



King County

**Planning, Rural Service and Environment
Committee**

July 17, 2018

Supplemental Packet

Agenda Item No. 6

**Proposed Ordinance 2018-0241 Which
Would Update King County's
Development Regulations for
Wineries, Breweries and Distilleries**

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7/17/18
Technical Striker

Sponsor: Lambert

ea

Proposed No.: 2018-0241

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

2 **1**

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

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

5 **SECTION 1. Findings:**

6 A. These regulatory changes are a response to the King County Sammamish
7 Valley Wine and Beverage Study that was released in September 2016. Those changes
8 will help King County prepare for and support the future of the wine and adult beverage
9 industry as it evolves in the region, while adhering to the framework of the state Growth
10 Management Act.

11 B. King County continues to support and foster agriculture, especially within the
12 five designated Agricultural Production Districts. King County also supports the wine
13 and adult beverage industry and recognizes the need to establish a strong foundation for
14 moving the industry into the future.

15 C. A business license is established for the adult beverage industry in King
16 County to provide greater certainty about where adult beverage producers and tasting
17 rooms are located and to verify that they are in compliance with county rules and laws.

18 D. Two demonstration projects are established in the rural area of the

19 Sammamish Valley, with one of the two also applicable to the Vashon-Maury Island
20 Rural Town boundary. One demonstration is in two limited areas and evaluates the
21 presence of remote tasting rooms in the rural community. The second demonstration is in
22 one very limited area and evaluates incorporating industry-supporting events within the
23 conditional use permit rather than through the annual temporary use permit process.

24 SECTION 2. Sections 3 through 10 of this ordinance should constitute a new
25 chapter in K.C.C. Title 6.

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

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

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

33 Adult beverage business: An adult beverage business means a winery, brewery,
34 distillery or cidery, and remote tasting rooms for any of those businesses.

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

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

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

44 An application for an adult beverage business license or license renewal must be
45 submitted in the name of the person or persons or the entity proposing to operate the
46 business. The application shall be signed by each person, or a responsible principal or
47 officer of the entity proposing to operate the business, certified as true under penalty of
48 perjury. All applications shall be submitted on a form supplied by the director, and shall
49 include the following:

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

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

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

60 D. For businesses in the A zone, a signed statement that at least sixty percent of
61 the products to be used by the business are grown on-site, as prescribed under K.C.C.
62 21A.08.080.B.3.f.

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

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

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

70 The director shall deny, suspend or revoke a license issued under this chapter if
71 the Washington state Liquor and Cannabis Board does not issue a license to the business,
72 or if the department of permitting and environmental review receives notice that the state
73 license issued to the business is suspended or revoked, or was not reissued. A business
74 owner whose application for a business license has been denied or whose license has
75 been suspended or revoked may appeal the decision to the office of the hearing examiner
76 in accordance with K.C.C. 6.01.150.

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

79 An adult beverage business license expires one year from the date the business
80 license is issued by the department of permitting and environmental review. To avoid a
81 lapse in the effectiveness of a license, an application to renew a license must be submitted
82 to the director, on a form provided by the director, at least thirty days before the
83 expiration of the business license. An adult beverage business license renewal expires
84 one year from the previous license's expiration date.

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

87 Within thirty days of the director's receipt of a complete adult beverage business

88 license application, the director shall issue or deny the license. Within thirty days of the
89 director's receipt of a complete renewal application, the director shall issue or deny the
90 renewal.

91 SECTION 11. Ordinance 15974, Section 5, and K.C.C. 21A.06.1427 are each
92 hereby repealed.

93 NEW SECTION. SECTION 12. There is hereby added to K.C.C. chapter
94 21A.06 a new section to read as follows:

95 Remote tasting room: A small facility approved by the Washington state Liquor
96 and Cannabis Board as a Tasting Room - Additional Location for a licensed winery,
97 brewery or distillery that is operating at a location other than the licensed winery, brewery
98 or distillery production facility, for the purpose of the retail sale and sampling of the
99 licensed product. "Remote tasting room" does not include any additional privileges
100 allowed by the liquor and cannabis board for a Tasting Room – Additional Location.

101 NEW SECTION. SECTION 13. There is hereby added to K.C.C. chapter
102 21A.06 a new section to read as follows:

103 Winery, brewery, distillery facility I: A very small-scale production facility
104 licensed by the state of Washington to produce adult beverages such as wine, cider, beer
105 and distilled spirits and where on-site product tasting or retail sale of merchandise does not
106 occur.

107 NEW SECTION. SECTION 14. There is hereby added to K.C.C. chapter
108 21A.06 a new section to read as follows:

109 Winery, brewery, distillery facility II: A small-scale production facility licensed
110 by the state of Washington to produce adult beverages such as wine, cider, beer and

111 distilled spirits and that includes an adult beverage production use such as crushing,
 112 fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility II
 113 may include additional production-related uses such as vineyards, orchards, wine cellars or
 114 similar product-storage areas as authorized by state law, on-site product tasting and sales as
 115 authorized by state law, and sales of merchandise related to products available for tasting as
 116 authorized by state law.

117 NEW SECTION. SECTION 15. There is hereby added to K.C.C. chapter
 118 21A.06 a new section to read as follows:

119 Winery, brewery, distillery facility III: A production facility licensed by the state
 120 of Washington to produce adult beverages such as wine, cider, beer and distilled spirits
 121 and that includes an adult beverage production use such as crushing, fermentation, barrel or
 122 tank aging, and finishing. A winery, brewery, distillery facility III may include additional
 123 production-related uses such as vineyards, orchards, wine cellars or similar product-
 124 storage areas as authorized by state law, on-site product tasting as authorized by state
 125 law, and sales of merchandise related to products available as authorized by state law.

126 SECTION 16. Ordinance 10870, Section 334, as amended, and K.C.C.
 127 21A.08.070 are each hereby amended to read as follows:

128 A. Retail land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12- 48	NB	CB	RB	O	I (30)
*	Building		P23						P2	P	P		

	Materials and Hardware Stores												
*	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 (28)						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									P	P		

	Furnishings Stores												
58	Eating and Drinking Places			P21 C19		P20 C16	P20 P16	P10	P	P	P	P	
*	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	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 (28)												P

129

B. Development conditions.

130

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

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

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

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

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

135

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

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considered part of the covered sales area;

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

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

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

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2. Only hardware stores.

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3.a. Limited to products grown on site.

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

143

4. No permanent structures or signs.

- 144 5. Limited to SIC Industry No. 5331-Variety Stores, and further limited to a
145 maximum of two thousand square feet of gross floor area.
- 146 6. Limited to a maximum of five thousand square feet of gross floor area.
- 147 7. Repealed.
- 148 8. Excluding retail sale of trucks exceeding one-ton capacity.
- 149 9. Only the sale of new or reconditioned automobile supplies is permitted.
- 150 10. Excluding SIC Industry No. 5813-Drinking Places.
- 151 11. No outside storage of fuel trucks and equipment.
- 152 12. Excluding vehicle and livestock auctions.
- 153 13. ~~((Only as accessory to a winery or SIC Industry No. 2082 Malt Beverages,~~
154 ~~and limited to sales of products produced on site and incidental items where the majority~~
155 ~~of sales are generated from products produced on site)) Repealed.~~
- 156 14.a. Not in R-1 and limited to SIC Industry No. 5331-Variety Stores, limited to
157 a maximum of five thousand square feet of gross floor area, and subject to K.C.C.
158 21A.12.230; and
- 159 b. Before filing an application with the department, the applicant shall hold a
160 community meeting in accordance with K.C.C. 20.20.035.
- 161 15.a. Not permitted in R-1 and limited to a maximum of five thousand square
162 feet of gross floor area and subject to K.C.C. 21A.12.230; and
- 163 b. Before filing an application with the department, the applicant shall hold a
164 community meeting in accordance with K.C.C. 20.20.035.

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

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

170 17. Repealed.

171 18. Repealed.

172 19. Only as:

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

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

178 20. Only as:

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

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

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

184 22. Only as an accessory use to:

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

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

188 23. Only as accessory to SIC Industry Group No. 242-Sawmills and SIC
189 Industry No. 2431-Millwork and;
190 a. limited to lumber milled on site; and
191 b. the covered sales area is limited to two thousand square feet. The covered
192 sales area does not include covered areas used to display only milled lumber.
193 24. Requires at least five farmers selling their own products at each market and
194 the annual value of sales by farmers should exceed the annual sales value of nonfarmer
195 vendors.
196 25. Limited to sites located within the urban growth area and:
197 a. The sales area shall be limited to three hundred square feet and must be
198 removed each evening;
199 b. There must be legal parking that is easily available for customers; and
200 c. The site must be in an area that is easily accessible to the public, will
201 accommodate multiple shoppers at one time and does not infringe on neighboring
202 properties.
203 26.a. Per lot, limited to a maximum aggregated total of two thousand square feet
204 of gross floor area devoted to, and in support of, the retail sale of marijuana.
205 b. Notwithstanding subsection B.26.a. of this section, the maximum
206 aggregated total gross floor area devoted to, and in support of, the retail sale of marijuana
207 may be increased to up to three thousand square feet if the retail outlet devotes at least
208 five hundred square feet to the sale, and the support of the sale, of medical marijuana, and
209 the operator maintains a current medical marijuana endorsement issued by the
210 Washington state Liquor and Cannabis Board.

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

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

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

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

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

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

242 e. Retail marijuana businesses licensed by the Washington state Liquor and
243 Cannabis Board and operating within one thousand feet of each other as of August 14,
244 2016, and retail marijuana businesses that do not require a permit issued by King County,
245 that received a Washington state Liquor and Cannabis Board license to operate in a
246 location within one thousand feet of another licensed retail marijuana business prior to
247 August 14, 2016, and that King County did not object to within the Washington state
248 Liquor and Cannabis Board marijuana license application process, shall be considered
249 nonconforming and may remain in their current location, subject to the provisions of
250 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

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

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

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

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

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

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

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

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

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

288 c. Retail marijuana businesses licensed by the Washington state Liquor and
289 Cannabis Board and operating within one thousand feet of each other as of August 14,
290 2016, and retail marijuana businesses that do not require a permit issued by King County,
291 that received a Washington state Liquor and Cannabis Board license to operate in a
292 location within one thousand feet of another licensed retail marijuana business prior to
293 August 14, 2016, and that King County did not object to within the Washington state
294 Liquor and Cannabis Board marijuana license application process, shall be considered
295 nonconforming and may remain in their current location, subject to the provisions of
296 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

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

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

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

303 SECTION 17. Ordinance 10870, Section 335, as amended, and K.C.C.

304 21A.08.080 are each hereby amended to read as follows:

305 A. Manufacturing land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (11)
20	Food and Kindred Products (28)								P2	P2	P2		P2
*	<u>Winery/Brewery/Distillery Facility I</u>				<u>P30</u>	<u>P30</u>							
* (2082 /2085))	<u>Winery/Brewery /Distillery Facility II</u>	P3 ((C12))			P3 C((42))31	P3			P17	P17	<u>P29</u>		<u>P29</u>
*	<u>Winery/Brewery/Distillery Facility III</u>	<u>C12</u>			<u>C12</u>	<u>C12</u>			<u>C29</u>	<u>C29</u>	<u>C29</u>		<u>C29</u>
*	Materials Processing Facility		P13 C	P14 C15	P16 C								P
22	Textile Mill Products												C
23	Apparel and other Textile Products										C		P
24	Wood Products, except furniture	P4 P18	P4 P18 C5		P4 P18 C5	P4					C6		P
25	Furniture and Fixtures		P19		P19						C		P
26	Paper and Allied Products												C
27	Printing and Publishing								P7	P7	P7C	P7C	P
*	Marijuana Processor I	P20			P27					P21 C22	P21 C22		
*	Marijuana Processor II									P23 C24	P23 C24		P25 C26
28	Chemicals and Allied Products												C

307 1. Repealed.

308 2. Except slaughterhouses.

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

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

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

317 d. The aggregated floor area (~~devoted to all processing~~) of structures and
318 areas for winery, brewery, distillery facility uses shall not exceed three thousand five
319 hundred square feet, unless located in (~~a building~~) whole or in part in a structure
320 designated as historic resource under K.C.C. chapter 20.62, in which case the aggregated
321 floor area of structures and areas devoted to winery, brewery, distillery facility uses shall
322 not exceed five thousand square feet;

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

327 f. In the A zones, (~~\$~~)sixty percent or more of the products processed must be
328 grown (~~in the Puget Sound counties~~) on-site. At the time of the initial application for
329 the adult beverage licensing provisions of K.C.C. chapter 6.xx (the new chapter created

330 in section 2 of this ordinance), the applicant shall submit a projection of the source of
331 products to be produced; (~~and~~)

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

337 h. Tasting of products produced on site may be provided in accordance with
338 state law. The area devoted to tasting shall be included in the floor area limitation in
339 subsection B.3.(~~e-~~)d. of this section. Hours of operation for on-site tasting of products
340 shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting
341 room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and
342 Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;

343 i. On a site with direct access to an arterial;

344 j. Off-street parking is limited to one hundred and fifty percent of the
345 minimum requirement for wineries, breweries or distilleries specified in K.C.C.
346 21A.18.030;

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

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

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

353 equipment.

354 5. Limited to SIC Industry Group No. 242-Sawmills and SIC Industry No.

355 2431-Millwork. For RA zoned sites, if using lumber or timber grown off-site, the

356 minimum site area is four and one-half acres.

357 6. Limited to uses found in SIC Industry No. 2434-Wood Kitchen Cabinets and

358 No. 2431-Millwork, (excluding planing mills).

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

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

361 9. Only within enclosed buildings.

