

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

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

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	site product tasting or retail sale of merchandise does not occur.	
6	<p>Adds a <u>definition for winery, brewery, distillery facility II</u>:</p> <p>A small scale production facility licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits and that includes an adult beverage production use such as crushing, fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility II may include additional product-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law, on-site product tasting and sales as authorized by state law, and sales of merchandise related to products available for tasting as authorized by state law.</p>	Add language that retail liquor licenses are not allowed. Make technical edits for consistency.
7	<p>Adds a <u>definition for winery, brewery, distillery facility III</u>:</p> <p>An establishment licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits and that includes an adult beverage production use such as crushing, fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility III may include additional product-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law, on-site</p>	Add language that retail liquor licenses are not allowed. Make technical edits for consistency.

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

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12	<p>Modifies <u>temporary use permit</u> requirements:</p> <p>For WBD II and III in A zones, events limited to 2 per month and all parking must be accommodated on site or through a plan approved by the director.</p> <p>For WBD II and III in RA zones, events limited to 24 within a one-year period and all parking must be accommodated on site or through a plan approved by the director.</p> <p>For WBD II in A and RA zones, consider building occupancy limits and parking limitations during permit review, shall condition the number of guests and shall not be more than 125 guests.</p> <p>For WBD III in A and RA zones, consider building occupancy limits and parking limitations during permit review, shall condition the number of guests and shall not be more than 250 guests.</p> <p>No events or temporary use permits for WBD I, nonconforming home occupations, home industries.</p> <p>WBD II and III in other zones are allowed 60 days a year</p>	<ul style="list-style-type: none"> <li>• Add language that specifies when a TUP is required. Include events that exceed the building occupancy, that use portable toilets, additional parking, temporary stages, temporary tents or canopies, traffic control, or extends beyond stated hours of operation. (in K.C.C. 21A.32.100)</li> <li>• WBD II allowed 150 guests (WBD III ok with 250)</li> <li>• 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.</li> <li>• No events for WBD I interim use permit in A zone</li> </ul>

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

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

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

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

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

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**Manufacturing Table - Agriculture Zones – Production Facilities**

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

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

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

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

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

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**Manufacturing Table – Rural Area Zones – Production Facilities**

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Issue #	Issue/Condition	Executive's Proposal	KL/CB Direction	Executive's Proposal	KL/CB Direction	Executive's Proposal	KL/CB Direction
		<b>WBD I</b>	<b>WBD I (DC#17 in Residential table)</b>	<b>WBD II (DC#3 and DC#30)</b>		<b>WBD III (DC#12)</b>	
29	<b>Type of Permit</b>	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	<b>Min. Lot Size</b>	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	<b>Max. Building Size</b>	1,500 sf		P and C: 3,500 sf (historic buildings maximum is 5,000 sf)	Add decks that are not occupied and not open to the public are excluded from the calculation for aggregated floor area.	Maximum floor area 8,000 sf; additional 8,000 sf for underground storage	Add decks that not occupied and are not open to the public are excluded from the calculation for aggregated floor area.

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

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		<b>WBD I</b>	<b>WBD I (DC#17 in Residential table)</b>	<b>WBD II (DC#3 and DC#30)</b>		<b>WBD III (DC#12)</b>	
<b>36</b>	<b>Product Content</b>	None		None		None	
<b>37</b>	<b>Production/Facility Location</b>	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
<b>38</b>	<b>Parking</b>	One parking stall allowed for nonresident employee	<p>Add parking for customers: minimum 1, plus 1:1,000sf of area dedicated to WBD facility uses, with a maximum of 150% of the minimum required.</p> <p>Add provision for grandfathering for existing parking (permits still required)</p>	<p>0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting area</p> <p>P/C: Limited to 150% of minimum required</p>	<p>0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting/retail area</p> <p>Tasting/retail limited to 1 per 50 square feet of tasting area (and 150% max is removed)</p> <p>Add provision for grandfathering for existing parking (permits still required)</p>	Not specified	<p>0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting/retail area</p> <p>Max parking set by CUP, but tasting/retail should be limited to 1 per 50 square feet of tasting area</p> <p>Add provision for grandfathering for existing parking (permits still required)</p>

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

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**Manufacturing Table – Urban Reserve Zone – Production Facilities**

Issue #	Issue/Condition	Executive's Proposal			KL/CB Direction
		WBD I (DC#30)	WBD II (DC#3)	WBD III (DC#12)	
41					
	<b>Type of Permit</b>	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).
	<b>Min. Lot Size</b>	None	2.5 acres	4.5 acres  Except if floor area is over 6,000 square feet, the minimum lot size is 10 acres	
	<b>Max. Building Size</b>	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	
	<b>Tastings</b>	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	
	<b>Events</b>	Not allowed	60 days in a one-year period Max. size = no limit Parking not specified	60 days in a one-year period Max. size = no limit Parking not specified	

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

Issue #	Issue/Condition	Executive's Proposal			KL/CB Direction
		WBD I (DC#30)	WBD II (DC#3)	WBD III (DC#12)	
41					
	<b>Water</b>	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	
	<b>Access</b>	Not specified	Direct access from an arterial	Direct access from an arterial	
	<b>Product Content</b>	None	None	None	
	<b>Production/ Facility Location</b>	Required	Required	Required	
	<b>Parking</b>	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	
	<b>Setbacks</b>	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  
Joint KL/CB Conceptual Striking Amendment – UPDATED 3-9-19**

**Manufacturing Table – Commercial and Industrial Zones – Production Facilities**

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

Issue #	Issue/Condition	Executive's Proposal	KL/CB Direction	Executive's Proposal	KL/CB Direction
		<b>NB and CB (DC#17 and DC#29)</b>		<b>RB (DC#29) and I (DC#31)</b>	
42	<b>Type of Permit</b>	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	<b>Min. Lot Size</b>	None		None	
44	<b>Max. Building Size</b>	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	<b>Tastings</b>	WBD II – Tasting of products produced on-site, and no extra floor area allowed for tasting	Add tasting allowance to WBD III for consistency.	Not specified	Add tasting allowance to II and III for consistency. Prohibit remote tasting rooms in I zone (tasting with production okay) Add a limitation on tasting size in the I zone to 1,500sf.
46	<b>Events</b>	WBD II and III – with a TUP, 60 days in a one-year period Max. size = no limit Parking not specified		WBD II and III – with a TUP, 60 days in a one-year period Max. size = no limit Parking not specified	
47	<b>Water</b>	None		None	
48	<b>Access</b>	None		None	
49	<b>Product Content</b>	None		None	
50	<b>Production/Facility Location</b>	Not specified		Not specified	

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

<b>Issue #</b>	<b>Issue/Condition</b>	<b>Executive’s Proposal</b>	<b>KL/CB Direction</b>	<b>Executive’s Proposal</b>	<b>KL/CB Direction</b>
		<b>NB and CB (DC#17 and DC#29)</b>		<b>RB (DC#29) and I (DC#31)</b>	
<b>51</b>	<b>Parking</b>	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)
<b>52</b>	<b>Setbacks</b>	WBD II – 75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.  WBD III – 5 or 10 feet	WBD II and III: Require 75’, but allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25’  Setbacks only apply to interior lot lines.	RB zone: 5 or 10 feet  I zone: 5 or 10 feet	For WBD II and III: Require 75’, but allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25’.  Setbacks only apply to interior lot lines.

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

**Retail Table – Commercial Zones – Remote Tasting Rooms Countywide**

<b>Issue #</b>	<b>Issue/Condition</b>	<b>Executive's Proposal</b>	<b>KL/CB Direction</b>
		<b>CB and RB</b>	<b>CB and RB</b>
<b>54</b>	<b>Type of Permit</b>	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.
<b>55</b>	<b>Min. Lot Size</b>		None
<b>56</b>	<b>Max. Building Size</b>		None
<b>57</b>	<b>Tastings</b>		Allowed
<b>58</b>	<b>Events</b>		Subject to standard TUP requirements (60 days per/year, maximum guests determined through review process)
<b>59</b>	<b>Water</b>		Not specified
<b>60</b>	<b>Access</b>		Not specified
<b>61</b>	<b>Product Content</b>		None
<b>62</b>	<b>Production/Facility Location</b>		Not required
<b>63</b>	<b>Parking</b>		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
<b>64</b>	<b>Setbacks</b>		Specified by underlying zoning

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

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

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

<b>Issue #</b>		<b>Executive's Proposal</b>	<b>KL/CB Direction</b>	<b>Executive's Proposal</b>	<b>KL/CB Direction</b>
		<b>Remote Tasting Room Overlay A</b>		<b>Special Events Overlay B</b>	
<b>82</b>	<b>Use</b>	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
<b>83</b>	<b>Type of Permit</b>	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
<b>84</b>	<b>Areas allowed</b>	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	
<b>85</b>	<b>Min. Lot Size</b>	Specified by underlying zoning		Specified by underlying zoning	
<b>86</b>	<b>Max. Building Size</b>	1,000 sf for tasting and retail only 500 sf outdoors		Specified by underlying zoning	
<b>87</b>	<b>Tastings</b>	Tasting hours: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm		Specified by underlying zoning	

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

<b>Issue #</b>		<b>Executive's Proposal</b>	<b>KL/CB Direction</b>	<b>Executive's Proposal</b>	<b>KL/CB Direction</b>
		<b>Remote Tasting Room Overlay A</b>		<b>Special Events Overlay B</b>	
<b>88</b>	<b>Sales</b>	Incidental retail sales of products related to tasting allowed		Specified by underlying zoning	
<b>89</b>	<b>Events</b>	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
<b>90</b>	<b>Water</b>	Not specified		Specified by underlying zoning	
<b>91</b>	<b>Access</b>	Direct access from an arterial	Not specified	Specified by underlying zoning	
<b>92</b>	<b>Product Content</b>	None		Specified by underlying zoning	
<b>93</b>	<b>Production</b>	Not allowed	Not specified	Specified by underlying zoning	
<b>94</b>	<b>Parking</b>	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	
<b>95</b>	<b>Setbacks</b>	Not specified		Specified by underlying zoning	

S2

3/11/19  
Draft Chair's Striker

Sponsor: Lambert, Balducci

ea

Proposed No.: 2018-0241

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

2 **1**

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

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

5 **SECTION 1. Findings:**

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

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

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

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

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

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

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

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

61 G. Consistent with Comprehensive Plan policies R-610, R-615 R-633 and R-  
62 677b, the adult beverage industry uses allowed by the ordinance support development of  
63 new markets for local agricultural products and help ensure that agricultural production  
64 districts continue to be economically viable and farmed into the future. By promoting

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

67 H. Economic development polices in the Comprehensive Plan, including ED-  
68 102, ED-103 and ED-106 recognize that the Rural Area and Natural Resource Lands  
69 have a role in economic activity in the county. The ordinance aims to implement these  
70 Comprehensive Plan Policies and is focused on -protecting the economic value of the  
71 natural environment through traditional land use controls such as minimum lot size  
72 limitations and structural and other impervious surface limitations in Rural Area and  
73 Agricultural zones. The ordinance creates space for new kinds of small, limited-scope  
74 businesses, such as tasting rooms, and small wineries, breweries and distilleries that are  
75 visually compatible with rural character and provide cultural opportunities to enhance the  
76 region's quality of life and economic vitality.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

REDLINE – FOR ILLUSTRATIVE PURPOSES ONLY

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

226 countywide regulations.

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

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

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

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

262 SECTION 2. Sections 3 through 101 of this ordinance should constitute a new  
263 chapter in K.C.C. Title 6.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

303 21A.08.030 and 21A.08.080, or for winery, brewery, distillery I businesses in the A zone,  
304 that at least sixty percent of the products to be used by the business are grown in Puget  
305 Sound counties, as defined in K.C.C. chapter 21A.06-B.3.f.

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

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

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

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

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

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

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

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

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

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

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

338 SECTION 112. Ordinance 15974, Section 5, and K.C.C. 21A.06.1427 are each  
339 hereby repealed.

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

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341 21A.06 a new section to read as follows:

342 Remote tasting room: A small facility ~~approved-licensed~~ by the Washington state  
343 Liquor and Cannabis Board and limited to the following non-retail liquor licenses: a Craft  
344 Distillery; ~~as a~~ Tasting Room - Additional Location for a ~~licensed~~-winery licensed as a  
345 Domestic Winery; or a ~~, brewery or distillery that is operating at a location other than the~~  
346 ~~licensed winery, brewery or distillery production facility, for the purpose of the retail sale~~  
347 ~~and sampling of the licensed product.~~Microbrewery, including, but not limited to, a  
348 Microbrewery operating in accordance with an off-site tavern license subject to the retail  
349 sale limitations for a Microbrewery set forth in WAC 314-20-015(1). "Remote tasting  
350 room" does not include any additional privileges allowed for such licenses or approvals or  
351 any use that would require a license under ~~WAC~~ chapter 314-02 WAC, except as  
352 specifically set forth in this chapter by the liquor and cannabis board for a Tasting Room—  
353 Additional Location.

354 NEW SECTION. SECTION 143. There is hereby added to K.C.C. chapter  
355 21A.06 a new section to read as follows:

356 Winery, brewery, distillery facility I: A very small-scale production facility  
357 licensed by the state of Washington to produce adult beverages such as wine, cider, beer  
358 and distilled spirits, and that includes an adult beverage production use such as crushing,  
359 fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility I  
360 may include additional production-related uses such as vineyards, orchards, wine cellars or  
361 similar product-storage areas as authorized by state law. ~~and where o~~On-site product  
362 tasting or retail sale of merchandise ~~as authorized by state law does not occur~~is limited.  
363 "Winery, brewery, distillery facility I" does not include any retail liquor licenses that would

364 be authorized by chapter 314-02 WAC.

365 NEW SECTION. SECTION 15. There is hereby added to K.C.C. chapter

366 21A.06 a new section to read as follows:

367 Winery, brewery, distillery facility I interim use permit: A term-limited permit

368 for a winery, brewery, distillery facility I in the Agriculture zone. A winery, brewery,

369 distillery facility I interim use permit is a one-time approval, effective for one year, with

370 four annual renewals possible for up to five years. After the interim use permit or any

371 renewals have expired, a winery, brewery, distillery facility I interim use is required to

372 either comply with zoning conditions for a winery, brewery, distillery facility II or III use,

373 and meet the requirements of one of those uses, or cease operations and vacate the site.

374 Applications for a winery, brewery, distillery facility I interim use permit may only be

375 accepted by the permitting division within five years of the effective date of this ordinance.

376 The time limitations on a winery, brewery, distillery facility I interim use permit do not

377 apply to agricultural uses such as vineyards and orchards.

378 NEW SECTION. SECTION 146. There is hereby added to K.C.C. chapter

379 21A.06 a new section to read as follows:

380 Winery, brewery, distillery facility II: A small-scale production facility licensed

381 by the state of Washington to produce adult beverages such as wine, cider, beer and

382 distilled spirits and that includes an adult beverage production use such as crushing,

383 fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility II

384 may include additional production-related uses such as vineyards, orchards, wine cellars or

385 similar product-storage areas as authorized by state law, on-site product tasting and sales as

386 authorized by state law, and sales of merchandise related to products available for tasting as

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387 authorized by state law. "Winery, brewery, distillery facility II" does not include any retail  
 388 liquor licenses that would be authorized by chapter 314-02 WAC.

389 NEW SECTION. SECTION 157. There is hereby added to K.C.C. chapter  
 390 21A.06 a new section to read as follows:

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

400 SECTION 186. Ordinance 10870, Section 330, as amended, and K.C.C.  
 401 21A.08.030 are each hereby amended to read as follows:

402 A. Residential land uses.

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

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*	Townhouse				C4	C4	P11 C12	P	P3	P3	P3	P3	
*	Apartment				C4	C4	P5 C5	P	P3	P3	P3	P3	
*	Mobile Home Park				S13		C8	P					
*	Cottage Housing						P15						
	<b>GROUP RESIDENCES:</b>												
*	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	
	<b>ACCESSORY USES:</b>												
*	Residential Accessory Uses	P7 <u>P19</u>	P7		P7 <u>P17</u> <u>C17</u>	P7	P7	P7	P7	P7	P7	P7	
*	Home Occupation	P18	P18		P18	P18	P18	P18	P18	P18	P18	P18	
*	Home Industry	C			C	C	C						
	<b>TEMPORARY LODGING:</b>												
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		

403

B. Development conditions.

404

1. Except bed and breakfast guesthouses.

405

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

406

a. Site disturbance associated with development of any new residence shall be

407

limited to three acres. Site disturbance shall mean all land alterations including, but not

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408 limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage  
409 disposal systems and driveways. Additional site disturbance for agriculture, including  
410 raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be  
411 approved only if a farm management plan is prepared in accordance with K.C.C. chapter  
412 21A.30. Animal densities shall be based on the area devoted to animal care and not the  
413 total area of the lot;

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

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

419           3. Only as part of a mixed use development subject to the conditions of K.C.C.  
420 chapter 21A.14, except that in the NB zone on properties with a land use designation of  
421 commercial outside of center (CO) in the urban areas, stand-alone townhouse  
422 developments are permitted subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060 and  
423 21A.14.180.

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

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

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

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

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

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

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

437                   7.a. Accessory dwelling units:

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

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

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

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

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

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

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

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

452                   (5) On a site zoned RA:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

504 a. developments no larger than one acre;

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

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

511 21A.14.025.B; and

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

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

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

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

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

520           17. ~~((Repealed.))~~ a. The aggregated floor area of structures and areas for  
521 winery, brewery, distillery facility uses shall not exceed one thousand five hundred  
522 square feet;

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

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

530           d. Parking shall be provided as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

580 (5) If approved, a winery, brewery, distillery facility I interim use permit shall  
581 be effective for one year from the date of issuance and may be renewed up to four times  
582 annually, subject to the provisions for a temporary use permit provided in K.C.C.  
583 21A.32.120.D.;

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

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

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

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

593 (b) cease operations and vacate a site;

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

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

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

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

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

606 g. Parking shall be provided as follows:

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

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

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

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

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

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

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

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

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635 m. Special events shall not be allowed; and  
 636 n. Sixty percent or more of the products processed must be grown in the Puget  
 637 Sound counties. At the time of the initial application under ~~the adult beverage licensing~~  
 638 ~~provisions of K.C.C. chapter 6.xx (the new chapter created in section 2 of this ordinance),~~  
 639 the applicant shall submit a projection of the source of products to be produced.

640 SECTION 196. Ordinance 10870, Section 334, as amended, and K.C.C.  
 641 21A.08.070 are each hereby amended to read as follows:

642 A. Retail land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			RURA	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (30)
*	Building Materials and Hardware Stores		P2 3						P2	P	P		
*	Retail Nursery, Garden Center and Farm Supply Stores	P1 C1			P1 C1				P	P	P		
*	Forest Products Sales	P3 and 4	P4		P3 and 4						P		

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

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

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

643

B. Development conditions.

644

1.a. As a permitted use, covered sales areas shall not exceed a total area of two

645

thousand square feet, unless located in a building designated as historic resource under

646

K.C.C. chapter 20.62. With a conditional uses permit, covered sales areas of up to three

647

thousand five hundred square feet may be allowed. Greenhouses used for the display of

648

merchandise other than plants shall be considered part of the covered sales area.

649

Uncovered outdoor areas used to grow or display trees, shrubs, or other plants are not

650

considered part of the covered sales area;

651

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

652

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

653

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

654

2. Only hardware stores.

655

3.a. Limited to products grown on site.

656

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

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

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

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

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

686           17. Repealed.

687           18. Repealed.

688           19. Only as:

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

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

694           20. Only as:

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

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

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

700           22. Only as an accessory use to:

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

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

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

706            a. limited to lumber milled on site; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

758 e. Retail marijuana businesses licensed by the Washington state Liquor and  
759 Cannabis Board and operating within one thousand feet of each other as of August 14,  
760 2016, and retail marijuana businesses that do not require a permit issued by King County,  
761 that received a Washington state Liquor and Cannabis Board license to operate in a  
762 location within one thousand feet of another licensed retail marijuana business prior to  
763 August 14, 2016, and that King County did not object to within the Washington state  
764 Liquor and Cannabis Board marijuana license application process, shall be considered  
765 nonconforming and may remain in their current location, subject to the provisions of  
766 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

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

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

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

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

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

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

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

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

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

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

804 c. Retail marijuana businesses licensed by the Washington state Liquor and  
805 Cannabis Board and operating within one thousand feet of each other as of August 14,  
806 2016, and retail marijuana businesses that do not require a permit issued by King County,  
807 that received a Washington state Liquor and Cannabis Board license to operate in a  
808 location within one thousand feet of another licensed retail marijuana business prior to  
809 August 14, 2016, and that King County did not object to within the Washington state  
810 Liquor and Cannabis Board marijuana license application process, shall be considered  
811 nonconforming and may remain in their current location, subject to the provisions of  
812 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

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

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

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

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

821 A. Manufacturing land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1- 8	R12- 48	NB	CB	RB	O	I (11)
20	Food and Kindred Products (28)								P2	P2	P2 C		P2 C
*	<del>Winery/Brewery/Distillery Facility I</del>				<del>P30</del>	<del>P30</del>							
<del>*/(2082 /2085)</del>	Winery/Brewery/Distillery Facility II	P3 <del>((C12))</del> C3			P3 C3 C((42)) <del>3430</del>	<del>((P3))</del>			P17 C17	P17 C17	P29 C29		<del>P29</del> P31 C31
*	<del>Winery/Brewery/Distillery Facility III</del>	<del>C12</del>			<del>C12</del>	<del>C12</del>			<del>C29</del>	<del>C29</del>	<del>C29</del>		<del>C29</del> C31
*	Materials Processing Facility		P13 C	P14 C15	P16 C								P
22	Textile Mill Products												C
23	Apparel and other Textile Products										C		P
24	Wood Products, except furniture	P4 P18	P4 P18 C5		P4 P18 C5	P4					C6		P
25	Furniture and Fixtures		P19		P19						C		P
26	Paper and Allied Products												C
27	Printing and Publishing								P7	P7	P7C	P7C	P
*	Marijuana Processor I	P20			P27					P21 C22	P21 C22		

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

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

822 B. Development conditions.

823 1. Repealed.

824 2. Except slaughterhouses.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

924 ~~d.~~ d. Off-street parking is limited to one hundred and fifty percent of the  
925 minimum requirement for wineries, breweries or distilleries specified in K.C.C.  
926 21A.18.030;))

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

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

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

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

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

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

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

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

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954 h. Tasting of products produced ~~on~~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 eb. of this section. Hours of operation for on-  
957 site 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 ji. 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  
968 lj. The business operator shall obtain an adult beverage business license in  
969 accordance with ~~the adult beverage licensing provision of~~ K.C.C. chapter 6.xx (the new  
970 chapter created in section 2 of this ordinance); and

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

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

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

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

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

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

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

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

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

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

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

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999 not exceed five thousand square feet. Decks that are not occupied and not open to the  
1000 public are excluded from the calculation for maximum aggregated floor area;  
1001 ~~((e.))~~ b. Structures and parking areas ((used for processing)) for winery,  
1002 brewery, distillery facility uses shall maintain a minimum distance of seventy-five feet  
1003 from interior property lines adjoining rural area and residential zones, unless located in a  
1004 building designated as historic resource under K.C.C. chapter 20.62. As part of the  
1005 review of a conditional use permit, the setback may be reduced to twenty-five feet if there  
1006 is sufficient screening between the proposed use and adjacent rural area and residential  
1007 zones; ((and))  
1008 ~~((d.))~~ c. Tasting and retail sale of products produced on site, and merchandise  
1009 related to the products produced on-site, may be provided in accordance with state law.  
1010 The area devoted to tasting shall be included in the aggregated floor area limitation in  
1011 subsection B.((18.b.))17.a.b. of this section;  
1012 d. Off-street parking for the tasting and retail areas shall be limited to a  
1013 maximum of one space per fifty square feet of tasting and retail areas;  
1014 ee. The business operator shall obtain an adult beverage business license  
1015 pursuant to in accordance with the adult beverage licensing provisions of K.C.C. chapter  
1016 6.xx (the new chapter created in section 2 of this ordinance); and  
1017 ff. Events may be allowed with an approved temporary use permit under K.C.C.  
1018 chapter 21A.32.  
1019 18. Limited to:  
1020 a. SIC Industry Group No. 242-Sawmills and SIC Industry No. 2431-  
1021 Millwork, as follows:

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1022 (1) If using lumber or timber grown off-site, the minimum site area is four  
1023 and one-half acres;

1024 (2) The facility shall be limited to an annual production of no more than one  
1025 hundred fifty thousand board feet;

1026 (3) Structures housing equipment used in the operation shall be located at  
1027 least one-hundred feet from adjacent properties with residential or rural area zoning;

1028 (4) Deliveries and customer visits shall be limited to the hours of 8:00 a.m. to  
1029 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

1030 (5) In the RA zone, the facility's driveway shall have adequate entering sight  
1031 distance required by the 2007 King County Road Design and Construction Standards. An  
1032 adequate turn around shall be provided on-site to prevent vehicles from backing out on to  
1033 the roadway that the driveway accesses; and

1034 (6) Outside lighting is limited to avoid off-site glare; and

1035 b. SIC Industry No. 2411-Logging.

1036 19. Limited to manufacture of custom made wood furniture or cabinets.

1037 20.a. Only allowed on lots of at least four and one-half acres;

1038 b. Only as an accessory use to a Washington state Liquor Control Board

1039 licensed marijuana production facility on the same lot;

1040 c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1041 d. Only with documentation that the operator has applied for a Puget Sound

1042 Clean Air Agency Notice of Construction Permit. All department permits issued to either

1043 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

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

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

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

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

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

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

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

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

1054 are imported onto the site;

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

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

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

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

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

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1067           d. Only with documentation that the operator has applied for a Puget Sound  
1068 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1069 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1070 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1071 are imported onto the site.

1072           23.a. Only in the CB and RB zones located inside the urban growth area;

1073           b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1074           c. Only with documentation that the operator has applied for a Puget Sound  
1075 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1076 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1077 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1078 are imported onto the site;

1079           d. Per lot, the aggregated total gross floor area devoted to the use of, and in  
1080 support of, processing marijuana together with any separately authorized production of  
1081 marijuana shall be limited to a maximum of two thousand square feet; and

1082           e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
1083 every marijuana-related entity occupying space in addition to the two-thousand-square-  
1084 foot threshold area on that lot shall obtain a conditional use permit as set forth in  
1085 subsection B.24. of this section.

1086           24.a. Only in the CB and RB zones located inside the urban growth area;

1087           b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1088           c. Only with documentation that the operator has applied for a Puget Sound  
1089 Clean Air Agency Notice of Construction Permit. All department permits issued to either

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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1133 g. Accessory marijuana processing uses allowed under this section are subject to  
1134 all limitations applicable to marijuana production uses under K.C.C. 21A.08.090.

1135 28. If the food and kindred products manufacturing or processing is associated  
1136 with agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

1137 29.a. Tasting and retail sales of products produced on site, and merchandise  
1138 related to the products produced on-site, may be provided in accordance with state law;

1139 b. Structures and parking areas for winery, brewery, distillery facility uses shall  
1140 maintain a minimum distance of seventy-five feet from interior property lines adjoining  
1141 rural area and residential zones, unless located in a building designated as historic  
1142 resource under K.C.C. chapter 20.62. As part of the review of a conditional use permit,  
1143 the setback may be reduced to twenty-five feet if there is sufficient screening between the  
1144 proposed use and adjacent rural area and residential zones;

1145 c. For winery, brewery, distillery facility uses that do not require a conditional  
1146 use permit, off-street parking for the tasting and retail areas shall be limited to a  
1147 maximum of one space per fifty square feet of tasting and retail areas. For winery,  
1148 brewery, distillery facility uses that do require a conditional use permit, off-street parking  
1149 maximums shall be determined through the conditional use permit process, and the  
1150 parking ratio for the tasting and retail areas should be limited to a maximum of one space  
1151 per fifty square feet of tasting and retail areas;

1152 d. The business operator shall obtain an adult beverage business license pursuant  
1153 to in accordance with the adult beverage licensing provisions of K.C.C. chapter 6.xx (the  
1154 new chapter created in section 2 of this ordinance); and

1155 be. Events may be allowed with an approved temporary use permit under K.C.C.

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1156 chapter 21A.32.

1157 ~~30. a. Limited to winery, brewery, distillery facility I uses;~~

1158 ~~b. The aggregated floor area of structures and areas for the winery, brewery,~~  
1159 ~~distillery use shall not exceed one thousand five hundred square feet;~~

1160 ~~c. Structures and parking areas for winery, brewery, distillery uses shall be set~~  
1161 ~~back a minimum distance of seventy five feet from property lines adjacent to rural area~~  
1162 ~~and residential zones, unless located in a building designated as historic resource under~~  
1163 ~~K.C.C. chapter 20.62;~~

1164 ~~d. No more than one nonresident employee shall be permitted to work on-site;~~

1165 ~~e. One on-site parking place shall be provided if a nonresident is employed to~~  
1166 ~~work on site;~~

1167 ~~f. The business operator shall obtain an adult beverage business license in~~  
1168 ~~accordance with the adult beverage licensing provision of K.C. C. chapter 6.xx (the new~~  
1169 ~~chapter created in section 2 of this ordinance); and~~

1170 ~~g. No product tasting, retail sale or events requiring a temporary use permit under~~  
1171 ~~K.C.C. chapter 21A.32 shall be allowed.~~

1172 3130.a. Limited to winery, brewery, distillery facility II uses;

1173 ~~b. Only allowed on lots of at least ~~four~~two and one-half acres;~~

1174 be. The aggregated floor area of structures and areas for winery, brewery,  
1175 distillery facility uses shall not exceed three thousand five hundred square feet, unless

1176 located in whole or in part in a structure designated as historic resource under K.C.C.

