

King County Action Report

May 25

2017

This report is a proposed response to the King County Sammamish Valley Wine and Beverage Study that was released in September, 2016. The proposals contained in the Public Review Draft will help King County prepare for and support the future of the wine and adult beverage industry as it evolves in the region.

Sammamish
Valley Winery
and Beverage
Study

PUBLIC REVIEW DRAFT

Comments due: June 8, 2017

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King County Action Report: Sammamish Valley Wine and Beverage Study Responses

The Public Review Draft

Introduction

This report is a proposed response to the King County Sammamish Valley Wine and Beverage Study that was released in September, 2016. The proposals contained in the Public Review Draft will help King County prepare for and support the future of the wine and adult beverage industry as it evolves in the region. King County supports the wine and adult beverage industry and recognizes the need to establish a strong foundation for moving the industry into the future. The goal is to add more clarity to the current regulations, which were adopted when King County's wine industry was in its infancy. It is also a goal that the proposed strategies and actions adhere to the framework of the state Growth Management Act and ensure continued support for Agricultural Production Districts (APD) and for rural communities.

Background

The Sammamish Valley, located primarily in unincorporated King County adjacent to the cities of Redmond and Kirkland, contains portions of the City of Woodinville, one of the state's major wine tourism destinations. The valley also contains one of the county's designated APD's, which are intended to support the continuing presence of agriculture in the county.

The agricultural activity adds to the distinctive character in the area, particularly for visitors to the more than 100 wineries and tasting rooms in Woodinville and the nearby unincorporated areas. This area attracts hundreds of thousands of wine tourists annually. Nearly all of the Woodinville area wineries use grapes grown in Eastern Washington.

The wine industry is a fast growing, and quickly evolving, industry in Washington, supporting broad-based economic activity. Wineries support local economic development through the production and sale of wine, as well as through tourism, the latter drawing visitors from outside the region. With growth has come concerns about enforcement of current land use regulations and the overall impact of the wine and beverage industry on the quality of life and the sense of place in the Sammamish Valley.

In the spring of 2016, King County engaged Community Attributes, Inc. (CAI) to assist in the facilitation of a stakeholder group and the development of a report to address the burgeoning wine industry in King County.

The Sammamish Valley Wine and Beverage Study Report – September 2016

The primary objectives of the study were to develop policy and code recommendations for King County to consider in addressing the wine industry as it has evolved in the county based on the following guiding principles:

- Nurture the burgeoning wine and beverage industry in King County;
- Improve the interface of wine-related businesses with the surrounding communities; and
- Honor the requirements of the state Growth Management Act and the policies of the county's Comprehensive Plan as they relate to urban growth areas, farmland preservation, and to rural areas.

The policy recommendations incorporate feedback and ideas from the stakeholder working group, public comments received during the workshop and through the online project portal, and analysis of existing conditions.

The Public Review Draft

The Public Review Draft is King County's proposed response to the policy recommendations outlined in the report, as described above. The response focuses on those recommendations that received strong or mixed support from the stakeholders. The organization of the Public Review Draft follows the structure of the policy recommendations in the report, which are included and use the same numbering system.

The Public Review Draft addresses issues both specific to the Sammamish Valley and the original study area, and to the county in its entirety. For example, the proposed trail connections outlined in the report are located in the Sammamish Valley while the updated winery regulations will apply countywide.

Next Steps

Public Review Draft released	May 25, 2017
Public comment period opens: winerystudy@kingcounty.gov	May 25
Upper Bear Creek Community Council Meeting at the Woodinville Library	May 25 @ 7 pm
Bear Creek CSA at the Meeting Woodinville Library	June 5 @ 7 pm
Public comment period closes	June 8
Executive submittal to Council	June 30

Woodinville

RA-5

RA-2.5

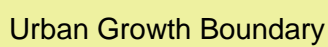
A-10

RA-5

R-6

Redmond

Sammamish Valley Area Winery Study



A-10 - Agricultural, one DU per 10 acres

A-35 - Agricultural, one DU per 35 acres

RA-2.5 - Rural Area, one DU per 5 acres

RA-5 - Rural Area, one DU per 5 acres

RA-10 - Rural Area, one DU per 10 acres



Map by: Nanette M Lowe
Map Date: Oct 16, 2015
File:karenwolf/WooAPD.mxd

1 Defining and Implementing

Study Recommendation: Code Enforcement

1.1.1 Review current methods and commit to a more consistent land use enforcement program in the Sammamish Valley.

King County Response:

Once the new regulations are in place, the proposed approach is to dedicate specific resources to achieving compliance with the new code in the Sammamish Valley. This will include implementing a tailored approach for addressing code enforcement for those adult beverage businesses that are out of compliance.

Rather than a conventional approach that begins with written correspondence and increasingly ratchets up with visits and more correspondence, we propose to contract with a firm that has a person who is experienced in the Washington wine industry. That person would start with personal visits to adult beverage businesses that are out of compliance explain the process the County has recently used to update its zoning requirements, why this was necessary, talk about their own non-conformance, and encourage compliance as a way not only to be legal but also as a way to be a good representative of the industry. Our thinking is that many such businesses would willingly comply with the new regulations, and that they do want to be good representatives of the industry because that simply is good business. But we also presume that there will be some businesses that are more unwilling to be encouraged. If we find that to be the case after initial contacts, we will transfer the cases to the County's direct code enforcement staff to take over those files. Also, if there is any legal documentation that is required or interpretation of code—even for willing compliers—direct code enforcement staff will handle those tasks, too.

The proposed approach to code enforcement for adult beverage businesses would not begin until new zoning regulations, if any, are adopted by the Council so that corrections comply with the most current code. If after six months, this process is not achieving voluntary compliance, cases will be moved through the normal code enforcement process.

Adult beverage businesses that were legally permitted prior to the adoption of new regulations are proposed to be permissible in the future as a non-conforming use. However, an adult beverage business that was not permissible prior to the study must comply with the new regulations, which may result in such a business needing to close or change its use.

Study Recommendation: Wine and Beverage Industry Toolkit

1.1.2 Create a wine and beverage industry tool kit and/or bulletin for prospective businesses in unincorporated King County to improve awareness of adopted rules and regulations.

King County Response:

The Department of Permitting and Environmental Review has a number of customer bulletins that provide permit requirements and helpful tips for preparing an application for submittal. DPER would create a new bulletin for the adult beverage business. By way of illustration, we have attached the existing bulletin the department has for tenant improvements. We would create a new one for the adult beverage business once new zoning regulations are adopted by the Council, if any.

For an example of a bulletin issued by the Department of Permitting and Environmental Review, please refer to the Tenants Improvement [Bulletin](#).

Study Recommendation: Business License

1.1.3 Establish a business license for wine and beverage production establishments in unincorporated King County to assist in regulating monitoring growth in the industry.

King County Response:

Establish a business license requirement for all adult beverage producers in unincorporated King County. Under the proposal, all remote tasting rooms, and wineries, breweries, and distilleries would need to obtain an annual, renewable business license from the Department of Permitting and Environmental review. The purpose of the license would be to have greater certainty about where adult beverage producers and tasting rooms are in the County and verify that they are in compliance with the County rules and laws that apply to them. Only adult beverage businesses that are required to obtain a license from the Washington State Liquor and Cannabis Board would be required to obtain a County license, meaning that hobby wineries, breweries, and distilleries that are not selling their products nor making their products available to the general public for sampling would not be required to obtain a County business license. The proposed application process is simple, and has an annual fee of \$100.