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

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

364 King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C.

365 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for

366 rural industrial uses as set forth in K.C.C. chapter 21A.12.

367 12.a. Limited to (~~wineries, SIC Industry No. 2082 Malt Beverages and SIC~~

368 ~~Industry No. 2085 Distilled and Blended Liquors~~) winery, brewery, distillery facility III

369 uses;

370 b.~~((1) Except as provided in subsection B.12.b.(2) of this section, t))~~The

371 aggregated floor area of structures and areas for (~~wineries, breweries and distilleries and~~

372 ~~any accessory~~) winery, brewery, distillery facility uses shall not exceed a total of eight

373 thousand square feet~~((:)),~~ except that (~~(F))~~the floor area may be increased by up to an

374 additional eight thousand square feet of underground storage that is constructed

375 completely below natural grade, not including required exits and access points, if the

376 underground storage is at least one foot below the surface and is not visible above
377 ground; ((and

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

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

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

389 ~~d. Off-street parking is limited to one hundred and fifty percent of the~~
390 ~~minimum requirement for wineries, breweries or distilleries specified in K.C.C.~~
391 ~~21A.18.030;))~~

392 e. Structures and parking areas ((~~used for processing~~)) for winery, brewery
393 distillery uses shall be set back a minimum distance of seventy-five feet from property
394 lines adjacent to rural area and residential zones, unless ((~~the processing is~~)) located in a
395 building designated as historic resource under K.C.C. chapter 20.62;

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

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

400 ~~(2) a minimum of two and one half acres of the site shall be used for the~~

401 ~~growing of agricultural products;~~

402 ~~g. The facility shall be limited to processing agricultural products and))~~ In the

403 A zone, sixty percent or more of the products processed must be grown ((in the Puget

404 Sound counties)) on-site. At the time of the initial application for the adult beverage

405 licensing provisions of K.C.C. chapter 6.xx (the new chapter created in section 2 of this

406 ordinance), the applicant shall submit a projection of the source of products to be

407 processed; ((and))

408 g. In the A zone, structures and areas for non-agricultural winery, brewery,

409 distillery facility uses shall be located on portions of agricultural lands that are unsuitable

410 for agricultural purposes, such as areas within the already developed portion of such

411 agricultural lands that are not available for direct agricultural production, or areas without

412 prime agricultural soils;

413 h. Tasting of products produced on site may be provided in accordance with

414 state law. The area devoted to tasting shall be included in the aggregated floor area

415 limitation in subsection B.12.b. and c. of this section. Hours of operation for on-site

416 tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and

417 Thursdays, tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and

418 Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m.

419 through 9:00 p.m.;

420 i. On a site with direct access to an arterial;

421 j. The business operator shall obtain an adult beverage business license in

422 accordance with the adult beverage licensing provision of K.C.C. chapter 6.xx (the new
423 chapter created in section 2 of this ordinance); and

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

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

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

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

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

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

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

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

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

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

445 ~~Industry No. 2085-Distilled and Blended Liquors~~) winery, brewery, distillery facility II
446 uses;

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

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

457 d. Tasting of products produced on site may be provided in accordance with
458 state law. The area devoted to tasting shall be included in aggregated the floor area
459 limitation in subsection B.~~((18.))~~17.b. of this section; and

460 e. The business operator shall obtain an adult beverage business license
461 pursuant to the adult beverage licensing provisions of K.C.C. chapter 6.xx (the new
462 chapter created in section 2 of this ordinance).

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

465 18. Limited to:

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

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

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

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

474 (4) Deliveries and customer visits shall be limited to the hours of 8:00 a.m. to
475 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

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

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

481 b. SIC Industry No. 2411-Logging.

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

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

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

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

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

491 are imported onto the site; and

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

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

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

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

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

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

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

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

500 are imported onto the site;

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

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

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

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

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

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

507 subsection B.22. of this section.

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

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

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

511 marijuana shall be limited to a maximum of thirty thousand square feet;

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

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

514 Clean Air Agency Notice of Construction Permit. All department permits issued to either
515 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
516 Clean Air Agency Notice of Construction Permit be approved before marijuana products
517 are imported onto the site.

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

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

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

521 Clean Air Agency Notice of Construction Permit. All department permits issued to either
522 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
523 Clean Air Agency Notice of Construction Permit be approved before marijuana products
524 are imported onto the site;

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

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

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

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

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

535 Clean Air Agency Notice of Construction Permit. All department permits issued to either
536 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

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

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

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

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

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

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

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

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

560 27.a. Marijuana processors in all RA zoned areas except for Vashon-Maury
561 Island, that do not require a conditional use permit issued by King County, that receive a
562 Washington state Liquor and Cannabis Board license business prior to October 1, 2016,
563 and that King County did not object to within the Washington state Liquor and Cannabis
564 Board marijuana license application process, shall be considered nonconforming as to
565 subsection B.27.e. of this section, subject to the provisions of K.C.C. 21A.32.020 through
566 21A.32.075 for nonconforming uses;

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

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

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

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

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

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

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

583 29.a. The business operator shall obtain an adult beverage business license
584 pursuant to the adult beverage licensing provisions of K.C.C. chapter 6.xx (the new chapter
585 created in section 2 of this ordinance).

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

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

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

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

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

596 e. One on-site parking place shall be provided if a nonresident is employed to
597 work on-site;

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

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

603 31.a. Limited to winery, brewery, distillery facility II uses;

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

605 c. The aggregated floor area of structures and areas for winery, brewery,

606 distillery facility uses shall not exceed three thousand five hundred square feet, unless
607 located in whole or in part in a structure designated as historic resource under K.C.C.
608 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to
609 winery, brewery, distillery facility uses shall not exceed five thousand square feet;

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

614 e. Tasting of products produced on site may be provided in accordance with
615 state law. The area devoted to tasting shall be included in the floor area limitation in
616 subsection B.3.c. of this section. Hours of operation for on-site tasting of products shall
617 be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting room
618 hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and
619 Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;

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

621 g. Off-street parking is limited to one hundred and fifty percent of the
622 minimum requirement for wineries, breweries or distilleries specified in K.C.C.
623 21A.18.030;

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

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

629 SECTION 18. Ordinance 10870, Section 336, as amended, and K.C.C.

630 21A.08.090 are each hereby amended to read as follows:

631 A. Resource land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1- 8	R12 -48	NB	CB	RB	O	I
	AGRICULTURE:												
01	Growing and Harvesting Crops	P	P		P	P	P						P
02	Raising Livestock and Small Animals (6)	P	P		P	P							P
*	Agricultural Activities	P24 C	P24 C		P24 C	P24 C							
*	Agricultural Support Services	P25 C	P25 C		P26 C	P26 C	P26 C		P27 C28	P27 C28			
*	Marijuana producer	P15 C22			P16 C17					P18 C19	P18 C19		P20 C21
*	Agriculture Training Facility	C10											
*	Agriculture-related special needs camp	P12											
*	Agricultural Anaerobic Digester	P13											
	FORESTRY:												
08	Growing & Harvesting Forest Production	P	P	P7	P	P	P						P
*	Forest Research		P		P	P						P2	P
	FISH AND WILDLIFE												

	MANAGEMENT:												
0921	Hatchery/Fish Preserve (1)	P	P		P	P	C						P
0273	Aquaculture (1)	P	P		P	P	C						P
*	Wildlife Shelters	P	P		P	P							
	MINERAL:												
10,12,14	Mineral Extraction and Processing		P9 C	P C1 1									
2951, 3271, 3273	Asphalt/Concrete Mixtures and Block		P8 C1 1	P8 C1 1									P
	ACCESSORY USES:												
*	Resource Accessory Uses	P3 P23	P4	P5	P3	P3							P4
*	Farm Worker Housing	P14			P14								

632

B. Development conditions.

633

1. May be further subject to K.C.C. chapter 21A.25.

634

2. Only forest research conducted within an enclosed building.

635

3. Farm residences in accordance with K.C.C. 21A.08.030.

636

4. Excluding housing for agricultural workers.

637

5. Limited to either maintenance or storage facilities, or both, in conjunction

638

with mineral extraction or processing operation.

639

6. Allowed in accordance with K.C.C. chapter 21A.30.

640

7. Only in conjunction with a mineral extraction site plan approved in

641

accordance with K.C.C. chapter 21A.22.

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

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

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

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

650 9. Limited to mineral extraction and processing:

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

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

655 and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

694 (1) passive recreation;

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

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

697 (4) agriculture education for youth.

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

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

706 d.(1) The minimum site area shall be five hundred acres. Unless the property
707 owner has sold or transferred the development rights as provided in subsection B.12.c.(3)
708 of this section, a minimum of five hundred acres of the site must be owned by a single

709 individual, corporation, partnership or other legal entity and must remain under the
710 ownership of a single individual, corporation, partnership or other legal entity for the
711 duration of the operation of the camp.

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

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

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

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

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

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

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

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

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

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

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

745 o. The total number of persons staying overnight shall not exceed three
746 hundred;

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

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

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

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

757 t. Camp recreational activities shall not involve the use of motor vehicles
758 unless the motor vehicles are part of an agricultural activity or are being used for the
759 transportation of campers, camp personnel or the families of campers. Camp personnel
760 may use motor vehicles for the operation and maintenance of the facility. Client-specific
761 motorized personal mobility devices are allowed; and

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

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

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

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

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

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

775 14. Farm worker housing. Either:

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

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

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

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

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

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

791 (1) Not more than:

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

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

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

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

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

802 (3) The applicant shall file with the department of executive services, records
803 and licensing services division, a notice approved by the department that identifies the
804 agricultural employee dwelling units as accessory and that the dwelling units shall only
805 be occupied by agricultural employees who are employed by the owner or operator year-
806 round. The notice shall run with the land. The applicant shall submit to the department
807 proof that the notice was filed with the department of executive services, records and
808 licensing services division, before the department approves any permit for the
809 construction of agricultural employee dwelling units;

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

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

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

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

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

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

822 b. With a lighting plan, only if required by and that complies with K.C.C.
823 21A.12.220.G.;

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

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

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

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

841 g. If the two-thousand-square-foot-per-lot threshold of plant canopy combined
842 with area used for processing under K.C.C. 21A.08.080 is exceeded, each and every
843 marijuana-related entity occupying space in addition to the two-thousand-square-foot

844 threshold area on that lot shall obtain a conditional use permit as set forth in subsection
845 B.22. of this section.

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

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

855 b. In all rural area zones, only with a lighting plan that complies with K.C.C.
856 21A.12.220.G.;

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

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

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

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

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

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

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

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

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

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

888 c. In all rural area zones, only with a lighting plan that complies with K.C.C.
889 21A.12.220.G.;

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

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

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

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

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

907 b. With a lighting plan only as required by and that complies with K.C.C.
908 21A.12.220.G.;

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

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

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

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

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

924 b. With a lighting plan only as required by and that complies with K.C.C.
925 21A.12.220.G.;

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

931 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
932 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
933 aggregated total of thirty thousand square feet and shall be located within a building or

934 tenant space that is no more than ten percent larger than the plant canopy and separately
935 authorized processing area.

936 20.a. Production is limited to indoor only;

937 b. With a lighting plan only as required by and that complies with K.C.C.

938 21A.12.220.G.;

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

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

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

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

954 b. With a lighting plan only as required by and that complies with K.C.C.

955 21A.12.220.G.;

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

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

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

968 a. With a lighting plan only as required by and that complies with K.C.C.
969 21A.12.220.G.;

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

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

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

979 e. On lots less than ten acres, per lot, the plant canopy, as defined in WAC 314-
980 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be
981 limited to a maximum aggregated total of five thousand square feet and shall be located
982 within a fenced area or marijuana greenhouse that is no more than ten percent larger than
983 that combined area, or may occur in nondwelling unit structures that exist as of October 1,
984 2013;

985 f. On lots ten acres or more, per lot, the plant canopy, as defined in WAC 314-
986 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be
987 limited to a maximum aggregated total of ten thousand square feet, and shall be located
988 within a fenced area or marijuana greenhouse that is no more than ten percent larger than
989 that combined area, or may occur in nondwelling unit structures that exist as of October 1,
990 2013; and

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

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

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

999 b. the storage and processing are in accordance with best management practices
1000 included in an approved farm plan; and

1001 c. except for areas used for manure storage, the areas used for storage and
1002 processing do not exceed three acres and ten percent of the site.

1003 24.a. For activities relating to the processing of crops or livestock for commercial
1004 purposes, including associated activities such as warehousing, storage, including
1005 refrigeration, and other similar activities and excluding (~~wineries, SIC Industry No. 2085—~~
1006 ~~Distilled and Blended Liquors and SIC Industry No. 2082—Malt Beverages~~) winery,
1007 brewer distillery facility I, II and III:

1008 (1) limited to agricultural products and sixty percent or more of the products
1009 processed must be grown in the Puget Sound counties. At the time of initial application,
1010 the applicant shall submit a projection of the source of products to be produced;

1011 (2) in the RA and UR zones, only allowed on sites of at least four and one-
1012 half acres;

1013 (3) (a) as a permitted use, the floor area devoted to all processing shall not
1014 exceed two thousand square feet, unless located in a building designated as an historic
1015 resource under K.C.C. chapter 20.62. The agricultural technical review committee, as
1016 established in K.C.C. 21A.42.300, may review and approve an increase in the processing
1017 floor area as follows: up to three thousand five hundred square feet of floor area may be
1018 devoted to all processing in the RA zones or on farms less than thirty-five acres located in
1019 the A zones or up to seven thousand square feet on farms greater than thirty-five acres in
1020 the A zone; and

1021 (b) as a permitted use, the floor area devoted to all warehousing,
1022 refrigeration, storage or other similar activities shall not exceed two thousand square feet,
1023 unless located in a building designated as historic resource under K.C.C. chapter 20.62.