1177 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to

1178 winery, brewery, distillery facility uses shall not exceed five thousand square feet. ~~Decks~~

1179 that are not occupied and not open to the public are excluded from the calculation for  
1180 maximum aggregated floor area;

1181 cd. Structures and parking areas for winery, brewery, distillery facility uses  
1182 shall maintain a minimum distance of seventy-five feet from interior property lines  
1183 adjoining rural area and residential zones, unless located in a building designated as  
1184 historic resource under K.C.C. chapter 20.62. As part of the review of the conditional use  
1185 permit, the setback may be reduced to twenty-five feet if there is sufficient screening  
1186 between the proposed use and adjacent rural area and residential zones;

1187 de. Tasting of products produced on-site may be provided in accordance with  
1188 state law. The area devoted to tasting shall be included in the floor area limitation in  
1189 subsection B.30.eb. of this section. Hours of operation for on-site tasting of products  
1190 shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting  
1191 room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and  
1192 Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;

1193 e. Incidental retail sales of products produced on-site and merchandise related  
1194 to the products produced on-site is allowed;

1195 ff. On a site with direct access to a public roadway;

1196 gg. Off-street parking for tasting and retail areas is limited to a maximum of  
1197 one space per fifty square feet of tasting and retail areas is limited to one hundred and fifty  
1198 percent of the minimum requirement for wineries, breweries or distilleries specified in  
1199 K.C.C. 21A.18.030, except for winery, brewery, distillery facility II business locations  
1200 licensed to produce by the Washington state Liquor and Cannabis Board before January  
1201 1, 2019, without objection from King County during the license application processes,

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

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

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

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

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

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

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

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1225 proposed use and adjacent rural area and residential zones;  
 1226 d. For winery, brewery, distillery facility uses that do not require a conditional  
 1227 use permit, off-street parking for the tasting and retail areas shall be limited to a  
 1228 maximum of one space per fifty square feet of tasting and retail areas. For winery,  
 1229 brewery, distillery facility uses that do require a conditional use permit, off-street parking  
 1230 maximums shall be determined through the conditional use permit process, and the  
 1231 parking ratio for the tasting and retail areas should be limited to a maximum of one space  
 1232 per fifty square feet of tasting and retail areas;  
 1233 e. The business operator shall obtain an adult beverage business license in  
 1234 accordance with ~~the adult beverage licensing provisions of K.C.C. chapter 6.xx~~ (the new  
 1235 chapter created in section 2 of this ordinance); and  
 1236 f. Events may be allowed with an approved temporary use permit under K.C.C.  
 1237 chapter 21A.32.

1238 SECTION 4821. Ordinance 10870, Section 336, as amended, and K.C.C.  
 1239 21A.08.090 are each hereby amended to read as follows:

1240 A. Resource land uses.

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

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

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	Uses	P23											
*	Farm Worker Housing	P14			P14								

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

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

1264    and

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

1266    use.

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

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

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

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

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

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

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

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

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

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1286 i. Agriculture training facilities may be used to provide educational services to  
1287 the surrounding rural/agricultural community or for community events. Property owners  
1288 may be required to obtain a temporary use permit for community events in accordance  
1289 with K.C.C. chapter 21A.32;

1290 j. Use of lodging and food service facilities shall be limited only to activities  
1291 conducted in conjunction with training and education programs or community events  
1292 held on site;

1293 k. Incidental uses, such as office and storage, shall be limited to those that  
1294 directly support education and training activities or farm operations; and

1295 l. The King County agriculture commission shall be notified of and have an  
1296 opportunity to comment upon all proposed agriculture training facilities during the permit  
1297 process in accordance with K.C.C. chapter 21A.40.

1298 11. Continuation of mineral processing and asphalt/concrete mixtures and block  
1299 uses after reclamation in accordance with an approved reclamation plan.

1300 12.a. Activities at the camp shall be limited to agriculture and agriculture-  
1301 oriented activities. In addition, activities that place minimal stress on the site's  
1302 agricultural resources or activities that are compatible with agriculture are permitted.

1303 (1) passive recreation;

1304 (2) training of individuals who will work at the camp;

1305 (3) special events for families of the campers; and

1306 (4) agriculture education for youth.

1307 b. Outside the camp center, as provided for in subsection B.12.e. of this  
1308 section, camp activities shall not preclude the use of the site for agriculture and

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1309 agricultural related activities, such as the processing of local food to create value-added  
1310 products and the refrigeration and storage of local agricultural products. The camp shall  
1311 be managed to coexist with agriculture and agricultural activities both onsite and in the  
1312 surrounding area.

1313 c. A farm plan shall be required for commercial agricultural production to  
1314 ensure adherence to best management practices and soil conservation.

1315 d.(1) The minimum site area shall be five hundred acres. Unless the property  
1316 owner has sold or transferred the development rights as provided in subsection B.12.c.(3)  
1317 of this section, a minimum of five hundred acres of the site must be owned by a single  
1318 individual, corporation, partnership or other legal entity and must remain under the  
1319 ownership of a single individual, corporation, partnership or other legal entity for the  
1320 duration of the operation of the camp.

1321 (2) Nothing in subsection B.12.d.(1) of this section prohibits the property  
1322 owner from selling or transferring the development rights for a portion or all of the site to  
1323 the King County farmland preservation program or, if the development rights are  
1324 extinguished as part of the sale or transfer, to a nonprofit entity approved by the director;

1325 e. The impervious surface associated with the camp shall comprise not more  
1326 than ten percent of the allowable impervious surface permitted under K.C.C. 21A.12.040;

1327 f. Structures for living quarters, dining facilities, medical facilities and other  
1328 nonagricultural camp activities shall be located in a camp center. The camp center shall  
1329 be no more than fifty acres and shall depicted on a site plan. New structures for  
1330 nonagricultural camp activities shall be clustered with existing structures;

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

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

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

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

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

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

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

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

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

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1377           b. the digester must process at least seventy percent livestock manure or other  
1380 agricultural organic material from farms in the vicinity, by volume;

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

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

1384           14. Farm worker housing. Either:

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

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

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

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

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

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

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

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1422 (5) To the maximum extent practical, the housing should be located on  
1423 nonfarmable areas that are already disturbed;

1424 (6) One off-street parking space shall be provided for each agricultural  
1425 employee dwelling unit; and

1426 (7) The agricultural employee dwelling units shall be constructed in  
1427 compliance with K.C.C. Title 16.

1428 15. Marijuana production by marijuana producers licensed by the Washington  
1429 state Liquor and Cannabis Board is subject to the following standards:

1430 a. Only allowed on lots of at least four and one-half acres;

1431 b. With a lighting plan, only if required by and that complies with K.C.C.  
1432 21A.12.220.G.;

1433 c. Only with documentation that the operator has applied for a Puget Sound  
1434 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1435 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1436 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1437 are imported onto the site;

1438 d. Production is limited to outdoor, indoor within marijuana greenhouses, and  
1439 within structures that are nondwelling unit structures that exist as of October 1, 2013,  
1440 subject to the size limitations in subsection B.15.e. of this section;

1441 e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
1442 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
1443 aggregated total of two thousand square feet and shall be located within a fenced area or

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

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

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

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

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

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

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

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1489 entity occupying space in addition to the two-thousand-square-foot threshold area on that  
1490 lot shall obtain a conditional use permit as set forth in subsection B.17. of this section.

1491 17. Marijuana production by marijuana producers licensed by the Washington  
1492 state Liquor and Cannabis Board is subject to the following standards:

1493 a. Only allowed on lots of at least four and one-half acres on Vashon-Maury  
1494 Island;

1495 b. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,  
1496 except on Vashon-Maury Island;

1497 c. In all rural area zones, only with a lighting plan that complies with K.C.C.  
1498 21A.12.220.G.;

1499 d. 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;

1504 e. Production is limited to outdoor and indoor within marijuana greenhouses  
1505 subject to the size limitations in subsection B.17.f. of this section;

1506 f. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
1507 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
1508 aggregated total of thirty thousand square feet and shall be located within a fenced area or  
1509 marijuana greenhouse that is no more than ten percent larger than that combined area;  
1510 and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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1602 a minimum street setback of fifty feet and a minimum interior setback of one hundred feet,  
1603 and a minimum setback of one hundred fifty feet from any existing residence.

1604 23. The storage and processing of non-manufactured source separated organic  
1605 waste that originates from agricultural operations and that does not originate from the site,  
1606 if:

1607 a. agricultural is the primary use of the site;

1608 b. the storage and processing are in accordance with best management practices  
1609 included in an approved farm plan; and

1610 c. except for areas used for manure storage, the areas used for storage and  
1611 processing do not exceed three acres and ten percent of the site.

1612 24.a. For activities relating to the processing of crops or livestock for commercial  
1613 purposes, including associated activities such as warehousing, storage, including  
1614 refrigeration, and other similar activities and excluding (~~wineries, SIC Industry No. 2085—  
1615 Distilled and Blended Liquors and SIC Industry No. 2082—Malt Beverages~~) winery,  
1616 brewery, distillery facility I, II and III:

1617 (1) limited to agricultural products and sixty percent or more of the products  
1618 processed must be grown in the Puget Sound counties. At the time of initial application,  
1619 the applicant shall submit a projection of the source of products to be produced;

1620 (2) in the RA and UR zones, only allowed on sites of at least four and one-  
1621 half acres;

1622 (3) (a) as a permitted use, the floor area devoted to all processing shall not  
1623 exceed two thousand square feet, unless located in a building designated as an historic  
1624 resource under K.C.C. chapter 20.62. The agricultural technical review committee, as

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

1630 (b) as a permitted use, the floor area devoted to all warehousing,  
1631 refrigeration, storage or other similar activities shall not exceed two thousand square feet,  
1632 unless located in a building designated as historic resource under K.C.C. chapter 20.62.  
1633 The agricultural technical review committee, as established in K.C.C. 21A.42.300, may  
1634 review and approve an increase of up to three thousand five hundred square feet of floor  
1635 area devoted to all warehouseing, storage, including refrigeration, or other similar  
1636 activities in the RA zones or on farms less than thirty-five acres located in the A zones or  
1637 up to seven thousand square feet on farms greater than thirty-five acres in the A zone;

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

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

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

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1670 d. Farm operations, including equipment repair and related facilities, except  
1671 that:

1672 (1) the repair of tools and machinery is limited to those necessary for the  
1673 operation of a farm or forest;

1674 (2) in the RA and UR zones, only allowed on sites of at least four and one-  
1675 half acres;

1676 (3) the size of the total repair use is limited to one percent of the farm size in  
1677 the A zone, and up to one percent of the size in other zones, up to a maximum of five  
1678 thousand square feet unless located within an existing farm structure, including but not  
1679 limited to barns, existing as of December 31, 2003; and

1680 (4) Equipment repair shall not be permitted in the Forest zone.

1681 e. The agricultural technical review committee, as established in K.C.C.  
1682 21A.42.300, may review and approve reductions of minimum site sizes in the rural and  
1683 residential zones and minimum setbacks from rural and residential zones.

1684 25. The department may review and approve establishment of agricultural  
1685 support services in accordance with the code compliance review process in K.C.C.  
1686 21A.42.300 only if:

1687 a. project is sited on lands that are unsuitable for direct agricultural production  
1688 based on size, soil conditions or other factors and cannot be returned to productivity by  
1689 drainage maintenance; and

1690 b. the proposed use is allowed under any Farmland Preservation Program  
1691 conservation easement and zoning development standards.

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1692           26. The agricultural technical review committee, as established in K.C.C.  
1693   21A.42.300, may review and approve establishment of agricultural support services only  
1694   if the project site:

1695           a. adjoins or is within six hundred sixty feet of the agricultural production  
1696   district;

1697           b. has direct vehicular access to the agricultural production district;

1698           c. except for farmworker housing, does not use local access streets that abut  
1699   lots developed for residential use; and

1700           b. has a minimum lot size of four and one-half acres.

1701           27. The agricultural technical review committee, as established in K.C.C.

1702   21A.42.300, may review and approve establishment of agricultural support services only  
1703   if the project site:

1704           a. is outside the urban growth area,

1705           b. adjoins or is within six hundred sixty feet of the agricultural production  
1706   district,

1707           c. has direct vehicular access to the agricultural production district,

1708           d. except for farmworker housing, does not use local access streets that abut  
1709   lots developed for residential use; and

1710           e. has a minimum lot size of four and one-half acres.

1711           28. Only allowed on properties that are outside the urban growth area.

1712           SECTION 1922. Ordinance 10870, Section 407, as amended, and K.C.C.

1713   21A.18.030 are each hereby amended to read as follows:

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

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

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

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

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

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

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

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Regional uses	(director)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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1788 8. Trucking, storage or self service, except for parking or storage of one  
1789 commercial vehicle used in home occupation; ~~((and))~~

1790 9. Veterinary clinic; ~~((and))~~

1791 10. Recreational marijuana processor, recreational marijuana producer or  
1792 recreational marijuana retailer; and

1793 11. Winery, brewery, distillery facility I, II, and III, and remote tasting room,  
1794 except that home occupation adult beverage businesses operating under an active  
1795 Washington state Liquor and Cannabis Board production license issued for their current  
1796 location before January 1, 2019, and where King County did not object to the location  
1797 during the Washington state Liquor and Cannabis Board license application process, shall  
1798 be considered legally nonconforming and allowed to remain in their current location  
1799 subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is currently in compliance  
1800 with or is brought into compliance with the home occupation requirements of this section  
1801 within one year of the effective date of this ordinance. Such businesses remain subject to  
1802 all other applicable state and local regulations. The business operator for a  
1803 nonconforming home occupation shall obtain an adult beverage business license in  
1804 accordance with the adult beverage licensing provisions of K.C.C. chapter 6.xx (the new  
1805 chapter created in section 2 of this ordinance).

1806 F. In addition to required parking for the dwelling unit, on-site parking is provided  
1807 as follows:

1808 1. One stall for each nonresident employed by the home occupations; and

1809 2. One stall for patrons when services are rendered on-site;

1810 G. Sales are limited to:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1858           a. planting of Type II landscape buffering; or

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

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

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

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

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

1869           G. Sales are limited to:

1870           1. Mail order sales;

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

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

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

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

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

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

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1902 location before January 1, 2019, and where King County did not object to the location  
1903 during the Washington state Liquor and Cannabis Board license application process, shall  
1904 be considered legally nonconforming and allowed to remain in their current location  
1905 subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is currently in compliance  
1906 with or is brought into compliance with the home occupation requirements of this section  
1907 within one year of the effective date of this ordinance. Such businesses remain subject to  
1908 all other applicable state and local regulations. The business operator for a  
1909 nonconforming home occupation shall obtain an adult beverage business license in  
1910 accordance with the adult beverage licensing provisions of K.C.C. chapter 6.xx (the new  
1911 chapter created in section 2 of this ordinance);

1912 K. Uses not allowed as home occupation may be allowed as a home industry under  
1913 K.C.C. chapter 21A.30; and

1914 L. The home occupation or occupations may use or store vehicles, as follows:

1915 1. The total number of vehicles for all home occupations shall be:

1916 a. for any lot five acres or less: two;

1917 b. for lots greater than five acres: three; and

1918 c. for lots greater than ten acres: four;

1919 2. The vehicles are not stored within any required setback areas of the lot or on  
1920 adjacent streets; and

1921 3. The parking area for the vehicles shall not be considered part of the outdoor  
1922 storage area provided for in subsection C. of this section.

1923 SECTION 225. Ordinance 10870, Section 537, as amended, and K.C.C.  
1924 21A.30.090 are each hereby amended to read as follows:

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

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1947 1. Limiting the type and size of equipment used by the home industry to those that  
1948 are compatible with the surrounding neighborhood;

1949 2. Providing for setbacks or screening as needed to protect adjacent residential  
1950 properties;

1951 3. Specifying hours of operation;

1952 4. Determining acceptable levels of outdoor lighting; and

1953 5. Requiring sound level tests for activities determined to produce sound levels  
1954 that may be in excess of those in K.C.C. chapter 12.88; (~~and~~)

1955 J. Recreational marijuana processors, recreational marijuana producers and  
1956 recreational marijuana retailers shall not be allowed as home industry; and

1957 K. Winery, brewery, distillery facility I, II, and III, and remote tasting room shall

1958 not be allowed as home industry, except that home industry adult beverage businesses

1959 operating under an active Washington state Liquor and Cannabis Board production

1960 license issued for their current location prior to before January 1, 2019, and where King

1961 County did not object to the location during the Washington state Liquor and Cannabis

1962 Board license application process, shall be considered legally nonconforming and

1963 allowed to remain in their current location subject to the provisions of K.C.C. 21A.32.020

1964 through 21A.32.075 if the use is currently in compliance with or is brought into

1965 compliance with the home industry requirements of this section within one year of the

1966 effective date of this ordinance. Such businesses remain subject to all other applicable

1967 state and local regulations. The business operator for a nonconforming home industry

1968 shall obtain an adult beverage business license in accordance with the adult beverage

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1969 ~~licensing provisions of K.C.C. chapter 6.xx (the new chapter created in section 2 of this~~  
1970 ~~ordinance).~~

1971

1972 SECTION 236. Ordinance 10870, Section 547, as amended, and K.C.C.  
1973 21A.32.100 are each hereby amended to read as follows:

1974 Except as provided by K.C.C. 21A.32.110, a temporary use permit shall be  
1975 required for any of the following:

1976 A. A use not otherwise permitted in the zone that can be made compatible for a  
1977 period of up to sixty days a year; ~~((or))~~

1978 B. The expansion of an established use that:

1979 1. Is otherwise allowed in the zone;

1980 2. Is not inconsistent with the original land use approval;

1981 3. Exceeds the scope of the original land use approval; and

1982 4. Can be made compatible with the zone for a period of up to sixty days a  
1983 year~~((-)); or~~

1984 C. Events at a winery, brewery, distillery facility or remote tasting room that  
1985 include one or more of the following activities:

1986 1. Exceeds the permitted building occupancy;

1987 2. Utilizes portable toilets;

1988 3. Utilizes parking that exceeds the maximum number of spaces allowed by this

1989 Title on-site or utilizes off-site parking;

1990 4. Utilizes temporary stages;

1991 5. Utilizes temporary tents or canopies that require a permit;

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

1993 7. Extends beyond stated hours of operation.

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

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

1996 Except as otherwise provided in this chapter or in K.C.C. chapter 21A.45,

1997 temporary use permits shall be limited in duration and frequency as follows:

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

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

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

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

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

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2015 to all other relevant facts, the department shall consider building occupancy and parking  
2016 limitations during permit review, and shall condition the number of guests allowed for a  
2017 temporary use based on those limitations. The department shall not authorize attendance  
2018 of more than one hundred ~~twenty-five~~ fifty guests.

2019 554. For a winery, brewery, distillery facility III in the A or RA zones, in  
2020 addition to all other relevant facts, the department shall consider building occupancy and  
2021 parking limitations during permit review, and shall condition the number of guests  
2022 allowed for a temporary use based on those limitations. The department shall not  
2023 authorize attendance of more than two hundred fifty guests.

2024 665. Events ~~that require a temporary use permit are prohibited~~ for any winery,  
2025 brewery, distillery facility I in the RA zone, any nonconforming winery, brewery,  
2026 distillery facility home occupation, and any nonconforming winery, brewery, distillery  
2027 facility home industry shall be limited to two per year, and limited to a maximum of fifty  
2028 guests. If the event complies with this chapter, a temporary use permit is not required for  
2029 a special event for a winery, brewery, distillery facility I in the RA zone, a  
2030 nonconforming home occupation winery, brewery, distillery facility or a nonconforming  
2031 home industry winery, brewery, distillery facility.

2032 76. Special events shall not be permitted for any winery, brewery, distillery  
2033 facility I in the A zone. The permitting division shall not issue temporary use permits to  
2034 winery, brewery, distillery facility I uses in the A zone.

2035 C. The temporary use permit shall specify a date upon which the use shall be  
2036 terminated and removed; and

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2037 D. A temporary use permit may be renewed annually for up to a total of five  
2038 consecutive years as follows:

2039 1. The applicant shall make a written request and pay the applicable permit  
2040 extension fees for renewal of the temporary use permit at least seventy days before the  
2041 end of the permit period;

2042 2. The department must determine that the temporary use is being conducted in  
2043 compliance with the conditions of the temporary use permit;

2044 3. The department must determine that site conditions have not changed since  
2045 the original temporary permit was issued; and

2046 4. At least forty-five days before the end of the permit period, the department  
2047 shall notify property owners within five hundred feet of the property boundaries that a  
2048 temporary use permit extension has been requested and contact information to request  
2049 additional information or to provide comments on the proposed extension.

2050 SECTION 28. The King County executive shall conduct a demonstration project  
2051 to create and evaluate a remote tasting room demonstration project A as provided for in,  
2052 and consistent with, section 29 of this ordinance.

2053 NEW SECTION. SECTION 2429. There is hereby added to K.C.C. chapter  
2054 21A.55 a new section to read as follows:

2055 A. ~~1. There is hereby created the Sammamish Valley and Vashon Town Center~~  
2056 ~~wine and adult beverage remote tasting room demonstration project A.~~ The purpose of  
2057 the remote tasting room demonstration project A is to:

2058 1. Support agriculture and synergistic development of mixed use ~~wine and~~ adult  
2059 beverage facilities in order to boost agritourism and ~~both the~~ areas' reputations as food

2060 and adult-beverage destinations;

2061           2. ~~The demonstration project will e~~Enable the county to determine if expanded  
2062 ~~wine and~~ adult beverage-based uses can be permitted while maintaining the core  
2063 functions and purposes of the Rural Area and Agricultural ~~Production District~~ zones;

2064           3. The expected benefits from the demonstration projects include: developing a  
2065 clear picture ofDetermine the impacts and benefits of the ~~wine and~~ adult beverage  
2066 industry ~~impacts on and benefits to~~ Rural Area and Agricultural ~~Production District~~  
2067 zoned ~~communities~~areas, including the impacts and benefits of the industry on  
2068 Agricultural Production Districts, and including those properties where the demonstration  
2069 project sites are located and the surrounding areas;

2070           4. Provide an opportunity for additional exposure for locally sourced and  
2071 produced agricultural products; and

2072           5. and theIdentify and evaluate ~~opportunity to identify and evaluate~~ potential  
2073 ~~substantive~~ changes to countywide land use regulations to support the development of  
2074 additional areas of unincorporated King County that may benefit from growth in ~~wine~~  
2075 ~~and adult beverage industry~~ agritourism.

2076           B. ~~TheA remote tasting room demonstration project shall only be implemented~~  
2077 on a site identified in Attachment A to this ordinance.

2078           C. The use that the permitting division may approve under the remote tasting  
2079 room demonstration project A shall include only a "remote tasting room" as defined in  
2080 section 13 of this ordinance.

2081           D.1. An application for a demonstration projectremote tasting room under this  
2082 section may be submitted in conjunction with an application for an adult beverage

2083 business license or a building permit.

2084 2. Requests shall be submitted to the permitting division in writing, together  
2085 with any supporting documentation and must illustrate how the proposal meets the  
2086 criteria in subsection F. of this section.

2087 3. An application for a remote tasting room under this section shall be reviewed  
2088 as a Type I land use decision in accordance with K.C.C. 20.20.020.

2089 E. The department of local services, permitting division, shall administer the  
2090 demonstration project, and shall ~~shall be approved~~ or ~~denied~~ administratively by the  
2091 department of permitting and environmental review ~~the~~ a remote tasting room application  
2092 under this section based upon compliance with ~~the criteria in~~ subsections ~~D. and EF.~~ of  
2093 this section. Approval or denial of a remote tasting room application shall not be  
2094 construed as applying to any other development application either within the  
2095 demonstration project area or elsewhere in the county.

2096 ~~—— C. The use that the department may approve pursuant to this Sammamish Valley~~  
2097 ~~and Vashon Town Center wine and beverage tourism demonstration project A shall~~  
2098 ~~include only the following: Remote tasting room as defined in section 12 of this~~  
2099 ~~ordinance.~~

2100 ~~DF.1. This section allows establishment and operation of a remote tasting room~~  
2101 ~~use.~~

2102 ~~—— 2. A remote tasting room under this section ~~emonstration project remote tasting~~~~  
2103 ~~room use~~ may be approved, subject to the following:

2104 a. One or more winery, brewery, distillery facility I, II or III may operate  
2105 within one remote tasting room;

REDLINE – FOR ILLUSTRATIVE PURPOSES ONLY

2106           b. The aggregated total space devoted to ~~tasting and retail activity~~remote  
2107 tasting room activities shall be limited to one thousand square feet of gross floor area, not  
2108 including areas devoted to storage, restrooms, and similar nonpublic areas;

2109           c. Notwithstanding subsection ~~D-2.F.1.~~b. of this section, an additional five  
2110 hundred square feet of immediately adjacent outdoor space may be used for tasting,  
2111 subject to applicable state regulations limiting sale, service and consumption of alcoholic  
2112 beverages;

2113 ~~————d. The site must have direct access to an arterial;~~

2114 ~~————e. The remote tasting room site shall not be used as a winery, brewery,~~  
2115 ~~distillery facility I, II or III production facility;~~

2116           df. Incidental retail sales of products and merchandise related to the products  
2117 being tasted is allowed;

2118           ge. The hours of operation for the tasting room shall be limited as follows:  
2119 Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to  
2120 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours  
2121 shall be limited to 11:00 a.m. through 9:00 p.m.;

2122           hf. Each business operator shall obtain an adult beverage business license in  
2123 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this  
2124 ordinance)~~An adult beverage business license is required, in accordance with K.C.C.~~  
2125 ~~Title 6;~~

2126           ig. ~~Each~~A remote tasting room business operator may not operate withoutshall  
2127 have proof of Washington state Liquor and Cannabis Board approval;

2128           jh. Events shall be limited to two per year, and limited to no more than fifty

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

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

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

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

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

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

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

2150

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

2152 ~~conjunction with an application for an adult beverage business license or a building~~  
2153 ~~permit.~~

2154 ~~\_\_\_\_\_ 2. Requests shall be submitted to the department in writing, together with any~~  
2155 ~~supporting documentation and must illustrate how the proposal meets the criteria in~~  
2156 ~~subsections D. and E. of this section.~~

2157 ~~\_\_\_\_\_ 3. A director's decision regarding a remote tasting room application shall be~~  
2158 ~~treated as a Type I land use decision in accordance with K.C.C. 20.20.020.~~

2159 G. ~~Remote tasting room demonstration project~~Demonstration project  
2160 ~~A~~Applications in accordance with this section may shall be accepted by the ~~department of~~  
2161 ~~permitting and environmental review~~permitting division ~~only within~~for three years from  
2162 ~~of~~ the effective date of this ordinance. Complete applications submitted before the end of  
2163 the three years shall be reviewed and decided on by the permitting division. ~~Remote~~  
2164 ~~tasting room uses approved in accordance with this section may continue as long as an~~  
2165 ~~underlying business license or renewal is maintained, and subject to the nonconformance~~  
2166 ~~provisions of K.C.C. chapter 21A.32.~~

2167 ~~HH.~~ Starting One year after the effective date of this ordinance, and ~~on an~~  
2168 ~~annual basis~~each year for ~~three~~ four years thereafter, the ~~director~~ executive shall prepare  
2169 and transmit to the council preliminary evaluations of remote tasting room demonstration  
2170 project A. These preliminary evaluation reports shall include:

2171 ~~\_\_\_\_\_ 1. compile a~~A list of remote tasting room demonstration project applications  
2172 submitted, reviewed and decided;

2173 ~~\_\_\_\_\_ 2. Comments received from neighboring residents, including and related~~ code  
2174 complaints, if any, related to the applications received and approved, or the

- 2175 demonstration project;
- 2176 3. Comments received from neighboring cities and community service areas;
- 2177 4. Comments received from project applicants attempting to utilize the
- 2178 demonstration project, including the application and review process, and the criteria for
- 2179 approving remote tasting rooms;
- 2180 5. Comments received from customers of the project applicants' businesses;
- 2181 6. A description of known interactions or relationships between projects
- 2182 approved under the demonstration project and nearby agricultural users and lands, such
- 2183 as additional exposure for local agricultural products;
- 2184 7. An inventory of remaining parcels or properties available for development
- 2185 under the demonstration project; and
- 2186 8. Any known recommended code changes that would further the purposes of
- 2187 the demonstration project.
- 2188 ~~II. After considering the information compiled under subsection H. of this~~
- 2189 ~~section, the executive may submit additional proposed legislation extending or otherwise~~
- 2190 ~~amending this ordinance within three~~ Within ninety days of five years of after the
- 2191 ~~effective date of this ordinance., the permitting division shall prepare a draft final report~~
- 2192 and proposed permanent code changes that includes the information compiled under
- 2193 subsection H. of this section, and include the following:
- 2194 1. Evaluation of the parking requirements, including whether the parking ratios
- 2195 required in K.C.C. chapter 21A.18 for production facilities and for remote tasting rooms
- 2196 provide sufficient, but not excessive, parking;
- 2197 2. Description of the industry standards for tasting room hours for wineries,

2198 breweries and distilleries; evaluation of the tasting room hours allowed under the  
2199 demonstration project, and the benefits or negative impacts of these hours relative to the  
2200 purposes of the demonstration project;

2201 3. Outreach to those projects approved through the demonstration project, with  
2202 requested information to include, at a minimum:

2203 a. when they were approved by the permitting division;

2204 b. when they opened subsequent to that approval;

2205 c. whether they are still operating at the time of the final report; and

2206 d. any recommendations on final regulations;

2207 4. Evaluation of the permit review timelines for the demonstration project  
2208 applications; and

2209 5. A recommendation on permanent code changes, or further demonstration  
2210 project requirements, regarding remote tasting rooms.

2211 J. The permitting division shall include a public comment period for the  
2212 permitting division's draft evaluation described in subsection I. of this section. The  
2213 public comment period shall last at least forty-five days beginning with the date of  
2214 publication in the newspapers of record for the demonstration project areas identified in  
2215 Attachment A to this ordinance. As part of the public comment period, the permitting  
2216 division shall:

2217 1. Publish notice of the draft evaluation's availability in each newspaper of  
2218 record, including locations where the draft evaluation is available;

2219 2. Send notice and request for comment to the water districts for the  
2220 demonstration project areas identified in Attachment A to this ordinance;

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

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

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

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

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

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

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

2244 NEW SECTION. SECTION 2531. There is hereby added to K.C.C. chapter  
2245 21A.55 a new section to read as follows:

2246 A.1. ~~There is hereby created the Sammamish Valley wine and adult beverage~~  
2247 ~~tourism district demonstration project B.~~ The purpose of the special events  
2248 demonstration project B is to:

2249 1. Support agriculture and synergistic development of ~~mixed use wine and~~ adult  
2250 beverage facilities in order to boost agritourism and the ~~area's~~ Sammamish valley's  
2251 reputation as a food and adult beverage destination;

2252 2. ~~The demonstration project will e~~Enable the county to determine if ~~the~~  
2253 number of special events held at expanded wine and adult beverage ~~based uses~~ facilities  
2254 can be increased while maintaining the core functions and purposes of the Rural Area and  
2255 Agricultural ~~Production District~~ zones;

2256 3. ~~The expected benefits from the demonstration projects include: developing a~~  
2257 ~~clear picture of wine and adult beverage industry~~ Identify the impacts ~~on~~ and benefits ~~to~~  
2258 of adult beverage industry special events on surrounding Rural Area and Agricultural  
2259 ~~Production District~~ zoned communities; including Agricultural Production Districts,  
2260 properties where the demonstration projects are located, and surrounding areas;

2261 4. Provide ~~the an~~ opportunity for additional exposure for locally sourced and  
2262 produced agricultural products; and

2263 5. ~~and the opportunity to identify~~ Identify and evaluate potential ~~substantive~~  
2264 changes to countywide land use regulations to support the development of additional  
2265 areas of unincorporated King County that may benefit from growth in ~~wine and adult~~  
2266 ~~beverage industry~~ agritourism.

