

**PO 2018-0241.2 – Winery, Brewery, Distillery Code Update
Amendment Tracker for October 7, 2019 COW**

#	Page/ Line	Sponsor	Description
S1	n/a	Balducci (Balducci Striker)	Changes described in Summary of Balducci Striker – included in COW packet for October 7, 2019 meeting
0.5	9/ 196	Lambert (KL-1)	For WBD II and III in the A and RA zones, modifies the square footage limitation on on-site tasting and retail sale of products to 30% of the aggregated floor area.
1.2a	34/ 654	McDermott (JM-1a)	<p>For Vashon-Maury Island, in the RA zone, for WBD II:</p> <ul style="list-style-type: none"> • Exempts existing businesses from minimum lot size requirements. • Exempts existing businesses from arterial access requirements. • Exempts existing businesses from the 75-foot setback from rural and residential zones. • Removes 15% square footage limitation on tasting and retail sales for VMI for existing businesses. <p>If Amendment 0.5 does not pass</p>
1.2b	34/ 654	McDermott (JM-1a)	<p>For Vashon-Maury Island, in the RA zone, for WBD II:</p> <ul style="list-style-type: none"> • Exempts existing businesses from minimum lot size requirements. • Exempts existing businesses from arterial access requirements. • Exempts existing businesses from the 75-foot setback from rural and residential zones. • Removes 30% square footage limitation on tasting and retail sales for VMI for existing businesses. <p>If Amendment 0.5 does pass</p>
1.5a	34/ 655	McDermott	<p>In the RA zone, for WBD II, for historic properties: sets the minimum lot area at 2 acres, allows up to 7,000 square feet of aggregated floor area, and exempts them from the size limitation on retail and tasting on-site.</p> <p>If Amendment 1.2a or 1.2b does pass</p>
1.5b	34/655	McDermott	<p>In the RA zone, for WBD II, for historic properties: sets the minimum lot area at 2 acres, allows up to 7,000 square feet of aggregated floor area, and exempts them from the size limitation on retail and tasting on-site.</p> <p>If Amendment 1.2a or 1.2b does not pass</p>

#	Page/ Line	Sponsor	Description
3	91/ 1816	Dunn (Dunn-1)	<p>Adds an exemption from TUP requirements for special events at WBD II and IIIs in the RA zone, subject to criteria listed below. Such events would not be subject to the limitations on events for WBDs found in K.C.C. 21A.32.120. The criteria for this exemption are:</p> <ul style="list-style-type: none"> • Only applies to existing WBDs with a production liquor license • The parcel is at least 8 acres in size • Structures for the event are at least 150' from interior property lines • The parcel use a principal arterial • There is no amplified sound outdoors between 8:00 p.m. and 12:00 p.m.
T1	1/1	Balducci	Conforms changes made in S1 – included in COW packet for October 7, 2019 meeting
T2	1/1	Dunn	<p>Conforms changes made in S1 and Amendment 3</p> <p>If Amendment 3 does pass</p>

10/7/19

KL-1 30% retail and tasting

Sponsor: Lambert

ea

Proposed No.: 2018-0241.2

1 **AMENDMENT TO STRIKING AMENDMENT S1 TO PROPOSED ORDINANCE**

2 **2018-0241, VERSION 2**

3 On page 9, line 196, after "places a" strike "fifteen" and insert "thirty"

4

5 On page 35, line 686, after "no more than" strike "fifteen" and insert "thirty"

6

7 On page 39, line 779, after "no more than" strike "fifteen" and insert "thirty"

8

9 On page 49, line 993, after "no more than" strike "fifteen" and insert "thirty"

10

11 **EFFECT: For WBD II and III in the A and RA zones, modifies the square footage**

12 **limitation on on-site tasting and retail sale of products to 30% of the aggregated**

13 **floor area.**

1.2a

10/7/19

JM-1a Vashon-Maury Island

ea

Sponsor: McDermott

Proposed No.: 2018-0241.2

1 **AMENDMENT TO STRIKING AMENDMENT S1 TO PROPOSED ORDINANCE**

2 **2018-0241, VERSION 2**

3 On page 34, strike lines 654 through 655, and insert:

4 "~~((e. In the RA and UR zones,))~~ b. ((e))Only allowed on lots of at least
5 ~~((four))~~ two and one-half acres, except that this requirement shall not apply on Vashon-
6 Maury Island to winery, brewery or distillery business locations in use and licensed to
7 produce by the Washington state Liquor and Cannabis Board before January 1, 2019;"