2 Wine, Beverage, and Tourism

Study Recommendation:

- 2.1.1** *Support development of mixed use wine and beverage facilities in Woodinville that support and boost the tourism industry and the area's reputation as a food destination.*
- 2.1.2** *Engage the Port of Seattle in supporting the wine industry in the Sammamish Valley and Woodinville through, for example, partnerships with the cruise ship industry.*
- 2.1.5** *Support agriculture in the Sammamish Valley as a synergistic component of the tourism and wine and beverage industries.*

King County Response:

Staff from King County met with the City of Woodinville and Port of Seattle representatives in September 2016 to discuss opportunities for cooperative actions that would assist in support of the wine and beverage industry within the Sammamish Valley and the City of Woodinville. At that time, the Port of Seattle was offering a new grant program to cities (Economic Development Partnership Program) for economic development purposes. The City of Woodinville determined their next step would be to seek a grant from the Port to conduct a study to identify issues and barriers facing businesses and visitors. The grant was funded and a community survey was initiated February 1, 2017, with completion expected in May 2017. Results of the survey will provide the City of Woodinville potential actions to support the tourism industry.

King County will continue to engage with the City as they identify actions from the study and determine how King County can support activities that will boost the tourism industry throughout the entire area. If the Woodinville study identifies unmet needs for wine and beverage industry growth, and/or opportunities to pair local food and wine businesses, King County should consider engaging the City and the Port to identify the potential for a private or public/private mixed use facility.

King County will continue to support and work with the Sammamish Valley Alliance through the Community Service Area program, Farm King County, the Local Food Initiative and other programs. One simple way to spotlight the area is to identify when visitors are entering the Agricultural Production district by installing distinctive signs around the district. King County has developed prototype signs and will work with the Agriculture Commission and community representatives to refine design and identify the best locations for sign placement in the APD, with the goal of installing the new signs by the end of 2017/early 2018. See a more detailed description of two approaches to signage under the Agriculture section of this report.

3 Transportation

Study Recommendation: Alternative Means of Access

- 3.1.1** *Study the feasibility of instituting a weekend shuttle service from Downtown Woodinville, Marymoor Park or other park & ride lots through a partnership between King County and the City of Woodinville.*
- 3.1.2** *Explore the feasibility of a bicycle rental program through partnerships with local companies and/or non-profits and improve biking access from trails to local businesses.*

King County Response:

The Metro Community Connections program currently has a project underway in Bothell and Woodinville. This project includes a number of mobility solutions that will serve people traveling to, from, and within these communities. Two of these solutions could address needs identified in the strategies above.

Metro Community Connections: Bothell – Woodinville Project

In the first quarter of 2016, Metro Community Connections (formerly Alternative Services) conducted a community engagement process to understand mobility needs in and around Bothell and Woodinville. During this process community members identified an important transit gap in the Woodinville Tourist District. Many survey respondents and stakeholder group members said the area has no fixed-route service and that they would go to the Woodinville tourism district more often and without driving alone if an alternative service were developed to serve that area. However, these trips are different from the rest of the transportation needs identified through the outreach process. Tourists want to access the area from hotels in Bothell for one-off trips on weekends and evenings. Employees want to reach the area during their work hours, but these work hours may be irregular and fall outside the peak.

Community Van

One of the solutions that Metro will be implementing as part of the Bothell-Woodinville Community Connections project could be well suited to providing group trips to and from the Winery District – A *Community Van*. This new transportation pilot program offers prearranged, recurring, or one-time group trips that meet locally identified transportation needs. Metro owns the vans and provides fuel, maintenance, and vehicle insurance. Metro also vets the volunteer drivers and provides funding for a part-time Community Transportation Coordinator. An Advisory Group comprised of representatives from Metro, UW Bothell/Cascadia College Commuter Services and the cities of Bothell and Woodinville to provide program direction and oversight to the Community Transportation

Coordinator. Launch planning and roll-out for the Bothell-Woodinville Community Van is pending hiring of the Community Transportation Coordinator.

Bike Share

The Sammamish Valley is currently served by the Sammamish River Trail and in the future will also have the Eastside Rail Corridor system connecting it to the west, south and north. The trail system and connected parks and destinations offer an opportunity to encourage and promote biking as a way to experience the agricultural and beverage industry within the Valley, to downtown Woodinville and the industrial area where the other concentration of wineries are found. As trails and connections are improved, the ability to move around by bike will also improve.

Pairing and promoting bicycling and winery/beverage tours is being done in many areas across the country. For example, Napa has a [Napa Valley Vine Trail](#), and in the Yakima River Valley, there is the [Rattlesnake Hills Wine Trail](#).

The recommendation to explore a bike share program from the winery stakeholder group could provide an added option for visitors to park remotely and ride to the concentrated areas of wineries and tasting rooms in the Sammamish Valley area. It could also serve as a recreational attraction for hotel guests to visit the wineries without having to rely on a car.

A bike share concept that mirrors this recommendation from the winery study stakeholder group is also under consideration as a potential service solution from Metro's Community Connection program. As a next step, Metro staff will be working with staff from the City of Woodinville to discuss development of a framework for a daytime bike sharing concept in order to assess its viability as a solution.

Study Recommendation: Parks and Trails

3.1.4 Develop long term east-west connections--explore Eastside Rail Corridor concepts to develop a shared use path along 145th connecting to the Sammamish River Trail

King County Response:

King County Parks has developed two options for creating an east-west connection between the Eastside Rail Corridor (ERC), Sammamish River Trail and extending into the Hollywood District. The County and the City of Woodinville have begun discussing these plans and will proceed collaboratively on further feasibility studies and alternatives development. The goal for either option would be to improve trail connectivity between the County's regional trails and directly into wine tourism areas, in particular the Hollywood District from the ERC Trail and Sammamish River Trail. Please refer to the Trails Connection map.

The first option would be a connection between the ERC trail spur line and Sammamish River Trail along NE 145th Street, which has been studied during ERC master planning and is another way to integrate trails with the wine and tourism areas. In addition to developing east-west connectivity between the ERC and the Sammamish River Trail, this option would include a trail extension along the NE 145th Street alignment further east from the Sammamish River Trail directly to the Hollywood District. There would be different alternative alignments to achieve these connections that would need to be further studied in coordination with the City of Woodinville, area stakeholders and the community.

Key considerations for an east-west connection along NE 145th Street include whether to place it on the south or north side of the roadway. On the north side there is an existing pathway that would need to be improved. Appropriate improvements to the existing path could include widening, vegetation/tree clearing to avoid further root damage to the trail and limb overhang, and resurfacing. The existing path traverses Red Hook Brewery and Willows Lodge properties, and improvements would require approval from these property owners.

To extend this path into the Hollywood District, a bike path would need to be built between the Sammamish River Trail and 148th Ave. NE along the north side of NE 145th Street, which could impact the parking area to the Northshore Athletic Fields, and could require use of portions of City of Woodinville ROW to extend to 148th Ave. NE.

One benefit to this alignment is that a trail bridge already exists across the Sammamish River and this east-west path already has a direct connection to the Sammamish River Trail. This option would also require the installation of a trail crossing of NE 145th Street along the ERC Spur. The City of Woodinville has expressed a preference to build this as a grade-separated crossing, or bridge, over the roadway. The need for this crossing would exist independently of the east-west connector trail

but would otherwise not be developed until the ERC Spur is going to be developed further to the north of NE 145th Street.

If the east-west connection were to be developed on the south side of NE 145th there would be additional technical and environmental challenges that would need further study to determine feasibility. The current understanding of this scenario includes the following factors:

- Topography south of the road drops away quickly so that a trail with adequate separation from the eastbound travel lane would likely require substantial fill.
- The low-lying areas south of the road are within the 100-year floodplain so compensatory storage would likely be required for the substantial fill.
- The low-lying area south of the road has a fish-bearing stream connected to the Sammamish River.
- There are above-ground power poles along the south side of the road that may have to be relocated to accommodate trail.
- The available right of way on the south side of the road may not be wide enough to cover the trail, potential stream relocation, and potential power pole relocations. Any property acquisition will involve agricultural land.
- A new pedestrian/bicycle bridge would be required to cross the Sammamish River.
- The connecting loop to the Sammamish River Trail may require property acquisition to achieve accessible grades.
- A bike path would need to be built between the Sammamish River Trail and 148th Ave. NE along the south side of NE 145th, either reconfiguring a portion of the sidewalk in the City of Woodinville ROW, or acquiring an easement for the path on the northern edge of a privately owned parcel or parcels.