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

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

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

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

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

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

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

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

2290 procedures in K.C.C. chapters 20.20, 20.44 and 21A.42 shall be applied, and compliance  
2291 with K.C.C. 21A.44.020 and K.C.C. 21A.44.040 shall be met.

2292 5. Any deadline in this subsection shall be adjusted to include the time for  
2293 appeal of all or any portion of the project approval.

2294 E. The department of local services, permitting division, shall administer the  
2295 demonstration project, and ~~A wine and beverage tourism demonstration project B~~  
2296 application to modify development standards for on-site winery, brewery, distillery  
2297 facility ~~III wedding and events~~ shall approve or deny the special event demonstration  
2298 project under this section as part of a joint conditional use permit and temporary use  
2299 permit based upon compliance with subsections F. and G. of this section. ~~be~~  
2300 administratively approved by the department of permitting and environmental review,  
2301 and upon such an approval K.C.C. chapter 21A.42 review procedures shall be applied.  
2302 ~~Demonstration project uses may be approved and conditioned by the department if~~  
2303 ~~compliant with the criteria in K.C.C. 21A.44.040.~~ Approval or denial of a special event  
2304 demonstration project ~~of the proposed demonstration project~~ shall not be construed as  
2305 applying to any other development application either within the demonstration project  
2306 area or elsewhere in the county, and shall not render uses authorized under this section  
2307 "otherwise permitted in the zone" under K.C.C. 21A.32.100.A.

2308 €F.1. A special event demonstration project shall be subject to all King County  
2309 Code provisions except that permitting division may waive ~~The director shall waive the~~  
2310 following development regulations during the joint conditional use permit and temporary  
2311 use permit review ~~under demonstration project B~~:

2312 1a. K.C.C. 21A.32.100 through 21A.32.140; and

2313 ~~2. K.C.C. 21A.44.020; and~~  
2314 ~~3b. K.C.C. 21A.08.080.B.12.4.;~~  
2315 2. A temporary use permit approved under this demonstration project may be  
2316 renewed up to four times annually in accordance with K.C.C. 21A.32.120.D. After a  
2317 special event demonstration project temporary use permit expires, the permitting division  
2318 shall review any subsequent temporary use permit application for the demonstration  
2319 project site in accordance with all applicable temporary use review processes and any  
2320 future events shall be subject to all regulations in place at the time a complete application  
2321 is submitted.  
2322 ~~D.1. A demonstration project authorized by this section allows a winery,~~  
2323 ~~brewery, distillery facility III operator to obtain authorization for on-site weddings and~~  
2324 ~~similar uses pursuant to conditional use review mechanisms in K.C.C. 21A.44.040, and~~  
2325 ~~applicable to those uses under K.C.C. 21A.08.080.A. and B.;~~  
2326 ~~2. Demonstration project conditional use permits are subject to all King County~~  
2327 ~~Code provisions, including but not limited to, K.C.C. chapters 21A.42 and 20.20, except~~  
2328 ~~those specifically excluded by subsection C. of this section,.~~  
2329 ~~E.1. Demonstration project applications made in accordance with this section~~  
2330 ~~may only be submitted in relation to an application for a winery, brewery, distillery~~  
2331 ~~facility III conditional use permit or winery, brewery, distillery facility conditional use~~  
2332 ~~permit modification or expansion.~~  
2333 ~~2. Demonstration project applications shall be submitted to the department in~~  
2334 ~~writing before or in conjunction with an application for a winery, brewery, distillery~~  
2335 ~~facility III conditional use permit or an application for a winery, brewery, distillery~~

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

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

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

2347 ~~\_\_\_\_\_ b. parking limits or parking plan;~~

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

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

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

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

2362 ~~HG. Special event D~~ demonstration project applications ~~authorized by this section~~  
2363 shall be ~~filed with the department of permitting and environmental review~~ accepted by the  
2364 permitting division ~~within for~~ three years ~~of from~~ the effective date of this ordinance.  
2365 Complete applications submitted before the end of the three years shall be reviewed and  
2366 decided on by the permitting division.

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

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

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

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

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

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

2382 demonstration project, including the application and review process, and the criteria for  
2383 approving special event demonstration projects;

2384 5. Comments received from customers of the project applicants' businesses;

2385 6. A description of known interactions or relationships between projects  
2386 approved under the demonstration project and nearby agricultural users and lands, such  
2387 as additional exposure for local agricultural products;

2388 7. An inventory of remaining parcels or properties available for development  
2389 under the demonstration project;

2390 8. A description of the number and size of the events and the parking plans  
2391 approved through the joint conditional use permit and temporary use permit process; and

2392 9. Any known recommended code changes that would further the purposes of  
2393 the demonstration project.

2394 J. ~~The executive may submit additional~~ Within ninety days of five years after the  
2395 effective date of this ordinance, the permitting division shall prepare a draft final report  
2396 and proposed ~~legislation~~ permanent code changes, that includes the ~~reflecting~~ information  
2397 compiled under subsection ~~HI~~. of this section-, and includes the following: ~~within three~~  
2398 years of the effective date of this ordinance.

2399 1. Evaluation of water use by winery, brewery, distillery facility III uses,  
2400 including amount of water used, impacts to watershed basins, impacts to public water  
2401 systems, and whether these facilities should be required to connect to a Group A or  
2402 Group B system;

2403 2. Evaluation of the parking requirements, including whether the parking ratios  
2404 required in K.C.C. chapter 21A.18 for production facilities, associated tasting rooms, and

2405 special events provide sufficient, but not excessive, parking;  
2406 3. Outreach to those applicants with projects approved through the  
2407 demonstration project, with requested information to include, at a minimum:  
2408 a. when they were approved by the permitting division;  
2409 b. when they opened subsequent to that approval;  
2410 c. whether they are still operating at the time of the final report; and  
2411 d. any recommendations on final regulations;  
2412 4. An evaluation of the requirements for temporary use permits for special  
2413 events for all winery, brewery, distillery facilities, home occupations, home industries,  
2414 and remote tasting rooms. This shall include, at a minimum:  
2415 a. an evaluation of the minimum requirements for obtaining a temporary use  
2416 permit established in K.C.C. 21A.32.100 and 21A.32.120, and whether they should be  
2417 modified;  
2418 b. an evaluation of what is considered an "industry standard event" for a  
2419 winery, brewery, distillery facility or remote tasting room. As a guideline, an "industry  
2420 standard event" may mean an event that is essential to the operation of the business and is  
2421 directly related to the business, such as a release party or dinner for club members. The  
2422 evaluation shall include recommendations on what types of industry standard events  
2423 should require a temporary use permit, based on the scale of the event or any other factor  
2424 the executive deems relevant;  
2425 c. an evaluation of what is not an "industry standard event," such as renting out  
2426 space for an event that is unrelated to the business. Those types of events typically  
2427 require a temporary use permit;

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

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

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

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

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

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

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

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

2451 on downstream properties and agricultural land, and potential remedies for identified  
2452 stormwater and surface water issues; and

2453 7. A recommendation on permanent code changes, or further demonstration  
2454 project requirements, regarding special events.

2455 K. The permitting division shall include a public comment period for the draft  
2456 evaluation described in subsection J. of this section. The public comment period shall be  
2457 at least forty-five days beginning with the date of publication in the newspapers of record  
2458 for the demonstration project areas identified in Attachment B to this ordinance. As part  
2459 of the public comment period, the permitting division shall:

2460 1. Publish notice of the draft evaluation's availability in each newspaper of  
2461 record, including locations where the draft evaluation is available;

2462 2. Send notice and request for comment to the water districts for the  
2463 demonstration project areas identified in Attachment B to this ordinance;

2464 3. Request comments from any developer that has applied for approval under  
2465 the demonstration project;

2466 4. Provide a copy at the local libraries for the demonstration project areas  
2467 identified in Attachment B to this ordinance;

2468 5. Post an electronic copy on the permitting division's website; and

2469 6. Send electronic notice to the clerk of the council, who shall retain the original  
2470 email and provide an electronic copy to all councilmembers, the council chief of staff and  
2471 the lead staff for the local services, regional roads and bridges committee, or its  
2472 successor.

2473 L. After the public comment period has ended, the permitting division shall

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

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

2484 SECTION 2632. Ordinance 13623, Section 37, as amended, and K.C.C.

2485 23.32.010 are each hereby amended to read as follows:

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

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

II and III and remote tasting room:

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

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

12.86 within the past twelve months

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

12.86 within the past twelve months

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

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

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

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

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

within the past twelve months;

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

(1) stop work order basic penalty \$500

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

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

(a) public health risk \$15

(b) environmental damage risk \$15

(c) damage to property risk \$15

(d) one previous similar code violation \$25

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(e) two previous similar code violations	\$50
(f) three or more previous similar code violations	\$75
(g) economic benefit to person responsible for violation	\$25
<del>((e))</del> <u>d.</u> cleanup restitution payment: as specified in K.C.C. 23.02.140.	
<del>((d))</del> <u>e.</u> reinspection following the issuance of a notice and order, if the violation has not been abated in accordance with the notice and order:	
(1) first reinspection, which shall occur no sooner than the day following the date compliance is required by the notice and order	\$150
(2) second reinspection, which shall occur no sooner than fourteen days following the first reinspection	\$300
(3) third reinspection, which shall occur no sooner than fourteen days following the second reinspection	\$450
(4) reinspection after the third reinspection, which shall only be conducted immediately preceding an administrative or court ordered abatement or at the direction of the prosecuting attorney for the purpose of presenting evidence in the course of litigation or administrative hearing against the person responsible for code compliance	\$450

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

2492 of the King County Code. Any citation, stop work order or notice and order previously  
2493 issued by the department shall not constitute a previous code violation for the purposes of  
2494 this section if that stop work order or notice and order was appealed and subsequently  
2495 reversed.

2496           B. The penalties assessed pursuant to this section for any failure to comply with a  
2497 notice and order or voluntary compliance agreement shall be assessed daily, according to  
2498 the schedule in subsection A of this section, for the first thirty days following the date the  
2499 notice and order or voluntary compliance agreement required the code violations to have  
2500 been cured. If after thirty days the person responsible for code compliance has failed to  
2501 satisfy the notice and order or voluntary compliance agreement, penalties shall be  
2502 assessed daily at a rate of double the rate for the first thirty days. Penalties may be  
2503 assessed daily until the person responsible for code compliance has fully complied with  
2504 the notice and order.

2505           C. Penalties based on violation of a stop work order shall be assessed, according  
2506 to the schedule in subsection A. of this section, for each day the department determines  
2507 that work or activity was done in violation of the stop work order.

2508           D. Citations and cleanup restitution payments shall only be subject to a one-time  
2509 civil penalty.

2510           E. The director may suspend the imposition of additional civil penalties if the  
2511 person responsible for code compliance has entered into a voluntary compliance  
2512 agreement. If the person responsible for code compliance enters into a voluntary  
2513 compliance agreement and cures the code violations, the director may also waive all or  
2514 part of the accrued civil penalties in accordance with K.C.C. 23.32.050. Penalties shall

2515 begin to accrue again pursuant to the terms of the voluntary compliance agreement if any  
2516 necessary permits applied for are denied, canceled or not pursued, or if corrective action  
2517 identified in the voluntary compliance agreement is not completed as specified.

2518 F. The civil penalties in this section are in addition to, and not in lieu of, any  
2519 penalties, sanctions, restitution or fines provided for in any other provisions of law.

2520 SECTION 33. A. The executive shall transmit a report and proposed ordinance  
2521 that evaluates the efficacy of the regulations for winery, brewery, distillery facilities and  
2522 remote tasting rooms adopted as part of this ordinance. The report shall include, at a  
2523 minimum:

2524 1. An evaluation of the effectiveness of the citation and civil fine structure in  
2525 K.C.C. 23.32.010 adopted for winery, brewery, distillery and remote tasting room uses as  
2526 part of this ordinance, and a recommended citation and civil fine structure, if the  
2527 evaluation finds that the current structure is not effective or could be modified to increase  
2528 effectiveness;

2529 2. An evaluation of the impacts that urban uses within urban growth area have  
2530 on rural character and adjacent rural areas outside the urban growth area, and  
2531 recommendations for how to reduce impact of those urban uses;

2532 3. Analysis of product content requirement adopted as part of this ordinance for  
2533 winery, brewery distillery facilities in the Agriculture zone. Include, at a minimum, an  
2534 evaluation of requiring sixty percent of product content to be grown on-site, sixty percent  
2535 of product content to be grown in Puget Sound Counties, or allowing these facilities as  
2536 agricultural accessory uses in accordance with WAC 365-196-815, and a  
2537 recommendation for how these facilities should be regulated in the Agriculture zone to

2538 comply with the requirements for agricultural production areas under the Growth  
2539 Management Act; and  
2540 4. Analysis of winery, brewery, distillery facility I as interim use in the  
2541 Agriculture zone, and evaluation of the effectiveness of the regulations adopted by this  
2542 ordinance, the impacts to the agricultural production districts, and any recommended  
2543 changes to the regulations regarding winery, brewery, distillery facility and remote  
2544 tasting rooms, adopted by this ordinance.

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

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

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

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

2561 Events, and insert Attachment B, Map Amendment #2 – Special Event Demonstration

2562 Project B dated March 11, 2019

2563

2564 The clerk of the council is instructed to insert the final enact number in Attachments A

2565 and B where the Proposed Ordinance number is referenced.

2566

2567 **EFFECT: This striking amendment makes the following changes to the Proposed**  
2568 **Ordinance:**

2569

2570 **Substantive Changes**

2571

- 2572 1. Adds additional findings to further establish the record for the proposed changes  
2573 to existing code.
- 2574 2. Business license requirements:
- 2575 a. Requires a business license for nonconforming home occupations and  
2576 home industries.
- 2577 b. Recognizes the difference in product content requirements for a WBD I in  
2578 the A zone (60% on-site versus 60% Puget Sound Counties)
- 2579 c. Prohibits issuance of a business license for a WBD I interim use for more  
2580 than 5 years on any one site.
- 2581 3. Modifies the definition of remote tasting room:
- 2582 a. To allow distilleries and breweries to qualify as a remote tasting room,  
2583 recognizing the difference in state licensing allowances.
- 2584 b. Prohibits liquor licenses that are considered “retail licenses” by the state  
2585 Liquor and Cannabis Board under a remote tasting room.
- 2586 4. Modifies the definition of WBD I:
- 2587 a. To allow limited retail and tasting. These activities are further limited by  
2588 the development conditions discussed below.
- 2589 b. Prohibits liquor licenses that are considered “retail licenses” by the state  
2590 Liquor and Cannabis Board under a WBD I use.
- 2591 5. Adds an new definition for WBD I interim use permit:
- 2592 a. A term-limited permit for a winery, brewery, distillery facility I in the A  
2593 zone.
- 2594 b. One-time approval, effective for one year, with four annual renewals  
2595 possible for up to five years.
- 2596 c. After the interim use permit or any renewals have expired, use is required to  
2597 either comply with zoning conditions for a winery, brewery, distillery  
2598 facility II or III use, and meet the requirements of one of those uses, or  
2599 cease operations and vacate the site.
- 2600 d. Applications for a winery, brewery, distillery facility I interim use permit

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

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

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- 2693 requirements. Applies this setback to interior property lines only.  
2694 d. In RB zone:  
2695 i. Adds a maximum parking of 1:50 square feet of tasting and retail  
2696 areas. If a CUP is required, this is a “should”.  
2697 ii. Require a 75 foot setback from RA and R zoned properties, but  
2698 allow that to be reduced to 25 feet with a CUP and subject to  
2699 screening requirements. Applies this setback to interior property  
2700 lines only.  
2701 e. In the I zone:  
2702 i. Limited to breweries and distilleries. Wineries and remote tasting  
2703 rooms prohibited.  
2704 ii. Limits the tasting area to a maximum of 1,500 square feet.  
2705 iii. Adds a maximum parking of 1:50 square feet of tasting and retail  
2706 areas. If a CUP is required, this is a “should”.  
2707 iv. Require a 75 foot setback from RA and R zoned properties, but  
2708 allow that to be reduced to 25 feet with a CUP and subject to  
2709 screening requirements. Applies this setback to interior property  
2710 lines only.  
2711 10. For WBD III:  
2712 a. In A zone and RA zone:  
2713 i. Excludes decks not open to the public from the maximum square  
2714 footage limit.  
2715 ii. Requires production to include two or more of the stages of  
2716 production: crushing, fermentation, barrel or tank aging, or  
2717 finishing.  
2718 iii. Maximum parking determined through the CUP. Maximum  
2719 parking for tasting and retail should be limited to 1:50 square feet.  
2720 iv. Add provision for grandfathering for number existing parking  
2721 spaces (compliance with development standards required).  
2722 v. Allows 75 foot setback from RA and R zoned properties to be  
2723 reduced to 25 feet with a CUP and subject to screening  
2724 requirements. Applies this setback to interior property lines only.  
2725 b. In NB and CB zones:  
2726 i. Maximum parking determined through the CUP. Maximum  
2727 parking for tasting and retail should be limited to 1:50 square feet.  
2728 ii. Require a 75 foot setback from RA and R zoned properties, but  
2729 allow that to be reduced to 25 feet with a CUP and subject to  
2730 screening requirements. Applies this setback to interior property  
2731 lines only.  
2732 c. In RB zone:  
2733 i. Maximum parking determined through the CUP. Maximum  
2734 parking for tasting and retail should be limited to 1:50 square feet.  
2735 ii. Require a 75 foot setback from RA and R zoned properties, but  
2736 allow that to be reduced to 25 feet with a CUP and subject to  
2737 screening requirements. Applies this setback to interior property  
2738 lines only.

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

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

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

- 2877 temporary use permit process  
2878 viii. Known recommended code changes that would further the  
2879 purposes of the demonstration project.  
2880 h. Expands the final evaluation to start after the 5 years has completed. The  
2881 substance of the evaluation includes:  
2882 i. The information required for the annual reports.  
2883 ii. Evaluation of water use by WBD III.  
2884 iii. Evaluation of parking ratios.  
2885 iv. Outreach and information from project applicants on the efficacy  
2886 of the demonstration project.  
2887 v. Evaluation of special events for the adult beverage industry.  
2888 vi. Evaluation of review timelines for the demonstration project and  
2889 comparison to projects that did not use the demonstration project.  
2890 vii. Evaluation of stormwater and surface water issues.  
2891 viii. Recommended permanent code changes or further demonstration  
2892 projects.  
2893 i. For the final evaluation, require a public comment period on a draft report,  
2894 which includes publishing a notice in area newspapers, requesting  
2895 comments from water purveyors, requesting comments from project  
2896 applicants, providing a copy of the draft report at local libraries, posting a  
2897 copy to Permitting’s website, and filing a copy with the clerk of the  
2898 Council. The public comment period is 45 days.  
2899 j. After the public comment period is over, a final report incorporating the  
2900 public comments is required to be transmitted to the Council within 90  
2901 days, along with a motion to accept the report and a proposed ordinance  
2902 that makes permanent code changes.  
2903 20. An evaluation is added to the ordinance, required to be transmitted in conjunction  
2904 with the final evaluation reports and recommended code changes for the two  
2905 demonstration projects. This evaluation is required to include:  
2906 a. An evaluation of the effectiveness of the citation and civil fine structure.  
2907 b. An evaluation of the impacts that urban uses have on rural character and  
2908 adjacent rural areas.  
2909 c. An analysis of product content requirement adopted as part of this  
2910 ordinance for winery, brewery distillery facilities in the Agriculture zone.  
2911 d. An analysis of winery, brewery, distillery facility I as interim use in the  
2912 Agriculture zone.  
2913 21. Attaches new versions of Attachments A and B to make them map amendments  
2914 as required for demonstration projects.  
2915

2916 **Technical Changes**  
2917

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

REDLINE – FOR ILLUSTRATIVE PURPOSES ONLY

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

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3/11/19  
Draft Chair's Striker

Sponsor: Lambert, Balducci

ea

Proposed No.: 2018-0241

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

2 **1**

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

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

5 **SECTION 1. Findings:**

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

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

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

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

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

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

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

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

58 G. Consistent with Comprehensive Plan policies R-610, R-615 R-633 and R-  
59 677b, the adult beverage industry uses allowed by the ordinance support development of  
60 new markets for local agricultural products and help ensure that agricultural production  
61 districts continue to be economically viable and farmed into the future. By promoting  
62 complimentary relationships with the adult beverage industry, these regulations will help  
63 to improve access to locally grown agricultural products throughout King County.

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

65 102, ED-103 and ED-106 recognize that the Rural Area and Natural Resource Lands  
66 have a role in economic activity in the county. The ordinance aims to implement these  
67 Comprehensive Plan Policies and is focused on protecting the economic value of the  
68 natural environment through traditional land use controls such as minimum lot size  
69 limitations and structural and other impervious surface limitations in Rural Area and  
70 Agricultural zones. The ordinance creates space for new kinds of small, limited-scope  
71 businesses, such as tasting rooms, and small wineries, breweries and distilleries that are  
72 visually compatible with rural character and provide cultural opportunities to enhance the  
73 region's quality of life and economic vitality.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

228 W. Parcels chosen for the remote tasting room demonstration project A in the  
229 Sammamish valley are located directly on an arterial. Parcels chosen for the remote  
230 tasting room demonstration project A on Vashon-Maury Island and in Fall City are zoned  
231 Community Business, and are inside the boundaries of the designed Rural Town. The  
232 parcel selection complies with the policies in the Comprehensive Plan. For instance, the  
233 Comprehensive Plan states that "[t]he purposes of Rural Town designations within the  
234 Comprehensive Plan are to recognize existing concentrations of higher density and  
235 economic activity in Rural Areas and to allow modest growth of residential and economic  
236 uses to keep them economically viable into the future." Comprehensive Plan Policy R-  
237 507 states, in part, "Rural Towns serve as activity centers for the Rural Area and Natural  
238 Resource Lands and may be served by a range of utilities and services, and may include  
239 several or all of the following land uses, if supported by necessary utilities and other  
240 services and if scaled and designed to protect rural character: a. Retail, commercial, and  
241 industrial uses to serve the surrounding Rural Area and Natural Resource Lands  
242 population...c. Other retail, commercial, and industrial uses, such as resource industries,  
243 tourism, commercial recreation, and light industry." Tasting rooms are similar to other,  
244 more intensive uses contained within the stated categories and may be appropriately  
245 located in Rural Towns.

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

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

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

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

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

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

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

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

270 A person or entity shall not operate or maintain an adult beverage business in

271 unincorporated King County unless the business has obtained a business license issued by  
272 the director as provided by this chapter. A current adult beverage business license issued  
273 under this chapter shall be prominently displayed on the licensed premises. The adult  
274 beverage business licensee shall comply with all applicable laws.

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

277 An application for an adult beverage business license or license renewal must be  
278 submitted in the name of the person, the persons or the entity proposing to operate the  
279 business. The application shall be signed by each person, or a responsible principal or  
280 officer of the entity proposing to operate the business, certified as true under penalty of  
281 perjury. All applications shall be submitted on a form supplied by the director, and shall  
282 include the following:

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

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

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

293 D. For businesses in the A zone, a signed statement that at least sixty percent of

294 the products to be used by the business are grown on-site, as prescribed under K.C.C.  
295 21A.08.030 and 21A.08.080, or for winery, brewery, distillery I businesses in the A zone,  
296 that at least sixty percent of the products to be used by the business are grown in Puget  
297 Sound counties, as defined in K.C.C. chapter 21A.06.

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

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

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

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

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

314 An adult beverage business license expires one year from the date the business  
315 license is issued by the department of local services, permitting division. To avoid a lapse  
316 in the effectiveness of a license, an application to renew a license must be submitted to

317 the director, on a form provided by the director, at least thirty days before the expiration  
318 of the business license. An adult beverage business license renewal expires one year  
319 from the previous license's expiration date.

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

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

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

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

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

332 NEW SECTION. SECTION 13. There is hereby added to K.C.C. chapter  
333 21A.06 a new section to read as follows:

334 Remote tasting room: A small facility licensed by the Washington state Liquor and  
335 Cannabis Board and limited to the following non-retail liquor licenses: a Craft Distillery; a  
336 Tasting Room - Additional Location for a winery licensed as a Domestic Winery; or a  
337 Microbrewery, including, but not limited to, a Microbrewery operating in accordance with  
338 an off-site tavern license subject to the retail sale limitations for a Microbrewery in WAC  
339 314-20-015(1). "Remote tasting room" does not include any additional privileges allowed

340 for such licenses or approvals or any use that would require a license under chapter 314-02  
341 WAC, except as specifically set forth in this chapter.

342 NEW SECTION. SECTION 14. There is hereby added to K.C.C. chapter  
343 21A.06 a new section to read as follows:

344 Winery, brewery, distillery facility I: A very small-scale production facility  
345 licensed by the state of Washington to produce adult beverages such as wine, cider, beer  
346 and distilled spirits, and that includes an adult beverage production use such as crushing,  
347 fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility I  
348 may include additional production-related uses such as vineyards, orchards, wine cellars or  
349 similar product-storage areas as authorized by state law. On-site product tasting or retail  
350 sale of merchandise as authorized by state law is limited. "Winery, brewery, distillery  
351 facility I" does not include any retail liquor licenses that would be authorized by chapter  
352 314-02 WAC.

353 NEW SECTION. SECTION 15. There is hereby added to K.C.C. chapter  
354 21A.06 a new section to read as follows:

355 Winery, brewery, distillery facility I interim use permit: A term-limited permit  
356 for a winery, brewery, distillery facility I in the Agriculture zone. A winery, brewery,  
357 distillery facility I interim use permit is a one-time approval, effective for one year, with  
358 four annual renewals possible for up to five years. After the interim use permit or any  
359 renewals have expired, a winery, brewery, distillery facility I interim use is required to  
360 either comply with zoning conditions for a winery, brewery, distillery facility II or III use,  
361 and meet the requirements of one of those uses, or cease operations and vacate the site.  
362 Applications for a winery, brewery, distillery facility I interim use permit may only be

363 accepted by the permitting division within five years of the effective date of this ordinance.  
364 The time limitations on a winery, brewery, distillery facility I interim use permit do not  
365 apply to agricultural uses such as vineyards and orchards.

366 NEW SECTION. SECTION 16. There is hereby added to K.C.C. chapter  
367 21A.06 a new section to read as follows:

368 Winery, brewery, distillery facility II: A small-scale production facility licensed  
369 by the state of Washington to produce adult beverages such as wine, cider, beer and  
370 distilled spirits and that includes an adult beverage production use such as crushing,  
371 fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility II  
372 may include additional production-related uses such as vineyards, orchards, wine cellars or  
373 similar product-storage areas as authorized by state law, on-site product tasting and sales as  
374 authorized by state law and sales of merchandise related to products available for tasting as  
375 authorized by state law. "Winery, brewery, distillery facility II" does not include any retail  
376 liquor licenses that would be authorized by chapter 314-02 WAC.

377 NEW SECTION. SECTION 17. There is hereby added to K.C.C. chapter  
378 21A.06 a new section to read as follows:

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

386 law. "Winery, brewery, distillery facility III" does not include any retail liquor licenses that  
 387 would be authorized by chapter 314-02 WAC.

388 SECTION 18. Ordinance 10870, Section 330, as amended, and K.C.C.

389 21A.08.030 are each hereby amended to read as follows:

390 A. Residential land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	<b>DWELLING UNITS, TYPES:</b>												
*	Single Detached	P C12	P2		P C12	P C12	P C12	P C12	P15				
*	Townhouse				C4	C4	P11 C12	P	P3	P3	P3	P3	
*	Apartment				C4	C4	P5 C5	P	P3	P3	P3	P3	
*	Mobile Home Park				S13		C8	P					
*	Cottage Housing						P15						
	<b>GROUP RESIDENCES:</b>												
*	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	
	<b>ACCESSORY USES:</b>												

*	Residential Accessory Uses	P7 P19	P7		P7 P17 C17	P7							
*	Home Occupation	P18	P18		P18	P18	P18	P18	P18	P18	P18	P18	
*	Home Industry	C			C	C	C						
	<b>TEMPORARY LODGING:</b>												
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		

391

B. Development conditions.

392

1. Except bed and breakfast guesthouses.

393

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

394

a. Site disturbance associated with development of any new residence shall be

395

limited to three acres. Site disturbance shall mean all land alterations including, but not

396

limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage

397

disposal systems and driveways. Additional site disturbance for agriculture, including

398

raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be

399

approved only if a farm management plan is prepared in accordance with K.C.C. chapter

400

21A.30. Animal densities shall be based on the area devoted to animal care and not the

401

total area of the lot;

402

b. A forest management plan shall be required for any new residence in the

403

forest production district, that shall be reviewed and approved by the King County

404

department of natural resources and parks before building permit issuance; and

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

407 3. Only as part of a mixed use development subject to the conditions of K.C.C.  
408 chapter 21A.14, except that in the NB zone on properties with a land use designation of  
409 commercial outside of center (CO) in the urban areas, stand-alone townhouse  
410 developments are permitted subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060 and  
411 21A.14.180.

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

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

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

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

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

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

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

425 7.a. Accessory dwelling units:

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

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

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

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

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

432 (3) The primary dwelling unit or the accessory dwelling unit shall be owner  
433 occupied;

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

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

440 (5) On a site zoned RA:

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

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

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

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

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

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

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

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

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

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

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

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

474 a. Serving meals shall be limited to paying guests; and  
475 b. The number of persons accommodated per night shall not exceed five,  
476 except that a structure that satisfies the standards of the International Building Code as  
477 adopted by King County for R-1 occupancies may accommodate up to ten persons per  
478 night.