8

9 On page 34, strike lines 663 through 666 and insert:

10 "~~((e:))~~ d. Structures and parking areas ~~((used))~~ for ~~((processing))~~ winery,
11 brewery, distillery facility uses shall maintain a minimum distance of seventy-five feet
12 from interior property lines adjoining rural area and residential zones, unless located in a
13 building designated as historic resource under K.C.C. chapter 20.62, except that on
14 Vashon-Maury Island this setback requirement shall not apply to structures and parking
15 areas in use on the date of adoption of this ordinance by existing winery, brewery or
16 distillery business locations licensed to produce by the Washington state Liquor and
17 Cannabis Board before January 1, 2019;"

18

19 Beginning on page 35, strike lines 683 through 694 and insert:

20 and retail sales of products produced on-site may occur only as
21 accessory to the primary winery, brewery, distillery production use and may be provided
22 in accordance with state law. The area devoted to on-site tasting or retail sales shall be
23 limited to no more than fifteen percent of the aggregated floor area and shall be included
24 in the aggregated floor area limitation in subsection B.3.c. of this section. The limitation
25 on tasting and retail sales of products produced on-site shall not apply on Vashon-Maury
26 Island to winery, brewery, or distillery business locations in use and licensed to produce
27 by the Washington state Liquor and Cannabis Board before January 1, 2019. Incidental
28 retail sales of merchandise related to the products produced on-site is allowed subject to
29 the restrictions described in this subsection B.3. Hours of operation for on-site tasting of
30 products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays,
31 tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays,
32 Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00
33 p.m.;

34 *i. Access to the site shall be directly to and from an arterial roadway, except*
35 *that this requirement shall not apply on Vashon-Maury Island to winery, brewery,*
36 *distillery facility business locations in use and licensed to produce by the Washington*
37 *state Liquor and Cannabis Board before January 1, 2019;*"

38

39 **EFFECT: For Vashon-Maury Island, in the RA zone, for WBD II:**

- 40 • **Exempts existing businesses from minimum lot size requirements.**
- 41 • **Exempts existing businesses from arterial access requirements.**

- 42 • Exempts existing businesses from the 75-foot setback from rural and
43 residential zones.
- 44 • Exempts existing businesses from the 15% size limitation on retail and
45 tasting on-site.

1.2b

10/7/19

JM-1j Vashon-Maury Island
[if 0.5 passes]

ea

Sponsor: McDermott

Proposed No.: 2018-0241.2

1 **AMENDMENT TO STRIKING AMENDMENT S1 TO PROPOSED ORDINANCE**

2 **2018-0241, VERSION 2**

3 On page 34, strike lines 654 through 655, and insert:

4 "~~((e. In the RA and UR zones,))~~ b. ((e))Only allowed on lots of at least
5 ~~((four))~~ two and one-half acres, except that this requirement shall not apply on Vashon-
6 Maury Island to winery, brewery or distillery business locations in use and licensed to
7 produce by the Washington state Liquor and Cannabis Board before January 1, 2019;"

8

9 On page 34, strike lines 663 through 666 and insert:

10 "~~((e:))~~ d. Structures and parking areas ~~((used))~~ for ~~((processing))~~ winery,
11 brewery, distillery facility uses shall maintain a minimum distance of seventy-five feet
12 from interior property lines adjoining rural area and residential zones, unless located in a
13 building designated as historic resource under K.C.C. chapter 20.62, except that on
14 Vashon-Maury Island this setback requirement shall not apply to structures and parking
15 areas in use on the date of adoption of this ordinance by existing winery, brewery or
16 distillery business locations licensed to produce by the Washington state Liquor and
17 Cannabis Board before January 1, 2019;"

18

19 Beginning on page 35, strike lines 683 through 694 and insert:

20 "h. Tasting and retail sales of products produced on-site may occur only as
21 accessory to the primary winery, brewery, distillery production use and may be provided
22 in accordance with state law. The area devoted to on-site tasting or retail sales shall be
23 limited to no more than thirty percent of the aggregated floor area and shall be included
24 in the aggregated floor area limitation in subsection B.3.c. of this section. The limitation
25 on tasting and retail sales of products produced on-site shall not apply on Vashon-Maury
26 Island to winery, brewery, or distillery business locations in use and licensed to produce
27 by the Washington state Liquor and Cannabis Board before January 1, 2019. Incidental
28 retail sales of merchandise related to the products produced on-site is allowed subject to
29 the restrictions described in this subsection B.3. Hours of operation for on-site tasting of
30 products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays,
31 tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays,
32 Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00
33 p.m.;