1024 The agricultural technical review committee, as established in K.C.C. 21A.42.300, may
1025 review and approve an increase of up to three thousand five hundred square feet of floor
1026 area devoted to all warehouseing, storage, including refrigeration, or other similar
1027 activities in the RA zones or on farms less than thirty-five acres located in the A zones or
1028 up to seven thousand square feet on farms greater than thirty-five acres in the A zone;

1029 (4) in the A zone, structures and areas used for processing, warehousing,
1030 refrigeration, storage and other similar activities shall be located on portions of
1031 agricultural lands that are unsuitable for other agricultural purposes, such as areas within
1032 the already developed portion of such agricultural lands that are not available for direct
1033 agricultural production, or areas without prime agricultural soils; and

1034 (5) structures and areas used for processing, warehousing, storage, including
1035 refrigeration, and other similar activities shall maintain a minimum distance of seventy-
1036 five feet from property lines adjoining rural area and residential zones, unless located in a
1037 building designated as historic resource under K.C.C. chapter 20.62.

1038 b. For activities relating to the retail sale of agricultural products, except
1039 livestock:

1040 (1) sales shall be limited to agricultural products and locally made arts and
1041 crafts;

1042 (2) in the RA and UR zones, only allowed on sites at least four and one-
1043 half acres;

1044 (3) as a permitted use, the covered sales area shall not exceed two thousand
1045 square feet, unless located in a building designated as a historic resource under K.C.C.
1046 chapter 20.62. The agricultural technical review committee, as established in K.C.C.

1047 21A.42.300, may review and approve an increase of up to three thousand five hundred
1048 square feet of covered sales area;

1049 (4) forty percent or more of the gross sales of agricultural product sold
1050 through the store must be sold by the producers of primary agricultural products;

1051 (5) sixty percent or more of the gross sales of agricultural products sold
1052 through the store shall be derived from products grown or produced in the Puget Sound
1053 counties. At the time of the initial application, the applicant shall submit a reasonable
1054 projection of the source of product sales;

1055 (6) tasting of products, in accordance with applicable health regulations, is
1056 allowed;

1057 (7) storage areas for agricultural products may be included in a farm store
1058 structure or in any accessory building; and

1059 (8) outside lighting is permitted if there is no off-site glare.

1060 c. Retail sales of livestock is permitted only as accessory to raising
1061 livestock.

1062 d. Farm operations, including quipment repair and related facilities, except
1063 that:

1064 (1) the repair of tools and machinery is limited to those necessary for the
1065 operation of a farm or forest;

1066 (2) in the RA and UR zones, only allowed on sites of at least four and one-
1067 half acres;

1068 (3) the size of the total repair use is limited to one percent of the farm size
1069 in the A zone, and up to one percent of the size in other zones, up to a maximum of five

1070 thousand square feet unless located within an existing farm structure, including but not
1071 limited to barns, existing as of December 31, 2003; and

1072 (4) Equipment repair shall not be permitted in the Forest zone.

1073 e. The agricultural technical review committee, as established in K.C.C.

1074 21A.42.300, may review and approve reductions of minimum site sizes in the rural and
1075 residential zones and minimum setbacks from rural and residential zones.

1076 25. The department may review and approve establishment of agricultural
1077 support services in accordance with the code compliance review process in K.C.C.

1078 21A.42.300 only if:

1079 a. project is sited on lands that are unsuitable for direct agricultural production
1080 based on size, soil conditions or other factors and cannot be returned to productivity by
1081 drainage maintenance; and

1082 b. the proposed use is allowed under any Farmland Preservation Program
1083 conservation easement and zoning development standards.

1084 26. The agricultural technical review committee, as established in K.C.C.

1085 21A.42.300, may review and approve establishment of agricultural support services only
1086 if the project site:

1087 a. adjoins or is within six hundred sixty feet of the agricultural production
1088 district;

1089 b. has direct vehicular access to the agricultural production district;

1090 c. except for farmworker housing, does not use local access streets that abut
1091 lots developed for residential use; and

1092 b. has a minimum lot size of four and one-half acres.

1093 27. The agricultural technical review committee, as established in K.C.C.
 1094 21A.42.300, may review and approve establishment of agricultural support services only
 1095 if the project site:

- 1096 a. is outside the urban growth area,
- 1097 b. adjoins or is within six hundred sixty feet of the agricultural production
 1098 district,
- 1099 c. has direct vehicular access to the agricultural production district,
- 1100 d. except for farmworker housing, does not use local access streets that abut
 1101 lots developed for residential use; and
- 1102 e. has a minimum lot size of four and one-half acres.

1103 28. Only allowed on properties that are outside the urban growth area.

1104 **SECTION 19.** Ordinance 10870, Section 407, as amended, and K.C.C.

1105 21A.18.030 are each hereby amended to read as follows:

1106 A. Except as modified in K.C.C. 21A.18.070.B((-)), through D., off-street
 1107 parking areas shall contain at a minimum the number of parking spaces as stipulated in
 1108 the following table. Off-street parking ratios expressed as number of spaces per square
 1109 feet means the usable or net square footage of floor area, exclusive of non-public areas.
 1110 Non-public areas include but are not limited to building maintenance areas, storage areas,
 1111 closets or restrooms. If the formula for determining the number of off-street parking
 1112 spaces results in a fraction, the number of off-street parking spaces shall be rounded to
 1113 the nearest whole number with fractions of 0.50 or greater rounding up and fractions
 1114 below 0.50 rounding down.

LAND USE	MINIMUM PARKING SPACES
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	REQUIRED
RESIDENTIAL (K.C.C. 21A.08.030.A):	
Single detached/Townhouse	2.0 per dwelling unit
Apartment:	
Studio units	1.2 per dwelling unit
One bedroom units	1.5 per dwelling unit
Two bedroom units	1.7 per dwelling unit
Three bedroom units or larger	2.0 per dwelling unit
Mobile home park	2.0 per dwelling unit
Senior citizen assisted	1 per 2 dwelling or sleeping units
Community residential facilities	1 per two bedrooms
Dormitory, including religious	1 per two bedrooms
Hotel/Motel including organizational hotel/lodging	1 per bedroom
Bed and breakfast guesthouse	1 per guest room, plus 2 per facility
RECREATION/CULTURAL (K.C.C. 21A.08.040.A):	
Recreation/culture uses:	1 per 300 square feet
Exceptions:	

Bowling center	5 per lane
Golf course	3 per hole, plus 1 per 300 square feet of club house facilities
Tennis Club	4 per tennis court plus 1 per 300 square feet of clubhouse facility
Golf driving range	1 per tee
Park/playfield/paintball	(director)
Theater	1 per 3 fixed seats
Conference center	1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per bedroom, whichever results in the greater number of spaces.
LAND USE	MINIMUM PARKING SPACES REQUIRED
GENERAL SERVICES (K.C.C. 21A.08.050.A):	
General services uses:	1 per 300 square feet
Exceptions:	
Funeral home/Crematory	1 per 50 square feet of chapel area
Daycare I	2 per facility
Daycare II	2 per facility, plus 1 space for each 20 children
Churches, synagogue, temple	1 per 5 fixed seats, plus 1 per 50

	square feet of gross floor area without fixed seats used for assembly purposes
Outpatient and Veterinary clinic offices	1 per 300 square feet of office, labs and examination rooms
Nursing and personal care Facilities	1 per 4 beds
Hospital	1 per bed
e	1 per classroom, plus 1 per 50 students
Secondary schools	
Middle/junior high schools	1 per classroom, plus 1 per 50 students
High schools	1 per classroom, plus 1 per 10 students
High schools with stadiums	greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium
Vocational schools	1 per classroom, plus 1 per five students
Specialized instruction Schools	1 per classroom, plus 1 per two students
Artist Studios	0.9 per 1,000 square feet of area used for studios
GOVERNMENT/BUSINESS SERVICES (K.C.C. 21A.08.060.A):	
Government/business services uses:	1 per 300 square feet

Exceptions:	
Public agency yard	1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas
Public agency archives	0.9 per 1000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas
Courts	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas
Police facility	(director)
Fire facility	(director)
Construction and trade	1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area
Warehousing and storage	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area
Self-service storage	1 per 3,500 square feet of storage area, plus 2 for any resident director's unit
Outdoor advertising services	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area
Heavy equipment repair	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor

	repair areas
Office	1 per 300 square feet
LAND USE	MINIMUM PARKING SPACES REQUIRED
RETAIL/WHOLESALE (K.C.C. 21A.08.070.A):	
Retail trade uses:	1 per 300 square feet
Exceptions:	
Food stores, less than 15,000 square feet	3 plus 1 per 350 square feet
Gasoline service stations w/o grocery	3 per facility, plus 1 per service bay
Gasoline service stations w/grocery, no service bays	1 per facility, plus 1 per 300 square feet of store
Restaurants	1 per 75 square feet in dining or lounge areas
Wholesale trade uses	0.9 per 1000 square feet
Retail and wholesale trade mixed use	1 per 300 square feet
MANUFACTURING (K.C.C. 21A.08.080.A):	
Manufacturing uses	0.9 per 1,000 square feet
Winery/Brewery/ <u>Distillery Facility II</u>	0.9 per 1,000 square feet, plus 1 per ((50)) <u>300</u> square feet of tasting area
RESOURCES (K.C.C. 21A.08.090.A):	

Resource uses	(director)
REGIONAL (K.C.C. 21A.08.100.A):	
Regional uses	(director)

1115 B. An applicant may request a modification of the minimum required number of
1116 parking spaces by providing that parking demand can be met with a reduced parking
1117 requirement. In such cases, the director may approve a reduction of up to fifty percent of
1118 the minimum required number of spaces.

1119 C. When the county has received a shell building permit application, off-street
1120 parking requirements shall be based on the possible tenant improvements or uses
1121 authorized by the zone designation and compatible with the limitations of the shell
1122 permit. When the range of possible uses result in different parking requirements, the
1123 director will establish the amount of parking based on a likely range of uses.

1124 D. Where other provisions of this code stipulate maximum parking allowed or
1125 reduced minimum parking requirements, those provisions shall apply.

1126 E. In any development required to provide six or more parking spaces, bicycle
1127 parking shall be provided. Bicycle parking shall be bike rack or locker-type parking
1128 facilities unless otherwise specified.

1129 1. Off-street parking areas shall contain at least one bicycle parking space for
1130 every twelve spaces required for motor vehicles except as follows:

1131 a. The director may reduce bike rack parking facilities for patrons when it is
1132 demonstrated that bicycle activity will not occur at that location.

1133 b. The director may require additional spaces when it is determined that the

1134 use or its location will generate a high volume of bicycle activity. Such a determination
1135 will include but not be limited to the following uses:

1136 (1) Park/playfield,

1137 (2) Marina,

1138 (3) Library/museum/arboretum,

1139 (4) Elementary/secondary school,

1140 (5) Sports club, or

1141 (6) Retail business (when located along a developed bicycle trail or
1142 designated bicycle route).

1143 2. Bicycle facilities for patrons shall be located within 100 feet of the building
1144 entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a
1145 structure attached to the pavement.

1146 3. All bicycle parking and storage shall be located in safe, visible areas that do
1147 not impede pedestrian or vehicle traffic flow, and shall be well lit for nighttime use.

1148 4. When more than ten people are employed on site, enclosed locker-type
1149 parking facilities for employees shall be provided. The director shall allocate the
1150 required number of parking spaces between bike rack parking and enclosed locker-type
1151 parking facilities.

1152 5. One indoor bicycle storage space shall be provided for every two dwelling
1153 units in townhouse and apartment residential uses, unless individual garages are provided
1154 for every unit. The director may reduce the number of bike rack parking spaces if indoor
1155 storage facilities are available to all residents.

1156 SECTION 20. Ordinance 10870, Section 536, as amended, and K.C.C.

1157 21A.30.080 are each hereby amended to read as follows:

1158 In the R, UR, NB, CB and RB zones, residents of a dwelling unit may conduct one
1159 or more home occupations as accessory activities, only if:

1160 A. The total floor area of the dwelling unit devoted to all home occupations shall
1161 not exceed twenty percent of the floor area of the dwelling unit.