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

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

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

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

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

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

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

492 a. developments no larger than one acre;

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

495 c. All units must be cottage housing units with no less than three units and no  
496 more than sixteen units, provided that if the site contains an existing home that is not

497 being demolished, the existing house is not required to comply with the height limitation  
498 in K.C.C. 21A.12.020.B.25. or the floor area and footprint limits in K.C.C.

499 21A.14.025.B; and

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

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

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

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

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

508 17. ~~((Repealed-))~~ a. The aggregated floor area of structures and areas for  
509 winery, brewery, distillery facility uses shall not exceed one thousand five hundred  
510 square feet;

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

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

518 d. Parking shall be provided as follows:

519 (1) in addition to the required parking for the dwelling, one on-site parking

520 stall shall be provided if a nonresident is employed to work on-site;

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

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

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

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

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

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

543 allowed; and

544 (2) in all other areas of the county, for products produced on-site, tasting of  
545 products may be provided in accordance with state law. The area devoted to tasting shall  
546 be included in the aggregated floor area limitation in subsection B.17.a. of this section.  
547 Tastings shall be limited to appointment only; and appointments may only occur  
548 Mondays, Tuesdays, Wednesdays and Thursdays, between 11:00 a.m. through 7:00 p.m.  
549 and Fridays, Saturdays and Sundays, between 11:00 a.m. through 9:00 p.m. All tastings  
550 shall be indoors;

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

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

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

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

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

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

565 (4) The permitting division shall apply the review criteria for temporary use

566 permits in K.C.C. 21A.44.020 to winery, brewery, distillery facility I interim use permit  
567 applications;

568 (5) If approved, a winery, brewery, distillery facility I interim use permit shall  
569 be effective for one year from the date of issuance and may be renewed up to four times  
570 annually, subject to the provisions for a temporary use permit provided in K.C.C.  
571 21A.32.120.D.;

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

576 (7) A winery, brewery, distillery facility I interim use permit shall, no later  
577 than the expiration of the original approval or any extension granted by the permitting  
578 division, whichever is later, either:

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

581 (b) cease operations and vacate a site;

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

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

588 d. Structures and parking areas for winery, brewery, distillery facility uses

589 shall be set back a minimum distance of seventy-five feet from interior property lines  
590 adjoining rural area and residential zones, unless located in a building designated as  
591 historic resource under K.C.C. chapter 20.62;

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

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

594 g. Parking shall be provided as follows:

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

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

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

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

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

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

620 k. Product tasting shall not be allowed;

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

623 m. Special events shall not be allowed; and

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

628 SECTION 19. Ordinance 10870, Section 334, as amended, and K.C.C.

629 21A.08.070 are each hereby amended to read as follows:

630 A. Retail land uses.

P-Permitted Use		RESOURCE			RURA	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
C-Conditional Use					L								
S-Special Use													
SIC	SPECIFIC	A	F	M	RA	UR	R1-	R12	NB	CB	RB	O	I
#	LAND USE						8	-48					(30)
													)

*	Building Materials and Hardware Stores		P2 3						P2	P	P		
*	Retail Nursery, Garden Center and Farm Supply Stores	P1 C1			P1 C1				P	P	P		
*	Forest Products Sales	P3 and 4	P4		P3 and 4						P		
*	Department and Variety Stores					C14 a	P14	P5	P	P			
54	Food Stores					C15 a	P15	P	P	P	C		P6
*	Agricultural Product Sales (28)						P25	P25	P25	P25	P2 5		P25
*	Farmers Market	P24	P2 4		P24	P24	P24	P24	P24	P24	P24	P2 4	P24
*	Motor Vehicle and Boat Dealers										P8		P
553	Auto Supply Stores									P9	P9		P
554	Gasoline Service Stations								P	P	P		P

56	Apparel and Accessory Stores									P	P		
*	Furniture and Home Furnishings Stores									P	P		
58	Eating and Drinking Places				P21 C19		P20 C16	P20 P16	P10	P	P	P	P
*	<u>Remote Tasting Room (13)</u>									<u>P7</u>	<u>P7</u>		
*	Drug Stores						C15	P15	P	P	P	C	
*	Marijuana retailer									P26 C2 7	P26 C2 7		
592	Liquor Stores	((P13) )			((P13)) )	((P13) )			((P13) )	P	P		
593	Used Goods: Antiques/ Secondhand Shops									P	P		
*	Sporting Goods and Related Stores			P2 2	P22	P22	P22	P22	P22	P	P	P2 2	P22
*	Book, Stationery, Video and Art Supply Stores						C15 a	P15	P	P	P		

*	Jewelry Stores									P	P		
*	Monuments, Tombstones, and Gravestones										P		
*	Hobby, Toy, Game Shops								P	P	P		
*	Photographic and Electronic Shops								P	P	P		
*	Fabric Shops									P	P		
598	Fuel Dealers									C1 1	P		P
*	Florist Shops						C15 a	P15	P	P	P	P	
*	Personal Medical Supply Stores									P	P		
*	Pet Shops								P	P	P		
*	Bulk Retail									P	P		
*	Auction Houses										P12		P
*	Livestock Sales (28)												P

631

B. Development conditions.

632

1.a. As a permitted use, covered sales areas shall not exceed a total area of two

633

thousand square feet, unless located in a building designated as historic resource under

634

K.C.C. chapter 20.62. With a conditional uses permit, covered sales areas of up to three

635

thousand five hundred square feet may be allowed. Greenhouses used for the display of

636 merchandise other than plants shall be considered part of the covered sales area.  
637 Uncovered outdoor areas used to grow or display trees, shrubs, or other plants are not  
638 considered part of the covered sales area;

- 639       b. The site area shall be at least four and one-half acres;
- 640       c. Sales may include locally made arts and crafts; and
- 641       d. Outside lighting is permitted if no off-site glare is allowed.

642       2. Only hardware stores.

643       3.a. Limited to products grown on site.

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

645       4. No permanent structures or signs.

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

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

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

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

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

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

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

655       12. Excluding vehicle and livestock auctions.

656       13. ~~((Only as accessory to a winery or SIC Industry No. 2082 Malt Beverages,~~  
657 ~~and limited to sales of products produced on site and incidental items where the majority~~

658 ~~of sales are generated from products produced on site))~~ Permitted as part of the  
659 demonstration project authorized by section 29 of this ordinance.

660 14.a. Not in R-1 and limited to SIC Industry No. 5331-Variety Stores, limited to  
661 a maximum of five thousand square feet of gross floor area, and subject to K.C.C.  
662 21A.12.230; and

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

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

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

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

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

674 17. Repealed.

675 18. Repealed.

676 19. Only as:

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

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

682                    20. Only as:

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

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

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

688                    22. Only as an accessory use to:

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

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

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

694                    a. limited to lumber milled on site; and

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

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

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

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

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

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

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

706 properties.

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

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

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

710 aggregated total gross floor area devoted to, and in support of, the retail sale of marijuana

711 may be increased to up to three thousand square feet if the retail outlet devotes at least

712 five hundred square feet to the sale, and the support of the sale, of medical marijuana, and

713 the operator maintains a current medical marijuana endorsement issued by the

714 Washington state Liquor and Cannabis Board.

715           c. Any lot line of a lot having any area devoted to retail marijuana activity

716 must be one thousand feet or more from any lot line of any other lot having any area

717 devoted to retail marijuana activity; and a lot line of a lot having any area devoted to new

718 retail marijuana activity may not be within one thousand feet of any lot line of any lot

719 having any area devoted to existing retail marijuana activity.

720           d. Whether a new retail marijuana activity complies with this locational

721 requirement shall be determined based on the date a conditional use permit application

722 submitted to the department of local services, permitting division, became or was deemed

723 complete, and:

724           (1) if a complete conditional use permit application for the proposed retail

725 marijuana use was not submitted, or if more than one conditional use permit application

726 became or was deemed complete on the same date, then the director shall determine  
727 compliance based on the date the Washington state Liquor and Cannabis Board issues a  
728 Notice of Marijuana Application to King County;

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

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

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

746 e. Retail marijuana businesses licensed by the Washington state Liquor and  
747 Cannabis Board and operating within one thousand feet of each other as of August 14,  
748 2016, and retail marijuana businesses that do not require a permit issued by King County,

749 that received a Washington state Liquor and Cannabis Board license to operate in a  
750 location within one thousand feet of another licensed retail marijuana business prior to  
751 August 14, 2016, and that King County did not object to within the Washington state  
752 Liquor and Cannabis Board marijuana license application process, shall be considered  
753 nonconforming and may remain in their current location, subject to the provisions of  
754 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

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

756 and

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

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

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

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

770 (1) if a complete conditional use permit application for the proposed retail  
771 marijuana use was not submitted, or if more than one conditional use permit application

772 became or was deemed complete on the same date, then the director shall determine  
773 compliance based on the date the Washington state Liquor and Cannabis Board issues a  
774 Notice of Marijuana Application to King County;

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

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

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

792 c. Retail marijuana businesses licensed by the Washington state Liquor and  
793 Cannabis Board and operating within one thousand feet of each other as of August 14,  
794 2016, and retail marijuana businesses that do not require a permit issued by King County,

795 that received a Washington state Liquor and Cannabis Board license to operate in a  
 796 location within one thousand feet of another licensed retail marijuana business prior to  
 797 August 14, 2016, and that King County did not object to within the Washington state  
 798 Liquor and Cannabis Board marijuana license application process, shall be considered  
 799 nonconforming and may remain in their current location, subject to the provisions of  
 800 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

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

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

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

807 SECTION 20. Ordinance 10870, Section 335, as amended, and K.C.C.  
 808 21A.08.080 are each hereby amended to read as follows:

809 A. Manufacturing land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1- 8	R12- 48	NB	CB	RB	O	I (11)
20	Food and Kindred Products (28)								P2	P2	P2		P2 C
<del>2082</del> 2085)	Winery/Brewery/Distillery Facility II	P3 <del>(C12)</del> C3			P3 C3 C <del>(12)</del> 30	<del>(P3)</del>			P17 C17	P17 C17	P29 C29		P31 C31
*	Winery/Brewery/Distillery Facility III	C12			C12				C29	C29	C29		C31

*	Materials Processing Facility		P13 C	P14 C15	P16 C								P
22	Textile Mill Products												C
23	Apparel and other Textile Products									C			P
24	Wood Products, except furniture	P4 P18	P4 P18 C5		P4 P18 C5	P4					C6		P
25	Furniture and Fixtures		P19		P19						C		P
26	Paper and Allied Products												C
27	Printing and Publishing							P7	P7	P7C	P7C		P
*	Marijuana Processor I	P20			P27				P21 C22	P21 C22			
*	Marijuana Processor II								P23 C24	P23 C24			P25 C26
28	Chemicals and Allied Products												C
2911	Petroleum Refining and Related Industries												C
30	Rubber and Misc. Plastics Products												C
31	Leather and Leather Goods									C			P
32	Stone, Clay, Glass and Concrete Products								P6	P9			P
33	Primary Metal Industries												C
34	Fabricated Metal Products												P
35	Industrial and Commercial Machinery												P
351-55	Heavy Machinery and Equipment												C
357	Computer and Office Equipment									C	C		P

36	Electronic and other Electric Equipment											C		P
374	Railroad Equipment													C
376	Guided Missile and Space Vehicle Parts													C
379	Miscellaneous Transportation Vehicles													C
38	Measuring and Controlling Instruments											C	C	P
39	Miscellaneous Light Manufacturing											C		P
*	Motor Vehicle and Bicycle Manufacturing													C
*	Aircraft, Ship and Boat Building													P10C
7534	Tire Retreading											C		P
781-82	Movie Production/Distribution											P		P

810 B. Development conditions.

811 1. Repealed.

812 2. Except slaughterhouses.

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

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

815 ~~b.))~~ In the A zone, only allowed on sites where the primary use is SIC Industry

816 Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small

817 Animals;

818 (~~e. In the RA and UR zones, e))~~ b. Only allowed on lots of at least (~~four~~)

819 two and one-half acres;

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

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

834           ~~((f.))~~ e. In the A zone, ~~((S))~~ sixty percent or more of the products processed  
835 must be grown ~~((in the Puget Sound counties))~~ on-site. At the time of the initial  
836 application under K.C.C. chapter 6.xx (the new chapter created in section 2 of this  
837 ordinance), the applicant shall submit a projection of the source of products to be  
838 produced; ~~((and~~

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

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

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

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

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

857 k. Off-street parking is limited to a maximum of one space per 50 square feet  
858 of tasting and retail area, except for winery, brewery, distillery facility II business  
859 locations licensed to produce by the Washington state Liquor and Cannabis Board before  
860 January 1, 2019, without objection from King County during the license application  
861 processes, and that signed a settlement agreement with King County before January 1,  
862 2019, parking spaces exceeding the limits of this section shall be considered  
863 nonconforming and may continue, subject to the provisions of K.C.C. 21A.32.020  
864 through 21A.32.075. Such parking spaces remain subject to all other applicable state and

865 local regulations;

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

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

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

873 5. Limited to SIC Industry Group No. 242-Sawmills and SIC Industry No.  
874 2431-Millwork. For RA zoned sites, if using lumber or timber grown off-site, the  
875 minimum site area is four and one-half acres.

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

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

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

880 9. Only within enclosed buildings.

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

882 11. For I-zoned sites located outside the urban growth area designated by the  
883 King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C.  
884 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for  
885 rural industrial uses as set forth in K.C.C. chapter 21A.12.

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

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

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

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

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

909           d. ~~Off street parking is limited to one hundred and fifty percent of the~~  
910 ~~minimum requirement for wineries, breweries or distilleries specified in K.C.C.~~  
911 ~~21A.18.030;))~~

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

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

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

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

925           g. ~~The facility shall be limited to processing agricultural products and))~~ In the  
926 A zone, sixty percent or more of the products processed must be grown ~~((in the Puget~~  
927 ~~Sound counties))~~ on-site. At the time of the initial application under K.C.C. chapter 6.xx  
928 (the new chapter created in section 2 of this ordinance), the applicant shall submit a  
929 projection of the source of products to be processed; ~~((and))~~

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

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

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

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

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

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

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

953 ordinance); and

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

955 chapter 21A.32.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

999                    f. Events may be allowed with an approved temporary use permit under K.C.C.  
1000 chapter 21A.32.

1001                    18. Limited to:

1002                    a. SIC Industry Group No. 242-Sawmills and SIC Industry No. 2431-  
1003 Millwork, as follows:

1004                    (1) If using lumber or timber grown off-site, the minimum site area is four  
1005 and one-half acres;

1006                    (2) The facility shall be limited to an annual production of no more than one  
1007 hundred fifty thousand board feet;

1008                    (3) Structures housing equipment used in the operation shall be located at  
1009 least one-hundred feet from adjacent properties with residential or rural area zoning;

1010                    (4) Deliveries and customer visits shall be limited to the hours of 8:00 a.m. to  
1011 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

1012                    (5) In the RA zone, the facility's driveway shall have adequate entering sight  
1013 distance required by the 2007 King County Road Design and Construction Standards. An  
1014 adequate turn around shall be provided on-site to prevent vehicles from backing out on to  
1015 the roadway that the driveway accesses; and

1016                    (6) Outside lighting is limited to avoid off-site glare; and

1017                    b. SIC Industry No. 2411-Logging.

1018                    19. Limited to manufacture of custom made wood furniture or cabinets.

1019                    20.a. Only allowed on lots of at least four and one-half acres;

1020                    b. Only as an accessory use to a Washington state Liquor Control Board  
1021 licensed marijuana production facility on the same lot;

1022 c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1023 d. Only with documentation that the operator has applied for a Puget Sound

1024 Clean Air Agency Notice of Construction Permit. All department permits issued to either

1025 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1026 Clean Air Agency Notice of Construction Permit be approved before marijuana products

1027 are imported onto the site; and

1028 e. Accessory marijuana processing uses allowed under this section are subject

1029 to all limitations applicable to marijuana production uses under K.C.C. 21A.08.090.

1030 21.a. Only in the CB and RB zones located outside the urban growth area;

1031 b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1032 c. Only with documentation that the operator has applied for a Puget Sound

1033 Clean Air Agency Notice of Construction Permit. All department permits issued to either

1034 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1035 Clean Air Agency Notice of Construction Permit be approved before marijuana products

1036 are imported onto the site;

1037 d. Per lot, the aggregated total gross floor area devoted to the use of, and in

1038 support of, processing marijuana together with any separately authorized production of

1039 marijuana shall be limited to a maximum of two thousand square feet; and

1040 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and

1041 every marijuana-related entity occupying space in addition to the two-thousand-square-

1042 foot threshold area on that lot shall obtain a conditional use permit as set forth in

1043 subsection B.22. of this section.

1044 22.a. Only in the CB and RB zones located outside the urban growth area;

1045           b. Per lot, the aggregated total gross floor area devoted to the use of, and in  
1046 support of, processing marijuana together with any separately authorized production of  
1047 marijuana shall be limited to a maximum of thirty thousand square feet;

1048           c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.; and

1049           d. Only with documentation that the operator has applied for a Puget Sound  
1050 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1051 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1052 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1053 are imported onto the site.

1054           23.a. Only in the CB and RB zones located inside the urban growth area;

1055           b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1056           c. Only with documentation that the operator has applied for a Puget Sound  
1057 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1058 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1059 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1060 are imported onto the site;

1061           d. Per lot, the aggregated total gross floor area devoted to the use of, and in  
1062 support of, processing marijuana together with any separately authorized production of  
1063 marijuana shall be limited to a maximum of two thousand square feet; and

1064           e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
1065 every marijuana-related entity occupying space in addition to the two-thousand-square-  
1066 foot threshold area on that lot shall obtain a conditional use permit as set forth in  
1067 subsection B.24. of this section.

1068           24.a. Only in the CB and RB zones located inside the urban growth area;  
1069           b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1070           c. Only with documentation that the operator has applied for a Puget Sound  
1071 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1072 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1073 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1074 are imported onto the site; and

1075           d. Per lot, the aggregated total gross floor area devoted to the use of, and in  
1076 support of, processing marijuana together with any separately authorized production of  
1077 marijuana shall be limited to a maximum of thirty thousand square feet.

1078           25.a. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1079           b. Only with documentation that the operator has applied for a Puget Sound  
1080 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1081 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1082 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1083 are imported onto the site; and

1084           c. Per lot, limited to a maximum aggregate total of two thousand square feet of  
1085 gross floor area devoted to, and in support of, the processing of marijuana together with  
1086 any separately authorized production of marijuana.

1087           26.a. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1088           b. Only with documentation that the operator has applied for a Puget Sound  
1089 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1090 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1091 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1092 are imported onto the site; and

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

1096 27.a. Marijuana processors in all RA zoned areas except for Vashon-Maury  
1097 Island, that do not require a conditional use permit issued by King County, that receive a  
1098 Washington state Liquor and Cannabis Board license business prior to October 1, 2016,  
1099 and that King County did not object to within the Washington state Liquor and Cannabis  
1100 Board marijuana license application process, shall be considered nonconforming as to  
1101 subsection B.27.e. of this section, subject to the provisions of K.C.C. 21A.32.020 through  
1102 21A.32.075 for nonconforming uses;

1103 b. Only with a lighting plan that complies with K.C.C. 21A.12.220.G.;

1104 c. Only with documentation that the operator has applied for a Puget Sound  
1105 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1106 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1107 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1108 are imported onto the site;

1109 d. Only allowed on lots of at least four and on-half acres on Vashon-Maury  
1110 Island;

1111 e. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,  
1112 except on Vashon-Maury Island;

1113 f. Only as an accessory use to a Washington state Liquor Cannabis Board  
1114 licensed marijuana production facility on the same lot; and

1115 g. Accessory marijuana processing uses allowed under this section are subject to  
1116 all limitations applicable to marijuana production uses under K.C.C. 21A.08.090.

1117 28. If the food and kindred products manufacturing or processing is associated  
1118 with agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

1119 29.a. Tasting and retail sales of products produced on site, and merchandise  
1120 related to the products produced on-site, may be provided in accordance with state law;

1121 b. Structures and parking areas for winery, brewery, distillery facility uses shall  
1122 maintain a minimum distance of seventy-five feet from interior property lines adjoining  
1123 rural area and residential zones, unless located in a building designated as historic  
1124 resource under K.C.C. chapter 20.62. As part of the review of a conditional use permit,  
1125 the setback may be reduced to twenty-five feet if there is sufficient screening between the  
1126 proposed use and adjacent rural area and residential zones;

1127 c. For winery, brewery, distillery facility uses that do not require a conditional  
1128 use permit, off-street parking for the tasting and retail areas shall be limited to a  
1129 maximum of one space per fifty square feet of tasting and retail areas. For winery,  
1130 brewery, distillery facility uses that do require a conditional use permit, off-street parking  
1131 maximums shall be determined through the conditional use permit process, and the  
1132 parking ratio for the tasting and retail areas should be limited to a maximum of one space  
1133 per fifty square feet of tasting and retail areas;

1134 d. The business operator shall obtain an adult beverage business license in  
1135 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this

1136 ordinance); and

1137 e. Events may be allowed with an approved temporary use permit under K.C.C.

1138 chapter 21A.32.

1139 30.a. Only allowed on lots of at least two and one-half acres;

1140 b. The aggregated floor area of structures and areas for winery, brewery,

1141 distillery facility uses shall not exceed three thousand five hundred square feet, unless

1142 located in whole or in part in a structure designated as historic resource under K.C.C.

1143 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to

1144 winery, brewery, distillery facility uses shall not exceed five thousand square feet. Decks

1145 that are not occupied and not open to the public are excluded from the calculation for

1146 maximum aggregated floor area;

1147 c. Structures and parking areas for winery, brewery, distillery facility uses

1148 shall maintain a minimum distance of seventy-five feet from interior property lines

1149 adjoining rural area and residential zones, unless located in a building designated as

1150 historic resource under K.C.C. chapter 20.62. As part of the review of the conditional use

1151 permit, the setback may be reduced to twenty-five feet if there is sufficient screening

1152 between the proposed use and adjacent rural area and residential zones;

1153 d. Tasting of products produced on-site may be provided in accordance with

1154 state law. The area devoted to tasting shall be included in the floor area limitation in

1155 subsection B.30.b. of this section. Hours of operation for on-site tasting of products shall

1156 be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting room

1157 hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and

1158 Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;

1159           e. Incidental retail sales of products produced on-site and merchandise related  
1160 to the products produced on-site is allowed;

1161           f. On a site with direct access to a public roadway;

1162           g. Off-street parking for tasting and retail areas is limited to a maximum of one  
1163 space per fifty square feet of tasting and retail areas, except for winery, brewery,  
1164 distillery facility II business locations licensed to produce by the Washington state Liquor  
1165 and Cannabis Board before January 1, 2019, without objection from King County during  
1166 the license application processes, and that signed a settlement agreement with King  
1167 County before January 1, 2019, parking spaces exceeding the limits of this section shall  
1168 be considered nonconforming and may continue, subject to K.C.C. 21A.32.020 through  
1169 21A.32.075. Such parking spaces remain subject to all other applicable state and local  
1170 regulations;

1171           h. The business operator shall obtain an adult beverage business license in  
1172 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this  
1173 ordinance);

1174           i. Events may be allowed with an approved temporary use permit under K.C.C.  
1175 chapter 21A.32; and

1176           j. At least two stages of production of wine, beer, cider or distilled spirits, such  
1177 as crushing, fermenting, barrel or tank aging, or finishing, as authorized by the  
1178 Washington state Liquor and Cannabis Board production license, shall occur on-site.

1179           31.a. Limited to businesses with non-retail brewery and distillery production  
1180 licenses from the Washington state Liquor and Cannabis board. Wineries and remote  
1181 tasting rooms for wineries shall not be allowed;

1182            b. Tasting and retail sale of products produced on site, and merchandise related  
1183 to the products produced on-site, may be provided in accordance with state law. The area  
1184 devoted to tasting shall not exceed one thousand five hundred square feet;

1185            c. Structures and parking areas for winery, brewery, distillery facility uses shall  
1186 maintain a minimum distance of seventy-five feet from interior property lines adjoining  
1187 rural area and residential zones, unless located in a building designated as historic  
1188 resource under K.C.C. chapter 20.62. As part of the review of a conditional use permit,  
1189 the setback may be reduced to twenty-five feet if there is sufficient screening between the  
1190 proposed use and adjacent rural area and residential zones;

1191            d. For winery, brewery, distillery facility uses that do not require a conditional  
1192 use permit, off-street parking for the tasting and retail areas shall be limited to a  
1193 maximum of one space per fifty square feet of tasting and retail areas. For winery,  
1194 brewery, distillery facility uses that do require a conditional use permit, off-street parking  
1195 maximums shall be determined through the conditional use permit process, and the  
1196 parking ratio for the tasting and retail areas should be limited to a maximum of one space  
1197 per fifty square feet of tasting and retail areas;

1198            e. The business operator shall obtain an adult beverage business license in  
1199 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this  
1200 ordinance); and

1201            f. Events may be allowed with an approved temporary use permit under K.C.C.  
1202 chapter 21A.32.

1203            SECTION 21. Ordinance 10870, Section 336, as amended, and K.C.C.  
1204 21A.08.090 are each hereby amended to read as follows:

A. Resource land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC#	SPECIFIC LAND USE	A	F	M		RA	UR	R1- 8	R12 -48	NB	CB	RB	O
	<b>AGRICULTURE:</b>												
01	Growing and Harvesting Crops	P	P		P	P	P						P
02	Raising Livestock and Small Animals (6)	P	P		P	P							P
*	Agricultural Activities	P24 C	P24 C		P24 C	P24 C							
*	Agricultural Support Services	P25 C	P25 C		P26 C	P26 C	P26 C		P27 C28	P27 C28			
*	Marijuana producer	P15 C22			P16 C17					P18 C19	P18 C19		P20 C21
*	Agriculture Training Facility	C10											
*	Agriculture-related special needs camp	P12											
*	Agricultural Anaerobic Digester	P13											
	<b>FORESTRY:</b>												
08	Growing & Harvesting Forest Production	P	P	P7	P	P	P						P
*	Forest Research		P		P	P						P2	P
	<b>FISH AND WILDLIFE MANAGEMENT:</b>												
0921 (1)	Hatchery/Fish Preserve	P	P		P	P	C						P

0273	Aquaculture (1)	P	P		P	P	C							P
*	Wildlife Shelters	P	P		P	P								
	<b>MINERAL:</b>													
10,12,14	Mineral Extraction and Processing		P9 C	P C1 1										
2951, 3271, 3273	Asphalt/Concrete Mixtures and Block		P8 C1 1	P8 C1 1										P
	<b>ACCESSORY USES:</b>													
*	Resource Accessory Uses	P3 P23	P4	P5	P3	P3								P4
*	Farm Worker Housing	P14			P14									

1206

B. Development conditions.

1207

1. May be further subject to K.C.C. chapter 21A.25.

1208

2. Only forest research conducted within an enclosed building.

1209

3. Farm residences in accordance with K.C.C. 21A.08.030.

1210

4. Excluding housing for agricultural workers.

1211

5. Limited to either maintenance or storage facilities, or both, in conjunction

1212

with mineral extraction or processing operation.

1213

6. Allowed in accordance with K.C.C. chapter 21A.30.

1214

7. Only in conjunction with a mineral extraction site plan approved in

1215

accordance with K.C.C. chapter 21A.22.

1216

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

1217

documented legal control, which includes, but is not limited to, fee simple ownership, a

1218

long-term lease or an easement:

1219

a. as accessory to a primary mineral extraction use;

1220                   b. as a continuation of a mineral processing only for that period to complete  
1221 delivery of products or projects under contract at the end of a mineral extraction; or

1222                   c. for a public works project under a temporary grading permit issued in  
1223 accordance with K.C.C. 16.82.152.

1224                   9. Limited to mineral extraction and processing:

1225                   a. on a lot or group of lots under common ownership or documented legal  
1226 control, which includes but is not limited to, fee simple ownership, a long-term lease or  
1227 an easement;

1228                   b. that are located greater than one-quarter mile from an established residence;  
1229 and

1230                   c. that do not use local access streets that abut lots developed for residential  
1231 use.

1232                   10. Agriculture training facilities are allowed only as an accessory to existing  
1233 agricultural uses and are subject to the following conditions:

1234                   a. The impervious surface associated with the agriculture training facilities  
1235 shall comprise not more than ten percent of the allowable impervious surface permitted  
1236 under K.C.C. 21A.12.040;

1237                   b. New or the expansion of existing structures, or other site improvements,  
1238 shall not be located on class 1, 2 or 3 soils;

1239                   c. The director may require reuse of surplus structures to the maximum extent  
1240 practical;

1241                   d. The director may require the clustering of new structures with existing  
1242 structures;

1243 e. New structures or other site improvements shall be set back a minimum  
1244 distance of seventy-five feet from property lines adjoining rural area and residential  
1245 zones;

1246 f. Bulk and design of structures shall be compatible with the architectural style  
1247 of the surrounding agricultural community;

1248 g. New sewers shall not be extended to the site;

1249 h. Traffic generated shall not impede the safe and efficient movement of  
1250 agricultural vehicles, nor shall it require capacity improvements to rural roads;

1251 i. Agriculture training facilities may be used to provide educational services to  
1252 the surrounding rural/agricultural community or for community events. Property owners  
1253 may be required to obtain a temporary use permit for community events in accordance  
1254 with K.C.C. chapter 21A.32;

1255 j. Use of lodging and food service facilities shall be limited only to activities  
1256 conducted in conjunction with training and education programs or community events  
1257 held on site;

1258 k. Incidental uses, such as office and storage, shall be limited to those that  
1259 directly support education and training activities or farm operations; and

1260 l. The King County agriculture commission shall be notified of and have an  
1261 opportunity to comment upon all proposed agriculture training facilities during the permit  
1262 process in accordance with K.C.C. chapter 21A.40.

1263 11. Continuation of mineral processing and asphalt/concrete mixtures and block  
1264 uses after reclamation in accordance with an approved reclamation plan.

1265           12.a. Activities at the camp shall be limited to agriculture and agriculture-  
1266 oriented activities. In addition, activities that place minimal stress on the site's  
1267 agricultural resources or activities that are compatible with agriculture are permitted.