34 i. Access to the site shall be directly to and from an arterial roadway, except
35 that this requirement shall not apply on Vashon-Maury Island to winery, brewery,
36 distillery facility business locations in use and licensed to produce by the Washington
37 state Liquor and Cannabis Board before January 1, 2019.;"

38

39 **EFFECT: For Vashon-Maury Island, in the RA zone, for WBD II:**

- 40 • **Exempts existing businesses from minimum lot size requirements.**
- 41 • **Exempts existing businesses from arterial access requirements.**

- 42 • Exempts existing businesses from the 75-foot setback from rural and
- 43 residential zones.
- 44 • Exempts existing businesses from the 30% size limitation on retail and
- 45 tasting on-site.
- 46

1.5a

10/7/19
historic properties
[if 1.2a or 1.2b pass]

Sponsor: McDermott

ea

Proposed No.: 2018-0241.2

1 **AMENDMENT TO STRIKING AMENDMENT S1 TO PROPOSED ORDINANCE**

2 **2018-0241, VERSION 2**

3 On page 34, line 655 after " acres" insert ", and that in the RA zone, for sites that contain
4 a building designated as historic resource under K.C.C. chapter 20.62, only allowed on
5 lots of at least two acres

6 The clerk shall insert this text at the end of the text added on page 1, line 7, of
7 Amendment 1.2a or 1.2b, between "January 1, 2019" and ";" if either Amendment 1.2a or
8 Amendment 1.2b pass

9
10 On page 35, line 661 after "not exceed" strike "five thousand square feet" and insert
11 "seven thousand square feet in the RA zone and five thousand square feet in the A zone"

12
13 On page 35, line 687, after "of this section." insert ", or on sites in the RA zone that
14 contain a building designated as historic resource under K.C.C. chapter 20.62."

15 The clerk shall insert this text on page 2, line 27 of Amendment 1.2a or 1.2b, after
16 "January 1, 2019" if either Amendment 1.2a or Amendment 1.2b pass

17

18 **EFFECT: In the RA zone, for WBD II, for historic properties: sets the minimum lot**
19 **area at 2 acres, allows up to 7,000 square feet of aggregated floor area, and exempts**
20 **them from the size limitation on retail and tasting on-site.**

10/7/19
historic properties

ea Sponsor: McDermott
Proposed No.: 2018-0241.2

1 **AMENDMENT TO STRIKING AMENDMENT S1 TO PROPOSED ORDINANCE**

2 **2018-0241, VERSION 2**

3 On page 34, line 655 after " acres" insert ", except that in the RA zone, for sites that
4 contain a building designated as historic resource under K.C.C. chapter 20.62, only
5 allowed on lots of at least two acres"

6
7 On page 35, line 661 after "not exceed" strike "five thousand square feet" and insert
8 "seven thousand square feet in the RA zone and five thousand square feet in the A zone"

9
10 On page 35, line 687, after "of this section." insert "The limitation on tasting and retail
11 sales of products produced on-site shall not apply for sites in the RA zone that contain a
12 building designated as historic resource under K.C.C. chapter 20.62."

13
14 **EFFECT: In the RA zone, for WBD II, for historic properties: sets the minimum lot**
15 **area at 2 acres, allows up to 7,000 square feet of aggregated floor area, and exempts**
16 **them from the size limitation on retail and tasting on-site.**

10/7/19

Dunn-1 TUP for events

ea

Sponsor: Dunn

Proposed No.: 2018-0241.2

1 **AMENDMENT TO STRIKING AMENDMENT S1 TO PROPOSED ORDINANCE**

2 **2018-0241, VERSION 2**

3 On page 91, after line 1816, insert:

4 "SECTION 25. Ordinance 10870, Section 548, as amended, and K.C.C.

5 21A.32.110 are hereby amended to read as follows:

6 A. The following uses shall be exempt from requirements for a temporary use
7 permit when located in the RB, CB, NB, O((;)) or I zones for the time period specified
8 below:

9 1. Uses not to exceed a total of thirty days each calendar year:

10 a. Christmas tree lots;

11 b. Fireworks stands; and

12 c. Produce stands.