The second option would be to develop an improved, or paved, connection between the Sammamish River Trail and 148th Ave. NE along the existing gravel Tolt Pipeline Trail alignment. The Tolt Pipeline Trail is a gravel and dirt path located in a utility right of way owned by Seattle Public Utilities (SPU). The County's use and actions related to the trail are governed by a Trails Agreement between the parties. The Trails Agreement allows for the trail surface to be improved, but only with prior written consent from the SPU Director, and conditioned by SPU approval of all plans and specifications at 30%, 60% and 90% design. The County's use of the Tolt Pipeline right of way is also subject to all terms and conditions of an easement held by Puget Sound Energy. King County Roads is installing a signalized roadway crossing on 148th Ave. NE at the location where the Tolt Pipeline Trail crosses.

This trail connection would be independent of any improvements to the ERC Trail and would not create connections between the ERC and the Sammamish River Trail or between the ERC and the wine tourism area.

For this option to serve as a feasible and appropriate route for winery tourism, there would need to be bike lanes or a separate bike path constructed along 148th Ave. to connect the Tolt Pipeline Trail improvement to the Hollywood Wine District. The approximately 600 foot segment of 148th Ave NE south of the Tolt Pipeline Trail to the city limits of Woodinville is significantly constrained by an adjacent Class 2 salmon-bearing stream, wetlands, and a steep embankment. The feasibility of widening the road to construct a bike lane or pathway is questionable. If it were to be determined feasible after additional technical analysis, there would be significant stream alterations and mitigation needed and cost of the project would likely be more than \$1 million.

King County will continue to explore these trail development options in coordination with the City of Woodinville and with involvement from area stakeholders and community members.



Study Recommendation: Road Improvements

3.1.6 *Conduct an interjurisdictional transportation study to fully vet traffic growth, concurrency, impacts and potential mass transit solutions.*

3.1.8 *Improve the pedestrian environment and overall pedestrian safety in the Sammamish Valley, especially those areas connecting major tourism draws and winery concentrations.*

King County Response:

The Road Services Division reviewed the potential for nonmotorized and capacity improvements along the 148th Avenue NE/140th Place NE Corridor. The physical and environmental conditions along the corridor were found to pose several significant challenges.

Right-of-Way: The available right-of-way (approximately 18 feet on each side) is not sufficient to accommodate widening the road from two to four lanes. The right-of-way appears sufficient to accommodate a nonmotorized pathway on one side of the roadway.

Transportation concurrency: The corridor is currently meeting the county's adopted concurrency level of service standard of "B" for rural areas.

Environmental Issues: The corridor contains numerous wetlands and streams, as well as seismic, steep slope, and landslide hazard areas and buffers. Portions of the corridor are also within a Shoreline Management Act rural shoreline, Critical Aquifer Recharge Area, and Farmland Preservation area. All of these features have stringent regulatory requirements. Construction of a nonmotorized or capacity improvement project would involve impacts to the wetlands, streams, buffers, and other environmentally sensitive features along the corridor. Substantial environmental mitigation and other regulatory compliance efforts would be required. These may include wetland and stream mitigation or payment for mitigation banking, fish passable culvert installation, additional stormwater treatment infrastructure, etc.

The existing open drainage ditches along the roadway would need to be relocated or put into a new piped drainage system.

Expanding the roadway for nonmotorized or capacity improvements would require removal or relocation of numerous trees, power poles, fences, landscaping, mailboxes and other public or private features along the roadside.

Cost Estimates: The planning level cost estimate to construct a nonmotorized pathway on one side of the road and meet the associated drainage and environmental regulatory requirements is approximately \$5 million. Capacity improvements could cost upwards of \$20 million.

Further study would be necessary to evaluate more specific improvement concepts.

4 Agriculture

Study Recommendation: Agriculture Production District (APD)

4.1.1 Continue to support retail sales of locally grown products on agricultural zoned lands

4.1.2 Limit changes to the current agricultural production zone rules and regulations

King County Response:

King County is recommending that no changes be made to the boundaries and regulatory structure of the APD. Agricultural land in King County had declined by approximately 60% between 1950 and 1969 and was projected to occupy less than 3% of the 1964 coverage by 2000. As a result of the documented loss of significant farmland acreage, King County Council passed Ordinance 1096 in 1972 to recognize and protect agricultural lands as “Open Space Elements” in the revised Comprehensive Plan, which was originally adopted in 1964. Specifically, Ordinance 1096 stated:

Farmlands must be included in the open space system because they provide products for consumption; serve as buffers between urbanizing areas; and provide beautiful and natural scenery. These land areas will be lost to industrial development, subdivision, and to highway development unless they are included in the system.”

The following year, that directive was strengthened by Council Ordinance 1839, which stated:

“The Council of King County declares it to be in the public interest to retain prime agricultural lands and certain farmlands within a system of open space. This open space system is recognized as having scenic and aesthetic values that contributes natural buffers within existing and potential urban areas. Furthermore, the retention of agricultural and certain farmlands provide both unique and supplemental food stuffs and contribute to and diversify the economic base.”

The 1975 Supplement to the King County Comprehensive Plan called out the Lower Green-Duwamish Valley and Sammamish Valley as being especially threatened from continued urban expansion because “of the valley’s proximity to a highly urban area, but because of transportation lines and flood control improvements that make these areas also highly suited for industrial and commercial development.” The Supplement combined Ordinance 1839 and others that, together, provided justification for establishing agricultural zones that protected “prime agricultural lands.”

The Supplement provided one overarching goal for agricultural land preservation: “To preserve prime agricultural lands and significant other farmlands in the open space system.” A suite of criteria

were provided to help identify priority agricultural lands, including soil type, size, cropping history, flood risk, public opinion, and lack of water and sewer services. Agricultural zoning (A Zone) was to be applied “wherever appropriate to protect good, agricultural land from incompatible use and development.”

In 1977, Council Ordinance 3064 amended the Comprehensive Plan and created eight “King County Agricultural Districts,” which were the Snoqualmie Valley/Patterson Creek Agricultural District, the North Creek Agricultural District, the Upper Snoqualmie Agricultural District, the Sammamish Valley/Bear Creek Agricultural District, the Lower Green River Valley Agricultural District, the Upper Green River Valley Agricultural District, the Enumclaw Plateau Agricultural District, and the Vashon Island Agricultural District. The County was directed to use rezoning options, permit reviews and other options to “ensure that to the fullest extent possible the agricultural potential of the District will not be adversely affected.”

Ordinance 3064 provided maps of the eight Agricultural Districts as well as the “Agricultural Lands of County Significance,” which were the highest priority agricultural lands within those districts. The district boundaries were many times larger than the areas delineated as priority agricultural lands. For example, the Sammamish Valley/Bear Creek Agricultural District included the entire Sammamish River and Bear Creek floodplain, as well as the major tributaries, and stretched from Lake Sammamish to the Snohomish County line. The identified priority agricultural lands comprised less than 20 percent of the delineated district.

The Technical Appendix for the Executive Proposed General Development Guide was released in 1984 to provide further guidance for resource land conservation and use in rural and urban areas. The Guide proposed revised Agricultural Districts, which were based upon a review of the existing Agricultural Districts established by Ordinance 3064. The districts established in Ordinance 3064 included many lands not suited to agriculture and the new districts excluded non-productive lands and land uses differed based upon whether a parcel was within or adjacent to a district. Major changes from the Ordinance 3064 districts included elimination of the Vashon and Bear Creek districts and refining the Sammamish Agricultural District to eliminate the Bear Creek watershed and constricting the remaining boundaries to include the most productive agricultural lands near Woodinville.

The 1989 King County Resource Lands (Area Zoning) document, which further modified the boundaries of the Sammamish and Green River Valley Agricultural Districts, was adopted by King County Council via Ordinance 8848. Ordinance 8848 further recognized the importance of the agricultural districts and established “Agricultural Production Districts” within those agricultural districts via enhanced agricultural zoning. The current boundaries of the Sammamish APD are very similar to the boundaries outlined in the Area Zoning document.