- 1268           (1) passive recreation;
- 1269           (2) training of individuals who will work at the camp;
- 1270           (3) special events for families of the campers; and
- 1271           (4) agriculture education for youth.

1272           b. Outside the camp center, as provided for in subsection B.12.e. of this  
1273 section, camp activities shall not preclude the use of the site for agriculture and  
1274 agricultural related activities, such as the processing of local food to create value-added  
1275 products and the refrigeration and storage of local agricultural products. The camp shall  
1276 be managed to coexist with agriculture and agricultural activities both onsite and in the  
1277 surrounding area.

1278           c. A farm plan shall be required for commercial agricultural production to  
1279 ensure adherence to best management practices and soil conservation.

1280           d.(1) The minimum site area shall be five hundred acres. Unless the property  
1281 owner has sold or transferred the development rights as provided in subsection B.12.c.(3)  
1282 of this section, a minimum of five hundred acres of the site must be owned by a single  
1283 individual, corporation, partnership or other legal entity and must remain under the  
1284 ownership of a single individual, corporation, partnership or other legal entity for the  
1285 duration of the operation of the camp.

1286           (2) Nothing in subsection B.12.d.(1) of this section prohibits the property  
1287 owner from selling or transferring the development rights for a portion or all of the site to

1288 the King County farmland preservation program or, if the development rights are  
1289 extinguished as part of the sale or transfer, to a nonprofit entity approved by the director;

1290 e. The impervious surface associated with the camp shall comprise not more  
1291 than ten percent of the allowable impervious surface permitted under K.C.C. 21A.12.040;

1292 f. Structures for living quarters, dining facilities, medical facilities and other  
1293 nonagricultural camp activities shall be located in a camp center. The camp center shall  
1294 be no more than fifty acres and shall depicted on a site plan. New structures for  
1295 nonagricultural camp activities shall be clustered with existing structures;

1296 g. To the extent practicable, existing structures shall be reused. The applicant  
1297 shall demonstrate to the director that a new structure for nonagricultural camp activities  
1298 cannot be practicably accommodated within an existing structure on the site, though  
1299 cabins for campers shall be permitted only if they do not already exist on site;

1300 h. Camp facilities may be used to provide agricultural educational services to  
1301 the surrounding rural and agricultural community or for community events. If required  
1302 by K.C.C. chapter 21A.32, the property owner shall obtain a temporary use permit for  
1303 community events;

1304 i. Lodging and food service facilities shall only be used for activities related to  
1305 the camp or for agricultural education programs or community events held on site;

1306 j. Incidental uses, such as office and storage, shall be limited to those that  
1307 directly support camp activities, farm operations or agricultural education programs;

1308 k. New nonagricultural camp structures and site improvements shall maintain a  
1309 minimum set-back of seventy-five feet from property lines adjoining rural area and  
1310 residential zones;

1311           l. Except for legal nonconforming structures existing as of January 1, 2007,  
1312 camp facilities, such as a medical station, food service hall and activity rooms, shall be of  
1313 a scale to serve overnight camp users;

1314           m. Landscaping equivalent to a type III landscaping screen, as provided for in  
1315 K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures  
1316 and site improvements located within two hundred feet of an adjacent rural area and  
1317 residential zoned property not associated with the camp;

1318           n. New sewers shall not be extended to the site;

1319           o. The total number of persons staying overnight shall not exceed three  
1320 hundred;

1321           p. The length of stay for any individual overnight camper, not including camp  
1322 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

1323           q. Traffic generated by camp activities shall not impede the safe and efficient  
1324 movement of agricultural vehicles nor shall it require capacity improvements to rural  
1325 roads;

1326           r. If the site is adjacent to an arterial roadway, access to the site shall be  
1327 directly onto the arterial unless the county road engineer determines that direct access is  
1328 unsafe;

1329           s. If direct access to the site is via local access streets, transportation  
1330 management measures shall be used to minimize adverse traffic impacts;

1331           t. Camp recreational activities shall not involve the use of motor vehicles  
1332 unless the motor vehicles are part of an agricultural activity or are being used for the  
1333 transportation of campers, camp personnel or the families of campers. Camp personnel

1334 may use motor vehicles for the operation and maintenance of the facility. Client-specific  
1335 motorized personal mobility devices are allowed; and

1336 u. Lights to illuminate the camp or its structures shall be arranged to reflect the  
1337 light away from any adjacent property.

1338 13. Limited to digester receiving plant and animal and other organic waste from  
1339 agricultural activities, and including electrical generation, as follows:

1340 a. the digester must be included as part of a Washington state Department of  
1341 Agriculture approved dairy nutrient plan;

1342 b. the digester must process at least seventy percent livestock manure or other  
1343 agricultural organic material from farms in the vicinity, by volume;

1344 c. imported organic waste-derived material, such as food processing waste,  
1345 may be processed in the digester for the purpose of increasing methane gas production for  
1346 beneficial use, but not shall exceed thirty percent of volume processed by the digester;

1347 and

1348 d. the use must be accessory to an operating dairy or livestock operation.

1349 14. Farm worker housing. Either:

1350 a. Temporary farm worker housing subject to the following conditions:

1351 (1) The housing must be licensed by the Washington state Department of  
1352 Health under chapter 70.114A RCW and chapter 246-358 WAC;

1353 (2) Water supply and sewage disposal systems must be approved by the  
1354 Seattle King County department of health;

1355 (3) To the maximum extent practical, the housing should be located on  
1356 nonfarmable areas that are already disturbed and should not be located in the floodplain  
1357 or in a critical area or critical area buffer; and

1358 (4) The property owner shall file with the department of executive services,  
1359 records and licensing services division, a notice approved by the department identifying  
1360 the housing as temporary farm worker housing and that the housing shall be occupied  
1361 only by agricultural employees and their families while employed by the owner or  
1362 operator or on a nearby farm. The notice shall run with the land; [or]

1363 b. Housing for agricultural employees who are employed by the owner or  
1364 operator of the farm year-round as follows:

1365 (1) Not more than:

1366 (a) one agricultural employee dwelling unit on a site less than twenty acres;

1367 (b) two agricultural employee dwelling units on a site of at least twenty  
1368 acres and less than fifty acres;

1369 (c) three agricultural employee dwelling units on a site of at least fifty acres  
1370 and less than one-hundred acres; and

1371 (d) four agricultural employee dwelling units on a site of at least one-  
1372 hundred acres, and one additional agricultural employee dwelling unit for each additional  
1373 one hundred acres thereafter;

1374 (2) If the primary use of the site changes to a nonagricultural use, all  
1375 agricultural employee dwelling units shall be removed;

1376 (3) The applicant shall file with the department of executive services, records  
1377 and licensing services division, a notice approved by the department that identifies the

1378 agricultural employee dwelling units as accessory and that the dwelling units shall only  
1379 be occupied by agricultural employees who are employed by the owner or operator year-  
1380 round. The notice shall run with the land. The applicant shall submit to the department  
1381 proof that the notice was filed with the department of executive services, records and  
1382 licensing services division, before the department approves any permit for the  
1383 construction of agricultural employee dwelling units;

1384 (4) An agricultural employee dwelling unit shall not exceed a floor area of  
1385 one thousand square feet and may be occupied by no more than eight unrelated  
1386 agricultural employees;

1387 (5) To the maximum extent practical, the housing should be located on  
1388 nonfarmable areas that are already disturbed;

1389 (6) One off-street parking space shall be provided for each agricultural  
1390 employee dwelling unit; and

1391 (7) The agricultural employee dwelling units shall be constructed in  
1392 compliance with K.C.C. Title 16.

1393 15. Marijuana production by marijuana producers licensed by the Washington  
1394 state Liquor and Cannabis Board is subject to the following standards:

1395 a. Only allowed on lots of at least four and one-half acres;

1396 b. With a lighting plan, only if required by and that complies with K.C.C.  
1397 21A.12.220.G.;

1398 c. Only with documentation that the operator has applied for a Puget Sound  
1399 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1400 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1401 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1402 are imported onto the site;

1403 d. Production is limited to outdoor, indoor within marijuana greenhouses, and  
1404 within structures that are nondwelling unit structures that exist as of October 1, 2013,  
1405 subject to the size limitations in subsection B.15.e. of this section;

1406 e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
1407 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
1408 aggregated total of two thousand square feet and shall be located within a fenced area or  
1409 marijuana greenhouse that is no more than ten percent larger than that combined area, or  
1410 may occur in nondwelling unit structures that exist as of October 1, 2013;

1411 f. Outdoor production area fencing as required by the Washington state Liquor  
1412 and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall  
1413 maintain a minimum street setback of fifty feet and a minimum interior setback of thirty  
1414 feet; and

1415 g. If the two-thousand-square-foot-per-lot threshold of plant canopy combined  
1416 with area used for processing under K.C.C. 21A.08.080 is exceeded, each and every  
1417 marijuana-related entity occupying space in addition to the two-thousand-square-foot  
1418 threshold area on that lot shall obtain a conditional use permit as set forth in subsection  
1419 B.22. of this section.

1420 16. Marijuana production by marijuana producers licensed by the Washington  
1421 state Liquor and Cannabis Board is subject to the following standards:

1422 a. Marijuana producers in all RA zoned areas except for Vashon-Maury Island,  
1423 that do not require a conditional use permit issued by King County, that receive a

1424 Washington state Liquor and Cannabis Board license business prior to October 1, 2016,  
1425 and that King County did not object to within the Washington state Liquor and Cannabis  
1426 Board marijuana license application process, shall be considered nonconforming as to  
1427 subsection B.16.d. and h. of this section, subject to the provisions of K.C.C. 21A.32.020  
1428 through 21A.32.075 for nonconforming uses;

1429           b. In all rural area zones, only with a lighting plan that complies with K.C.C.  
1430 21A.12.220.G.;

1431           c. Only allowed on lots of at least four and one-half acres on Vashon-Maury  
1432 Island;

1433           d. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,  
1434 except on Vashon-Maury Island;

1435           e. Only with documentation that the operator has applied for a Puget Sound  
1436 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1437 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1438 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1439 are imported onto the site;

1440           f. Production is limited to outdoor, indoor within marijuana greenhouses, and  
1441 within nondwelling unit structures that exist as of October 1, 2013, subject to the size  
1442 limitations in subsection B.16.g. of this section; and

1443           g. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
1444 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
1445 aggregated total of two thousand square feet and shall be located within a fenced area or

1446 marijuana greenhouse, that is no more than ten percent larger than that combined area, or  
1447 may occur in nondwelling unit structures that exist as of October 1, 2013;

1448           h. Outdoor production area fencing as required by the Washington state Liquor  
1449 and Cannabis Board and marijuana greenhouses shall maintain a minimum street setback  
1450 of fifty feet and a minimum interior setback of one hundred feet; and a minimum setback  
1451 of one hundred fifty feet from any existing residence; and

1452           i. If the two-thousand-square-foot-per-lot threshold of plant canopy within  
1453 fenced areas or marijuana greenhouses is exceeded, each and every marijuana-related  
1454 entity occupying space in addition to the two-thousand-square-foot threshold area on that  
1455 lot shall obtain a conditional use permit as set forth in subsection B.17. of this section.

1456           17. Marijuana production by marijuana producers licensed by the Washington  
1457 state Liquor and Cannabis Board is subject to the following standards:

1458           a. Only allowed on lots of at least four and one-half acres on Vashon-Maury  
1459 Island;

1460           b. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,  
1461 except on Vashon-Maury Island;

1462           c. In all rural area zones, only with a lighting plan that complies with K.C.C.  
1463 21A.12.220.G.;

1464           d. Only with documentation that the operator has applied for a Puget Sound  
1465 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1466 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1467 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1468 are imported onto the site;

1469 e. Production is limited to outdoor and indoor within marijuana greenhouses  
1470 subject to the size limitations in subsection B.17.f. of this section;

1471 f. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
1472 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
1473 aggregated total of thirty thousand square feet and shall be located within a fenced area or  
1474 marijuana greenhouse that is no more than ten percent larger than that combined area;  
1475 and

1476 g. Outdoor production area fencing as required by the Washington state Liquor  
1477 and Cannabis Board, and marijuana greenhouses shall maintain a minimum street setback  
1478 of fifty feet and a minimum interior setback of one hundred feet, and a minimum setback  
1479 of one hundred fifty feet from any existing residence.

1480 18.a. Production is limited to indoor only;

1481 b. With a lighting plan only as required by and that complies with K.C.C.  
1482 21A.12.220.G.;

1483 c. Only with documentation that the operator has applied for a Puget Sound  
1484 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1485 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1486 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1487 are imported onto the site; and

1488 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
1489 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
1490 aggregated total of two thousand square feet and shall be located within a building or

1491 tenant space that is no more than ten percent larger than the plant canopy and separately  
1492 authorized processing area; and

1493 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
1494 every marijuana-related entity occupying space in addition to the two-thousand-square  
1495 foot threshold area on that parcel shall obtain a conditional use permit as set forth in  
1496 subsection B.19. of this section.

1497 19.a. Production is limited to indoor only;

1498 b. With a lighting plan only as required by and that complies with K.C.C.  
1499 21A.12.220.G.;

1500 c. Only with documentation that the operator has applied for a Puget Sound  
1501 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1502 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1503 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1504 are imported onto the site; and

1505 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
1506 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
1507 aggregated total of thirty thousand square feet and shall be located within a building or  
1508 tenant space that is no more than ten percent larger than the plant canopy and separately  
1509 authorized processing area.

1510 20.a. Production is limited to indoor only;

1511 b. With a lighting plan only as required by and that complies with K.C.C.  
1512 21A.12.220.G.;

1513           c. Only with documentation that the operator has applied for a Puget Sound  
1514 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1515 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1516 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1517 are imported onto the site;

1518           d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
1519 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
1520 aggregated total of two thousand square feet and shall be located within a building or  
1521 tenant space that is no more than ten percent larger than the plant canopy and separately  
1522 authorized processing area; and

1523           e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
1524 every marijuana-related entity occupying space in addition to the two-thousand-square-  
1525 foot threshold area on that lot shall obtain a conditional use permit as set forth in  
1526 subsection B.21. of this section.

1527           21.a. Production is limited to indoor only;

1528           b. With a lighting plan only as required by and that complies with K.C.C.  
1529 21A.12.220.G.;

1530           c. Only with documentation that the operator has applied for a Puget Sound  
1531 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1532 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1533 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1534 are imported onto the site; and

1535 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
1536 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
1537 aggregated total of thirty thousand square feet and shall be located within a building or  
1538 tenant space that is no more than ten percent larger than the plant canopy and separately  
1539 authorized processing area.

1540 22. Marijuana production by marijuana producers licensed by the Washington  
1541 state Liquor and Cannabis Board is subject to the following standards:

1542 a. With a lighting plan only as required by and that complies with K.C.C.  
1543 21A.12.220.G.;

1544 b. Only allowed on lots of at least four and one-half acres;

1545 c. Only with documentation that the operator has applied for a Puget Sound  
1546 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
1547 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
1548 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
1549 are imported onto the site;

1550 d. Production is limited to outdoor, indoor within marijuana greenhouses, and  
1551 within structures that are nondwelling unit structures that exist as of October 1, 2013,  
1552 subject to the size limitations in subsection B.22. e. and f. of this section;

1553 e. On lots less than ten acres, per lot, the plant canopy, as defined in WAC 314-  
1554 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be  
1555 limited to a maximum aggregated total of five thousand square feet and shall be located  
1556 within a fenced area or marijuana greenhouse that is no more than ten percent larger than

1557 that combined area, or may occur in nondwelling unit structures that exist as of October 1,  
1558 2013;

1559 f. On lots ten acres or more, per lot, the plant canopy, as defined in WAC 314-  
1560 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be  
1561 limited to a maximum aggregated total of ten thousand square feet, and shall be located  
1562 within a fenced area or marijuana greenhouse that is no more than ten percent larger than  
1563 that combined area, or may occur in nondwelling unit structures that exist as of October 1,  
1564 2013; and

1565 g. Outdoor production area fencing as required by the Washington state Liquor  
1566 and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall maintain  
1567 a minimum street setback of fifty feet and a minimum interior setback of one hundred feet,  
1568 and a minimum setback of one hundred fifty feet from any existing residence.

1569 23. The storage and processing of non-manufactured source separated organic  
1570 waste that originates from agricultural operations and that does not originate from the site,  
1571 if:

1572 a. agricultural is the primary use of the site;

1573 b. the storage and processing are in accordance with best management practices  
1574 included in an approved farm plan; and

1575 c. except for areas used for manure storage, the areas used for storage and  
1576 processing do not exceed three acres and ten percent of the site.

1577 24.a. For activities relating to the processing of crops or livestock for commercial  
1578 purposes, including associated activities such as warehousing, storage, including  
1579 refrigeration, and other similar activities and excluding (~~wineries, SIC Industry No. 2085~~

1580 ~~Distilled and Blended Liquors and SIC Industry No. 2082 — Malt Beverages))~~ winery,  
1581 brewery, distillery facility I, II and III:

1582 (1) limited to agricultural products and sixty percent or more of the products  
1583 processed must be grown in the Puget Sound counties. At the time of initial application,  
1584 the applicant shall submit a projection of the source of products to be produced;

1585 (2) in the RA and UR zones, only allowed on sites of at least four and one-  
1586 half acres;

1587 (3) (a) as a permitted use, the floor area devoted to all processing shall not  
1588 exceed two thousand square feet, unless located in a building designated as an historic  
1589 resource under K.C.C. chapter 20.62. The agricultural technical review committee, as  
1590 established in K.C.C. 21A.42.300, may review and approve an increase in the processing  
1591 floor area as follows: up to three thousand five hundred square feet of floor area may be  
1592 devoted to all processing in the RA zones or on farms less than thirty-five acres located in  
1593 the A zones or up to seven thousand square feet on farms greater than thirty-five acres in  
1594 the A zone; and

1595 (b) as a permitted use, the floor area devoted to all warehousing,  
1596 refrigeration, storage or other similar activities shall not exceed two thousand square feet,  
1597 unless located in a building designated as historic resource under K.C.C. chapter 20.62.  
1598 The agricultural technical review committee, as established in K.C.C. 21A.42.300, may  
1599 review and approve an increase of up to three thousand five hundred square feet of floor  
1600 area devoted to all warehouseing, storage, including refrigeration, or other similar  
1601 activities in the RA zones or on farms less than thirty-five acres located in the A zones or  
1602 up to seven thousand square feet on farms greater than thirty-five acres in the A zone;

1603 (4) in the A zone, structures and areas used for processing, warehousing,  
1604 refrigeration, storage and other similar activities shall be located on portions of  
1605 agricultural lands that are unsuitable for other agricultural purposes, such as areas within  
1606 the already developed portion of such agricultural lands that are not available for direct  
1607 agricultural production, or areas without prime agricultural soils; and

1608 (5) structures and areas used for processing, warehousing, storage, including  
1609 refrigeration, and other similar activities shall maintain a minimum distance of seventy-  
1610 five feet from property lines adjoining rural area and residential zones, unless located in a  
1611 building designated as historic resource under K.C.C. chapter 20.62.

1612 b. For activities relating to the retail sale of agricultural products, except  
1613 livestock:

1614 (1) sales shall be limited to agricultural products and locally made arts and  
1615 crafts;

1616 (2) in the RA and UR zones, only allowed on sites at least four and one-  
1617 half acres;

1618 (3) as a permitted use, the covered sales area shall not exceed two thousand  
1619 square feet, unless located in a building designated as a historic resource under K.C.C.  
1620 chapter 20.62. The agricultural technical review committee, as established in K.C.C.  
1621 21A.42.300, may review and approve an increase of up to three thousand five hundred  
1622 square feet of covered sales area;

1623 (4) forty percent or more of the gross sales of agricultural product sold  
1624 through the store must be sold by the producers of primary agricultural products;

1625 (5) sixty percent or more of the gross sales of agricultural products sold  
1626 through the store shall be derived from products grown or produced in the Puget Sound  
1627 counties. At the time of the initial application, the applicant shall submit a reasonable  
1628 projection of the source of product sales;

1629 (6) tasting of products, in accordance with applicable health regulations, is  
1630 allowed;

1631 (7) storage areas for agricultural products may be included in a farm store  
1632 structure or in any accessory building; and

1633 (8) outside lighting is permitted if there is no off-site glare.

1634 c. Retail sales of livestock is permitted only as accessory to raising livestock.

1635 d. Farm operations, including quipment repair and related facilities, except

1636 that:

1637 (1) the repair of tools and machinery is limited to those necessary for the  
1638 operation of a farm or forest;

1639 (2) in the RA and UR zones, only allowed on sites of at least four and one-  
1640 half acres;

1641 (3) the size of the total repair use is limited to one percent of the farm size in  
1642 the A zone, and up to one percent of the size in other zones, up to a maximum of five  
1643 thousand square feet unless located within an existing farm structure, including but not  
1644 limited to barns, existing as of December 31, 2003; and

1645 (4) Equipment repair shall not be permitted in the Forest zone.

1646 e. The agricultural technical review committee, as established in K.C.C.  
1647 21A.42.300, may review and approve reductions of minimum site sizes in the rural and  
1648 residential zones and minimum setbacks from rural and residential zones.

1649 25. The department may review and approve establishment of agricultural  
1650 support services in accordance with the code compliance review process in K.C.C.

1651 21A.42.300 only if:

1652 a. project is sited on lands that are unsuitable for direct agricultural production  
1653 based on size, soil conditions or other factors and cannot be returned to productivity by  
1654 drainage maintenance; and

1655 b. the proposed use is allowed under any Farmland Preservation Program  
1656 conservation easement and zoning development standards.

1657 26. The agricultural technical review committee, as established in K.C.C.  
1658 21A.42.300, may review and approve establishment of agricultural support services only  
1659 if the project site:

1660 a. adjoins or is within six hundred sixty feet of the agricultural production  
1661 district;

1662 b. has direct vehicular access to the agricultural production district;

1663 c. except for farmworker housing, does not use local access streets that abut  
1664 lots developed for residential use; and

1665 b. has a minimum lot size of four and one-half acres.

1666 27. The agricultural technical review committee, as established in K.C.C.  
1667 21A.42.300, may review and approve establishment of agricultural support services only  
1668 if the project site:

- 1669 a. is outside the urban growth area,
- 1670 b. adjoins or is within six hundred sixty feet of the agricultural production
- 1671 district,
- 1672 c. has direct vehicular access to the agricultural production district,
- 1673 d. except for farmworker housing, does not use local access streets that abut
- 1674 lots developed for residential use; and
- 1675 e. has a minimum lot size of four and one-half acres.

1676 28. Only allowed on properties that are outside the urban growth area.

1677 SECTION 22. Ordinance 10870, Section 407, as amended, and K.C.C.

1678 21A.18.030 are each hereby amended to read as follows:

1679 A. Except as modified in K.C.C. 21A.18.070. B((-)). through D., off-street

1680 parking areas shall contain at a minimum the number of parking spaces as stipulated in

1681 the following table. Off-street parking ratios expressed as number of spaces per square

1682 feet means the usable or net square footage of floor area, exclusive of non-public areas.

1683 Non-public areas include but are not limited to building maintenance areas, storage areas,

1684 closets or restrooms. If the formula for determining the number of off-street parking

1685 spaces results in a fraction, the number of off-street parking spaces shall be rounded to

1686 the nearest whole number with fractions of 0.50 or greater rounding up and fractions

1687 below 0.50 rounding down.

<b>LAND USE</b>	<b>MINIMUM PARKING SPACES REQUIRED</b>
<b>RESIDENTIAL (K.C.C. 21A.08.030.A):</b>	

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
<b>RECREATION/CULTURAL (K.C.C. 21A.08.040.A):</b>	
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.
<b>LAND USE</b>	<b>MINIMUM PARKING SPACES REQUIRED</b>
<b>GENERAL SERVICES (K.C.C. 21A.08.050.A):</b>	
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
<b>GOVERNMENT/BUSINESS SERVICES (K.C.C. 21A.08.060.A):</b>	
Government/business services uses:	1 per 300 square feet
Exceptions:	

Public agency yard	1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas
Public agency archives	0.9 per 1000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas
Courts	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas
Police facility	(director)
Fire facility	(director)
Construction and trade	1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area
Warehousing and storage	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area
Self-service storage	1 per 3,500 square feet of storage area, plus 2 for any resident director's unit
Outdoor advertising services	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area
Heavy equipment repair	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair areas

Office	1 per 300 square feet
<b>LAND USE</b>	<b>MINIMUM PARKING SPACES REQUIRED</b>
<b>RETAIL/WHOLESALE (K.C.C. 21A.08.070.A):</b>	
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 per 1000 square feet</u>
Retail and wholesale trade mixed use	1 per 300 square feet
<b>MANUFACTURING (K.C.C. 21A.08.080.A):</b>	
Manufacturing uses	<u>0.9 per 1,000 square feet</u>

Winery/Brewery/ <u>Distillery Facility</u> <u>II and III</u>	0.9 per 1,000 square feet, plus 1 per <del>((50))</del> 300 square feet of tasting <u>and</u> <u>retail areas</u>
<b>RESOURCES (K.C.C. 21A.08.090.A):</b>	
Resource uses	(director)
<b>REGIONAL (K.C.C. 21A.08.100.A):</b>	
Regional uses	(director)

1688 B. An applicant may request a modification of the minimum required number of  
1689 parking spaces by providing that parking demand can be met with a reduced parking  
1690 requirement. In such cases, the director may approve a reduction of up to fifty percent of  
1691 the minimum required number of spaces.

1692 C. When the county has received a shell building permit application, off-street  
1693 parking requirements shall be based on the possible tenant improvements or uses  
1694 authorized by the zone designation and compatible with the limitations of the shell  
1695 permit. When the range of possible uses result in different parking requirements, the  
1696 director will establish the amount of parking based on a likely range of uses.

1697 D. Where other provisions of this code stipulate maximum parking allowed or  
1698 reduced minimum parking requirements, those provisions shall apply.

1699 E. In any development required to provide six or more parking spaces, bicycle  
1700 parking shall be provided. Bicycle parking shall be bike rack or locker-type parking  
1701 facilities unless otherwise specified.

1702 1. Off-street parking areas shall contain at least one bicycle parking space for  
1703 every twelve spaces required for motor vehicles except as follows:

1704 a. The director may reduce bike rack parking facilities for patrons when it is  
1705 demonstrated that bicycle activity will not occur at that location.

1706 b. The director may require additional spaces when it is determined that the  
1707 use or its location will generate a high volume of bicycle activity. Such a determination  
1708 will include but not be limited to the following uses:

1709 (1) Park/playfield,

1710 (2) Marina,

1711 (3) Library/museum/arboretum,

1712 (4) Elementary/secondary school,

1713 (5) Sports club, or

1714 (6) Retail business (when located along a developed bicycle trail or  
1715 designated bicycle route).

1716 2. Bicycle facilities for patrons shall be located within 100 feet of the building  
1717 entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a  
1718 structure attached to the pavement.

1719 3. All bicycle parking and storage shall be located in safe, visible areas that do  
1720 not impede pedestrian or vehicle traffic flow, and shall be well lit for nighttime use.

1721 4. When more than ten people are employed on site, enclosed locker-type  
1722 parking facilities for employees shall be provided. The director shall allocate the  
1723 required number of parking spaces between bike rack parking and enclosed locker-type  
1724 parking facilities.

1725 5. One indoor bicycle storage space shall be provided for every two dwelling  
1726 units in townhouse and apartment residential uses, unless individual garages are provided  
1727 for every unit. The director may reduce the number of bike rack parking spaces if indoor  
1728 storage facilities are available to all residents.

1729 SECTION 23. Ordinance 10870, Section 536, as amended, and K.C.C.  
1730 21A.30.080 are each hereby amended to read as follows:

1731 In the R, UR, NB, CB and RB zones, residents of a dwelling unit may conduct one  
1732 or more home occupations as accessory activities, only if:

1733 A. The total floor area of the dwelling unit devoted to all home occupations shall  
1734 not exceed twenty percent of the floor area of the dwelling unit.

1735 B. Areas within garages and storage buildings shall not be considered part of the  
1736 dwelling unit and may be used for activities associated with the home occupation;

1737 C. All the activities of the home occupation or occupations shall be conducted  
1738 indoors, except for those related to growing or storing of plants used by the home  
1739 occupation or occupations;

1740 D. A home occupation or occupations is not limited in the number of employees  
1741 that remain off-site. No more than one nonresident employee shall be permitted to work  
1742 on-site for the home occupation or occupations;

1743 E. The following uses, by the nature of their operation or investment, tend to  
1744 increase beyond the limits permitted for home occupations. Therefore, the following shall  
1745 not be permitted as home occupations:

- 1746 1. Automobile, truck and heavy equipment repair;
- 1747 2. ~~((Autobody))~~ Auto body work or painting;
- 1748 3. Parking and storage of heavy equipment;
- 1749 4. Storage of building materials for use on other properties;
- 1750 5. Hotels, motels or organizational lodging;
- 1751 6. Dry cleaning;
- 1752 7. Towing services;
- 1753 8. Trucking, storage or self service, except for parking or storage of one  
1754 commercial vehicle used in home occupation; ~~((and))~~
- 1755 9. Veterinary clinic; ~~((and))~~
- 1756 10. Recreational marijuana processor, recreational marijuana producer or  
1757 recreational marijuana retailer; and
- 1758 11. Winery, brewery, distillery facility I, II, and III, and remote tasting room,  
1759 except that home occupation adult beverage businesses operating under an active  
1760 Washington state Liquor and Cannabis Board production license issued for their current  
1761 location before January 1, 2019, and where King County did not object to the location  
1762 during the Washington state Liquor and Cannabis Board license application process, shall  
1763 be considered legally nonconforming and allowed to remain in their current location  
1764 subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is currently in compliance  
1765 with or is brought into compliance with the home occupation requirements of this section

1766 within one year of the effective date of this ordinance. Such businesses remain subject to  
1767 all other applicable state and local regulations. The business operator for a  
1768 nonconforming home occupation shall obtain an adult beverage business license in  
1769 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this  
1770 ordinance).