1162 B. Areas within garages and storage buildings shall not be considered part of the
1163 dwelling unit and may be used for activities associated with the home occupation;

1164 C. All the activities of the home occupation or occupations shall be conducted
1165 indoors, except for those related to growing or storing of plants used by the home
1166 occupation or occupations;

1167 D. A home occupation or occupations is not limited in the number of employees
1168 that remain off-site. No more than one nonresident employee shall be permitted to work
1169 on-site for the home occupation or occupations;

1170 E. The following uses, by the nature of their operation or investment, tend to
1171 increase beyond the limits permitted for home occupations. Therefore, the following shall
1172 not be permitted as home occupations:

- 1173 1. Automobile, truck and heavy equipment repair;
- 1174 2. ~~((Autobody))~~ Auto body work or painting;
- 1175 3. Parking and storage of heavy equipment;
- 1176 4. Storage of building materials for use on other properties;
- 1177 5. Hotels, motels or organizational lodging;
- 1178 6. Dry cleaning;
- 1179 7. Towing services;

1180 8. Trucking, storage or self service, except for parking or storage of one
1181 commercial vehicle used in home occupation; (~~and~~)
1182 9. Veterinary clinic; (~~and~~)
1183 10. Recreational marijuana processor, recreational marijuana producer or
1184 recreational marijuana retailer; and
1185 11. Winery, brewery, distillery facility I, II, and III, and remote tasting room;
1186 F. In addition to required parking for the dwelling unit, on-site parking is provided
1187 as follows:
1188 1. One stall for each nonresident employed by the home occupations; and
1189 2. One stall for patrons when services are rendered on-site;
1190 G. Sales are limited to:
1191 1. Mail order sales;
1192 2. Telephone, Internet or other electronic commerce sales with off-site delivery;
1193 and
1194 3. Items accessory to a service provided to patrons who receive services on the
1195 premises;
1196 H. On-site services to patrons are arranged by appointment;
1197 I. The home occupation or occupations use or store a vehicle for pickup of
1198 materials used by the home occupation or occupations or the distribution of products from
1199 the site, only if:
1200 1. No more than one such a vehicle is allowed; and
1201 2. The vehicle is not stored within any required setback areas of the lot or on
1202 adjacent streets; and

1203 3. The vehicle does not exceed an equivalent licensed gross vehicle weight of one
1204 ton;

1205 J. The home occupation or occupations do not:

1206 1. Use electrical or mechanical equipment that results in a change to the
1207 occupancy type of the structure or structures used for the home occupation or occupations;
1208 or

1209 2. Cause visual or audible interference in radio or television receivers, or
1210 electronic equipment located off-premises or fluctuations in line voltage off-premises;

1211 ((and))

1212 K. There shall be no exterior evidence of a home occupation, other than growing or
1213 storing of plants under subsection C. of this section or a permitted sign, that would cause
1214 the premises to differ from its residential character. Exterior evidence includes, but is not
1215 limited to, lighting, the generation or emission of noise, fumes or vibrations as determined
1216 by using normal senses from any lot line or on average increase vehicular traffic by more
1217 than four additional vehicles at any given time;

1218 L. Customer visits and deliveries shall be limited to the hours of 8:00 a.m. to 7:00
1219 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends; and

1220 M. Uses not allowed as home occupations may be allowed as a home industry
1221 under K.C.C. 21A.30.090.

1222 SECTION 21. Ordinance 15606, Section 20, as amended, and K.C.C.

1223 21A.30.085 are each hereby amended to read as follows:

1224 In the A, F and RA zones, residents of a dwelling unit may conduct one or more
1225 home occupations as accessory activities, under the following provisions:

1226 A. The total floor area of the dwelling unit devoted to all home occupations shall
1227 not exceed twenty percent of the dwelling unit.

1228 B. Areas within garages and storage buildings shall not be considered part of the
1229 dwelling unit and may be used for activities associated with the home occupation;

1230 C. Total outdoor area of all home occupations shall be permitted as follows:

1231 1. For any lot less than one acre: Four hundred forty square feet; and

1232 2. For lots one acre or greater: One percent of the area of the lot, up to a
1233 maximum of five thousand square feet.

1234 D. Outdoor storage areas and parking areas related to home occupations shall be:

1235 1. No less than twenty-five feet from any property line; and

1236 2. Screened along the portions of such areas that can be seen from an adjacent
1237 parcel or roadway by the:

1238 a. planting of Type II landscape buffering; or

1239 b. use of existing vegetation that meets or can be augmented with additional
1240 plantings to meet the intent of Type II landscaping((-));

1241 E. A home occupation or occupations is not limited in the number of employees
1242 that remain off-site. Regardless of the number of home occupations, the number of
1243 nonresident employees is limited to no more than three who work on-site at the same time
1244 and no more than three who report to the site but primarily provide services off-site((-));

1245 F. In addition to required parking for the dwelling unit, on-site parking is provided
1246 as follows:

1247 1. One stall for each nonresident employed on-site; and

1248 2. One stall for patrons when services are rendered on-site;

1249 G. Sales are limited to:

1250 1. Mail order sales;

1251 2. Telephone, Internet or other electronic commerce sales with off-site delivery;

1252 3. Items accessory to a service provided to patrons who receive services on the

1253 premises;

1254 4. Items grown, produced or fabricated on-site; and

1255 5. On sites five acres or larger, items that support agriculture, equestrian or

1256 forestry uses except for the following:

1257 a. motor vehicles and parts (North American Industrial Classification System

1258 ("NAICS" Code 441);

1259 b. electronics and appliances (NAICS Code 443); and

1260 c. building material and garden equipments and supplies (NAICS Code 444);

1261 H. The home occupation or occupations do not:

1262 1. Use electrical or mechanical equipment that results in a change to the

1263 occupancy type of the structure or structures used for the home occupation or occupations;

1264 2. Cause visual or audible interference in radio or television receivers, or

1265 electronic equipment located off-premises or fluctuations in line voltage off-premises; or

1266 3. Increase average vehicular traffic by more than four additional vehicles at any

1267 given time;

1268 I. Customer visits and deliveries shall be limited to the hours of 8:00 a.m. to 7:00

1269 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

1270 J. The following uses, by the nature of their operation or investment, tend to

1271 increase beyond the limits permitted for home occupations. Therefore, the following shall

1272 not be permitted as home occupations:

1273 1. Hotels, motels or organizational lodging;

1274 2. Dry cleaning((=));

1275 3. Automotive towing services, automotive wrecking services and tow-in parking

1276 lots; ((and))

1277 4. Recreational marijuana processor, recreational marijuana producer or

1278 recreational marijuana retailer((-)); and

1279 5. Winery, brewery, distillery facility I, II, and III, and remote tasting room;

1280 K. Uses not allowed as home occupation may be allowed as a home industry under

1281 K.C.C. chapter 21A.30; and

1282 L. The home occupation or occupations may use or store vehicles, as follows:

1283 1. The total number of vehicles for all home occupations shall be:

1284 a. for any lot five acres or less: two;

1285 b. for lots greater than five acres: three; and

1286 c. for lots greater than ten acres: four;

1287 2. The vehicles are not stored within any required setback areas of the lot or on

1288 adjacent streets; and

1289 3. The parking area for the vehicles shall not be considered part of the outdoor

1290 storage area provided for in subsection C. of this section.

1291 SECTION 22. Ordinance 10870, Section 537, as amended, and K.C.C.

1292 21A.30.090 are each hereby amended to read as follows:

1293 A resident may establish a home industry as an accessory activity, as follows:

1294 A. The site area is one acre or greater;

1295 B. The area of the dwelling unit used for the home industry does not exceed fifty
1296 percent of the floor area of the dwelling unit.

1297 C. Areas within attached garages and storage buildings shall not be considered part
1298 of the dwelling unit for purposes of calculating allowable home industry area but may be
1299 used for storage of goods associated with the home industry;

1300 D. No more than six nonresidents who work on-site at the time;

1301 E. In addition to required parking for the dwelling unit, on-site parking is provided
1302 as follows:

1303 1. One stall for each nonresident employee of the home industry; and

1304 2. One stall for customer parking;

1305 F. Additional customer parking shall be calculated for areas devoted to the home
1306 industry at the rate of one stall per:

1307 1. One thousand square feet of building floor area; and

1308 2. Two thousand square feet of outdoor work or storage area;

1309 G. Sales are limited to items produced on-site, except for items collected, traded
1310 and occasionally sold by hobbyists, such as coins, stamps, and antiques;

1311 H. Ten feet of Type I landscaping are provided around portions of parking and
1312 outside storage areas that are otherwise visible from adjacent properties or public rights-of-
1313 way;

1314 I. The department ensures compatibility of the home industry by:

1315 1. Limiting the type and size of equipment used by the home industry to those that
1316 are compatible with the surrounding neighborhood;

1317 2. Providing for setbacks or screening as needed to protect adjacent residential

1318 properties;
1319 3. Specifying hours of operation;
1320 4. Determining acceptable levels of outdoor lighting; and
1321 5. Requiring sound level tests for activities determined to produce sound levels
1322 that may be in excess of those in K.C.C. chapter 12.88; (~~and~~)

1323 J. Recreational marijuana processors, recreational marijuana producers and
1324 recreational marijuana retailers shall not be allowed as home industry; and

1325 K. Winery, brewery, distillery facility I, II, and III, and remote tasting room shall
1326 not be allowed as home industry.

1327 SECTION 23. Ordinance 10870, Section 549, as amended, and K.C.C.
1328 21A.32.120 are each hereby amended to read as follows:

1329 Except as otherwise provided in this chapter or in K.C.C. chapter 21A.45,
1330 temporary use permits shall be limited in duration and frequency as follows:

1331 A. The temporary use permit shall be effective for one year from the date of
1332 issuance and may be renewed annually as provided in subsection D. of this section;

1333 B.1. The temporary use shall not exceed a total of sixty days in any three-
1334 hundred and sixty five day period. This requirement applies only to the days that the
1335 event or events actually take place.

1336 2. For a winery, brewery, distillery facility II and III in the A (~~or RA~~) zones,
1337 the temporary use shall not exceed a total of two events per month and all event parking
1338 (~~for the events~~) must be accommodated on site or managed through a parking
1339 management plan approved by the director.

1340 3. For a winery, brewery, distillery facility II and III in the RA zones, the

1341 temporary use shall not exceed a total of twenty-four days in any three-hundred-sixty-
1342 five-day period and all event parking must be accommodated on site or managed through
1343 a parking management plan approved by the director. This requirement applies only to
1344 the days that the event or events actually take place;

1345 4. For a winery, brewery, distillery facility II in the A or RA zones, in addition
1346 to all other relevant facts, the department shall consider building occupancy and parking
1347 limitations during permit review, and condition the number of guests allowed for a
1348 temporary use based on these limitations. Under no circumstance shall the department
1349 authorize attendance of more than one hundred twenty-five guests.

1350 5. For a winery, brewery, distillery facility III in the A or RA zones, in addition
1351 to all other relevant facts, the department shall consider building occupancy and parking
1352 limitations during permit review, and condition the number of guests allowed for a
1353 temporary use based on these limitations. Under no circumstance shall the department
1354 authorize attendance of more than two hundred fifty guests.

1355 6. Events that require a temporary use permit are prohibited for any winery,
1356 brewery, distillery facility I, any nonconforming winery, brewery, distillery facility home
1357 occupation, and any nonconforming winery, brewery, distillery facility home industry.
1358 No temporary use permit shall be issued to the operator or a winery, brewery, distillery
1359 facility I, a nonconforming home occupation winery, brewery, distillery facility or a
1360 nonconforming home industry winery, brewery, distillery facility.

1361 C. The temporary use permit shall specify a date upon which the use shall be
1362 terminated and removed; and

1363 D. A temporary use permit may be renewed annually for up to a total of five

1364 consecutive years as follows:

1365 1. The applicant shall make a written request and pay the applicable permit
1366 extension fees for renewal of the temporary use permit at least seventy days before the
1367 end of the permit period;

1368 2. The department must determine that the temporary use is being conducted in
1369 compliance with the conditions of the temporary use permit;

1370 3. The department must determine that site conditions have not changed since
1371 the original temporary permit was issued; and

1372 4. At least forty-five days before the end of the permit period, the department
1373 shall notify property owners within five hundred feet of the property boundaries that a
1374 temporary use permit extension has been requested and contact information to request
1375 additional information or to provide comments on the proposed extension.

1376 NEW SECTION. SECTION 24. There is hereby added to K.C.C. chapter
1377 21A.55 a new section to read as follows:

1378 A.1. There is hereby created the Sammamish Valley and Vashon Town Center
1379 wine and adult beverage remote tasting room demonstration project A. The purpose of
1380 demonstration project A is to support agriculture and synergistic development of mixed
1381 use wine and adult beverage facilities in order to boost agritourism and both areas'
1382 reputations as food and adult-beverage destinations.

1383 2. The demonstration project will enable the county to determine if expanded
1384 wine and adult beverage-based uses can be permitted while maintaining the core
1385 functions and purposes of the Rural Area and Agricultural Production District zones. The
1386 expected benefits from the demonstration projects include: developing a clear picture of

1387 wine and adult beverage industry impacts on and benefits to Rural Area and Agricultural
1388 Production District zoned communities, opportunity for additional exposure for locally
1389 sourced agricultural products; and the opportunity to identify and evaluate potential
1390 substantive changes to countywide land use regulations to support the development of
1391 additional areas of unincorporated King County that may benefit from growth in wine
1392 and adult beverage industry agritourism.

1393 B. An application for a demonstration project remote tasting room under this
1394 section shall be approved or denied administratively by the department of permitting and
1395 environmental review based upon compliance with the criteria in subsections D. and E. of
1396 this section. Approval or denial of a remote tasting room application shall not be
1397 construed as applying to any other development application either within the
1398 demonstration project area or elsewhere in the county.

1399 C. The use that the department may approve pursuant to this Sammamish Valley
1400 and Vashon Town Center wine and beverage tourism demonstration project A shall
1401 include only the following: Remote tasting room as defined in section 12 of this
1402 ordinance.