King County Council passed Ordinance 4341 in June 1979 to provide for the issuance of general obligation bonds to purchase property interest in priority agricultural regions in King County with the Sammamish and Green River valleys specifically identified as first priorities. Proposition 3 on the

November 1979 General Election Ballot, which proposed the issuance of up to \$50 million in general obligation bonds for the purpose of “acquiring and preserving voluntarily offered farm and open space lands in the county,” was passed by King County voters.

1979 bond money provided the initial capital to support establishment of King County’s Farmland Protection Program (FPP), which subsequently has benefited from additional infusion of funding from other sources, most significantly funds generated through the Transfer of Development Rights and grants through the Conservation Futures Tax program.

Summary of Sammamish APD conservation activities:

- Total acres in APD: **1,082**
- Acres in the APD protected via FPP easements: **779**
- Acres in food production within the APD: **305**
- Acres in equestrian, sod, nursery or tree farm: **500**
- Acres currently “not farmable”: **230**

Study Recommendation: Land Conservation in the Agriculture Production District (APD)

4.1.4 Explore and facilitate additional development right purchases for agricultural zoned properties in the Sammamish Valley

King County Response:

Protecting Remaining Unprotected Acreage in the APD: While King County has been successful in protecting three quarters of the acreage in the Sammamish APD, there are still several parcels that do not have Farmland Preservation Program (FPP) easements protecting them from future development. These parcels, particularly those that are on the boundary between the APD and the City of Woodinville are a high priority for protection by the County.

King County’s Farmland Preservation Program will continue to conduct outreach to the owners of these high priority parcels to engage them in a discussion about removing the development rights from their parcel, and preserving it as agricultural land in perpetuity. Preservation of these lands will be a top priority for the County.


Sammamish River
Agricultural Production District
2013 Ag. Land Use

- 2013 Ag. Land Use**
- Livestock, Forage
 - Managed Field, Grassland
 - Market Crops (Produce)
 - Corn
 - Nursery
 - Orchard
 - Tree Farm
 - Horse
 - Topsoil Production
 - Unmanaged
 - Too Wet to Farm
 - Forested
 - Marsh or Wetland Preserve
 - Sports, Recreational
 - Other (roads, residential, water bodies, etc.)
- Reference Features**
- Ag. Production District
 - Incorporated Area
 - Major Road

Woodinville

Unincorporated
King County

Kirkland

 **King County**
Department of
Natural Resources and Parks
Water and Land Resources Division

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Miles

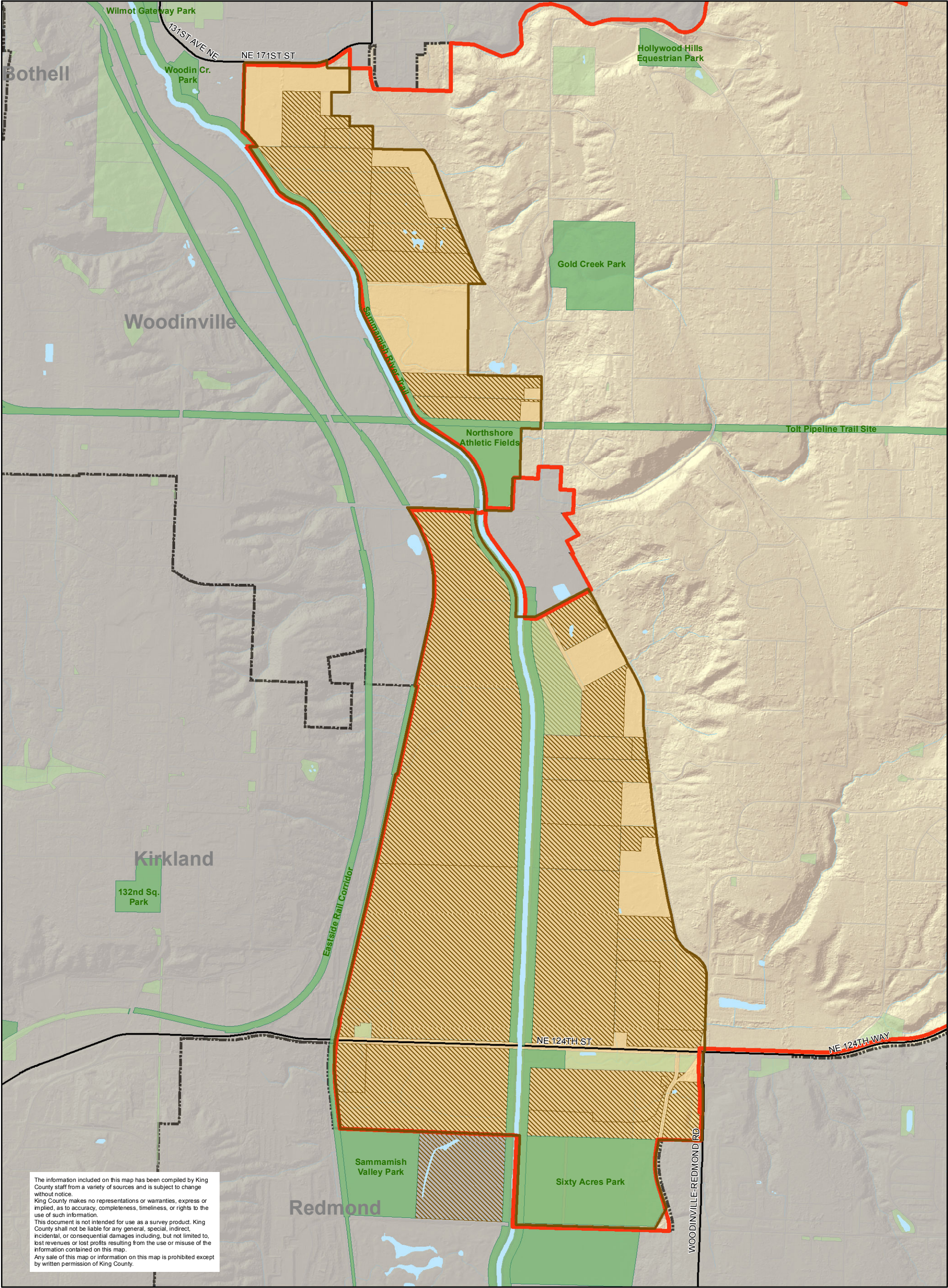
March 28, 2016



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AgLandUse2013_SammamishAPD_11x17.pdf

SAMMAMISH VALLEY AGRICULTURAL PRODUCTION DISTRICT



Agricultural Production District
 Current King County Urban Growth Boundary
 Protected Farmland (FPP)

Parks in King County
 Other Public Lands
 Incorporated Cities in KC
 Major Roads

Study Recommendation: Signage

2.1.5 Support agriculture in the Sammamish Valley as a synergistic component of the tourism and wine and beverage industries

King County Response:

Public Signage for the Agricultural Production District (APD) and Farmland Preservation Program (FPP) Parcels

APD Signage. King County has erected signs identifying some, but not all of the Agricultural Production Districts. Given that these areas are critical to protecting valuable agricultural soils and form the foundation of the King County's agricultural economy they should be clearly signed, with the intent of alerting the public that they are entering an area of natural resource and economic significance. In evaluating a program for placing signage in all of the APDs, the County has developed the following principle to guide development and placement of the signs:

- Signs should be distinctive and readily identifiable as an indication of the boundary for an agricultural zone.
- Signs should be placed in multiple areas of high-visibility.
- Should help avoid incompatible land use decisions that arise out of ignorance of the existence of the APD.
- Signs should have the same basic design, but could be customized for each APD.
- King County has developed a "Farm King County" brand to promote the County Executive's Local Food Initiative – we may want to consider expanding use of the brand in the APD signs.
- We want to integrate an emphasis on driving safety with an increased awareness of APDs.

The current timeline is to develop several sign options, and present them to the King County Agriculture Commission and solicit input on design and level of community outreach needed to engage the broader agricultural community. Based on feedback from the Commission we will develop final designs and an engagement process. The goal would be to finalize a design(s) by the end of 2017, and deploy signs to all APD's in 2018.