1771 F. In addition to required parking for the dwelling unit, on-site parking is provided  
1772 as follows:

- 1773 1. One stall for each nonresident employed by the home occupations; and  
1774 2. One stall for patrons when services are rendered on-site;

1775 G. Sales are limited to:

- 1776 1. Mail order sales;  
1777 2. Telephone, Internet or other electronic commerce sales with off-site delivery;

1778 and

- 1779 3. Items accessory to a service provided to patrons who receive services on the  
1780 premises;

1781 H. On-site services to patrons are arranged by appointment;

1782 I. The home occupation or occupations use or store a vehicle for pickup of  
1783 materials used by the home occupation or occupations or the distribution of products from  
1784 the site, only if:

- 1785 1. No more than one such a vehicle is allowed; and  
1786 2. The vehicle is not stored within any required setback areas of the lot or on  
1787 adjacent streets; and

1788 3. The vehicle does not exceed an equivalent licensed gross vehicle weight of one  
1789 ton;

1790 J. The home occupation or occupations do not:

1791 1. Use electrical or mechanical equipment that results in a change to the  
1792 occupancy type of the structure or structures used for the home occupation or occupations;  
1793 or

1794 2. Cause visual or audible interference in radio or television receivers, or  
1795 electronic equipment located off-premises or fluctuations in line voltage off-premises;  
1796 ((and))

1797 K. There shall be no exterior evidence of a home occupation, other than growing or  
1798 storing of plants under subsection C. of this section or a permitted sign, that would cause  
1799 the premises to differ from its residential character. Exterior evidence includes, but is not  
1800 limited to, lighting, the generation or emission of noise, fumes or vibrations as determined  
1801 by using normal senses from any lot line or on average increase vehicular traffic by more  
1802 than four additional vehicles at any given time;

1803 L. Customer visits and deliveries shall be limited to the hours of 8:00 a.m. to 7:00  
1804 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends; and

1805 M. Uses not allowed as home occupations may be allowed as a home industry  
1806 under K.C.C. 21A.30.090.

1807 SECTION 24. Ordinance 15606, Section 20, as amended, and K.C.C.

1808 21A.30.085 are each hereby amended to read as follows:

1809 In the A, F and RA zones, residents of a dwelling unit may conduct one or more  
1810 home occupations as accessory activities, under the following provisions:

1811           A. The total floor area of the dwelling unit devoted to all home occupations shall  
1812 not exceed twenty percent of the dwelling unit.

1813           B. Areas within garages and storage buildings shall not be considered part of the  
1814 dwelling unit and may be used for activities associated with the home occupation;

1815           C. Total outdoor area of all home occupations shall be permitted as follows:

1816                 1. For any lot less than one acre: Four hundred forty square feet; and

1817                 2. For lots one acre or greater: One percent of the area of the lot, up to a  
1818 maximum of five thousand square feet.

1819           D. Outdoor storage areas and parking areas related to home occupations shall be:

1820                 1. No less than twenty-five feet from any property line; and

1821                 2. Screened along the portions of such areas that can be seen from an adjacent  
1822 parcel or roadway by the:

1823                         a. planting of Type II landscape buffering; or

1824                         b. use of existing vegetation that meets or can be augmented with additional  
1825 plantings to meet the intent of Type II landscaping((-));

1826           E. A home occupation or occupations is not limited in the number of employees  
1827 that remain off-site. Regardless of the number of home occupations, the number of  
1828 nonresident employees is limited to no more than three who work on-site at the same time  
1829 and no more than three who report to the site but primarily provide services off-site((-));

1830           F. In addition to required parking for the dwelling unit, on-site parking is provided  
1831 as follows:

1832                 1. One stall for each nonresident employed on-site; and

1833                 2. One stall for patrons when services are rendered on-site;

- 1834 G. Sales are limited to:
- 1835 1. Mail order sales;
- 1836 2. Telephone, Internet or other electronic commerce sales with off-site delivery;
- 1837 3. Items accessory to a service provided to patrons who receive services on the
- 1838 premises;
- 1839 4. Items grown, produced or fabricated on-site; and
- 1840 5. On sites five acres or larger, items that support agriculture, equestrian or
- 1841 forestry uses except for the following:
- 1842 a. motor vehicles and parts (North American Industrial Classification System
- 1843 ("NAICS" Code 441);
- 1844 b. electronics and appliances (NAICS Code 443); and
- 1845 c. building material and garden equipments and supplies (NAICS Code 444);
- 1846 H. The home occupation or occupations do not:
- 1847 1. Use electrical or mechanical equipment that results in a change to the
- 1848 occupancy type of the structure or structures used for the home occupation or occupations;
- 1849 2. Cause visual or audible interference in radio or television receivers, or
- 1850 electronic equipment located off-premises or fluctuations in line voltage off-premises; or
- 1851 3. Increase average vehicular traffic by more than four additional vehicles at any
- 1852 given time;
- 1853 I. Customer visits and deliveries shall be limited to the hours of 8:00 a.m. to 7:00
- 1854 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

1855 J. The following uses, by the nature of their operation or investment, tend to  
1856 increase beyond the limits permitted for home occupations. Therefore, the following shall  
1857 not be permitted as home occupations:

1858 1. Hotels, motels or organizational lodging;

1859 2. Dry cleaning((=:));

1860 3. Automotive towing services, automotive wrecking services and tow-in parking  
1861 lots; ((and))

1862 4. Recreational marijuana processor, recreational marijuana producer or  
1863 recreational marijuana retailer((=:)); and

1864 5. Winery, brewery, distillery facility I, II, and III, and remote tasting room,  
1865 except that home occupation adult beverage businesses operating under an active  
1866 Washington state Liquor and Cannabis Board production license issued for their current  
1867 location before January 1, 2019, and where King County did not object to the location  
1868 during the Washington state Liquor and Cannabis Board license application process, shall  
1869 be considered legally nonconforming and allowed to remain in their current location  
1870 subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is currently in compliance  
1871 with or is brought into compliance with the home occupation requirements of this section  
1872 within one year of the effective date of this ordinance. Such businesses remain subject to  
1873 all other applicable state and local regulations. The business operator for a  
1874 nonconforming home occupation shall obtain an adult beverage business license in  
1875 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this  
1876 ordinance);

1877 K. Uses not allowed as home occupation may be allowed as a home industry under  
1878 K.C.C. chapter 21A.30; and

1879 L. The home occupation or occupations may use or store vehicles, as follows:

1880 1. The total number of vehicles for all home occupations shall be:

1881 a. for any lot five acres or less: two;

1882 b. for lots greater than five acres: three; and

1883 c. for lots greater than ten acres: four;

1884 2. The vehicles are not stored within any required setback areas of the lot or on  
1885 adjacent streets; and

1886 3. The parking area for the vehicles shall not be considered part of the outdoor  
1887 storage area provided for in subsection C. of this section.

1888 SECTION 25. Ordinance 10870, Section 537, as amended, and K.C.C.

1889 21A.30.090 are each hereby amended to read as follows:

1890 A resident may establish a home industry as an accessory activity, as follows:

1891 A. The site area is one acre or greater;

1892 B. The area of the dwelling unit used for the home industry does not exceed fifty  
1893 percent of the floor area of the dwelling unit.

1894 C. Areas within attached garages and storage buildings shall not be considered part  
1895 of the dwelling unit for purposes of calculating allowable home industry area but may be  
1896 used for storage of goods associated with the home industry;

1897 D. No more than six nonresidents who work on-site at the time;

1898 E. In addition to required parking for the dwelling unit, on-site parking is provided  
1899 as follows:

1900           1. One stall for each nonresident employee of the home industry; and  
1901           2. One stall for customer parking;

1902           F. Additional customer parking shall be calculated for areas devoted to the home  
1903 industry at the rate of one stall per:

1904           1. One thousand square feet of building floor area; and  
1905           2. Two thousand square feet of outdoor work or storage area;

1906           G. Sales are limited to items produced on-site, except for items collected, traded  
1907 and occasionally sold by hobbyists, such as coins, stamps, and antiques;

1908           H. Ten feet of Type I landscaping are provided around portions of parking and  
1909 outside storage areas that are otherwise visible from adjacent properties or public rights-of-  
1910 way;

1911           I. The department ensures compatibility of the home industry by:

1912           1. Limiting the type and size of equipment used by the home industry to those that  
1913 are compatible with the surrounding neighborhood;

1914           2. Providing for setbacks or screening as needed to protect adjacent residential  
1915 properties;

1916           3. Specifying hours of operation;

1917           4. Determining acceptable levels of outdoor lighting; and  
1918           5. Requiring sound level tests for activities determined to produce sound levels  
1919 that may be in excess of those in K.C.C. chapter 12.88; ~~((and))~~

1920           J. Recreational marijuana processors, recreational marijuana producers and  
1921 recreational marijuana retailers shall not be allowed as home industry; and

1922           K. Winery, brewery, distillery facility I, II, and III, and remote tasting room shall  
1923 not be allowed as home industry, except that home industry adult beverage businesses  
1924 operating under an active Washington state Liquor and Cannabis Board production  
1925 license issued for their current location before January 1, 2019, and where King County  
1926 did not object to the location during the Washington state Liquor and Cannabis Board  
1927 license application process, shall be considered legally nonconforming and allowed to  
1928 remain in their current location subject to K.C.C. 21A.32.020 through 21A.32.075 if the  
1929 use is currently in compliance with or is brought into compliance with the home industry  
1930 requirements of this section within one year of the effective date of this ordinance. Such  
1931 businesses remain subject to all other applicable state and local regulations. The business  
1932 operator for a nonconforming home industry shall obtain an adult beverage business license  
1933 in accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this  
1934 ordinance).

1935           SECTION 26. Ordinance 10870, Section 547, as amended, and K.C.C. 21A.32.100  
1936 are each hereby amended to read as follows:

1937           Except as provided by K.C.C. 21A.32.110, a temporary use permit shall be  
1938 required for any of the following:

1939           A. A use not otherwise permitted in the zone that can be made compatible for a  
1940 period of up to sixty days a year; ((~~or~~))

1941           B. The expansion of an established use that:

- 1942           1. Is otherwise allowed in the zone;
- 1943           2. Is not inconsistent with the original land use approval;
- 1944           3. Exceeds the scope of the original land use approval; and

1945 4. Can be made compatible with the zone for a period of up to sixty days a year;  
1946 or

1947 C. Events at a winery, brewery, distillery facility or remote tasting room that  
1948 include one or more of the following activities:

1949 1. Exceeds the permitted building occupancy;

1950 2. Utilizes portable toilets;

1951 3. Utilizes parking that exceeds the maximum number of spaces allowed by this

1952 Title on-site or utilizes off-site parking;

1953 4. Utilizes temporary stages;

1954 5. Utilizes temporary tents or canopies that require a permit;

1955 6. Utilizes traffic control for public rights-of-way; or

1956 7. Extends beyond stated hours of operation.

1957 SECTION 27. Ordinance 10870, Section 549, as amended, and K.C.C.

1958 21A.32.120 are each hereby amended to read as follows:

1959 Except as otherwise provided in this chapter or in K.C.C. chapter 21A.45,

1960 temporary use permits shall be limited in duration and frequency as follows:

1961 A. The temporary use permit shall be effective for one year from the date of

1962 issuance and may be renewed annually as provided in subsection D. of this section;

1963 B.1. The temporary use shall not exceed a total of sixty days in any three-

1964 hundred~~((and))~~-sixty-five-day period. This ~~((requirement))~~ subsection B.1. applies only

1965 to the days that the event or events actually take place.

1966 2. For a winery, brewery, distillery facility II and III in the A ~~((or RA))~~

1967 zone~~((s))~~, the temporary use shall not exceed a total of two events per month and all

1968 event parking ((for the events)) must be accommodated on site or managed through a  
1969 parking management plan approved by the director. This subsection B.2. applies only to  
1970 the days that the event or events actually take place;

1971 3. For a winery, brewery, distillery facility II and III in the RA zone, the  
1972 temporary use shall not exceed a total of twenty-four days in any three-hundred-sixty-  
1973 five-day period and all event parking must be accommodated on site or managed through  
1974 a parking management plan approved by the director. This subsection B.3. applies only  
1975 to the days that the event or events actually take place;

1976 4. For a winery, brewery, distillery facility II in the A or RA zones, in addition  
1977 to all other relevant facts, the department shall consider building occupancy and parking  
1978 limitations during permit review, and shall condition the number of guests allowed for a  
1979 temporary use based on those limitations. The department shall not authorize attendance  
1980 of more than one hundred fifty guests.

1981 5. For a winery, brewery, distillery facility III in the A or RA zones, in addition  
1982 to all other relevant facts, the department shall consider building occupancy and parking  
1983 limitations during permit review, and shall condition the number of guests allowed for a  
1984 temporary use based on those limitations. The department shall not authorize attendance  
1985 of more than two hundred fifty guests.

1986 6. Events for any winery, brewery, distillery facility I in the RA zone, any  
1987 nonconforming winery, brewery, distillery facility home occupation, and any  
1988 nonconforming winery, brewery, distillery facility home industry shall be limited to two  
1989 per year, and limited to a maximum of fifty guests. If the event complies with this  
1990 chapter, a temporary use permit is not required for a special event for a winery, brewery,

1991 distillery facility I in the RA zone, a nonconforming home occupation winery, brewery,  
1992 distillery facility or a nonconforming home industry winery, brewery, distillery facility.

1993 7. Special events shall not be permitted for any winery, brewery, distillery  
1994 facility I in the A zone. The permitting division shall not issue temporary use permits to  
1995 winery, brewery, distillery facility I uses in the A zone.

1996 C. The temporary use permit shall specify a date upon which the use shall be  
1997 terminated and removed; and

1998 D. A temporary use permit may be renewed annually for up to a total of five  
1999 consecutive years as follows:

2000 1. The applicant shall make a written request and pay the applicable permit  
2001 extension fees for renewal of the temporary use permit at least seventy days before the  
2002 end of the permit period;

2003 2. The department must determine that the temporary use is being conducted in  
2004 compliance with the conditions of the temporary use permit;

2005 3. The department must determine that site conditions have not changed since  
2006 the original temporary permit was issued; and

2007 4. At least forty-five days before the end of the permit period, the department  
2008 shall notify property owners within five hundred feet of the property boundaries that a  
2009 temporary use permit extension has been requested and contact information to request  
2010 additional information or to provide comments on the proposed extension.

2011 SECTION 28. The King County executive shall conduct a demonstration project  
2012 to create and evaluate a remote tasting room demonstration project A as provided for in,  
2013 and consistent with, section 29 of this ordinance.

2014                    NEW SECTION. SECTION 29. There is hereby added to K.C.C. chapter  
2015 21A.55 a new section to read as follows:

2016                    A. The purpose of the remote tasting room demonstration project A is to:

2017                    1. Support agriculture and synergistic development of mixed use adult beverage  
2018 facilities in order to boost agritourism and the areas' reputations as food and adult-  
2019 beverage destinations;

2020                    2. Enable the county to determine if expanded adult beverage-based uses can be  
2021 permitted while maintaining the core functions and purposes of the Rural Area and  
2022 Agricultural zones;

2023                    3. Determine the impacts and benefits of the adult beverage industry on Rural  
2024 Area and Agricultural zoned areas, including the impacts and benefits of the industry on  
2025 Agricultural Production Districts, and including those properties where the demonstration  
2026 project sites are located and the surrounding areas;

2027                    4. Provide an opportunity for additional exposure for locally sourced and  
2028 produced agricultural products; and

2029                    5. Identify and evaluate potential changes to countywide land use regulations to  
2030 support the development of additional areas of unincorporated King County that may  
2031 benefit from growth in agritourism.

2032                    B. The demonstration project shall only be implemented on a site identified in  
2033 Attachment A to this ordinance.

2034                    C. The use that the permitting division may approve under the remote tasting  
2035 room demonstration project A shall include only "remote tasting room" as defined in  
2036 section 13 of this ordinance.

2037 D.1. An application for a remote tasting room under this section may be submitted  
2038 in conjunction with an application for an adult beverage business license or a building  
2039 permit.

2040 2. Requests shall be submitted to the permitting division in writing, together  
2041 with any supporting documentation and must illustrate how the proposal meets the  
2042 criteria in subsection F. of this section.

2043 3. An application for a remote tasting room under this section shall be reviewed  
2044 as a Type I land use decision in accordance with K.C.C. 20.20.020.

2045 E. The department of local services, permitting division, shall administer the  
2046 demonstration project, and shall approve or deny a remote tasting room application under  
2047 this section based upon compliance with subsection F. of this section. Approval or denial  
2048 of a remote tasting room application shall not be construed as applying to any other  
2049 development application either within the demonstration project area or elsewhere in the  
2050 county.

2051 F.1. A remote tasting room under this section may be approved, subject to the  
2052 following:

2053 a. One or more winery, brewery, distillery facility I, II or III may operate  
2054 within one remote tasting room;

2055 b. The aggregated total space devoted to remote tasting room activities shall be  
2056 limited to one thousand square feet of gross floor area, not including areas devoted to  
2057 storage, restrooms, and similar nonpublic areas;

2058 c. Notwithstanding subsection F.1.b. of this section, an additional five hundred  
2059 square feet of immediately adjacent outdoor space may be used for tasting, subject to

2060 applicable state regulations limiting sale, service and consumption of alcoholic  
2061 beverages;

2062 d. Incidental retail sales of products and merchandise related to the products  
2063 being tasted is allowed;

2064 e. The hours of operation for the tasting room shall be limited as follows:  
2065 Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to  
2066 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours  
2067 shall be limited to 11:00 a.m. through 9:00 p.m.;

2068 f. Each business operator shall obtain an adult beverage business license in  
2069 accordance with K.C.C. chapter 6.xx (the new chapter created in section 2 of this  
2070 ordinance);

2071 g. Each remote tasting room business operator shall have proof of Washington  
2072 state Liquor and Cannabis Board approval;

2073 h. Events shall be limited to two per year, and limited to no more than fifty  
2074 guests. As long as the event complies with this section, a temporary use permit is not  
2075 required for a special event;

2076 i. Off-street parking shall be provided in accordance with the parking ratios  
2077 for remote tasting room uses in K.C.C. 21A.18.030. Off-Street parking is limited to a  
2078 maximum of one space per fifty square feet of tasting and retail areas; and

2079 j. The use shall be consistent with general health, safety and public welfare  
2080 standards, and shall not violate state or federal law.

2081 2. This section supersedes other variance, modification or waiver criteria of  
2082 K.C.C. Title 21A.

2083           3. Remote tasting room uses approved in accordance with this section may  
2084 continue as long as an underlying business license or renewal is maintained, and subject  
2085 to the nonconformance provisions of K.C.C. chapter 21A.32.

2086           G. Demonstration project applications shall be accepted by the permitting  
2087 division for three years from the effective date of this ordinance. Complete applications  
2088 submitted before the end of the three years shall be reviewed and decided on by the  
2089 permitting division.

2090           H. Starting one year after the effective date of this ordinance, and each year for  
2091 four years thereafter, the executive shall prepare and transmit to the council preliminary  
2092 evaluations of remote tasting room demonstration project A. These preliminary  
2093 evaluation reports shall include:

2094           1. A list of remote tasting room demonstration project applications submitted,  
2095 reviewed and decided;

2096           2. Comments received from neighboring residents, including code complaints, if  
2097 any, related to the applications received and approved or the demonstration project;

2098           3. Comments received from neighboring cities and community service areas;

2099           4. Comments received from project applicants attempting to utilize the  
2100 demonstration project, including the application and review process, and the criteria for  
2101 approving remote tasting rooms;

2102           5. Comments received from customers of the project applicants' businesses;

2103           6. A description of known interactions or relationships between projects  
2104 approved under the demonstration project and nearby agricultural users and lands, such  
2105 as additional exposure for local agricultural products;

2106           7. An inventory of remaining parcels or properties available for development  
2107 under the demonstration project; and

2108           8. Any known recommended code changes that would further the purposes of  
2109 the demonstration project.

2110           I. Within ninety days of five years after the effective date of this ordinance, the  
2111 permitting division shall prepare a draft final report and proposed permanent code  
2112 changes that includes the information compiled under subsection H. of this section, and  
2113 include the following:

2114           1. Evaluation of the parking requirements, including whether the parking ratios  
2115 required in K.C.C. chapter 21A.18 for production facilities and for remote tasting rooms  
2116 provide sufficient, but not excessive, parking;

2117           2. Description of the industry standards for tasting room hours for wineries,  
2118 breweries and distilleries; evaluation of the tasting room hours allowed under the  
2119 demonstration project, and the benefits or negative impacts of these hours relative to the  
2120 purposes of the demonstration project;

2121           3. Outreach to those projects approved through the demonstration project, with  
2122 requested information to include, at a minimum:

2123           a. when they were approved by the permitting division;

2124           b. when they opened subsequent to that approval;

2125           c. whether they are still operating at the time of the final report; and

2126           d. any recommendations on final regulations;

2127           4. Evaluation of the permit review timelines for the demonstration project  
2128 applications; and

2129           5. A recommendation on permanent code changes, or further demonstration  
2130 project requirements, regarding remote tasting rooms.

2131           J. The permitting division shall include a public comment period for the  
2132 permitting division's draft evaluation described in subsection I. of this section. The  
2133 public comment period shall last at least forty-five days beginning with the date of  
2134 publication in the newspapers of record for the demonstration project areas identified in  
2135 Attachment A to this ordinance. As part of the public comment period, the permitting  
2136 division shall:

2137           1. Publish notice of the draft evaluation's availability in each newspaper of  
2138 record, including locations where the draft evaluation is available;

2139           2. Send notice and request for comment to the water districts for the  
2140 demonstration project areas identified in Attachment A to this ordinance;

2141           3. Request comments from any developer that has applied for approval under  
2142 the demonstration project;

2143           4. Provide a copy at the local libraries for the demonstration project areas  
2144 identified in Attachment A to this ordinance;

2145           5. Post an electronic copy on the permitting division's website; and

2146           6. Send electronic notice to the clerk of the council, who shall retain the original  
2147 email and provide an electronic copy to all councilmembers, the council chief of staff and  
2148 the lead staff for the local services, regional roads and bridges committee, or its  
2149 successor.

2150           K. After the public comment period has ended, the permitting division shall  
2151 prepare a final evaluation of the remote tasting room demonstration project A,

2152 incorporating or responding to the comments received. Within sixty days of the end of  
2153 the public comment period, the executive shall file a final evaluation report, a motion that  
2154 should accept the report, and an ordinance that implements any proposed permanent code  
2155 changes.

2156 L. For each preliminary evaluation, and the final report and proposed legislation,  
2157 the reports shall be filed in the form of a paper original and an electronic copy with the  
2158 clerk of the council, who shall retain the original and provide an electronic copy to all  
2159 councilmembers, the council chief of staff and the lead staff for the local services,  
2160 regional roads and bridges committee, or its successor.

2161 SECTION 30. The King County executive shall conduct a demonstration project  
2162 to create and evaluate a special event demonstration project B as provided for in, and  
2163 consistent with, section 31 of this ordinance.

2164 NEW SECTION. SECTION 31. There is hereby added to K.C.C. chapter  
2165 21A.55 a new section to read as follows:

2166 A. The purpose of the special events demonstration project B is to:

2167 1. Support agriculture and synergistic development of adult beverage facilities  
2168 in order to boost agritourism and the Sammamish valley's reputation as a food and adult  
2169 beverage destination;

2170 2. Enable the county to determine if the number of special events held at adult  
2171 beverage-facilities can be increased while maintaining the core functions and purposes of  
2172 the Rural Area and Agricultural zones;

2173 3. Identify the impacts and benefits of adult beverage industry special events on  
2174 Rural Area and Agricultural zoned communities including Agricultural Production

2175 Districts, properties where the demonstration projects are located, and surrounding areas;

2176 4. Provide an opportunity for additional exposure for locally sourced and

2177 produced agricultural products; and

2178 5. Identify and evaluate potential changes to countywide land use regulations to

2179 support the development of additional areas of unincorporated King County that may

2180 benefit from growth in agritourism.

2181 B. A special event demonstration project shall only be implemented on a site

2182 identified in Attachment B to this ordinance.

2183 C. As part of the demonstration project B, the permitting division may, for a

2184 winery, brewery, distillery facility III, consolidate temporary use review for special

2185 events under K.C.C. 21A.32.100 through 21A.32.140, with conditional use review under

2186 K.C.C. 21A.44.040, and applicable to those uses under K.C.C. 21A.08.080;

2187 D.1. Demonstration project B applications shall include review of:

2188 a. a conditional use permit, or conditional use permit modification or

2189 expansion, for a winery, brewery, distillery facility III; and

2190 b. a temporary use permit for special events associated with the winery,

2191 brewery, distillery facility III.

2192 2. The joint conditional use permit and temporary use permit application shall

2193 include a request in writing to apply for the special event demonstration project, together

2194 with supporting documentation and must illustrate how the proposal meets the criteria in

2195 subsection F. and G. of this section and the criteria in K.C.C. 21A.44.020 and

2196 21A.44.040.

2197 3. As part of the joint conditional use and temporary use permit review process,

2198 the applicant shall be required to pay all required fees for a conditional use permit. The  
2199 temporary use permit fees in K.C.C. 27.10.170.D. shall be waived for the joint permit  
2200 review process.

2201 4. An application for a special event demonstration project under this section  
2202 shall be reviewed as a Type II land use decision in accordance with K.C.C. 20.20.020. As  
2203 part of the joint conditional use and temporary use permit review, the review procedures  
2204 in K.C.C. chapters 20.20, 20.44 and 21A.42 shall be applied, and compliance with K.C.C.  
2205 21A.44.020 and K.C.C. 21A.44.040 shall be met.

2206 5. Any deadline in this subsection shall be adjusted to include the time for  
2207 appeal of all or any portion of the project approval.

2208 E. The department of local services, permitting division, shall administer the  
2209 demonstration project, and shall approve or deny the special event demonstration project  
2210 under this section as part of a joint conditional use permit and temporary use permit  
2211 based upon compliance with subsections F. and G. of this section. Approval or denial of  
2212 a special event demonstration project shall not be construed as applying to any other  
2213 development application either within the demonstration project area or elsewhere in the  
2214 county, and shall not render uses authorized under this section "otherwise permitted in  
2215 the zone" under K.C.C. 21A.32.100.A.

2216 F.1. A special event demonstration project shall be subject to all King County  
2217 Code provisions except that permitting division may waive the following development  
2218 regulations during the joint conditional use permit and temporary use permit review:

- 2219 a. K.C.C. 21A.32.100 through 21A.32.140; and
- 2220 b. K.C.C. 21A.08.080.B.12.1.;

2221           2. A temporary use permit approved under this demonstration project may be  
2222 renewed up to four times annually in accordance with K.C.C. 21A.32.120.D. After a  
2223 special event demonstration project temporary use permit expires, the permitting division  
2224 shall review any subsequent temporary use permit application for the demonstration  
2225 project site in accordance with all applicable temporary use review processes and any  
2226 future events shall be subject to all regulations in place at the time a complete application  
2227 is submitted.

2228           G. Approval of a special event demonstration project authorized by this section  
2229 shall impose conditions regarding:

2230           a. the number of guests allowed for a temporary use, which shall be subject to  
2231 building occupancy limits, but in no case more than two hundred fifty guests;

2232           b. parking limits or parking plan;

2233           c. the number of events allowed per year, which shall occur on no more than  
2234 sixty days per year; and

2235           d. reasonable measures to provide notification to the permitting division and  
2236 the public on the time, date, duration and size of special events authorized under the  
2237 demonstration project, which could include, but is not limited to, posting the information  
2238 on the operator's website or on-site.

2239           2. During the duration of the special event demonstration project, and only for  
2240 the purposes of the special event demonstration project, parcels within the special event  
2241 demonstration project area identified in Attachment B to this ordinance may not be  
2242 consolidated to meet the minimum lot size required for a winery, brewery, distillery  
2243 facility III.

2244           3. Special event demonstration projects shall be consistent with general health,  
2245 safety and public welfare standards, and shall not violate state or federal law.

2246           H. Special event demonstration project applications shall be accepted by the  
2247 permitting division for three years from the effective date of this ordinance. Complete  
2248 applications submitted before the end of the three years shall be reviewed and decided on  
2249 by the permitting division.

2250           I. Beginning one year after the effective date of this ordinance, and each year for  
2251 four years thereafter, the executive shall prepare and transmit to the council preliminary  
2252 evaluations of special event demonstration project B. These preliminary evaluation  
2253 reports shall include:

- 2254           1. A list of demonstration project applications submitted, reviewed and decided;
- 2255           2. Comments received from neighboring residents, including code complaints, if  
2256 any, related to the applications received and approved, or the demonstration project;
- 2257           3. Comments received from neighboring cities and community service areas;
- 2258           4. Comments received from project applicants attempting to utilize the  
2259 demonstration project, including the application and review process, and the criteria for  
2260 approving special event demonstration projects;
- 2261           5. Comments received from customers of the project applicants' businesses;
- 2262           6. A description of known interactions or relationships between projects  
2263 approved under the demonstration project and nearby agricultural users and lands, such  
2264 as additional exposure for local agricultural products;
- 2265           7. An inventory of remaining parcels or properties available for development  
2266 under the demonstration project;

2267           8. A description of the number and size of the events and the parking plans  
2268 approved through the joint conditional use permit and temporary use permit process; and

2269           9. Any known recommended code changes that would further the purposes of  
2270 the demonstration project.