1403 D.1. This section allows establishment and operation of a remote tasting room
1404 use.

1405 2. A demonstration project remote tasting room use may be approved, subject to
1406 the following:

1407 a. One or more winery, brewery, distillery facility I, II or III may operate
1408 within one remote tasting room;

1409 b. The aggregated total space devoted to tasting and retail activity shall be

1410 limited to one thousand square feet of gross floor area, not including areas devoted to
1411 storage, restrooms, and similar nonpublic areas;

1412 c. Notwithstanding subsection D.2.b. of this section, an additional five hundred
1413 square feet of immediately adjacent outdoor space may be used for tasting, subject to
1414 applicable state regulations limiting sale, service and consumption of alcoholic
1415 beverages;

1416 d. The site must have direct access to an arterial;

1417 e. The remote tasting room site shall not be used as a winery, brewery,
1418 distillery facility I, II or III production facility;

1419 f. Incidental retail sales of products and merchandise related to the products
1420 being tasted is allowed;

1421 g. The hours of operation for the tasting room shall be limited as follows:
1422 Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to
1423 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours
1424 shall be limited to 11:00 a.m. through 9:00 p.m.;

1425 h. An adult beverage business license is required, in accordance with K.C.C.
1426 Title 6;

1427 i. A remote tasting room may not operate without proof of Washington state
1428 Liquor and Cannabis Board approval;

1429 j. Events that require a temporary use permit shall be prohibited at remote
1430 tasting rooms; and

1431 k. Parking shall be limited to one hundred fifty percent of minimum required
1432 for retail trade uses in accordance with K.C.C. 21A.18.030.

1433 E.1. To be eligible to use the provisions of this section, a remote tasting room
1434 must be located on a demonstration project site identified in Attachment A to this
1435 ordinance.

1436 2. Projects proposed in accordance with this section must be consistent with
1437 general health, safety and public welfare standards, and must not violate state or federal
1438 law.

1439 3. The criteria in this subsection supersede other variance, modification or
1440 waiver criteria and provisions of K.C.C. Title 21A.

1441 F.1. Projects proposed in accordance with this section may be submitted in
1442 conjunction with an application for an adult beverage business license or a building
1443 permit.

1444 2. Requests shall be submitted to the department in writing, together with any
1445 supporting documentation and must illustrate how the proposal meets the criteria in
1446 subsections D. and E. of this section.

1447 3. A director's decision regarding a remote tasting room application shall be
1448 treated as a Type I land use decision in accordance with K.C.C. 20.20.020.

1449 G. Applications in accordance with this section may be accepted by the
1450 department of permitting and environmental review only within three years of the
1451 effective date of this ordinance. Remote tasting room uses approved in accordance with
1452 this section may continue as long as an underlying business license or renewal is
1453 maintained, and subject to the nonconformance provisions of K.C.C. chapter 21A.32.

1454 H. One year after the effective date of this ordinance, and on an annual basis for
1455 three years thereafter, the director shall compile a list of demonstration project

1456 applications submitted and related code complaints, if any.

1457 I. After considering the information compiled under subsection H. of this section,
1458 the executive may submit additional proposed legislation extending or otherwise
1459 amending this ordinance within three years of the effective date of this ordinance.

1460 NEW SECTION. SECTION 25. There is hereby added to K.C.C. chapter
1461 21A.55 a new section to read as follows:

1462 A.1. There is hereby created the Sammamish Valley wine and adult beverage
1463 tourism district demonstration project B. The purpose of demonstration project B is to
1464 support agriculture and synergistic development of mixed use wine and adult beverage
1465 facilities in order to boost agritourism and the area's reputation as a food and adult
1466 beverage destination.

1467 2. The demonstration project will enable the county to determine if expanded
1468 wine and adult beverage-based uses can be permitted while maintaining the core
1469 functions and purposes of the Rural Area and Agricultural Production District zones. The
1470 expected benefits from the demonstration projects include: developing a clear picture of
1471 wine and adult beverage industry impacts on and benefits to surrounding Rural Area and
1472 Agricultural Production District zoned communities; the opportunity for additional
1473 exposure for locally sourced agricultural products; and the opportunity to identify and
1474 evaluate potential substantive changes to countywide land use regulations to support the
1475 development of additional areas of unincorporated King County that may benefit from
1476 growth in wine and adult beverage industry agritourism.

1477 B. A wine and beverage tourism demonstration project B application to modify
1478 development standards for on-site winery, brewery, distillery facility III wedding and

1479 events shall be administratively approved by the department of permitting and
1480 environmental review, and upon such an approval K.C.C. chapter 21A.42 review
1481 procedures shall be applied. Demonstration project uses may be approved and
1482 conditioned by the department if compliant with the criteria in K.C.C. 21A.44.040.
1483 Approval of the proposed demonstration project shall not be construed as applying to any
1484 other development application either within the demonstration project area or elsewhere
1485 in the county, and shall not render uses authorized under this section "otherwise
1486 permitted in the zone" under K.C.C. 21A.32.100.A.

1487 C. The director shall waive the following development regulations as part of the
1488 conditional use permit review under demonstration project B.:

- 1489 1. K.C.C. 21A.32.100 through 21A.32.140;
- 1490 2. K.C.C. 21A.44.020; and
- 1491 3. K.C.C. 21A.08.080.B.12.1

1492 D.1. A demonstration project authorized by this section allows a winery,
1493 brewery, distillery facility III operator to obtain authorization for on-site weddings and
1494 similar uses pursuant to conditional use review mechanisms in K.C.C. 21A.44.040, and
1495 applicable to those uses under K.C.C. 21A.08.080.A. and B.;

1496 2. Demonstration project conditional use permits are subject to all King County
1497 Code provisions, including but not limited to, K.C.C. chapters 21A.42 and 20.20, except
1498 those specifically excluded by subsection C. of this section,.

1499 E.1. Demonstration project applications made in accordance with this section
1500 may only be submitted in relation to an application for a winery, brewery, distillery
1501 facility III conditional use permit or winery, brewery, distillery facility conditional use

1502 permit modification or expansion.

1503 2. Demonstration project applications shall be submitted to the department in
1504 writing before or in conjunction with an application for a winery, brewery, distillery
1505 facility III conditional use permit or an application for a winery, brewery, distillery
1506 facility III conditional use permit modification or expansion. The supporting
1507 documentation must illustrate how the proposal meets the criteria in K.C.C 21A.44.040.

1508 3. A demonstration project conditional use permit, conditional use modification
1509 or conditional use expansion decision shall be treated as a Type II land use decision in
1510 accordance with K.C.C. 20.20.020.

1511 F.1. To be eligible to use the provisions of this section, a demonstration project
1512 must be located on a demonstration project site identified in Attachment B to this
1513 ordinance.

1514 2. Demonstration project applications must be consistent with general health,
1515 safety and public welfare standards, and must not violate state or federal law.

1516 G. Demonstration project applications authorized by this section shall be filed
1517 with the department of permitting and environmental review within three years of the
1518 effective date of this ordinance. Conditional uses permitted under this section are subject
1519 to the nonconformance provisions of K.C.C. Title 21A.32. Any deadline in this
1520 subsection shall be adjusted to include the time for appeal of all or any portion of the
1521 project approval.

1522 H. One year after the effective date of this ordinance, and on an annual basis for
1523 three years thereafter, the director shall compile a list of demonstration project
1524 applications, an evaluation of the impacts of wedding and similar uses authorized

1525 pursuant to demonstration project conditional use permits, and related code complaints, if
1526 any.

1527 I. The executive may submit additional proposed legislation reflecting
1528 information compiled under subsection H. of this section within three years of the
1529 effective date of this ordinance.

1530 SECTION 26. Ordinance 13623, Section 37, as amended, and K.C.C. 23.32.010
1531 are each hereby amended to read as follows:

1532 A.1. Civil fines and civil penalties for civil code violations shall be imposed for
1533 remedial purposes and shall be assessed for each violation identified in a citation, notice
1534 and order, voluntary compliance agreement or stop work order pursuant to the following
1535 schedule:

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

II and II and remote tasting room:

- | | |
|---|---------------------------|
| (1) with no previous similar code violations | \$100 |
| (2) with no previous code violations of K.C.C. chapter
12.86 within the past twelve months | \$125 |
| (3) with one previous code violation of K.C.C. chapter
12.86 within the past twelve months | \$250 |
| (4) with one or more previous similar code violations, or
with two previous code violations of K.C.C. chapter 12.86
within the past twelve months | \$500 |
| (5) with two or more previous violations of K.C.C. Title
10, or three or more previous code violations of K.C.C. | Double the
rate of the |

chapter 12.86 within the past twelve months previous
penalty

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

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

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

within the past twelve months;

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

(1) stop work order basic penalty \$500

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

basic penalty

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

(a) public health risk \$15

(b) environmental damage risk \$15

(c) damage to property risk \$15

(d) one previous similar code violation \$25

(e) two previous similar code violations \$50

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

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

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

K.C.C. 23.02.140.

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

(1) first reinspection, which shall occur no sooner than \$150 the day following the date compliance is required by the notice and order

(2) second reinspection, which shall occur no sooner than \$300 fourteen days following the first reinspection

(3) third reinspection, which shall occur no sooner than \$450 fourteen days following the second reinspection

(4) reinspection after the third reinspection, which shall \$450 only be conducted immediately preceding an administrative or court ordered abatement or at the direction of the prosecuting attorney for the purpose of presenting evidence in the course of litigation or administrative hearing against the person responsible for code compliance

1536 2. For the purposes of this section, previous similar code violations that can
1537 serve as a basis for a higher level of civil penalties include violations of the same chapter
1538 of the King County Code. Any citation, stop work order or notice and order previously
1539 issued by the department shall not constitute a previous code violation for the purposes of
1540 this section if that stop work order or notice and order was appealed and subsequently
1541 reversed.

1542 B. The penalties assessed pursuant to this section for any failure to comply with a

1543 notice and order or voluntary compliance agreement shall be assessed daily, according to
1544 the schedule in subsection A of this section, for the first thirty days following the date the
1545 notice and order or voluntary compliance agreement required the code violations to have
1546 been cured. If after thirty days the person responsible for code compliance has failed to
1547 satisfy the notice and order or voluntary compliance agreement, penalties shall be
1548 assessed daily at a rate of double the rate for the first thirty days. Penalties may be
1549 assessed daily until the person responsible for code compliance has fully complied with
1550 the notice and order.

1551 C. Penalties based on violation of a stop work order shall be assessed, according
1552 to the schedule in subsection A. of this section, for each day the department determines
1553 that work or activity was done in violation of the stop work order.

1554 D. Citations and cleanup restitution payments shall only be subject to a one-time
1555 civil penalty.

1556 E. The director may suspend the imposition of additional civil penalties if the
1557 person responsible for code compliance has entered into a voluntary compliance
1558 agreement. If the person responsible for code compliance enters into a voluntary
1559 compliance agreement and cures the code violations, the director may also waive all or
1560 part of the accrued civil penalties in accordance with K.C.C. 23.32.050. Penalties shall
1561 begin to accrue again pursuant to the terms of the voluntary compliance agreement if any
1562 necessary permits applied for are denied, canceled or not pursued, or if corrective action
1563 identified in the voluntary compliance agreement is not completed as specified.

1564 F. The civil penalties in this section are in addition to, and not in lieu of, any
1565 penalties, sanctions, restitution or fines provided for in any other provisions of law.

1566 SECTION 27. Severability. If any provision of this ordinance or its application
1567 to any person or circumstance is held invalid, the remainder of the ordinance or the
1568 application of the provision to other persons or circumstances is not affected."

1569

1570 **EFFECT: This technical striker makes clarifying edits, and corrects drafting errors**
1571 **so that the Proposed Ordinance matches the Executive's intent.**

[Blank Page]

7/17/18

Title

ea

Sponsor: Lambert

Proposed No.: 2018-0241

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

2 On page 1, strike lines 1 through 15, and insert:

3 "AN ORDINANCE responding to the King County

4 Sammamish Valley Wine and Beverage Study; amending

5 Ordinance 10870, Section 334, as amended, and K.C.C.

6 21A.08.070, Ordinance 10870, Section 335, as amended,

7 and K.C.C. 21A.08.080, Ordinance 10870, Section 336, as

8 amended, and K.C.C. 21A.08.090, Ordinance 10870,

9 Section 407, as amended, and K.C.C. 21A.18.030,

10 Ordinance 10870, Section 536, as amended, and K.C.C.

11 21A.30.080, Ordinance 15606, Section 20, as amended,

12 and K.C.C. 21A.30.085, Ordinance 10870, Section 537, as

13 amended, and K.C.C. 21A.30.090, Ordinance 10870,

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

15 Ordinance 13623, Section 37, as amended, and K.C.C.

16 23.32.010, adding new sections to K.C.C. chapter 21A.06,

17 adding new sections to K.C.C. chapter 21A.55, adding a

18 new chapter to K.C.C. Title 6, repealing Ordinance 15974,

19 Section 5, and K.C.C. 21A.06.1427 and prescribing
20 penalties."

21 **EFFECT: *Title Amendment T1 conforms the Title to the changes made by Striking***
22 ***Amendment S1.***

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S1

5/8/18

Draft Technical Striker

ea Sponsor: _____
Proposed No.: 2018-0241

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

2 **1**

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

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

5 **SECTION 1. Findings:**

6 A. These regulatory changes are a response to the King County Sammamish
7 Valley Wine and Beverage Study that was released in September 2016. Those changes
8 will help King County prepare for and support the future of the wine and adult beverage
9 industry as it evolves in the region, while adhering to the framework of the state Growth
10 Management Act.

11 B. King County continues to support and foster agriculture, especially within the
12 five designated Agricultural Production Districts. King County also supports the wine
13 and adult beverage industry and recognizes the need to establish a strong foundation for
14 moving the industry into the future.

15 C. A business license is established for the adult beverage industry in King
16 County to provide greater certainty about where adult beverage producers and tasting
17 rooms are located and to verify that they are in compliance with county rules and laws.