FPP Signage. King County's Farmland Preservation Program has been successful in protecting almost 15,000 acres of farmland from development. While we have approximately 300 farms across the County enrolled in the program, we have never asked property owners to take any action to acknowledge or celebrate that parcels are permanently protected. King County agriculture program

staff has been exploring the option of developing signage for all parcels enrolled in the FPP program. Following are principles the staff drafted to guide development of such a program:

- Placement of signs would be contingent on agreement by the landowner. FPP is a voluntary program, and we want to recognize landowner commitment to farmland preservation and sustainable land management.
- Signs would be standardized for FPP program, but we would try to have an option of customizing for individual farms.
- Signs need to be clear that they do not indicate public access – FPP parcels remain private property.

The goal would be to develop this program in consultation with the King County Agriculture Commission and a stakeholder group of FPP program participants. We would need to work through issues of design, placement, and how to allocate the cost of the program. This effort would be implemented on a separate timeline from the effort to provide signage in and around the APDs.

5 Rural Zoned Areas – The Regulations

Study Recommendation:

Defining and Implementing

- 1.2.1 Production Facilities-- define based on the size and scale of the facilities and use this definition to scale regulations**
- 1.2.2 Limit impacts of tasting rooms through regulation of number of events, size of events, and hours of operation**
- 1.2.3 Develop new definitions for tasting rooms, special events, winery production facilities, and other associated uses**

Wine, Beverage, and Tourism Industries

- 3.1.7 Limit the operating hours or size of tasting rooms/event spaces to be outside of the PM peak hour of traffic**

Transportation

- 4.1.5 Direct wine and beverage industry facilities looking to locate in unincorporated portions of the Sammamish Valley to properties located along arterial roads (see 5.2.5)**

Agriculture

- 4.1.6 Explore potential impacts of expanding the locally grown requirement for product sales in agriculture zones (currently at 60% originating from the Puget Sound) to include Washington State**

Rural Zoned Areas

- 5.1.1 Differentiate between tasting room only facilities and winery production facilities in terms of land use regulations in unincorporated King County**
- 5.1.3 Consider smaller lot size requirements in the study area for smaller production facilities (not applicable to subdivisions of land)**
- 5.1.4 Develop regulations that limit hours of operation, special events, and overall traffic to facilities where appropriate and tailor regulations for distinct neighborhoods within the RA Zone**

5.2.3 *Allow for wine and beverage industry uses through the home occupation regulations and be clear about when tasting rooms/production facilities can exist outside of a home occupation*

5.2.5 *Direct wine and beverage industry facilities looking to locate in unincorporated portions of the Sammamish Valley to properties located along arterial roads (see 4.1.5)*

King County Response:

Approach:

Recognize the changing nature of the wine industry in King County. Allow less intensive winery, brewery, distillery uses on smaller lots in the Rural Area and more intensive uses on larger lots with direct access to an arterial. Allow for remote tasting rooms in a very limited area as a pilot project. Prohibit wineries and tasting rooms as home occupations or home industries. In the Rural Area, allow agricultural products being processed to be grown without restriction to location. No changes to the current regulations in the Agriculture Production District.

(Reference to Strategy Number in parenthesis)

Definitions:

Tasting Room: A 1,000 maximum square foot facility that is remote from the production facility of the winery limited to serving wine and minimal food items and sales of merchandise related to products available for tasting. Infrequent small special events subject to Temporary Use Permit, as currently defined. To be allowed in a very limited area as a pilot program in the area defined as Demonstration Overlay A. (5.1.1)

Winery, Brewery, Distillery facility I: (less intensive use) grow & produce wine, cider, etc. with accessory uses limited to: vineyard or orchard, cellar, tasting room, and sales of merchandise related to products available for tasting; tastings allowed as part of operation with infrequent small special events subject to Temporary Use Permit, as currently defined. (5.1.3, 5.2.5)

Winery, Brewery, Distillery facility II: (more intensive use on larger lots) grow & produce wine, cider, etc. with accessory uses limited to: vineyard or orchard, cellar, tasting room, and sales of merchandise related to products available for tasting, tastings allowed as part of operation with infrequent special events subject to Temporary Use Permit, as currently defined, with additional events allowed in a very limited area, as a pilot program in the area defined as Demonstration Overlay B. (5.1.3, 5.2.5)

Allowed Uses:

- **Tasting rooms:** Permitted Use Permit in limited identified location, directly east of the City of Woodinville. Only on sites with direct access to an arterial and limited to a total of 1,000 square feet of gross floor area for tasting area and public space. Retail sales of merchandise

related to product being tasted is allowed. Limited food service allowed. Parking and lot/coverage surface requirements unchanged. (1.2.3, 3.1.7, 5.1.1, 5.2.3)

- **Winery, Brewery, Distillery I:** Permitted Use. In RA & UR zones, sites must be at least 2½ acres (down from 4½); floor area devoted to processing no greater than 3,000 square feet (same); reduced setback (currently at 75 feet) from property lines; no growing requirement; on site with direct access to an arterial; off-street parking limited to 150% of minimum requirement with no on-street parking. Parking and lot/coverage surface requirements unchanged. (1.2.1, 1.2.3, 4.1.5, 4.1.6, 5.1.3, 5.2.3, 5.2.5)
- **Winery, Brewery, Distillery II:** Conditional Use. Sites must be at least 5 acres (up from 4½) with buildings up to 6,000 square feet and must be at least 10 acres (same) with buildings up to 8,000 square feet (same) with additional 8,000 square feet of underground storage (same); reduced setback (currently at 75 feet) from property lines; no growing requirement; on site with direct access to an arterial; remove square footage limitation for Vashon Island so same as rest of the Rural Area. Parking and lot/coverage surface requirements unchanged. (1.2.1, 1.2.3, 4.1.5, 4.1.6, 5.1.3, 5.2.3, 5.2.5)

Demonstration Overlays: King County is proposing two Demonstration Overlays as pilot projects for new concepts regarding wine and beverage facilities:

- **Demonstration Overlay A:** a very small area directly east of the Woodinville city boundaries as the city extends to the west from NE 147th Place south to NE 143rd Street. In this area, remote tasting rooms will be allowed. (1.2.2)
- **Demonstration Overlay B:** a defined area directly east of the Sammamish Valley Agriculture Production District as it extends from the Urban Growth Area Boundary with the City of Woodinville to the north and running south to Urban Growth Area Boundary with the City of Redmond at NE 124th Way. In this area, a facility with a Conditional Use Permit to operate as a Winery, Brewery, Distillery II can hold events without being subject to a Temporary Use Permit. (5.1.4)

Special Events: No change in duration and frequency from current practice – Temporary Use Permit (TUP) required for events beyond regular promotion and sales of the product being produced and tasted; TUP limited to two events per month; all parking must be accommodated on site (same) and no amplified sound (new.) For Winery, Brewery, Distillery II in the area defined as Demonstration Overlay B, east of the Sammamish Valley Agricultural Production District, events allowed as integral to the Conditional Use Permit, as a pilot program.