2271           J. Within ninety days of five years after the effective date of this ordinance, the  
2272 permitting division shall prepare a draft final report and proposed permanent code  
2273 changes, that includes the information compiled under subsection I. of this section, and  
2274 includes the following:

2275           1. Evaluation of water use by winery, brewery, distillery facility III uses,  
2276 including amount of water used, impacts to watershed basins, impacts to public water  
2277 systems, and whether these facilities should be required to connect to a Group A or  
2278 Group B system;

2279           2. Evaluation of the parking requirements, including whether the parking ratios  
2280 required in K.C.C. chapter 21A.18 for production facilities, associated tasting rooms, and  
2281 special events provide sufficient, but not excessive, parking;

2282           3. Outreach to those applicants with projects approved through the  
2283 demonstration project, with requested information to include, at a minimum:

- 2284           a. when they were approved by the permitting division;
- 2285           b. when they opened subsequent to that approval;
- 2286           c. whether they are still operating at the time of the final report; and
- 2287           d. any recommendations on final regulations;

2288           4. An evaluation of the requirements for temporary use permits for special  
2289 events for all winery, brewery, distillery facilities, home occupations, home industries,

2290 and remote tasting rooms. This shall include, at a minimum:

2291           a. an evaluation of the minimum requirements for obtaining a temporary use  
2292 permit established in K.C.C. 21A.32.100 and 21A.32.120, and whether they should be  
2293 modified;

2294           b. an evaluation of what is considered an "industry standard event" for a  
2295 winery, brewery, distillery facility or remote tasting room. As a guideline, an "industry  
2296 standard event" may mean an event that is essential to the operation of the business and is  
2297 directly related to the business, such as a release party or dinner for club members. The  
2298 evaluation shall include recommendations on what types of industry standard events  
2299 should require a temporary use permit, based on the scale of the event or any other factor  
2300 the executive deems relevant;

2301           c. an evaluation of what is not an "industry standard event," such as renting out  
2302 space for an event that is unrelated to the business. Those types of events typically  
2303 require a temporary use permit;

2304           d. a recommended set of specific temporary use permit triggers related to  
2305 special events for winery, brewery, distillery facilities, nonconforming home occupations  
2306 and home industries and remote tasting rooms;

2307           e. a recommendation of the maximum number of special events that should be  
2308 allowed for winery, brewery, distillery facilities, nonconforming home occupations and  
2309 home industries and remote tasting rooms;

2310           f. a description of the current temporary use permit review process, and an  
2311 evaluation of and recommendations for simplification of the temporary use permit review  
2312 process, including, but not limited to, code requirements, internal process and procedures,

2313 and fees;

2314 g. an evaluation of the current two per year limit on events that may be held  
2315 without a permit, and whether that limitation should be modified;

2316 h. an evaluation of the limits on the number of guests in K.C.C. 21A.32.120,  
2317 and whether those limitations should be modified; and

2318 i. an evaluation of the public notice requirements for special events allowed for  
2319 winery, brewery, and distillery facilities, and whether those requirements should be  
2320 modified;

2321 5. Evaluation of the consolidated permit review process, including permit  
2322 review timelines for the demonstration project applications compared to review times for  
2323 similar types of projects that do not use the demonstration project allowance for  
2324 consolidated review under this section, the cost to the applicant and the cost for the  
2325 county to administer and review the demonstration project applications;

2326 6. Evaluation of stormwater and surface water issues within Overlay B, impacts  
2327 on downstream properties and agricultural land, and potential remedies for identified  
2328 stormwater and surface water issues; and

2329 7. A recommendation on permanent code changes, or further demonstration  
2330 project requirements, regarding special events.

2331 K. The permitting division shall include a public comment period for the draft  
2332 evaluation described in subsection J. of this section. The public comment period shall be  
2333 at least forty-five days beginning with the date of publication in the newspapers of record  
2334 for the demonstration project areas identified in Attachment B to this ordinance. As part  
2335 of the public comment period, the permitting division shall:

- 2336           1. Publish notice of the draft evaluation's availability in each newspaper of  
2337 record, including locations where the draft evaluation is available;
- 2338           2. Send notice and request for comment to the water districts for the  
2339 demonstration project areas identified in Attachment B to this ordinance;
- 2340           3. Request comments from any developer that has applied for approval under  
2341 the demonstration project;
- 2342           4. Provide a copy at the local libraries for the demonstration project areas  
2343 identified in Attachment B to this ordinance;
- 2344           5. Post an electronic copy on the permitting division's website; and
- 2345           6. Send electronic notice to the clerk of the council, who shall retain the original  
2346 email and provide an electronic copy to all councilmembers, the council chief of staff and  
2347 the lead staff for the local services, regional roads and bridges committee, or its  
2348 successor.

2349           L. After the public comment period has ended, the permitting division shall  
2350 prepare a final evaluation of the special event demonstration project B, incorporating or  
2351 responding to the comments received. Within sixty days of the end of the end of the  
2352 public comment period, the executive shall file a final evaluation report, a motion that  
2353 should accept the report, and an ordinance that implements any proposed permanent code  
2354 changes.

2355           M. For each preliminary evaluation, and the final report and proposed legislation,  
2356 the reports shall be filed in the form of a paper original and an electronic copy with the  
2357 clerk of the council, who shall retain the original and provide an electronic copy to all  
2358 councilmembers, the council chief of staff and the lead staff for the local services,

2359 regional roads and bridges committee, or its successor.

2360 SECTION 32. Ordinance 13623, Section 37, as amended, and K.C.C. 23.32.010

2361 are each hereby amended to read as follows:

2362 A.1. Civil fines and civil penalties for civil code violations shall be imposed for  
2363 remedial purposes and shall be assessed for each violation identified in a citation, notice  
2364 and order, voluntary compliance agreement or stop work order pursuant to the following  
2365 schedule:

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

II and III and remote tasting room:

- |  |  |
|--|--|
| (1) with no previous similar code violations   | \$100  |
| (2) with no previous code violations of K.C.C. chapter<br>12.86 within the past twelve months  | \$125  |
| (3) with one previous code violation of K.C.C. chapter<br>12.86 within the past twelve months  | \$250  |
| (4) with one or more previous similar code violations, or<br>with two previous code violations of K.C.C. chapter 12.86<br>within the past twelve months            | \$500  |
| (5) with two or more previous violations of K.C.C. Title<br>10, or three or more previous code violations of K.C.C. chapter<br>12.86 within the past twelve months | Double the<br>rate of the<br>previous<br>penalty |

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

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

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

within the past twelve months;

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

(1) stop work order basic penalty \$500

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

basic penalty

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

(a) public health risk \$15

(b) environmental damage risk \$15

(c) damage to property risk \$15

(d) one previous similar code violation \$25

(e) two previous similar code violations \$50

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

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

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

23.02.140.

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

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

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

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

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

2366 2. For the purposes of this section, previous similar code violations that can  
2367 serve as a basis for a higher level of civil penalties include violations of the same chapter  
2368 of the King County Code. Any citation, stop work order or notice and order previously  
2369 issued by the department shall not constitute a previous code violation for the purposes of  
2370 this section if that stop work order or notice and order was appealed and subsequently  
2371 reversed.

2372           B. The penalties assessed pursuant to this section for any failure to comply with a  
2373 notice and order or voluntary compliance agreement shall be assessed daily, according to  
2374 the schedule in subsection A of this section, for the first thirty days following the date the  
2375 notice and order or voluntary compliance agreement required the code violations to have  
2376 been cured. If after thirty days the person responsible for code compliance has failed to  
2377 satisfy the notice and order or voluntary compliance agreement, penalties shall be  
2378 assessed daily at a rate of double the rate for the first thirty days. Penalties may be  
2379 assessed daily until the person responsible for code compliance has fully complied with  
2380 the notice and order.

2381           C. Penalties based on violation of a stop work order shall be assessed, according  
2382 to the schedule in subsection A. of this section, for each day the department determines  
2383 that work or activity was done in violation of the stop work order.

2384           D. Citations and cleanup restitution payments shall only be subject to a one-time  
2385 civil penalty.

2386           E. The director may suspend the imposition of additional civil penalties if the  
2387 person responsible for code compliance has entered into a voluntary compliance  
2388 agreement. If the person responsible for code compliance enters into a voluntary  
2389 compliance agreement and cures the code violations, the director may also waive all or  
2390 part of the accrued civil penalties in accordance with K.C.C. 23.32.050. Penalties shall  
2391 begin to accrue again pursuant to the terms of the voluntary compliance agreement if any  
2392 necessary permits applied for are denied, canceled or not pursued, or if corrective action  
2393 identified in the voluntary compliance agreement is not completed as specified.

2394 F. The civil penalties in this section are in addition to, and not in lieu of, any  
2395 penalties, sanctions, restitution or fines provided for in any other provisions of law.

2396 SECTION 33. A. The executive shall transmit a report and proposed ordinance  
2397 that evaluates the efficacy of the regulations for winery, brewery, distillery facilities and  
2398 remote tasting rooms adopted as part of this ordinance. The report shall include, at a  
2399 minimum:

2400 1. An evaluation of the effectiveness of the citation and civil fine structure in  
2401 K.C.C. 23.32.010 adopted for winery, brewery, distillery and remote tasting room uses as  
2402 part of this ordinance, and a recommended citation and civil fine structure, if the  
2403 evaluation finds that the current structure is not effective or could be modified to increase  
2404 effectiveness;

2405 2. An evaluation of the impacts that urban uses within urban growth area have  
2406 on rural character and adjacent rural areas outside the urban growth area, and  
2407 recommendations for how to reduce impact of those urban uses;

2408 3. Analysis of product content requirement adopted as part of this ordinance for  
2409 winery, brewery distillery facilities in the Agriculture zone. Include, at a minimum, an  
2410 evaluation of requiring sixty percent of product content to be grown on-site, sixty percent  
2411 of product content to be grown in Puget Sound Counties, or allowing these facilities as  
2412 agricultural accessory uses in accordance with WAC 365-196-815, and a  
2413 recommendation for how these facilities should be regulated in the Agriculture zone to  
2414 comply with the requirements for agricultural production areas under the Growth  
2415 Management Act; and

2416 4. Analysis of winery, brewery, distillery facility I as interim use in the

2417 Agriculture zone, and evaluation of the effectiveness of the regulations adopted by this  
2418 ordinance, the impacts to the agricultural production districts, and any recommended  
2419 changes to the regulations regarding winery, brewery, distillery facility and remote  
2420 tasting rooms, adopted by this ordinance.

2421 B. The report and proposed ordinance shall be transmitted to the council with a  
2422 motion that should accept the report and a proposed ordinance making recommended code  
2423 changes, concurrently with the final evaluations required in sections 29 and 31 of this  
2424 ordinance, in the form of a paper original and an electronic copy to the clerk of the  
2425 council, who shall retain the original and provide an electronic copy to all  
2426 councilmembers, the council chief of staff and the lead staff for the local services,  
2427 regional roads and bridges committee, or its successor.

2428 SECTION 34. Severability. If any provision of this ordinance or its application  
2429 to any person or circumstance is held invalid, the remainder of the ordinance or the  
2430 application of the provision to other persons or circumstances is not affected."

2431

2432 Strike Attachment A, Demonstration Project Overlay A - Remote Tasting Rooms  
2433 Exhibits 1 & 2 and insert Attachment A, Map Amendment #1 – Remote Tasting Room  
2434 Demonstration Project A dated March 11, 2019

2435

2436 Strike Attachment B, Demonstration Project Overlay B - Winery, Brewery, Distillery III  
2437 Events, and insert Attachment B, Map Amendment #2 – Special Event Demonstration  
2438 Project B dated March 11, 2019

2439

2440 The clerk of the council is instructed to insert the final enact number in Attachments A  
2441 and B where the Proposed Ordinance number is referenced.

2442

2443 **EFFECT: This striking amendment makes the following changes to the Proposed**  
2444 **Ordinance:**

2445

2446 **Substantive Changes**

2447

- 2448 1. Adds additional findings to further establish the record for the proposed changes  
2449 to existing code.
- 2450 2. Business license requirements:
- 2451 a. Requires a business license for nonconforming home occupations and  
2452 home industries.
- 2453 b. Recognizes the difference in product content requirements for a WBD I in  
2454 the A zone (60% on-site versus 60% Puget Sound Counties)
- 2455 c. Prohibits issuance of a business license for a WBD I interim use for more  
2456 than 5 years on any one site.
- 2457 3. Modifies the definition of remote tasting room:
- 2458 a. To allow distilleries and breweries to qualify as a remote tasting room,  
2459 recognizing the difference in state licensing allowances.
- 2460 b. Prohibits liquor licenses that are considered “retail licenses” by the state  
2461 Liquor and Cannabis Board under a remote tasting room.
- 2462 4. Modifies the definition of WBD I:
- 2463 a. To allow limited retail and tasting. These activities are further limited by  
2464 the development conditions discussed below.
- 2465 b. Prohibits liquor licenses that are considered “retail licenses” by the state  
2466 Liquor and Cannabis Board under a WBD I use.
- 2467 5. Adds an new definition for WBD I interim use permit:
- 2468 a. A term-limited permit for a winery, brewery, distillery facility I in the A  
2469 zone.
- 2470 b. One-time approval, effective for one year, with four annual renewals  
2471 possible for up to five years.
- 2472 c. After the interim use permit or any renewals have expired, use is required to  
2473 either comply with zoning conditions for a winery, brewery, distillery  
2474 facility II or III use, and meet the requirements of one of those uses, or  
2475 cease operations and vacate the site.
- 2476 d. Applications for a winery, brewery, distillery facility I interim use permit  
2477 may only be accepted by the permitting division within five years of the  
2478 effective date of this ordinance.
- 2479 e. The time limitations on a winery, brewery, distillery facility I interim use  
2480 permit do not apply to agricultural uses such as vineyards and orchards.
- 2481 6. Modifies the definitions for WBD II and III:

- 2482 a. Prohibits liquor licenses that are considered “retail licenses” by the state  
 2483 Liquor and Cannabis Board under a WBD II or III use.
- 2484 7. Adds remote tasting room to the Retail Land Use Table, and permits it in the CB  
 2485 and RB zone with a development condition that the parking is limited to a  
 2486 maximum of 1 space per 50 square feet of tasting and retail area.
- 2487 8. For WBD I:
- 2488 a. Moved from the Manufacturing Land Use Table to the Residential Land  
 2489 Use Table, and permitted as a Residential Accessory Use, either outright  
 2490 with development conditions, or with a conditional use permit with  
 2491 development conditions.
- 2492 b. In the A zone:
- 2493 i. Accessory to agricultural use and residential use.
- 2494 ii. Allow WBD I as an interim use – must apply within 5 years of  
 2495 effective date of this ordinance, and is only authorized for up to 5  
 2496 years, with criteria.
- 2497 iii. Maximum building size is 1,500sf. Excludes decks not open to the  
 2498 public.
- 2499 iv. Tasting not allowed on-site.
- 2500 v. Retail sales of on-site products allowed.
- 2501 vi. Direct access to an arterial required.
- 2502 vii. 60% of product to be processed must be grown in Puget Sound  
 2503 Counties.
- 2504 viii. On-site production required. Requires production to include two or  
 2505 more of the stages of production: crushing, fermentation, barrel or  
 2506 tank aging, or finishing
- 2507 ix. Non-agricultural facility uses must be on portion of the property  
 2508 unsuitable for agricultural production purposes.
- 2509 x. Parking requirements: One stall for non-resident employee, plus  
 2510 parking for customers: minimum 1, plus 1:1,000sf of area  
 2511 dedicated to WBD facility uses. Maximum parking allowed is  
 2512 150% of the minimum required.
- 2513 xi. Add provision for grandfathering for number existing parking  
 2514 spaces (compliance with development standards required)
- 2515 xii. Requires 75 foot setback of buildings and parking areas from  
 2516 interior property lines that adjoin RA or R zoned property.
- 2517 c. In the RA zone:
- 2518 i. Allowed as a residential accessory use.
- 2519 ii. Tastings not allowed in defined area in/adjacent to Sammamish  
 2520 Valley
- 2521 iii. Tastings allowed in other areas, by appointment only, indoors only,  
 2522 and within these hours: Mon-Th 11am to 7pm and Fri-Sun 11am to  
 2523 9pm
- 2524 iv. Sale of items produced on-site allowed.
- 2525 v. Requires production to include two or more of the stages of  
 2526 production: crushing, fermentation, barrel or tank aging, or  
 2527 finishing.

- 2528 vi. Adds parking requirements for customers: minimum 1, plus
- 2529 1:1,000sf of area dedicated to WBD facility uses. Maximum
- 2530 parking allowed is 150% of the minimum required.
- 2531 vii. Add provision for grandfathering for number existing parking
- 2532 spaces (compliance with development standards required)
- 2533 viii. Allows 75 foot setback from RA and R zoned properties to be
- 2534 reduced to 25 feet with a CUP and subject to screening
- 2535 requirements. Applies this setback to interior property lines only.
- 2536 9. For WBD II:
- 2537 a. In A zone:
- 2538 i. Excludes decks not open to the public from the maximum square
- 2539 footage limit.
- 2540 ii. Requires production to include two or more of the stages of
- 2541 production: crushing, fermentation, barrel or tank aging, or
- 2542 finishing.
- 2543 iii. Add provision for grandfathering for number existing parking
- 2544 spaces (compliance with development standards required)
- 2545 iv. Allows 75 foot setback from RA and R zoned properties to be
- 2546 reduced to 25 feet with a CUP and subject to screening
- 2547 requirements. Applies this setback to interior property lines only.
- 2548 b. In RA zone:
- 2549 i. Excludes decks not open to the public from the maximum square
- 2550 footage limit.
- 2551 ii. Requires production to include two or more of the stages of
- 2552 production: crushing, fermentation, barrel or tank aging, or
- 2553 finishing.
- 2554 iii. Modifies maximum parking requirements, from 150% of the
- 2555 minimum, to a maximum for tasting and retail areas of 1 space per
- 2556 50 square feet of such areas.
- 2557 iv. Add provision for grandfathering for number existing parking
- 2558 spaces (compliance with development standards required)
- 2559 v. Allows 75 foot setback from RA and R zoned properties to be
- 2560 reduced to 25 feet with a CUP and subject to screening
- 2561 requirements. Applies this setback to interior property lines only.
- 2562 c. In NB and CB zones:
- 2563 i. Excludes decks not open to the public from the maximum square
- 2564 footage limit.
- 2565 ii. Sets maximum parking for tasting and retail areas to 1 per 50
- 2566 square feet of tasting and retail area
- 2567 iii. Allows 75 foot setback from RA and R zoned properties to be
- 2568 reduced to 25 feet with a CUP and subject to screening
- 2569 requirements. Applies this setback to interior property lines only.
- 2570 d. In RB zone:
- 2571 i. Adds a maximum parking of 1:50 square feet of tasting and retail
- 2572 areas. If a CUP is required, this is a “should”.
- 2573 ii. Require a 75 foot setback from RA and R zoned properties, but

2574 allow that to be reduced to 25 feet with a CUP and subject to  
2575 screening requirements. Applies this setback to interior property  
2576 lines only.

2577 e. In the I zone:

2578 i. Limited to breweries and distilleries. Wineries and remote tasting  
2579 rooms prohibited.

2580 ii. Limits the tasting area to a maximum of 1,500 square feet.

2581 iii. Adds a maximum parking of 1:50 square feet of tasting and retail  
2582 areas. If a CUP is required, this is a “should”.

2583 iv. Require a 75 foot setback from RA and R zoned properties, but  
2584 allow that to be reduced to 25 feet with a CUP and subject to  
2585 screening requirements. Applies this setback to interior property  
2586 lines only.

2587 10. For WBD III:

2588 a. In A zone and RA zone:

2589 i. Excludes decks not open to the public from the maximum square  
2590 footage limit.

2591 ii. Requires production to include two or more of the stages of  
2592 production: crushing, fermentation, barrel or tank aging, or  
2593 finishing.

2594 iii. Maximum parking determined through the CUP. Maximum  
2595 parking for tasting and retail should be limited to 1:50 square feet.

2596 iv. Add provision for grandfathering for number existing parking  
2597 spaces (compliance with development standards required).

2598 v. Allows 75 foot setback from RA and R zoned properties to be  
2599 reduced to 25 feet with a CUP and subject to screening  
2600 requirements. Applies this setback to interior property lines only.

2601 b. In NB and CB zones:

2602 i. Maximum parking determined through the CUP. Maximum  
2603 parking for tasting and retail should be limited to 1:50 square feet.

2604 ii. Require a 75 foot setback from RA and R zoned properties, but  
2605 allow that to be reduced to 25 feet with a CUP and subject to  
2606 screening requirements. Applies this setback to interior property  
2607 lines only.

2608 c. In RB zone:

2609 i. Maximum parking determined through the CUP. Maximum  
2610 parking for tasting and retail should be limited to 1:50 square feet.

2611 ii. Require a 75 foot setback from RA and R zoned properties, but  
2612 allow that to be reduced to 25 feet with a CUP and subject to  
2613 screening requirements. Applies this setback to interior property  
2614 lines only.

2615 d. In the I zone:

2616 i. Limited to breweries and distilleries. Wineries and remote tasting  
2617 rooms prohibited.

2618 ii. Limits the tasting area to a maximum of 1,500 square feet.

2619 iii. Maximum parking determined through the CUP. Maximum

- 2620 parking for tasting and retail should be limited to 1:50 square feet.
- 2621 iv. Require a 75 foot setback from RA and R zoned properties, but
- 2622 allow that to be reduced to 25 feet with a CUP and subject to
- 2623 screening requirements. Applies this setback to interior property
- 2624 lines only.
- 2625 11. Prohibits WBD I, II and III in the Urban Reserve zone.
- 2626 12. In the parking ratio table:
- 2627 a. Adds a remote tasting room with a minimum parking ratio of 1 space per
- 2628 300 square feet of tasting and retail areas.
- 2629 b. For WBD facilities, applies the minimum ratio to WBD III, and adds that
- 2630 the 1 space per 300 square foot requirement is for retail areas in addition
- 2631 to tasting areas.
- 2632 13. For home occupations and home industries, allows for existing businesses to have
- 2633 a process to be considered a legally nonconforming home occupation or home
- 2634 industry, within one year of the effective date of this ordinance. Allowed for
- 2635 businesses with a liquor license prior to January 1, 2019, where King County did
- 2636 not object to the issuance of the liquor license. Requires such businesses to obtain
- 2637 a business license, and to comply with all other state and local regulations.
- 2638 14. For WBD and remote tasting rooms, establishes a set of criteria for when a special
- 2639 event requires a temporary use permit from the County. Events that have one or
- 2640 more of the following will require a temporary use permit:
- 2641 a. Exceeds the permitted building occupancy.
- 2642 b. Utilizes portable toilets.
- 2643 c. Utilizes parking that exceeds the maximum number of spaces allowed or
- 2644 utilizes off-site parking.
- 2645 d. Utilizes temporary stages.
- 2646 e. Utilizes temporary tents or canopies that require a permit.
- 2647 f. Utilizes traffic control for public rights-of-way.
- 2648 g. Extends beyond stated hours of operation.
- 2649 15. For special events in the A and RA zones, raises the maximum number of guests
- 2650 from 125 to 150.
- 2651 16. For special events for WBD I in the RA zone, home occupation and home
- 2652 industry uses, specifies that 2 events per year can occur without a temporary use
- 2653 permit, and sets a maximum number of guests at 50 people.
- 2654 17. Prohibits special events for WBD I in the A zone.
- 2655 18. Rewrites much of the remote tasting room demonstration project A for
- 2656 consistency with other demonstration projects. Also modifies the substantive
- 2657 requirements in the following ways:
- 2658 a. Allows a third area in the demonstration project – Fall City Rural Town
- 2659 CB zoning.
- 2660 b. Modifies the Vashon Rural Town area to reduce the scope just to the CB
- 2661 zoned areas.
- 2662 c. Removes the requirement that access be to an arterial. In effect, all of the
- 2663 Sammamish Valley area is accessed from an arterial, and for Fall City and
- 2664 Vashon Rural Towns, the CB zoning is generally on an arterial or within a
- 2665 block of the arterial. These areas allow higher intensity uses already.

- 2666 d. Removes the requirement that production is prohibited.
- 2667 e. Allows two events per year, maximum 50 guests, without a temporary use
- 2668 permit.
- 2669 f. Extends the demonstration project from 3 to 5 years. Applications may
- 2670 only be submitted within 3 years, and then after 5 years, the Executive is
- 2671 required to start the evaluation process.
- 2672 g. Requires the annual evaluations for 4 years, to be transmitted to the
- 2673 Council with a motion accepting the report, and expanded to include:
- 2674 i. Comments received from neighboring residents (in addition to
- 2675 code complaints).
- 2676 ii. Comments received from neighboring cities and Community
- 2677 Service Areas.
- 2678 iii. Comments received from applicants on the application and review
- 2679 process and the criteria for approving a remote tasting room.
- 2680 iv. Comments received from customers of the remote tasting rooms
- 2681 approved.
- 2682 v. A description of how the remote tasting rooms interact with nearby
- 2683 agricultural users and lands, including additional exposure for local
- 2684 agricultural products.
- 2685 vi. An inventory of remaining properties that could be developed
- 2686 under the demonstration project.
- 2687 vii. Known recommended code changes that would further the
- 2688 purposes of the demonstration project.
- 2689 h. Expands the final evaluation to start after the 5 years has completed. The
- 2690 substance of the evaluation includes:
- 2691 i. The information required for the annual reports.
- 2692 ii. Evaluation of parking ratios.
- 2693 iii. Evaluation of the tasting hours.
- 2694 iv. Outreach and information from project applicants on the efficacy
- 2695 of the demonstration project.
- 2696 v. Evaluation of review timelines for the demonstration project.
- 2697 vi. Recommended permanent code changes or further demonstration
- 2698 projects.
- 2699 i. For the final evaluation, require a public comment period on a draft report,
- 2700 which includes publishing a notice in area newspapers, requesting
- 2701 comments from water purveyors, requesting comments from project
- 2702 applicants, providing a copy of the draft report at local libraries, posting a
- 2703 copy to Permitting's website, and filing a copy with the clerk of the
- 2704 Council. The public comment period is 45 days.
- 2705 j. After the public comment period is over, a final report incorporating the
- 2706 public comments is required to be transmitted to the Council within 90
- 2707 days, along with a motion to accept the report and a proposed ordinance
- 2708 that makes permanent code changes.
- 2709 19. Rewrites much of the special event demonstration project B for consistency with
- 2710 other demonstration projects. Also modifies the substantive requirements in the
- 2711 following ways:

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- a. Instead of incorporating special events (that would normally require a temporary use permit) into the review of the conditional use permit, the reviews of the two permits would be consolidated. The conditional use permit for the WBD III, which is already required for that facility in the RA zone, would continue on past the demonstration project. The temporary use permit would be subject to the requirement to renew it each year, and then after the demonstration project ends and the temporary use permit approved under the demonstration project expires, the businesses would be required to obtain a new temporary use permit under the code in place at the time of complete application in the future.
  - b. The fees for the consolidated conditional use permit and temporary use permit would be reduced by exempting the projects from the temporary use permit.
  - c. The joint process would require public notice, review under SEPA, and compliance with the criteria for a conditional use permit and temporary use permit.
  - d. The temporary use permit approval would be required to have conditions regarding the number of guests allowed, parking plan, and the number of events required, which is limited to a maximum of 60 days per year.
  - e. Prohibits consolidation of parcels to meet the minimum lot size for a WBD III in order to utilize the demonstration project.
  - f. Extends the demonstration project from 3 to 5 years. Applications may only be submitted within 3 years, and then after 5 years, the Executive is required to start the evaluation process.
  - g. Requires the annual evaluations for 4 years, to be transmitted to the Council with a motion accepting the report, and expanded to include:
    - i. Comments received from neighboring residents (in addition to code complaints).
    - ii. Comments received from neighboring cities and Community Service Areas.
    - iii. Comments received from applicants on the application and review process and the criteria for approving a remote tasting room.
    - iv. Comments received from customers of the special events joint review process approved.
    - v. A description of how the businesses in the demonstration project interact with nearby agricultural users and lands, including additional exposure for local agricultural products.
    - vi. An inventory of remaining properties that could be developed under the demonstration project.
    - vii. A description of the number and size of the events and the parking plans approved through the joint conditional use permit and temporary use permit process
    - viii. Known recommended code changes that would further the purposes of the demonstration project.
  - h. Expands the final evaluation to start after the 5 years has completed. The substance of the evaluation includes:

- 2758 i. The information required for the annual reports.
- 2759 ii. Evaluation of water use by WBD III.
- 2760 iii. Evaluation of parking ratios.
- 2761 iv. Outreach and information from project applicants on the efficacy
- 2762 of the demonstration project.
- 2763 v. Evaluation of special events for the adult beverage industry.
- 2764 vi. Evaluation of review timelines for the demonstration project and
- 2765 comparison to projects that did not use the demonstration project.
- 2766 vii. Evaluation of stormwater and surface water issues.
- 2767 viii. Recommended permanent code changes or further demonstration
- 2768 projects.
- 2769 i. For the final evaluation, require a public comment period on a draft report,
- 2770 which includes publishing a notice in area newspapers, requesting
- 2771 comments from water purveyors, requesting comments from project
- 2772 applicants, providing a copy of the draft report at local libraries, posting a
- 2773 copy to Permitting's website, and filing a copy with the clerk of the
- 2774 Council. The public comment period is 45 days.
- 2775 j. After the public comment period is over, a final report incorporating the
- 2776 public comments is required to be transmitted to the Council within 90
- 2777 days, along with a motion to accept the report and a proposed ordinance
- 2778 that makes permanent code changes.
- 2779 20. An evaluation is added to the ordinance, required to be transmitted in conjunction
- 2780 with the final evaluation reports and recommended code changes for the two
- 2781 demonstration projects. This evaluation is required to include:
- 2782 a. An evaluation of the effectiveness of the citation and civil fine structure.
- 2783 b. An evaluation of the impacts that urban uses have on rural character and
- 2784 adjacent rural areas.
- 2785 c. An analysis of product content requirement adopted as part of this
- 2786 ordinance for winery, brewery distillery facilities in the Agriculture zone.
- 2787 d. An analysis of winery, brewery, distillery facility I as interim use in the
- 2788 Agriculture zone.
- 2789 21. Attaches new versions of Attachments A and B to make them map amendments
- 2790 as required for demonstration projects.

2791  
2792 **Technical Changes**

- 2793
- 2794 22. Modifies the definitions of WBD I, II and III to use consistent terminology.
- 2795 23. Adds tasting and retail allowances in the permitted use tables for each use for
- 2796 consistency.
- 2797 24. Engrosses changes made by other ordinances that have been adopted since this
- 2798 Proposed Ordinance was transmitted by the Executive.
- 2799 25. Updates references to reflect the re-organization and creation of the Department
- 2800 of Local Services.
- 2801 26. Incorporates the changes made by Striking Amendment S1 that made clarifying
- 2802 edits, and corrected drafting errors so that the Proposed Ordinance matched the
- 2803 Executive's intent.