18 D. Two demonstration projects are established in the rural area of the

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19 Sammamish Valley, with one of the two also applicable to the ~~Vashon-Maury Island~~
20 ~~Rural Town boundary-Center Special District Overlay~~. One demonstration is in two
21 limited areas and evaluates the presence of remote tasting rooms in the rural community.
22 The second demonstration is in one very limited area and evaluates incorporating
23 industry-supporting events within the conditional use permit rather than through the
24 annual temporary use permit process.

Commented [AE1]: Rural Town and SDO are not the same...this applies to the Rural Town (a KCCP designation)

25 SECTION 2. Sections 3 through ~~9-10~~ of this ordinance should constitute a new
26 chapter in K.C.C. Title 6.

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

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

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

34 ~~Adult beverage business: An adult beverage business means a winery, brewery,~~
35 ~~distillery or cidery, and remote tasting rooms for any of those businesses.~~

Commented [AE2]: Moves the definition of "adult beverage business" from Title 21A to Title 6.

36 NEW SECTION. SECTION 54. There is hereby added to the chapter established
37 in section 2 of this ordinance a new section to read as follows:

38 A person or entity shall not operate or maintain an adult beverage business in
39 unincorporated King County unless the business has obtained a business license issued by
40 the director as provided by this chapter. A current adult beverage business license issued
41 under this chapter shall be prominently displayed on the licensed premises. The adult

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42 beverage business licensee shall comply with all applicable laws.

43 NEW SECTION. SECTION 65. There is hereby added to the chapter established
44 in section 2 of this ordinance a new section to read as follows:

45 An application for an adult beverage business license or license renewal must be
46 submitted in the name of the ~~business owner~~ person or persons or the entity proposing to
47 operate the business. The application shall be signed by ~~the owner~~ each person, or a
48 primary responsible principal or officer of ~~any the~~ entity proposing to operate the
49 business, certified as true under penalty of perjury. All applications shall be submitted on
50 a form supplied by the director, and shall include the following:

51 A. The full name, current residential, email and mailing address of the ~~owner or~~
52 ~~primary responsible officer~~ each person, including all partners if the applicant is a
53 partnership, and all officers or principals if the applicant is a corporation or limited
54 liability company; and the Universal Business Identifier number, the identity of the
55 registered agent and the address of the principal office, if the applicant is a corporation or
56 limited liability company;

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

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

62 D. For businesses in the A zone, a signed statement that at least sixty percent of
63 the products to be used by the business are grown on-site, as prescribed under K.C.C.
64 21A.08.080.B.3.f.

Commented [AE3]: Adds additional clarity to the requirements. This will make it easier for the PAO to serve someone if needed. The changes makes the language similar to the marijuana business license requirements.

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65 NEW SECTION. SECTION 76. There is hereby added to the chapter established
66 in section 2 of this ordinance a new section to read as follows:

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

70 NEW SECTION. SECTION 87. There is hereby added to the chapter established
71 in section 2 of this ordinance a new section to read as follows:

72 The director shall deny, suspend or revoke a license issued under this chapter if
73 the Washington state Liquor and Cannabis Board does not issue a license to the business,
74 or if the department of permitting and environmental review receives notice that the state
75 license issued to the business is suspended or revoked, or was not reissued. A business
76 owner whose application for a business license has been denied or whose license has
77 been suspended or revoked may appeal the decision to the office of the hearing examiner
78 in accordance with K.C.C. 6.01.150.

79 NEW SECTION. SECTION 98. There is hereby added to the chapter established
80 in section 2 of this ordinance a new section to read as follows:

81 An adult beverage business license expires one year from the date the business
82 license is issued by the department of permitting and environmental review. To avoid a
83 lapse in the effectiveness of a license, an application to renew a license must be submitted
84 to the director, on a form provided by the director, at least thirty days before the
85 expiration of the business license. An adult beverage business license renewal expires
86 one year from the previous license's expiration date.

87 NEW SECTION. SECTION 109. There is hereby added to the chapter

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

89 Within thirty days of the director's receipt of a complete adult beverage business
90 license application, the director shall issue or deny the license. Within thirty days of the
91 director's receipt of a complete renewal application, the director shall issue or deny the
92 renewal.

93 ~~SECTION 110.~~ Ordinance 15974, Section 5, and K.C.C. 21A.06.1427 are each
94 hereby repealed.

95 ~~NEW SECTION. SECTION 11.~~ There is hereby added to K.C.C. chapter
96 ~~21A.06 a new section to read as follows:~~

97 ~~Adult beverage business: An adult beverage business means a winery, brewery,~~
98 ~~distillery or cidery, and remote tasting rooms for any of those businesses.~~

99 NEW SECTION. SECTION 12. There is hereby added to K.C.C. chapter
100 21A.06 a new section to read as follows:

101 Remote tasting room: A small facility approved by the Washington state Liquor
102 and Cannabis Board as a Tasting Room - Additional Location ~~remote tasting room~~ for a
103 licensed winery, brewery or distillery that is operating at a location other than the licensed
104 winery, brewery or distillery production facility, for the purpose of the retail sale and
105 sampling of the licensed product. This "Remote tasting room" does not include any
106 additional privileges allowed by the liquor and cannabis board for a Tasting Room –
107 Additional Location.

Commented [AE4]: Mirrors the term used by the LCB, and avoids using the term in the definition.

108 NEW SECTION. SECTION 13. There is hereby added to K.C.C. chapter
109 21A.06 a new section to read as follows:

110 Winery, brewery, distillery facility I: A very small ~~scale~~ production facility

Commented [AE5]: LCB allows a beer and wine restaurant as an additional privilege to the additional location license.

Commented [AE6]: Uses consistent terminology in the WBD I, II, and II definitions.

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111 ~~establishment~~ licensed by the state of Washington to produce adult beverages such as
112 wine, cider, beer and distilled spirits and where on-site product tasting or retail sale of
113 merchandise does not occur.

114 NEW SECTION. SECTION 14. There is hereby added to K.C.C. chapter
115 21A.06 a new section to read as follows:

116 Winery, brewery, distillery facility II: A small-scale production facility licensed
117 by the state of Washington to produce adult beverages such as wine, cider, beer and
118 distilled spirits and that includes an adult beverage production use such as crushing,
119 fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility II
120 may include additional production-related uses such as vineyards, orchards, wine cellars or
121 similar product-storage areas as authorized by state law, on-site product tasting and sales as
122 authorized by state law, and sales of merchandise related to products available for tasting as
123 authorized by state law.

124 NEW SECTION. SECTION 15. There is hereby added to K.C.C. chapter
125 21A.06 a new section to read as follows:

126 Winery, brewery, distillery facility III: A production facility ~~an establishment~~
127 licensed by the state of Washington to produce adult beverages such as wine, cider, beer
128 and distilled spirits and that includes an adult beverage production use such as crushing,
129 fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility III
130 may include additional production-related uses such as vineyards, orchards, wine cellars
131 or similar product-storage areas as authorized by state law, on-site product tasting as
132 authorized by state law, and sales of merchandise related to products available as
133 authorized by state law.

Commented [AE7]: Uses consistent terminology in the WBD I, II, and II definitions.

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134 SECTION ##16. Ordinance 10870, Section 334, as amended, and K.C.C.
 135 21A.08.070 are each hereby amended to read as follows:

136 A. Retail land uses.

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SIC#	SPECIFIC LAND USE	RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
		A	F	M		RA	UR	R1-8	R12-48	NB	CB	RB	O
*	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 (28)							P25	P25	P25	P25	P25	P25
*	Farmers Market	P24	P24		P24	P24	P24	P24	P24	P24	P24	P24	P24

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*	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
*	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		P	P	P22
*	Book, Stationery, Video and						C15a	P15		P	P	P	

Commented [AE8]: Removes separate allowance for wine and beer sales as part of an agricultural use.

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142 ~~merchandise other than plants shall be considered part of the covered sales area.~~
143 ~~Uncovered outdoor areas used to grow or display trees, shrubs, or other plants are not~~
144 ~~considered part of the covered sales area;~~
145 ~~b. The site area shall be at least four and one-half acres;~~
146 ~~c. Sales may include locally made arts and crafts; and~~
147 ~~d. Outside lighting is permitted if no off-site glare is allowed.~~
148 ~~2. Only hardware stores.~~
149 ~~3.a. Limited to products grown on site.~~
150 ~~b. Covered sales areas shall not exceed a total area of five hundred square feet.~~
151 ~~4. No permanent structures or signs.~~
152 ~~5. Limited to SIC Industry No. 5331-Variety Stores, and further limited to a~~
153 ~~maximum of two thousand square feet of gross floor area.~~
154 ~~6. Limited to a maximum of five thousand square feet of gross floor area.~~
155 ~~7. Repealed.~~
156 ~~8. Excluding retail sale of trucks exceeding one-ton capacity.~~
157 ~~9. Only the sale of new or reconditioned automobile supplies is permitted.~~
158 ~~10. Excluding SIC Industry No. 5813-Drinking Places.~~
159 ~~11. No outside storage of fuel trucks and equipment.~~
160 ~~12. Excluding vehicle and livestock auctions.~~
161 ~~13. ((Only as accessory to a winery or SIC Industry No. 2082 Malt Beverages,~~
162 ~~and limited to sales of products produced on site and incidental items where the majority~~
163 ~~of sales are generated from products produced on site)) Repealed.~~

Commented [AE9]: Removes development condition that allowed wine and beer sales.

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164 14.a. Not in R-1 and limited to SIC Industry No. 5331-Variety Stores, limited to
165 a maximum of five thousand square feet of gross floor area, and subject to K.C.C.
166 21A.12.230; and
167 b. Before filing an application with the department, the applicant shall hold a
168 community meeting in accordance with K.C.C. 20.20.035.
169 15.a. Not permitted in R-1 and limited to a maximum of five thousand square
170 feet of gross floor area and subject to K.C.C. 21A.12.230; and
171 b. Before filing an application with the department, the applicant shall hold a
172 community meeting in accordance with K.C.C. 20.20.035.
173 16.a. Not permitted in R-1 and excluding SIC Industry No. 5813-Drinking
174 Places, and limited to a maximum of five thousand square feet of gross floor area and
175 subject to K.C.C. 21A.12.230, except as provided in subsection B.20. of this section; and
176 b. Before filing an application with the department, the applicant shall hold a
177 community meeting in accordance with K.C.C. 20.20.035.
178 17. Repealed.
179 18. Repealed.
180 19. Only as:
181 a. an accessory use to a permitted manufacturing or retail land use, limited to
182 espresso stands to include sales of beverages and incidental food items, and not to include
183 drive-through sales; or
184 b. an accessory use to a recreation or multiuse park, limited to a total floor area
185 of three thousand five hundred square feet.
186 20. Only as:

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- 187 a. an accessory use to a recreation or multiuse park; or
188 b. an accessory use to a park and limited to a total floor area of one thousand
189 five hundred square feet.
190 21. Accessory to a park, limited to a total floor area of seven hundred fifty
191 square feet.
192 22. Only as an accessory use to:
193 a. a large active recreation and multiuse park in the urban growth area; or
194 b. a park, or a recreation or multiuse park in the RA zones, and limited to a
195 total floor area of seven hundred and fifty square feet.
196 23. Only as accessory to SIC Industry Group No. 242-Sawmills and SIC
197 Industry No. 2431-Millwork and;
198 a. limited to lumber milled on site; and
199 b. the covered sales area is limited to two thousand square feet. The covered
200 sales area does not include covered areas used to display only milled lumber.
201 24. Requires at least five farmers selling their own products at each market and
202 the annual value of sales by farmers should exceed the annual sales value of nonfarmer
203 vendors.
204 25. Limited to sites located within the urban growth area and:
205 a. The sales area shall be limited to three hundred square feet and must be
206 removed each evening;
207 b. There must be legal parking that is easily available for customers; and

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

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

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

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

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

228 (1) if a complete conditional use permit application for the proposed retail
229 marijuana use was not submitted, or if more than one conditional use permit application
230 became or was deemed complete on the same date, then the director shall determine

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231 compliance based on the date the Washington state Liquor and Cannabis Board issues a
232 Notice of Marijuana Application to King County;

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

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

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

250 _____ e. Retail marijuana businesses licensed by the Washington state Liquor and
251 Cannabis Board and operating within one thousand feet of each other as of August 14,
252 2016, and retail marijuana businesses that do not require a permit issued by King County,
253 that received a Washington state Liquor and Cannabis Board license to operate in a

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254 location within one thousand feet of another licensed retail marijuana business prior to
255 August 14, 2016, and that King County did not object to within the Washington state
256 Liquor and Cannabis Board marijuana license application process, shall be considered
257 nonconforming and may remain in their current location, subject to the provisions of
258 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:
259 _____ (1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months;
260 and
261 _____ (2) the gross floor area of a nonconforming retail outlet may be increased up to
262 the limitations in subsection B.26.a. and B.26.b. of this section.
263 _____ 27. Per lot, limited to a maximum aggregated total of five thousand square feet
264 gross floor area devoted to, and in support of, the retail sale of marijuana, and;
265 _____ a. Any lot line of a lot having any area devoted to retail marijuana activity must
266 be one thousand feet or more from any lot line of any other lot having any area devoted to
267 retail marijuana activity; and any lot line of a lot having any area devoted to new retail
268 marijuana activity may not be within one thousand feet of any lot line of any lot having any
269 area devoted to existing retail marijuana activity; and
270 _____ b. Whether a new retail marijuana activity complies with this locational
271 requirement shall be determined based on the date a conditional use permit application
272 submitted to the department of permitting and environmental review became or was
273 deemed complete, and:
274 _____ (1) if a complete conditional use permit application for the proposed retail
275 marijuana use was not submitted, or if more than one conditional use permit application
276 became or was deemed complete on the same date, then the director shall determine