Demonstration Overlay A: Remote Tasting Rooms



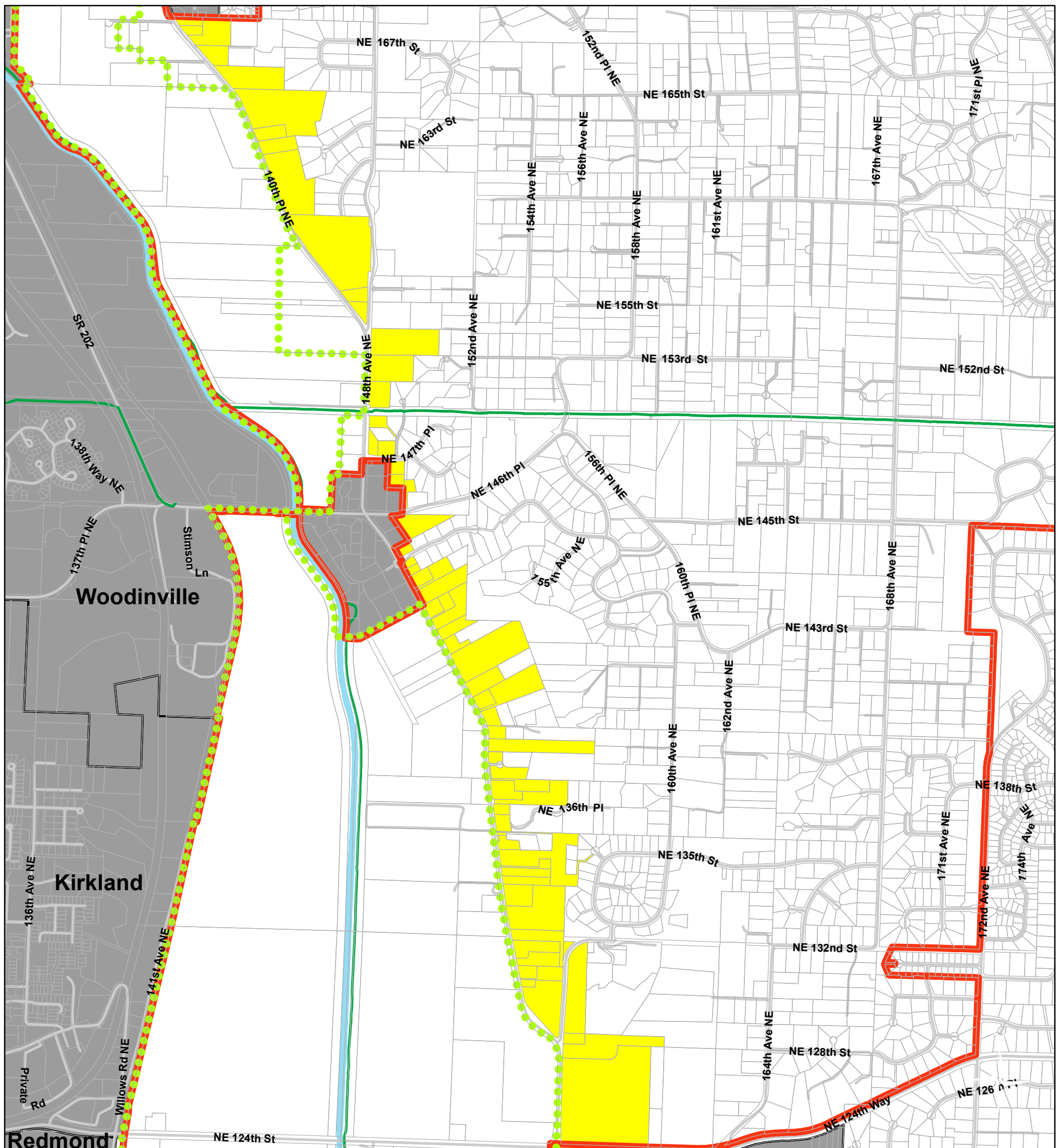
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-  Demonstration Overlay A
-  Agricultural Production District
-  Cities
-  King County Parcels
-  KC Urban Growth Boundary
-  Regional Trails

May 2017

Demonstration Overlay B: Winery, Brewery, Distillery II Events



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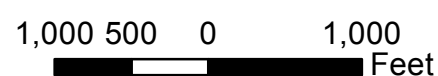
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King County

-
- Agricultural Production District
 - Cities
 - King County Parcels
 - KC Urban Growth Boundary
 - Regional Trails

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May 2017

6 Draft Zoning Regulations

Existing definition:

~~**21A.06.1427 Winery, Brewery Distillery.** An establishment primarily engaged in one or more of the following:~~

- ~~—— A. Growing grapes or fruit and manufacturing wine, cider or brandies;~~
- ~~—— B. Manufacturing wine, cider, or brandies from grapes and other fruits grown elsewhere; and~~
- ~~—— C. Blending wines, cider or brandies~~

New definitions:

21A.06.1427A. Winery, Brewery, Distillery Facility I: A small scale establishment licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits. A winery, brewery, distillery facility I 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.

21A.06.1427B. Winery, Brewery, Distillery Facility II: An establishment licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits. 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 as authorized by state law, and sales of merchandise related to products available as authorized by state law.

21A.06.1427C. Remote Tasting Room: A 1000-square-foot or smaller facility associated with a licensed winery, brewery or distillery 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.

21A.08.070 Retail land uses.

A. Retail land uses.

KEY		Z O N E	RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL					
P-Permitted Use	C-Conditional Use		A	F	M	R	U	R	R	N	B	C	B	R	B
S-Special Use			G	O	I	R	R	E	E	I	C	O	B	E	O
			R	R	N	A	B	S	S	G	M	B	E	F	I
			C	E	E	A	A	E	I	H	M	S	I	I	N
			L	S	R		N	D	B	B	U	N	N	C	S
			T	T				E		O	N	S	S		
			U					A		R	A				
			R							D					
SIC#	SPECIFIC LAND USE		A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (30)	
*	Building Materials and Hardware Stores			P23						P2	P	P			
*	Retail Nursery, Garden Center and Farm Supply Stores		P1 C1			P1 C1				P	P	P			
*	Forest Products Sales		P3 and 4	P4		P3 and 4						P			
*	Department and Variety Stores							C14a	P14	P5	P	P			
54	Food Stores							C15a	P15	P	P	P	C	P6	
*	Agricultural Product Sales		P7 C7	P4		P7 C7	P3	P3	P25	P25	25	P25	P25	P25	
*	Farmers Market		P24	P24		P24	P24	P24	P24	P24	P24	P24	P24	P24	
*	Motor Vehicle and Boat Dealers											P8		P	
553	Auto Supply Stores										P9	P9		P	
554	Gasoline Service Stations									P	P	P		P	
56	Apparel and Accessory Stores										P	P			
*	Furniture and Home Furnishings Stores										P	P			
58	Eating and Drinking Places					P21 C19		P20 C16	P20 P16	P10	P	P	P	P	
* -	<u>Remote Tasting Room</u>					<u>P28</u>									
*	Drug Stores							C15	P15	P	P	P	C		
*	Marijuana retailer										P26 C27	P26 C27			
592	Liquor Stores		P13			P13	P13			P13	P	P			

593	Used Goods: Antiques/ Secondhand Shops									P	P		
*	Sporting Goods and Related Stores			P22	P22	P22	P22	P22	P22	P	P	P22	P22
*	Book, Stationery, Video and Art Supply Stores						C15a	P15	P	P	P		
*	Jewelry Stores									P	P		
*	Monuments, Tombstones, and Gravestones										P		
*	Hobby, Toy, Game Shops								P	P	P		
*	Photographic and Electronic Shops								P	P	P		
*	Fabric Shops									P	P		
598	Fuel Dealers									C11	P		P
*	Florist Shops						C15a	P15	P	P	P	P	
*	Personal Medical Supply Stores									P	P		
*	Pet Shops								P	P	P		
*	Bulk Retail									P	P		
*	Auction Houses										P12		P
*	Livestock Sales	P17	P17		P17	P17	P17 and 18						P
GENERAL CROSS REFERENCES:		Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see K.C.C. chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*)Definition of this specific land use, see K.C.C. chapter 21A.06.											

B. Development conditions.

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

- b. The site area shall be at least four and one-half acres;
- c. Sales may include locally made arts and crafts; and
- d. Outside lighting is permitted if no off-site glare is allowed.

2. Only hardware stores.

3.a. Limited to products grown on site.

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

4. No permanent structures or signs.

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

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

7.a. As a permitted use, the covered sales area shall not exceed two thousand square feet, unless located in a building designated as a historic resource under K.C.C. chapter 20.62. As a conditional use, up to three thousand five hundred square feet of covered sales area may be allowed;

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

c. Forty percent or more of the gross sales of agricultural product sold through the store must be sold by the producers of primary agricultural products;

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

e. Sales shall be limited to agricultural products and locally made arts and crafts;

f. Storage areas for agricultural products may be included in a farm store structure or in any accessory building; and

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

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

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

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

11. No outside storage of fuel trucks and equipment.

12. Excluding vehicle and livestock auctions.

13. Only as accessory to a winery or SIC Industry No. 2082-Malt Beverages, and limited to sales of products produced on site and incidental items where the majority of sales are generated from products produced on site.