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

**Sammamish Valley near the City of Woodinville, Vashon Rural Town, and Fall City Rural Town**

**AMENDMENT TO THE KING COUNTY ZONING ATLAS**

---

Amend Sections 14 and 23, Township 26, Range 5, and Sections 29, 30, 31 and 32, Township 23, Range 3, and Sections 14 and 15, Township 24, Range 7, as follows:

**ZONING**

Apply the Demonstration Project (-DPA) established in Ordinance XXXXX (Proposed Ordinance 2018-0241), Section 28, to the following parcels. Make no other changes to the land use designation or zoning:

<b>Parcel</b>	<b>Current Zoning</b>	<b>Area</b>
2481600120	RA-2.5	Sammamish Valley
3404700026	RA-2.5	Sammamish Valley
3404700027	RA-2.5	Sammamish Valley
3404700030	RA-2.5-SO	Sammamish Valley
3404700031	RA-2.5-SO	Sammamish Valley
3404700035	RA-2.5-SO	Sammamish Valley
3404700040	RA-2.5-SO	Sammamish Valley
3404700041	RA-2.5-SO	Sammamish Valley
3404700043	RA-2.5-SO	Sammamish Valley
3404700050	RA-2.5-SO	Sammamish Valley
3404700055	RA-2.5-SO	Sammamish Valley
3404700057	RA-2.5-SO	Sammamish Valley
3407700006	RA-2.5-SO	Sammamish Valley
2846200005	CB-P-SO	Vashon Rural Town
2846200010	CB-P-SO	Vashon Rural Town
2846200025	CB-P-SO	Vashon Rural Town
2846200030	CB-P-SO	Vashon Rural Town

<b>Parcel</b>	<b>Current Zoning</b>	<b>Area</b>
2846200040	CB-P-SO	Vashon Rural Town
2846200050	CB-P-SO	Vashon Rural Town
2846200065	CB-P-SO	Vashon Rural Town
2846200070	CB-P-SO	Vashon Rural Town
2846200075	CB-P-SO	Vashon Rural Town
2846200080	CB-P-SO	Vashon Rural Town
2846200085	CB-P-SO	Vashon Rural Town
2846200086	CB-P-SO	Vashon Rural Town
2846200090	CB-P-SO	Vashon Rural Town
2846200092	CB-P-SO	Vashon Rural Town
2846200100	CB-P-SO	Vashon Rural Town
2846200105	CB-P-SO	Vashon Rural Town
2846200110	CB-P-SO	Vashon Rural Town
2846200115	CB-P-SO	Vashon Rural Town
2923039068	CB-P-SO	Vashon Rural Town
2923039094	CB-P-SO	Vashon Rural Town
2923039106	CB-P-SO	Vashon Rural Town
2923039113	CB-P-SO	Vashon Rural Town
2923039114	CB-P-SO	Vashon Rural Town
2923039121	CB-P-SO	Vashon Rural Town
2923039135	CB-P-SO	Vashon Rural Town
2923039136	CB-P-SO	Vashon Rural Town
2923039147	CB-P-SO	Vashon Rural Town
2923039158	CB-P-SO	Vashon Rural Town
2923039160	CB-P-SO	Vashon Rural Town
2923039161	CB-P-SO	Vashon Rural Town
2923039183	CB-P-SO	Vashon Rural Town
2923039198	CB-P-SO	Vashon Rural Town
2923039291	CB-P-SO	Vashon Rural Town
2923039295	CB-P-SO	Vashon Rural Town
3023039036	CB-P-SO	Vashon Rural Town
3023039039	CB-P-SO	Vashon Rural Town
3023039041	CB-P-SO	Vashon Rural Town
3023039050	CB-P-SO	Vashon Rural Town
3023039051	CB-P-SO	Vashon Rural Town
3023039054	CB-P-SO	Vashon Rural Town
3023039056	CB-P-SO	Vashon Rural Town
3023039061	CB-P-SO	Vashon Rural Town
3023039062	CB-P-SO	Vashon Rural Town
3023039073	CB-P-SO	Vashon Rural Town

<b>Parcel</b>	<b>Current Zoning</b>	<b>Area</b>
3023039090	CB-P-SO	Vashon Rural Town
3023039097	CB-P-SO	Vashon Rural Town
3023039108	CB-P-SO	Vashon Rural Town
3023039111	CB-P-SO	Vashon Rural Town
3023039122	CB-P-SO	Vashon Rural Town
3023039125	CB-P-SO	Vashon Rural Town
3023039160	CB-P-SO	Vashon Rural Town
3023039161	CB-P-SO	Vashon Rural Town
3023039187	CB-P-SO	Vashon Rural Town
3023039204	CB-P-SO	Vashon Rural Town
3123039004	CB-P-SO	Vashon Rural Town
3123039010	CB-P-SO	Vashon Rural Town
3123039011	CB-P-SO	Vashon Rural Town
3123039030	CB-P-SO	Vashon Rural Town
3123039033	CB-P-SO	Vashon Rural Town
3123039035	CB-P-SO	Vashon Rural Town
3123039041	CB-P-SO	Vashon Rural Town
3123039053	CB-P-SO	Vashon Rural Town
3123039055	CB-P-SO	Vashon Rural Town
3123039059	CB-P-SO	Vashon Rural Town
3123039061	CB-P-SO	Vashon Rural Town
3123039067	CB-P-SO	Vashon Rural Town
3123039071	CB-P-SO	Vashon Rural Town
3123039072	CB-P-SO	Vashon Rural Town
3123039075	CB-P-SO	Vashon Rural Town
3123039086	CB-P-SO	Vashon Rural Town
3123039087	CB-P-SO	Vashon Rural Town
3123039088	CB-P-SO	Vashon Rural Town
3123039107	CB-P-SO	Vashon Rural Town
3123039126	CB-P-SO	Vashon Rural Town
3123039130	CB-P-SO	Vashon Rural Town
3123039131	CB-P-SO	Vashon Rural Town
3123039134	CB-P-SO	Vashon Rural Town
3123039135	CB-P-SO	Vashon Rural Town
3123039166	CB-P-SO	Vashon Rural Town
3223039016	CB-P-SO	Vashon Rural Town
3223039017	CB-P-SO	Vashon Rural Town
3223039018	CB-P-SO	Vashon Rural Town
3223039019	CB-P-SO	Vashon Rural Town
3223039020	CB-P-SO	Vashon Rural Town

<b>Parcel</b>	<b>Current Zoning</b>	<b>Area</b>
3223039021	CB-P-SO	Vashon Rural Town
3223039022	CB-P-SO	Vashon Rural Town
3223039023	CB-P-SO	Vashon Rural Town
3223039024	CB-P-SO	Vashon Rural Town
3223039076	CB-P-SO	Vashon Rural Town
3223039083	CB-P-SO	Vashon Rural Town
3223039091	CB-P-SO	Vashon Rural Town
3223039092	CB-P-SO	Vashon Rural Town
3223039103	CB-P-SO	Vashon Rural Town
3223039112	CB-P-SO	Vashon Rural Town
3223039113	CB-P-SO	Vashon Rural Town
3223039114	CB-P-SO	Vashon Rural Town
3223039133	CB-P-SO	Vashon Rural Town
8883500000	CB-P-SO	Vashon Rural Town
8884400010	CB-P-SO	Vashon Rural Town
8884400020	CB-P-SO	Vashon Rural Town
0943100005	CB-SO	Fall City Rural Town
0943100420	CB-SO	Fall City Rural Town
1424079050	CB-P-SO	Fall City Rural Town
1524079004	CB-SO	Fall City Rural Town
1524079006	CB-SO	Fall City Rural Town
1524079007	CB-SO	Fall City Rural Town
1524079059	CB-SO	Fall City Rural Town
1524079079	CB-SO	Fall City Rural Town
1524079182	CB-SO	Fall City Rural Town
2475900005	CB-SO	Fall City Rural Town
2475900025	CB-SO	Fall City Rural Town
2475900030	CB-SO	Fall City Rural Town
2475900050	CB-SO	Fall City Rural Town
2475900052	CB-SO	Fall City Rural Town
2475900054	CB-SO	Fall City Rural Town
2475900065	CB-SO	Fall City Rural Town
2475900075	CB-SO	Fall City Rural Town
2475900080	CB-SO	Fall City Rural Town
2475900085	CB-SO	Fall City Rural Town
2475900105	CB-SO	Fall City Rural Town
2475900110	CB-SO	Fall City Rural Town
2475900120	CB-SO	Fall City Rural Town
2475900125	CB-SO	Fall City Rural Town
2475900140	CB-SO	Fall City Rural Town

<b>Parcel</b>	<b>Current Zoning</b>	<b>Area</b>
2475900155	CB-SO	Fall City Rural Town
2475900170	CB-SO	Fall City Rural Town
2475900190	CB-SO	Fall City Rural Town
2475900194	CB-SO	Fall City Rural Town
2475900195	CB-SO	Fall City Rural Town
2475900210	CB-SO	Fall City Rural Town
2475900240	CB-SO	Fall City Rural Town
2475900250	CB-SO	Fall City Rural Town
2475900265	CB-SO	Fall City Rural Town
2475900266	CB-SO	Fall City Rural Town
2475900280	CB-SO	Fall City Rural Town
2475900285	CB-SO	Fall City Rural Town
2475900305	CB-SO	Fall City Rural Town
2475900320	CB-SO	Fall City Rural Town
2475900330	CB-SO	Fall City Rural Town
2475900340	CB-SO	Fall City Rural Town
2475900355	CB-SO	Fall City Rural Town
2475900356	CB-SO	Fall City Rural Town
2475900370	CB-SO	Fall City Rural Town
2475900385	CB-SO	Fall City Rural Town
2475900395	CB-SO	Fall City Rural Town
2475900405	CB-SO	Fall City Rural Town
2475900445	CB-SO	Fall City Rural Town
2475900460	CB-P-SO	Fall City Rural Town
2475900805	CB-SO	Fall City Rural Town
2475900807	CB-SO	Fall City Rural Town
2475900810	CB-SO	Fall City Rural Town
6730700005	CB-SO	Fall City Rural Town
6730700050	CB-SO	Fall City Rural Town
6730700060	CB-SO	Fall City Rural Town
6730700075	CB-SO	Fall City Rural Town
6730700081	CB-SO	Fall City Rural Town
6730700275	CB-SO	Fall City Rural Town
6730700285	CB-SO	Fall City Rural Town
6730700305	CB-SO	Fall City Rural Town
6730700315	CB-SO	Fall City Rural Town

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Apply the Demonstration Project (-DPA) established in Ordinance XXXXX (Proposed Ordinance 2018-0241), Section 28, to only the portion of the following parcels indicated in the chart and on the accompanying map. Make no other changes to the land use designation or zoning:

27

<b>Parcel Number</b>	<b>Current Zoning</b>	<b>Area</b>	<b>Portion</b>
3023039096	CB-P-SO & RA-5	Vashon Rural Town	Only the portion that is zoned CB-P-SO. Excludes portion zoned RA-5
3123039128	CB-P-SO & R-8-SO	Vashon Rural Town	Only the portion that is zoned CB-P-SO. Excludes portion zoned R-8-SO
3123039132	CB-P-SO & R-8-SO	Vashon Rural Town	Only the portion that is zoned CB-P-SO. Excludes portion zoned R-8-SO

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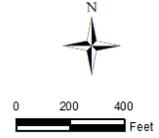
30 Effect: Amends the zoning atlas to apply the Remote Tasting Room Demonstration  
31 Project A to all or a portion of 176 parcels within the Sammamish Valley near the City of  
32 Woodinville, Vashon Rural Town, and Fall City Rural Town.

33

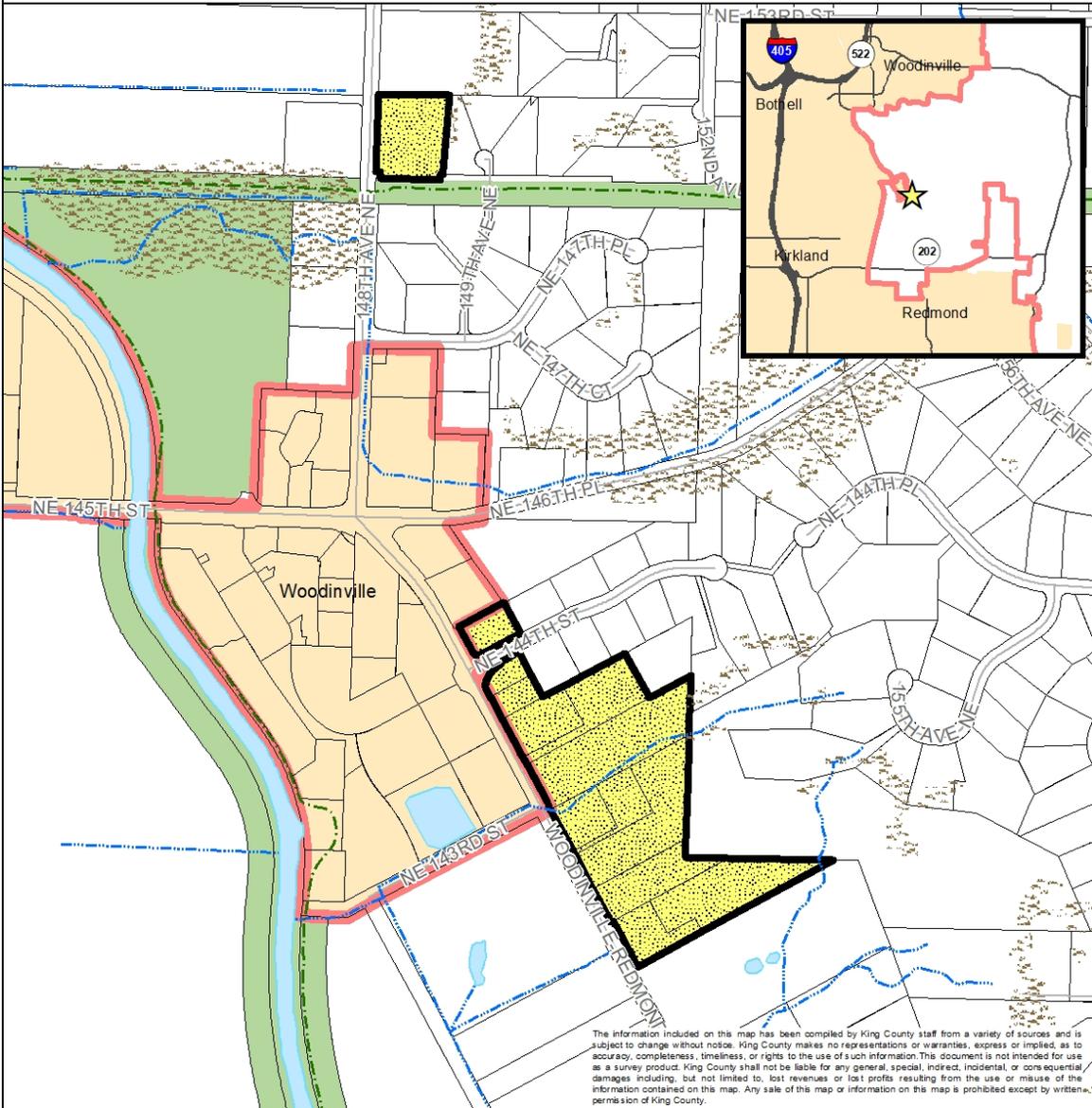
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# Demonstration Project Overlay A: Sammamish Valley

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

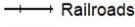
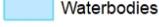
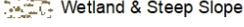


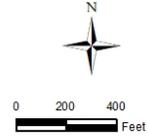
Date: 3/4/2019



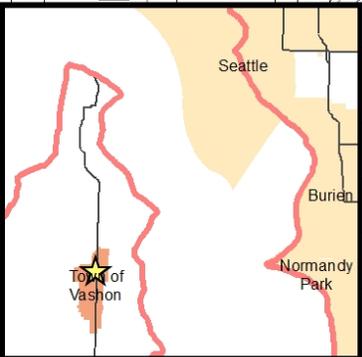
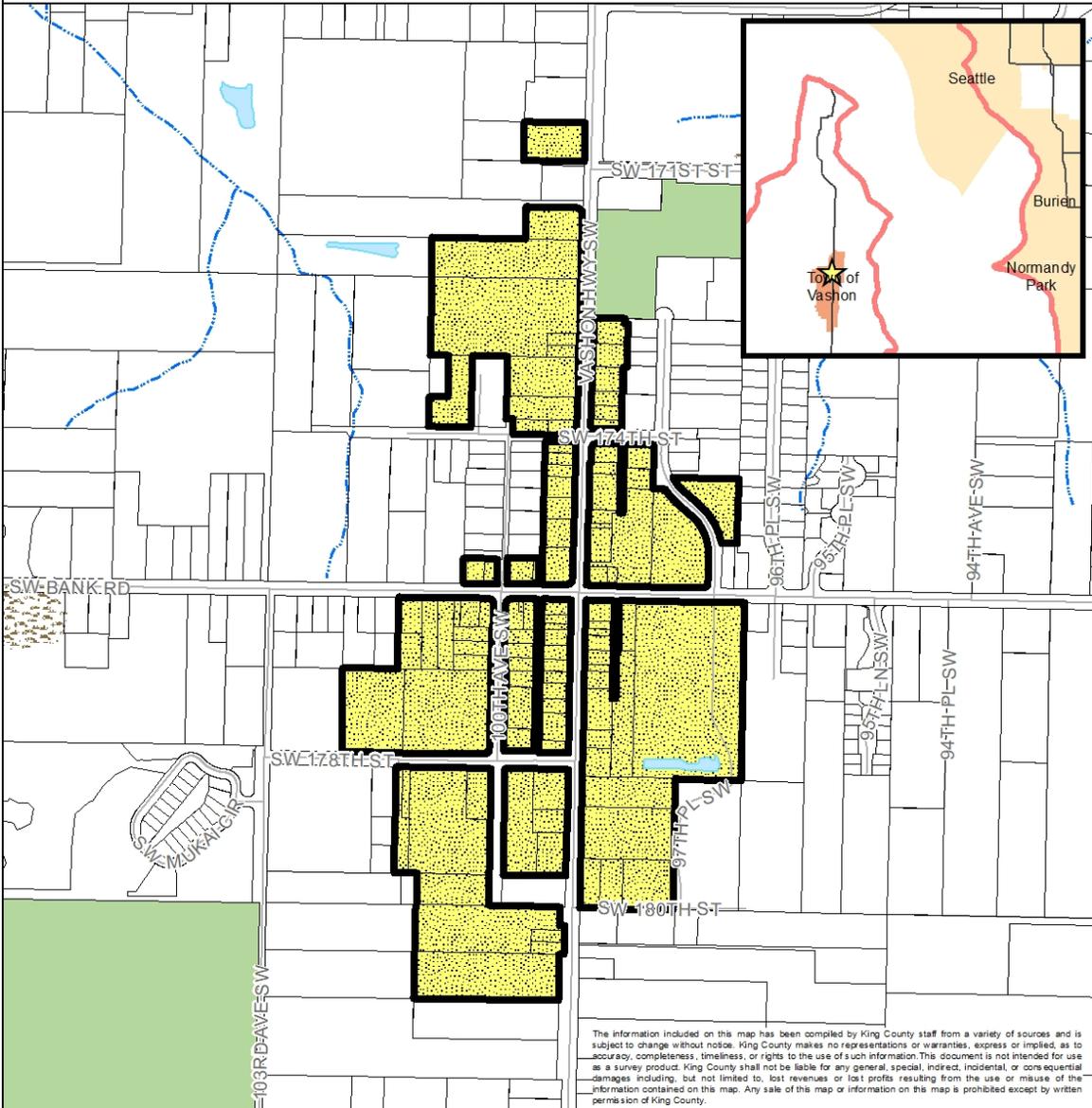
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# Demonstration Project Overlay A: Vashon

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

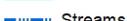


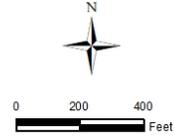
Date: 3/4/2019



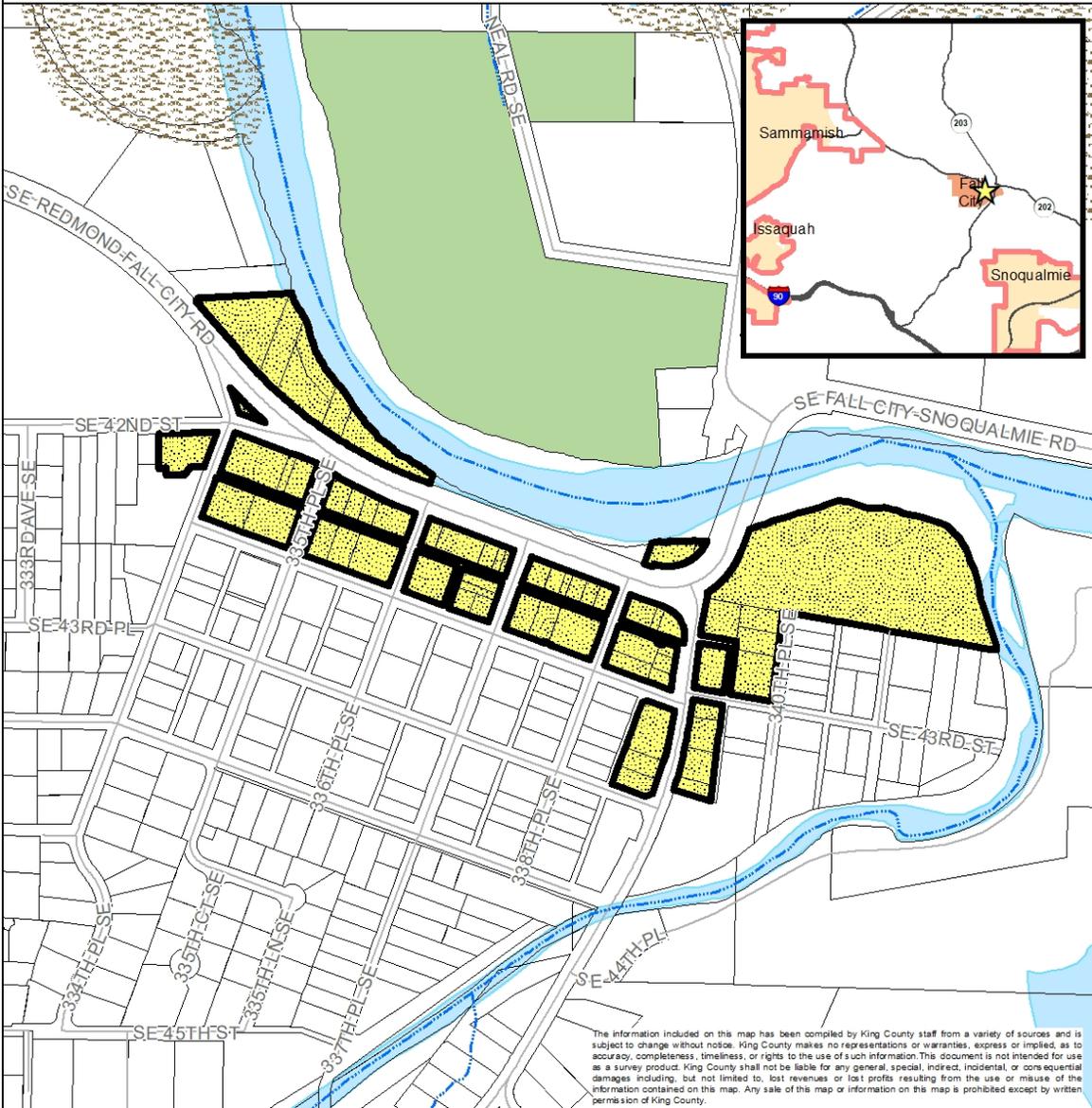
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# Demonstration Project Overlay A: Fall City

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



Date: 3/4/2019



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**Map Amendment # 2- Special Event Demonstration Project B**

**Sammamish Valley between the City of Woodinville and City of Redmond**

**AMENDMENT TO THE KING COUNTY ZONING ATLAS**

---

Amend Sections 23 and 26, Township 26, Range 5, as follows:

**ZONING**

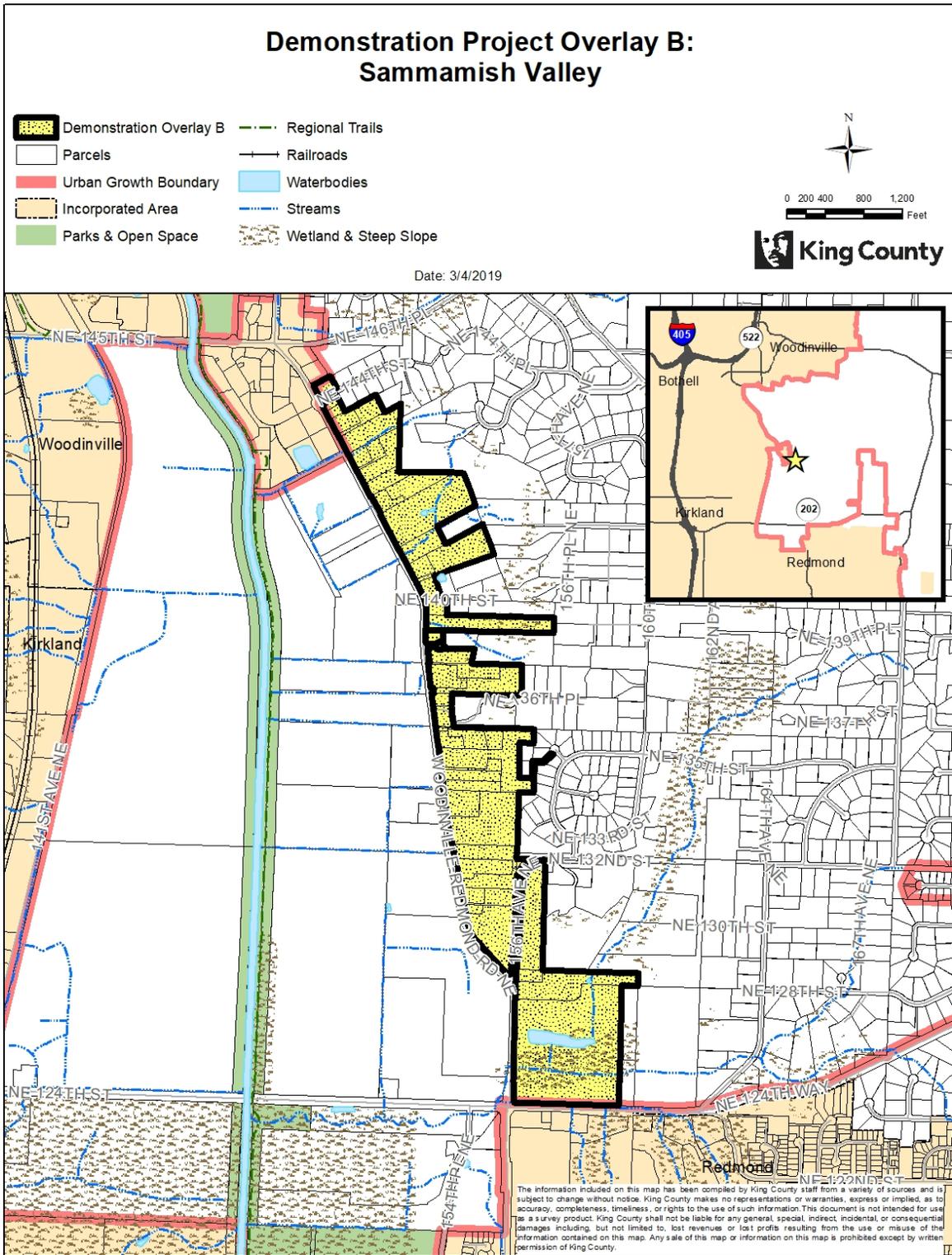
Apply the Demonstration Project (-DPA) established in Ordinance XXXXX (Proposed Ordinance 2018-0241), Section 29, to the following parcels. Make no other changes to the land use designation or zoning:

<b>Parcel</b>	<b>Current Zoning</b>
2326059009	RA-2.5-SO
2326059017	RA-2.5-SO
2326059019	RA-2.5-SO
2326059021	RA-2.5-SO
2326059026	RA-2.5-SO
2326059033	RA-2.5-SO
2326059045	RA-2.5-SO
2326059046	RA-2.5-SO
2326059054	RA-2.5-SO
2326059059	RA-2.5-SO
2326059064	RA-2.5-SO
2326059067	RA-2.5-SO
2326059071	RA-2.5-SO
2326059094	RA-2.5-SO
2326059100	RA-2.5-SO
2326059101	RA-2.5-SO
2326059102	RA-2.5-SO
2326059103	RA-2.5-SO
2326059104	RA-2.5-SO

2481600120	RA-2.5
2626059005	RA-2.5-SO
2626059036	RA-2.5-SO
2626059045	RA-2.5-SO
2626059056	RA-2.5-SO
2626059058	RA-5-SO
2626059072	RA-2.5-SO
2626059080	RA-5-SO
2626059083	RA-5-SO
2626059094	RA-2.5-SO
2944010280	RA-2.5-SO
3404700026	RA-2.5
3404700027	RA-2.5
3404700030	RA-2.5-SO
3404700031	RA-2.5-SO
3404700035	RA-2.5-SO
3404700040	RA-2.5-SO
3404700041	RA-2.5-SO
3404700043	RA-2.5-SO
3404700050	RA-2.5-SO
3404700055	RA-2.5-SO
3404700057	RA-2.5-SO
3404700060	RA-2.5-SO
3404700075	RA-2.5-SO
3404700080	RA-2.5-SO
3404700081	RA-2.5-SO
3404700086	RA-2.5-SO
232605TRCT	RA-2.5-SO
294401TRCT	RA-2.5-SO

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Effect: Amends the zoning atlas to apply the Special Event Demonstration Project A to 48 parcels within the Sammamish Valley between the City of Woodinville and City of Redmond.



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3/11/19

Title

ea

Sponsor: Lambert, Balducci

Proposed No.: 2018-0241

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

2 On page 1, strike lines 1 through 15, and insert:

3 "AN ORDINANCE relating to planning and permitting;

4 amending Ordinance 10870, Section 330, as amended, and

5 K.C.C. 21A.08.030, Ordinance 10870, Section 334, as

6 amended, and K.C.C. 21A.08.070, Ordinance 10870,

7 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 549, as

16 amended, and K.C.C. 21A.32.120 and Ordinance 13623,

17 Section 37, as amended, and K.C.C. 23.32.010, adding new

18 sections to K.C.C. chapter 21A.06, adding new sections to

19 K.C.C. chapter 21A.55, adding a new chapter to K.C.C.  
20 Title 6, repealing Ordinance 15974, Section 5, and K.C.C.  
21 21A.06.1427 and prescribing penalties."  
22 **EFFECT: *Title Amendment T2 conforms the Title to the changes made by Striking***  
23 ***Amendment S2.***