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277 compliance based on the date the Washington state Liquor and Cannabis Board issues a
278 Notice of Marijuana Application to King County;
279 _____ (2) if the Washington state Liquor and Cannabis Board issues more than one
280 Notice of Marijuana Application on the same date, then the director shall determine
281 compliance based on the date either any complete building permit or change of use permit
282 application, or both, were submitted to the department declaring retail marijuana activity as
283 an intended use;
284 _____ (3) if more than one building permit or change of use permit application was
285 submitted on the same date, or if no building permit or change of use permit application
286 was submitted, then the director shall determine compliance based on the date a complete
287 business license application was submitted; and
288 _____ (4) if a business license application was not submitted or more than one
289 business license application was submitted, then the director shall determine compliance
290 based on the totality of the circumstances, including, but not limited to, the date that a retail
291 marijuana license application was submitted to the Washington state Liquor and Cannabis
292 Board identifying the lot at issue, the date that the applicant entered into a lease or
293 purchased the lot at issue for the purpose of retail marijuana use, and any other facts
294 illustrating the timing of substantial investment in establishing a licensed retail marijuana
295 use at the proposed location; and
296 _____ c. Retail marijuana businesses licensed by the Washington state Liquor and
297 Cannabis Board and operating within one thousand feet of each other as of August 14,
298 2016, and retail marijuana businesses that do not require a permit issued by King County,
299 that received a Washington state Liquor and Cannabis Board license to operate in a

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300 location within one thousand feet of another licensed retail marijuana business prior to
 301 August 14, 2016, and that King County did not object to within the Washington state
 302 Liquor and Cannabis Board marijuana license application process, shall be considered
 303 nonconforming and may remain in their current location, subject to the provisions of
 304 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:
 305 _____ (1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months;
 306 and
 307 _____ (2) the gross floor area of a nonconforming retail outlet may be increased up to
 308 the limitations in subsection B.27. of this section, subject to K.C.C. 21A.42.190.
 309 _____ 28. If the agricultural product sales or livestock sales is associated with
 310 agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

311 SECTION 176. Ordinance 10870, Section 335, as amended, and K.C.C.
 312 21A.08.080 are each hereby amended to read as follows:

313 A. Manufacturing land uses.

P-Permitted Use		RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
C-Conditional Use													
S-Special Use													
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1- 8	R12- 48	NB	CB	RB	O	I (11)
20	Food and Kindred Products (28)								P2	P2	P2 C		P2 C
*	<u>Winery/Brewery/Distillery Facility I</u>				<u>P30</u>	<u>P30</u>							
*(2082 /2085)	<u>Winery/Brewery/Distillery Facility II</u>	<u>P3</u>			<u>P3</u>	<u>P3</u>			<u>P17</u>	<u>P17</u>	<u>P29</u>		<u>P29</u>
*	<u>Winery/Brewery/Distillery Facility III</u>	<u>C12</u>			<u>C12</u>	<u>C12</u>			<u>C29</u>	<u>C29</u>	<u>C29</u>		<u>C29</u>

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*	Materials Processing Facility		P13 C	P14 C15	P16 C								P
22	Textile Mill Products												C
23	Apparel and other Textile Products										C		P
24	Wood Products, except furniture	P4 P18	P4 P18 C5		P4 P18 C5	P4						C6	P
25	Furniture and Fixtures		P19		P19							C	P
26	Paper and Allied Products												C
27	Printing and Publishing							P7	P7	P7C	P7C		P
*	Marijuana Processor I	P20			P27					P21 C22	P21 C22		
*	Marijuana Processor II									P23 C24	P23 C24		P25 C26
28	Chemicals and Allied Products												C
2911	Petroleum Refining and Related Industries												C
30	Rubber and Misc. Plastics Products												C
31	Leather and Leather Goods										C		P
32	Stone, Clay, Glass and Concrete Products								P6		P9		P
33	Primary Metal Industries												C
34	Fabricated Metal Products												P
35	Industrial and Commercial Machinery												P
351-55	Heavy Machinery and Equipment												C
357	Computer and Office Equipment										C	C	P
36	Electronic and other Electric Equipment										C		P

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327 hundred square feet, unless located in ~~((a building))~~ whole or in part in a structure
328 designated as historic resource under K.C.C. chapter 20.62, in which case the aggregated
329 floor area of structures and areas devoted to winery, brewery, distillery facility uses shall
330 not exceed five thousand square feet;

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

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

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

345 h. Tasting of products produced on site may be provided in accordance with
346 state law. The area devoted to tasting shall be included in the floor area limitation in
347 subsection B.3.~~((e))~~d. of this section. Hours of operation for on-site tasting of products
348 shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting
349 room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and

Commented [AE11]: Fixes weekday tasting hours to match Executive's intent.

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350 Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;

351 i. On a site with direct access to an arterial;

352 j. Off-street parking is limited to one hundred and fifty percent of the

353 minimum requirement for wineries, breweries or distilleries specified in K.C.C.

354 21A.18.030;

355 k. The business operator shall obtain an adult beverage business license in

356 accordance with the adult beverage licensing provision of K.C.C. chapter 6.xx (the new

357 chapter created in section 2 of this ordinance); and

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

359 chapter 21A.32.

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

362 5. Limited to SIC Industry Group No. 242-Sawmills and SIC Industry No.
363 2431-Millwork. For RA zoned sites, if using lumber or timber grown off-site, the
364 minimum site area is four and one-half acres.

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

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

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

369 9. Only within enclosed buildings.

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

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

372 King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C.

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373 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for
374 rural industrial uses as set forth in K.C.C. chapter 21A.12.

375 12.a. Limited to (~~wineries, SIC Industry No. 2082 Malt Beverages and SIC~~
376 ~~Industry No. 2085 Distilled and Blended Liquors~~) winery, brewery, distillery facility III
377 uses;

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

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

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

392 d. Wineries, breweries and distilleries shall comply with Washington state
393 Department of Ecology and King County board of health regulations for water usage and
394 wastewater disposal, and must connect to an existing Group A water system or an
395 existing Group B water system if a Group A water system is not available. (Wineries,

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396 ~~breweries and distilleries using water from exempt wells shall install a water meter;~~

397 ~~d. Off street parking is limited to one hundred and fifty percent of the~~

398 ~~minimum requirement for wineries, breweries or distilleries specified in K.C.C.~~

399 ~~21A.18.030;))~~

400 e. Structures and parking areas ~~((used for processing))~~ for winery, brewery

401 distillery uses shall be set back a minimum distance of seventy-five feet from property

402 lines adjacent to rural area and residential zones, unless ~~((the processing is))~~ located in a

403 building designated as historic resource under K.C.C. chapter 20.62;

404 f. ~~((The minimum site area is four and one half acres. If the total floor area of~~

405 ~~structures for wineries, breweries and distilleries and any accessory uses exceed six~~

406 ~~thousand square feet, including underground storage:~~

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

408 ~~(2) a minimum of two and one half acres of the site shall be used for the~~

409 ~~growing of agricultural products;~~

410 ~~g. The facility shall be limited to processing agricultural products and))~~ In the

411 A zone, sixty percent or more of the products processed must be grown ~~((in the Puget~~

412 ~~Sound counties))~~ on-site. At the time of the initial application for the adult beverage

413 licensing provisions of K.C.C. chapter 6.xx (the new chapter created in section 2 of this

414 ordinance), the applicant shall submit a projection of the source of products to be

415 processed; ~~((and))~~

416 g. In the A zone, structures and areas for non-agricultural winery, brewery,

417 distillery facility uses shall be located on portions of agricultural lands that are unsuitable

418 for agricultural purposes, such as areas within the already developed portion of such

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419 agricultural lands that are not available for direct agricultural production, or areas without
420 prime agricultural soils;

421 h. Tasting of products produced on site may be provided in accordance with
422 state law. The area devoted to tasting shall be included in the aggregated floor area
423 limitation in subsection B.12.b. and c. of this section. Hours of operation for on-site
424 tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and
425 Thursdays, tasting room hours shall be limited to 11:00 a.m. through ~~7:00~~ p.m.; and
426 Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m.
427 through 9:00 p.m.;

Commented [AE12]: Fixes weekday tasting hours to match Executive's intent.

428 i. On a site with direct access to an arterial;

429 ~~j. Off-street parking is limited to one hundred and fifty percent of the~~
430 ~~minimum requirement for wineries, breweries or distilleries specified in K.C.C.~~
431 ~~21A.18.030;~~

Commented [AE13]: Exec staff requested this change to match the Executive's intent that parking be determined through the CUP process.

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

435 ~~kl.~~ Events may be allowed with an approved temporary use permit under K.C.C.
436 chapter 21A.32.

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

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

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

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

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

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

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

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

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

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

464 c. Structures and parking areas ~~((used))~~ for ~~((processing))~~ winery, brewery,

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465 distillery facility uses shall maintain a minimum distance of seventy-five feet from
466 property lines adjoining rural area and residential zones, unless located in a building
467 designated as historic resource under K.C.C. chapter 20.62; ~~(and)~~

468 d. Tasting of products produced on site may be provided in accordance with
469 state law. The area devoted to tasting shall be included in aggregated the floor area
470 limitation in subsection B.~~((48-))~~17.b. of this section; and

471 e. The business operator shall obtain an adult beverage business license
472 pursuant to the adult beverage licensing provisions of K.C.C. chapter 6.xx (the new
473 chapter created in section 2 of this ordinance).

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

476 18. Limited to:

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

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

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

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

485 (4) Deliveries and customer visits shall be limited to the hours of 8:00 a.m. to
486 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

487 (5) In the RA zone, the facility's driveway shall have adequate entering sight

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488 distance required by the 2007 King County Road Design and Construction Standards. An
489 adequate turn around shall be provided on-site to prevent vehicles from backing out on to
490 the roadway that the driveway accesses; and

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

492 b. SIC Industry No. 2411-Logging.

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

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

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

496 licensed marijuana production facility on the same lot;

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

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

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

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

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

502 are imported onto the site; and

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

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

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

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

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

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

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

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

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511 are imported onto the site;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

571 27.a. Marijuana processors in all RA zoned areas except for Vashon-Maury
572 Island, that do not require a conditional use permit issued by King County, that receive a
573 Washington state Liquor and Cannabis Board license business prior to October 1, 2016,
574 and that King County did not object to within the Washington state Liquor and Cannabis
575 Board marijuana license application process, shall be considered nonconforming as to
576 subsection B.27.e. of this section, subject to the provisions of K.C.C. 21A.32.020 through
577 21A.32.075 for nonconforming uses;

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

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

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580 Clean Air Agency Notice of Construction Permit. All department permits issued to either
581 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
582 Clean Air Agency Notice of Construction Permit be approved before marijuana products
583 are imported onto the site;

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

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

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

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

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

594 29.a. The business operator shall obtain an adult beverage business license
595 pursuant to the adult beverage licensing provisions of K.C.C. chapter 6.xx (the new chapter
596 created in section 2 of this ordinance).

597 b. Events may be allowed with an approved Temporary Use Permit under
598 K.C.C. chapter 21A.32.

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

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

602 c. Structures and parking areas for winery, brewery, distillery uses shall be set

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603 back a minimum distance of seventy-five feet from property lines adjacent to rural area
604 and residential zones, unless located in a building designated as historic resource under
605 K.C.C. chapter 20.62;

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

607 e. One on-site parking place shall be provided if a nonresident is employed to
608 work on-site;

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

612 g. No product tasting, retail sale or events requiring a ~~T~~emporary ~~U~~se ~~P~~ermit
613 under K.C.C. chapter 21A.32 shall be allowed.

614 31.a. Limited to winery, brewery, distillery facility II uses;

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

616 c. The aggregated floor area of structures and areas for winery, brewery,
617 distillery facility uses shall not exceed three thousand five hundred square feet, unless
618 located in whole or in part in a structure designated as historic resource under K.C.C.
619 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to
620 winery, brewery, distillery facility uses shall not exceed five thousand square feet;

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

625 e. Tasting of products produced on site may be provided in accordance with

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626 state law. The area devoted to tasting shall be included in the floor area limitation in
 627 subsection B.3.c. of this section. Hours of operation for on-site tasting of products shall
 628 be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting room
 629 hours shall be limited to 11:00 a.m. through 5:00 p.m.; and Fridays, Saturdays and
 630 Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;

Commented [AE14]: Fixes weekday tasting hours to match Executive's intent.