14.a. Not in R-1 and limited to SIC Industry No. 5331-Variety Stores, limited to a maximum of five thousand square feet of gross floor area, and subject to K.C.C. 21A.12.230; and

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

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

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

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

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

17. Retail sale of livestock is permitted only as accessory to raising livestock.

18. Limited to the R-1 zone.

19. Only as:

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

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

20. Only as:

- a. an accessory use to a recreation or multiuse park; or
- b. an accessory use to a park and limited to a total floor area of one thousand five hundred square feet.

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

22. Only as an accessory use to:

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

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

- a. limited to lumber milled on site; and
- b. the covered sales area is limited to two thousand square feet. The covered sales area does not include covered areas used to display only milled lumber.

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

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

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

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

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

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

- b. Notwithstanding subsection B.26.a. of this section, the maximum aggregated total gross floor area devoted to, and in support of, the retail sale of marijuana may be increased to up to three thousand square feet if the retail outlet devotes at least five hundred square feet to the sale, and the support of the sale, of medical marijuana, and the operator maintains a current medical marijuana endorsement issued by the Washington state Liquor and Cannabis Board.

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

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

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

- (2) if the Washington state Liquor and Cannabis Board issues more than one Notice of Marijuana Application on the same date, then the director shall determine

compliance based on the date either any complete building permit or change of use permit application, or both, were submitted to the department declaring retail marijuana activity as an intended use;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

28. a. Only within Demonstration Overlay A and as a demonstration project;

b. Operated by one or more licensed winery, brewery, or distillery as allowed under state law;

c. Limited to an aggregated total of 1000 square feet of gross floor area, including outdoor and indoor spaces and spaces devoted to tasting and retail sale activities;

d. Only on sites with direct access to an arterial;

e. Off-street parking is limited to one hundred and fifty percent of the minimum requirement for eating and drinking establishments as specified in K.C.C. 21A.18.030.

f. Special events may be allowed with an approved Temporary Use Permit pursuant to K.C.C. 21.32, no amplified sound shall be allowed;

g. Ready to eat foods produced in a licensed food establishment or food processing plant including but not limited to crackers, pretzels, and nuts may be offered for consumption along with product tasting subject to Seattle-King County Public Health regulations; and

h. Retail sales of products and merchandise related to products being tasted is allowed;

i. The business operator shall obtain an adult beverage business license pursuant to the adult beverage licensing provision of King County Title 6.

j. The Remote Tasting Room facility shall comply with the King County board of health regulations for water usage and wastewater disposal.

(Ord. 18326 § 13, 2016: Ord. 17841 § 28, 2014: Ord. 17710 § 7, 2013: Ord. 17539 § 30, 2013: Ord. 17191 § 33, 2011: Ord. 16950 § 18, 2010: Ord. 16267 § 22, 2008: Ord. 15974 § 9, 2007: Ord. 15606 § 15, 2006: Ord. 15032 § 14, 2004: Ord. 14807 § 6, 2003: Ord. 14781 § 1, 2003: Ord. 14045 § 14, 2001: Ord. 13546 § 4, 1999: Ord. 13022 § 14, 1998: Ord. 12596 § 7, 1997: Ord. 10870 § 334, 1993).

21A.08.080 Manufacturing land uses.

A. Manufacturing land uses.

KEY		Z O N E	RESOURCE			RUR A L	RESIDENTIAL				COMMERCIAL/INDUSTRIAL					
P-Permitted Use	C-Conditional Use		A	F	M	R	U	R	U	R	N	B	C	B	R	B
S-Special Use			G	O	I	R	R	R	R	E	E	C	B	E	O	I
			R	R	N	A	B	B	E	I	I	M	M	G	U	N
			C	E	E	A	A	A	I	D	H	U	U	I	N	A
			U	S	R		N	N	E	E	B	N	N	N	S	S
			L	T	A				O	R	H	I	T	A		
			T						O		O					
			R						D							
SIC #	SPECIFIC LAND USE		A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (11)		
20	Food and Kindred Products		P1 C1	P1		P1 C1	P1			P2	P2	P2 C		P2 C		
* /2082 /2085	Winery/Brewery /Distillery I		P3 C4 2			P3 C42	P3			P17	P17	P 28		P 28		
* -	Winery/Brewery /Distillery II					C12										
*	Materials Processing Facility			P1 3 C	P1 4 C1 5	P16 C										P
22	Textile Mill Products															C
23	Apparel and other Textile Products													C		P
24	Wood Products, except furniture		P4 P1 8	P4 P1 8 C5		P4 P18 C5	P4							C6		P
25	Furniture and Fixtures			P1 9		P19								C		P
26	Paper and Allied Products															C
27	Printing and Publishing									P7	P7	P7C	P7 C			P
*	Marijuana Processor I		P2 0			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												P10 C
7534	Tire Retreading										C		P
781-82	Movie Production/Distribution										P		P
GENERAL CROSS REFERENCES:		Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see K.C.C. chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38 Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*Definition of this specific land use, see K.C.C. chapter 21A.06											

B. Development conditions.

1.a. Excluding wineries and SIC Industry No. 2082-Malt Beverages;

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

c. In the RA and UR zones, only allowed on lots of at least four and one-half acres and only when accessory to an agricultural use;

d.(1) Except as provided in subsection B.1.d.(2) and B.1.d.(3) of this section, the floor area devoted to all processing shall not exceed three thousand five hundred square feet, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

(2) With a conditional use permit, up to five thousand square feet of floor area may be devoted to all processing; and

(3) In the A zone, on lots thirty-five acres or greater, the floor area devoted to all processing shall not exceed seven thousand square feet, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

e. Structures and areas used for processing shall maintain a minimum distance of seventy-five feet from property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

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

g. In the A zone, structures used for processing shall be located on portions of agricultural lands that are unsuitable for other agricultural purposes, such as areas within the

already developed portion of such agricultural lands that are not available for direct agricultural production, or areas without prime agricultural soils; and

h. Tasting of products produced on site may be provided in accordance with state law. The area devoted to tasting shall be included in the floor area limitation in subsection B.1.d. of this section.

2. Except slaughterhouses.

3. a. Limited to wineries, SIC Industry No. 2082-Malt Beverages and SIC Industry No. 2085-Distilled and Blended Liquors;

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

c. In the RA and UR zones, only allowed on lots of at least ~~four~~ two and one-half acres;

d. The aggregated floor area devoted to processing shall not exceed three thousand five hundred square feet, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

e. Structures and areas used for processing shall maintain a minimum distance of ~~seventy-five feet~~ twenty five feet from interior property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

f. In the A zone sixty percent or more of the products processed must be grown in the Puget Sound counties. At the time of the initial application for business license, the applicant shall submit a projection of the source of products to be produced; and

g. In RA zones, tasting of products produced on site may be provided in accordance with state law. The area devoted to tasting shall be included in the aggregated floor area limitation in subsection B.3.e d. of this section;

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

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

j. The business operator shall obtain an adult beverage business license pursuant to the adult beverage licensing provision of King County Title 6; and

k. Special events may be allowed with an approved Temporary Use Permit pursuant to K.C.C 21A.32, no amplified sound shall be allowed.

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

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

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

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

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

9. Only within enclosed buildings.

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

11. For I-zoned sites located outside the urban growth area designated by the King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C.

21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for rural industrial uses as set forth in K.C.C. chapter 21A.12.

