make their large bar legal under the Ordinance as a “winery”. Please see Exhibit 29 for an email from them to two Councilmembers which discusses their plan.

As you have already heard and you will see through extensive photographic evidence in the Friends of Sammamish Valley hearing testimony binders, these “tasting room” locations operate like bars. So, in effect, the Ordinance opens up the Rural Area throughout King County to large bars on 2.5 and 4.5 acre lots, with all the negative impacts.

The Beverage Ordinance is really about drinking places, not real WBDs, and it impacts all of rural King County.

"Please vote NO on this Ordinance. A yes vote without injunctive relief would be destructive to the Sammamish Valley. Alternatively, please conduct an EIS which would give all stakeholders an opportunity to understand the real impacts of the Ordinance.

Thank you,

Serena Glover
ED, Friends of Sammamish Valley