13 2. Uses not to exceed a total of fourteen days each calendar year:

14 a. Amusement rides, carnivals((;)) or circuses;

15 b. Community festivals; and

16 c. Parking lot sales.

17 B. Any use not exceeding a cumulative total of two days each calendar year shall
18 be exempt from requirements for a temporary use permit.

19 C. Any community event held in a park and not exceeding a period of seven days
20 shall be exempt from requirements for a temporary use permit.

21 D. Christmas tree sales not exceeding a total of 30 days each calendar year when
22 located on Rural Area (RA) zoned property with legally established non-residential uses
23 shall be exempt from requirements for a temporary use permit.

24 E.1. Events at a winery, brewery, distillery facility II or III shall not require a
25 temporary use permit if:

26 a. The business is operating under an active Washington state Liquor and
27 Cannabis Board production license issued for their current location before the effective
28 date of this ordinance, and where King County did not object to the location during the
29 Washington state Liquor and Cannabis Board license application process;

30 b. The parcel is at least eight acres in size;

31 c. The structures used for the event maintain a setback of at least one hundred
32 fifty feet from interior property lines;

33 d. The parcel is located in the RA zone;

34 e. The parcel has access directly from and to a principal arterial;

35 f. The event does not use amplified sound outdoors before 12:00 p.m. or after
36 8:00 p.m.

37 2. Events that meet the provisions in this subsection E. shall not be subject to
38 the provisions of KCC 21A.32.120."

39 Renumber the remaining sections consecutively and correct any internal references
40 accordingly, including in Attachments A and B.

41

42 On page 92, on line 1853, after "facility" insert ".

43 7. For a winery, brewery, distillery facility II and III in the RA zone, events
44 exempted under K.C.C 21A.32.110.E. from the requirement to obtain a temporary use
45 permit shall not be subject to the provisions of this section"

46

47 **EFFECT: This amendment would add an exemption from TUP requirements for**
48 **special events at WBD II and IIIs in the RA zone, subject to criteria listed below.**
49 **Such events would not be subject to the limitations on events for WBDs found in**
50 **K.C.C. 21A.32.120. The criteria for this exemption are:**

- 51 • **Only applies to existing WBDs with a production liquor license**
- 52 • **The parcel is at least 8 acres in size**
- 53 • **Structures for the event are at least 150' from interior property lines**
- 54 • **The parcel use a principal arterial**
- 55 • **There is no amplified sound outdoors between 8:00 p.m. and 12:00 p.m.**

10/7/19

Title Amendment if S1 passes
and Dunn-1 passes

ea

Sponsor: Dunn

Proposed No.: 2018-0241.2

1 **TITLE AMENDMENT TO PROPOSED ORDINANCE 2018-0241, VERSION 2**

2 On page 1, strike lines 1 through 19, and insert:

3 "AN ORDINANCE relating to planning and permitting;

4 amending Ordinance 1888, Article III, Section 5, as

5 amended, and K.C.C. 6.01.150, Ordinance 10870, Section

6 334, as amended, and K.C.C. 21A.08.070, Ordinance

7 10870, Section 335, as amended, and K.C.C. 21A.08.080,

8 Ordinance 10870, Section 336, as amended, and K.C.C.

9 21A.08.090, Ordinance 10870, Section 407, as amended,

10 and K.C.C. 21A.18.030, Ordinance 10870, Section 536, as

11 amended, and K.C.C. 21A.30.080, Ordinance 15606,

12 Section 20, as amended, and K.C.C. 21A.30.085,

13 Ordinance 10870, Section 537, as amended, and K.C.C.

14 21A.30.090, Ordinance 10870, Section 547, as amended,

15 and K.C.C. 21A.32.100, Ordinance 10870, Section 548, as

16 amended, and K.C.C. 21A.32.110, Ordinance 10870,

17 Section 549, as amended, and K.C.C. 21A.32.120,

18 Ordinance 17485, Section 43, and K.C.C. 21A.38.260 and

19 Ordinance 13623, Section 37, as amended, and K.C.C.
20 23.32.010, adding new sections to K.C.C. chapter 21A.06,
21 adding a new section to K.C.C. chapter 21A.55, adding a
22 new chapter to K.C.C. Title 6, repealing Ordinance 15974,
23 Section 5, and K.C.C. 21A.06.1427 and prescribing
24 penalties."

25

26 **EFFECT:** *Conforms the title to changes made by Striking Amendment S1 and*
27 *Amendment 3.*