12.a. Limited to wineries, SIC Industry No. 2082-Malt Beverages and SIC Industry No. 2085-Distilled and Blended Liquors;

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

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

c. Pursuant to Washington state Department of Ecology and King County board of health regulations for water usage and wastewater disposal. Wineries, breweries and distilleries using water from exempt wells shall install a water meter;

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

e ~~d.~~ Structures and areas used for processing shall be set back a minimum distance of ~~seventy-~~ twenty five feet from property lines adjacent to rural area and residential zones, unless the processing is located in a building designated as historic resource under K.C.C. chapter 20.62;

f . ~~The minimum site area is four and one-half~~ five acres. If the aggregated floor area of structures for winery, brewery and distillery uses and any accessory uses exceeds six thousand square feet, including underground storage, the minimum site area is ~~shall be~~ ten acres; and

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

~~g. The facility shall be limited to processing agricultural products and sixty percent or more of the products processed must be grown in the Puget Sound counties. At the time of the initial application, the applicant shall submit a projection of the source of products to be processed; and~~

~~h~~ g. Tasting of products produced on site may be provided in accordance with state law. The area devoted to tasting shall be included in the aggregated floor area limitation in subsection B.12.b a. of this section.

h. On a site with direct access to an arterial.

i.. Special events, may be allowed with an approved Temporary Use Permit pursuant to K.C.C. 21A.32. Within Demonstration Overlay B, events such as weddings, anniversary parties, and similar gatherings may be approved by the department pursuant K.C.C. 21A.42 Winery Facility II conditional use review. No amplified sound shall be allowed for special events regardless of approval method; and

j. The business operator shall obtain an adult beverage business license pursuant to the adult beverage licensing provision of King County Title 6.

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

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

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

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

a. as accessory to a primary mineral use; or

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

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

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

17.a. Limited to wineries, SIC Industry No. 2082-Malt Beverages and SIC Industry No. 2085-Distilled and Blended Liquors;

b. The aggregated floor area devoted to all processing shall not exceed three thousand five hundred square feet, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

c. Structures and areas used for processing shall maintain a minimum distance of ~~seventy-five~~ twenty five feet from property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

d. Tasting of products produced on site may be provided in accordance with state law. The area devoted to tasting shall be included in the aggregated floor area limitation in subsection B.48.17 b. of this section; and

e. The business operator shall obtain an adult beverage business license pursuant to the adult beverage licensing provision of King County Title 6.

18. Limited to:

a. SIC Industry Group No. 242-Sawmills and SIC Industry No. 2431-Millwork, as follows:

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

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

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

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

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

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

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

b. SIC Industry No. 2411-Logging.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air

Agency Notice of Construction Permit be approved before marijuana products are imported onto the site;

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

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

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

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

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

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

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

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

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

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

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

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

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

- b. Only with a lighting plan that complies with K.C.C. 21A.12.220.G.;
- c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either marijuana producers or marijuana processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before marijuana products are imported onto the site;
- d. Only allowed on lots of at least four and one-half acres on Vashon-Maury Island;
- e. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres, except on Vashon-Maury Island;
- f. Only as an accessory use to a Washington state Liquor Cannabis Board licensed marijuana production facility on the same lot; and
- g. Accessory marijuana processing uses allowed under this section are subject to all limitations applicable to marijuana production uses under K.C.C. 21A.08.090.

28. a. The business operator shall obtain an adult beverage business license pursuant to the adult beverage licensing provision of King County Title 6.

b. Special events may be allowed with an approved Temporary Use Permit pursuant to K.C.C 21A.32.

(Ord. 18326 § 14, 2016: Ord. 17841 § 29, 2014: Ord. 17725 § 2, 2013: Ord. 17710 § 8, 2013: Ord. 17539 § 31, 2013: Ord. 16950 § 19, 2010: Ord. 16028 § 1, 2008: Ord. 15974 § 10, 2007: Ord. 15032 § 15, 2004: Ord. 14781 § 2, 2003: Ord. 14045 § 15, 2001: Ord. 12596 § 8, 1997: Ord. 11621 § 38, 1994: Ord. 10870 § 335, 1993).

21A.30.085 Home occupations in the A, F and RA zones. In the A, F and RA zones, residents of a dwelling unit may conduct one or more home occupations as accessory activities, under the following provisions:

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

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

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

1. For any lot less than one acre: Four hundred forty square feet; and
2. For lots one acre or greater: One percent of the area of the lot, up to a maximum of five thousand square feet.

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

1. No less than twenty-five feet from any property line; and
2. Screened along the portions of such areas that can be seen from an adjacent parcel or roadway by the:

a. planting of Type II landscape buffering; or
b. use of existing vegetation that meets or can be augmented with additional plantings to meet the intent of Type II landscaping.

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

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

1. One stall for each nonresident employed on-site; and
2. One stall for patrons when services are rendered on-site;

G. Sales are limited to:

1. Mail order sales;
2. Telephone, Internet or other electronic commerce sales with off-site delivery;
3. Items accessory to a service provided to patrons who receive services on the premises;
4. Items grown, produced or fabricated on-site; and
5. On sites five acres or larger, items that support agriculture, equestrian or forestry uses except for the following:

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

b. electronics and appliances (NAICS Code 443); and

c. building material and garden equipment and supplies (NAICS Code 444);

H. The home occupation or occupations do not:

1. Use electrical or mechanical equipment that results in a change to the occupancy type of the structure or structures used for the home occupation or occupations;

2. Cause visual or audible interference in radio or television receivers, or electronic equipment located off-premises or fluctuations in line voltage off-premises; or

3. Increase average vehicular traffic by more than four additional vehicles at any given time;

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

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

1. Hotels, motels or organizational lodging;
2. Dry cleaning;
3. Automotive towing services, automotive wrecking services and tow-in parking lots;

and

4. Recreational marijuana processor, recreational marijuana producer or recreational marijuana retailer.

5. Winery, Brewery, Distillery Facility I and II and Remote Tasting Room. K.

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

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

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

- a. for any lot five acres or less: two;
- b. for lots greater than five acres: three; and
- c. for lots greater than ten acres: four;

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

3. The parking area for the vehicles shall not be considered part of the outdoor storage area provided for in subsection C. of this section. (Ord. 17710 § 11, 2013: Ord. 17539 § 61, 2013: Ord. 17191 § 48, 2011: Ord. 16323 § 2, 2008: 15606 § 20, 2006).

21A.30.090 Home industry. A resident may establish a home industry as an accessory activity, as follows:

A. The site area is one acre or greater;

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

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

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

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

1. One stall for each nonresident employee of the home industry; and
2. One stall for customer parking;

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

1. One thousand square feet of building floor area; and
2. Two thousand square feet of outdoor work or storage area;

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

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

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

1. Limiting the type and size of equipment used by the home industry to those that are compatible with the surrounding neighborhood;
2. Providing for setbacks or screening as needed to protect adjacent residential properties;
3. Specifying hours of operation;
4. Determining acceptable levels of outdoor lighting; and
5. Requiring sound level tests for activities determined to produce sound levels that may be in excess of those in K.C.C. chapter 12.88; and

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

K. Winery, Brewery, Distillery Facility I and II and Remote Tasting Room are not allowed as home industry and are only allowed under the provision of KCC21A.08.070 and KCC21A.08.080.

(Ord. 17710 § 12, 2013: Ord. 17191 § 49, 2011: Ord. 15606 § 21, 2006: Ord. 10870 § 537, 1993).

21A.32.120 Temporary use permits - duration and frequency. Except as otherwise provided in this chapter or in K.C.C. chapter 21A.45, temporary use permits shall be limited in duration and frequency as follows:

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

B. The temporary use shall not exceed a total of sixty days in any three-hundred and sixty five day period. This requirement applies only to the days that the event or events actually take place. For a winery, **brewery, distillery facility** in the A or RA zones, the temporary use shall not exceed a total of two events per month and all parking for the events must be accommodated on site.

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

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

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

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

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

4. At least forty-five days before the end of the permit period, the department shall notify property owners within five hundred feet of the property boundaries that a temporary use permit extension has been requested and contact information to request additional information or to provide comments on the proposed extension. (Ord. 17841 § 52, 2014: Ord. 17191 § 50, 2011: Ord. 16950 § 27, 2010: Ord. 15170 § 4, 2005: Ord. 14781 § 3, 2003: Ord. 10870 § 549, 1993).