631 f. On a site with direct access to a public roadway;
 632 g. Off-street parking is limited to one hundred and fifty percent of the
 633 minimum requirement for wineries, breweries or distilleries specified in K.C.C.
 634 21A.18.030;

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

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

640 SECTION 18##. Ordinance 10870, Section 336, as amended, and K.C.C.
 641 21A.08.090 are each hereby amended to read as follows:

642 A. Resource land uses.

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

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	<u>Crops</u>												
02	Raising Livestock and Small Animals (6)	P	P		P	P							P
*	Agricultural Activities	P24 C	P24 C		P24 C	P24 C							
*	Agricultural Support Services	P25 C	P25 C		P26 C	P26 C	P26 C		P27 C28	P27 C28			
*	Marijuana producer	P15 C22			P16 C17					P18 C19	P18 C19		P20 C21
*	Agriculture Training Facility	C10											
*	Agriculture-related special needs camp	P12											
*	Agricultural Anaerobic Digester	P13											
	FORESTRY:												
08	Growing & Harvesting Forest Production	P	P	P7	P	P	P						P
*	Forest Research		P		P	P						P2	P
	FISH AND WILDLIFE MANAGEMENT:												
0921	Hatchery/Fish Preserve (1)	P	P		P	P	C						P
0273	Aquaculture (1)	P	P		P	P	C						P
*	Wildlife Shelters	P	P		P	P							
	MINERAL:												
10.12.14	Mineral Extraction and Processing		P9 C	P C1 1									
2951, 3271, 3273	Asphalt/Concrete Mixtures and Block		P8 C1 1	P8 C1 1									P

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<u>ACCESSORY USES:</u>													
*	Resource Accessory	P3	P4	P5	P3	P3							P4
	Uses	P23											
*	Farm Worker Housing	P14			P14								

- 643 B. Development conditions.
- 644 1. May be further subject to K.C.C. chapter 21A.25.
- 645 2. Only forest research conducted within an enclosed building.
- 646 3. Farm residences in accordance with K.C.C. 21A.08.030.
- 647 4. Excluding housing for agricultural workers.
- 648 5. Limited to either maintenance or storage facilities, or both, in conjunction
- 649 with mineral extraction or processing operation.
- 650 6. Allowed in accordance with K.C.C. chapter 21A.30.
- 651 7. Only in conjunction with a mineral extraction site plan approved in
- 652 accordance with K.C.C. chapter 21A.22.
- 653 8. Only on the same lot or same group of lots under common ownership or
- 654 documented legal control, which includes, but is not limited to, fee simple ownership, a
- 655 long-term lease or an easement:
- 656 a. as accessory to a primary mineral extraction use;
- 657 b. as a continuation of a mineral processing only for that period to complete
- 658 delivery of products or projects under contract at the end of a mineral extraction; or
- 659 c. for a public works project under a temporary grading permit issued in
- 660 accordance with K.C.C. 16.82.152.
- 661 9. Limited to mineral extraction and processing:

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662 a. on a lot or group of lots under common ownership or documented legal
663 control, which includes but is not limited to, fee simple ownership, a long-term lease or
664 an easement;
665 b. that are located greater than one-quarter mile from an established residence;
666 and
667 c. that do not use local access streets that abut lots developed for residential
668 use.
669 10. Agriculture training facilities are allowed only as an accessory to existing
670 agricultural uses and are subject to the following conditions:
671 a. The impervious surface associated with the agriculture training facilities
672 shall comprise not more than ten percent of the allowable impervious surface permitted
673 under K.C.C. 21A.12.040;
674 b. New or the expansion of existing structures, or other site improvements,
675 shall not be located on class 1, 2 or 3 soils;
676 c. The director may require reuse of surplus structures to the maximum extent
677 practical;
678 d. The director may require the clustering of new structures with existing
679 structures;
680 e. New structures or other site improvements shall be set back a minimum
681 distance of seventy-five feet from property lines adjoining rural area and residential
682 zones;
683 f. Bulk and design of structures shall be compatible with the architectural style
684 of the surrounding agricultural community;

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- 685 g. New sewers shall not be extended to the site;
- 686 h. Traffic generated shall not impede the safe and efficient movement of
687 agricultural vehicles, nor shall it require capacity improvements to rural roads;
- 688 i. Agriculture training facilities may be used to provide educational services to
689 the surrounding rural/agricultural community or for community events. Property owners
690 may be required to obtain a temporary use permit for community events in accordance
691 with K.C.C. chapter 21A.32;
- 692 j. Use of lodging and food service facilities shall be limited only to activities
693 conducted in conjunction with training and education programs or community events
694 held on site;
- 695 k. Incidental uses, such as office and storage, shall be limited to those that
696 directly support education and training activities or farm operations; and
- 697 l. The King County agriculture commission shall be notified of and have an
698 opportunity to comment upon all proposed agriculture training facilities during the permit
699 process in accordance with K.C.C. chapter 21A.40.
- 700 11. Continuation of mineral processing and asphalt/concrete mixtures and block
701 uses after reclamation in accordance with an approved reclamation plan.
- 702 12.a. Activities at the camp shall be limited to agriculture and agriculture-
703 oriented activities. In addition, activities that place minimal stress on the site's
704 agricultural resources or activities that are compatible with agriculture are permitted.
- 705 (1) passive recreation;
- 706 (2) training of individuals who will work at the camp;
- 707 (3) special events for families of the campers; and

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708 (4) agriculture education for youth.
709 b. Outside the camp center, as provided for in subsection B.12.e. of this
710 section, camp activities shall not preclude the use of the site for agriculture and
711 agricultural related activities, such as the processing of local food to create value-added
712 products and the refrigeration and storage of local agricultural products. The camp shall
713 be managed to coexist with agriculture and agricultural activities both onsite and in the
714 surrounding area.
715 c. A farm plan shall be required for commercial agricultural production to
716 ensure adherence to best management practices and soil conservation.
717 d.(1) The minimum site area shall be five hundred acres. Unless the property
718 owner has sold or transferred the development rights as provided in subsection B.12.c.(3)
719 of this section, a minimum of five hundred acres of the site must be owned by a single
720 individual, corporation, partnership or other legal entity and must remain under the
721 ownership of a single individual, corporation, partnership or other legal entity for the
722 duration of the operation of the camp.
723 (2) Nothing in subsection B.12.d.(1) of this section prohibits the property
724 owner from selling or transferring the development rights for a portion or all of the site to
725 the King County farmland preservation program or, if the development rights are
726 extinguished as part of the sale or transfer, to a nonprofit entity approved by the director;
727 e. The impervious surface associated with the camp shall comprise not more
728 than ten percent of the allowable impervious surface permitted under K.C.C. 21A.12.040;
729 f. Structures for living quarters, dining facilities, medical facilities and other
730 nonagricultural camp activities shall be located in a camp center. The camp center shall

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731 be no more than fifty acres and shall depicted on a site plan. New structures for
732 nonagricultural camp activities shall be clustered with existing structures;
733 g. To the extent practicable, existing structures shall be reused. The applicant
734 shall demonstrate to the director that a new structure for nonagricultural camp activities
735 cannot be practicably accommodated within an existing structure on the site, though
736 cabins for campers shall be permitted only if they do not already exist on site;
737 h. Camp facilities may be used to provide agricultural educational services to
738 the surrounding rural and agricultural community or for community events. If required
739 by K.C.C. chapter 21A.32, the property owner shall obtain a temporary use permit for
740 community events;
741 i. Lodging and food service facilities shall only be used for activities related to
742 the camp or for agricultural education programs or community events held on site;
743 j. Incidental uses, such as office and storage, shall be limited to those that
744 directly support camp activities, farm operations or agricultural education programs;
745 k. New nonagricultural camp structures and site improvements shall maintain a
746 minimum set-back of seventy-five feet from property lines adjoining rural area and
747 residential zones;
748 l. Except for legal nonconforming structures existing as of January 1, 2007,
749 camp facilities, such as a medical station, food service hall and activity rooms, shall be of
750 a scale to serve overnight camp users;
751 m. Landscaping equivalent to a type III landscaping screen, as provided for in
752 K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures

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753 and site improvements located within two hundred feet of an adjacent rural area and
754 residential zoned property not associated with the camp;
755 n. New sewers shall not be extended to the site;
756 o. The total number of persons staying overnight shall not exceed three
757 hundred;
758 p. The length of stay for any individual overnight camper, not including camp
759 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;
760 q. Traffic generated by camp activities shall not impede the safe and efficient
761 movement of agricultural vehicles nor shall it require capacity improvements to rural
762 roads;
763 r. If the site is adjacent to an arterial roadway, access to the site shall be
764 directly onto the arterial unless the county road engineer determines that direct access is
765 unsafe;
766 s. If direct access to the site is via local access streets, transportation
767 management measures shall be used to minimize adverse traffic impacts;
768 t. Camp recreational activities shall not involve the use of motor vehicles
769 unless the motor vehicles are part of an agricultural activity or are being used for the
770 transportation of campers, camp personnel or the families of campers. Camp personnel
771 may use motor vehicles for the operation and maintenance of the facility. Client-specific
772 motorized personal mobility devices are allowed; and
773 u. Lights to illuminate the camp or its structures shall be arranged to reflect the
774 light away from any adjacent property.

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775 13. Limited to digester receiving plant and animal and other organic waste from
776 agricultural activities, and including electrical generation, as follows:
777 a. the digester must be included as part of a Washington state Department of
778 Agriculture approved dairy nutrient plan;
779 b. the digester must process at least seventy percent livestock manure or other
780 agricultural organic material from farms in the vicinity, by volume;
781 c. imported organic waste-derived material, such as food processing waste,
782 may be processed in the digester for the purpose of increasing methane gas production for
783 beneficial use, but not shall exceed thirty percent of volume processed by the digester;
784 and
785 d. the use must be accessory to an operating dairy or livestock operation.
786 14. Farm worker housing. Either:
787 a. Temporary farm worker housing subject to the following conditions:
788 (1) The housing must be licensed by the Washington state Department of
789 Health under chapter 70.114A RCW and chapter 246-358 WAC;
790 (2) Water supply and sewage disposal systems must be approved by the
791 Seattle King County department of health;
792 (3) To the maximum extent practical, the housing should be located on
793 nonfarmable areas that are already disturbed and should not be located in the floodplain
794 or in a critical area or critical area buffer; and
795 (4) The property owner shall file with the department of executive services,
796 records and licensing services division, a notice approved by the department identifying
797 the housing as temporary farm worker housing and that the housing shall be occupied

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798 only by agricultural employees and their families while employed by the owner or
799 operator or on a nearby farm. The notice shall run with the land; [or]
800 b. Housing for agricultural employees who are employed by the owner or
801 operator of the farm year-round as follows:
802 (1) Not more than:
803 (a) one agricultural employee dwelling unit on a site less than twenty acres;
804 (b) two agricultural employee dwelling units on a site of at least twenty
805 acres and less than fifty acres;
806 (c) three agricultural employee dwelling units on a site of at least fifty acres
807 and less than one-hundred acres; and
808 (d) four agricultural employee dwelling units on a site of at least one-
809 hundred acres, and one additional agricultural employee dwelling unit for each additional
810 one hundred acres thereafter;
811 (2) If the primary use of the site changes to a nonagricultural use, all
812 agricultural employee dwelling units shall be removed;
813 (3) The applicant shall file with the department of executive services, records
814 and licensing services division, a notice approved by the department that identifies the
815 agricultural employee dwelling units as accessory and that the dwelling units shall only
816 be occupied by agricultural employees who are employed by the owner or operator year-
817 round. The notice shall run with the land. The applicant shall submit to the department
818 proof that the notice was filed with the department of executive services, records and
819 licensing services division, before the department approves any permit for the
820 construction of agricultural employee dwelling units;

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

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

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

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

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

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

833 b. With a lighting plan, only if required by and that complies with K.C.C.
834 21A.12.220.G.;

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

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

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

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

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

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

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

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866 b. In all rural area zones, only with a lighting plan that complies with K.C.C.
867 21A.12.220.G.;
868 c. Only allowed on lots of at least four and one-half acres on Vashon-Maury
869 Island;
870 d. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,
871 except on Vashon-Maury Island;
872 e. Only with documentation that the operator has applied for a Puget Sound
873 Clean Air Agency Notice of Construction Permit. All department permits issued to either
874 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
875 Clean Air Agency Notice of Construction Permit be approved before marijuana products
876 are imported onto the site;
877 f. Production is limited to outdoor, indoor within marijuana greenhouses, and
878 within nondwelling unit structures that exist as of October 1, 2013, subject to the size
879 limitations in subsection B.16.g. of this section; and
880 g. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
881 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
882 aggregated total of two thousand square feet and shall be located within a fenced area or
883 marijuana greenhouse, that is no more than ten percent larger than that combined area, or
884 may occur in nondwelling unit structures that exist as of October 1, 2013;
885 h. Outdoor production area fencing as required by the Washington state Liquor
886 and Cannabis Board and marijuana greenhouses shall maintain a minimum street setback
887 of fifty feet and a minimum interior setback of one hundred feet; and a minimum setback
888 of one hundred fifty feet from any existing residence; and

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889 i. If the two-thousand-square-foot-per-lot threshold of plant canopy within
890 fenced areas or marijuana greenhouses is exceeded, each and every marijuana-related
891 entity occupying space in addition to the two-thousand-square-foot threshold area on that
892 lot shall obtain a conditional use permit as set forth in subsection B.17. of this section.
893 17. Marijuana production by marijuana producers licensed by the Washington
894 state Liquor and Cannabis Board is subject to the following standards:
895 a. Only allowed on lots of at least four and one-half acres on Vashon-Maury
896 Island;
897 b. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,
898 except on Vashon-Maury Island;
899 c. In all rural area zones, only with a lighting plan that complies with K.C.C.
900 21A.12.220.G.;
901 d. Only with documentation that the operator has applied for a Puget Sound
902 Clean Air Agency Notice of Construction Permit. All department permits issued to either
903 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
904 Clean Air Agency Notice of Construction Permit be approved before marijuana products
905 are imported onto the site;
906 e. Production is limited to outdoor and indoor within marijuana greenhouses
907 subject to the size limitations in subsection B.17.f. of this section;
908 f. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
909 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
910 aggregated total of thirty thousand square feet and shall be located within a fenced area or

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911 marijuana greenhouse that is no more than ten percent larger than that combined area;
912 and
913 g. Outdoor production area fencing as required by the Washington state Liquor
914 and Cannabis Board, and marijuana greenhouses shall maintain a minimum street setback
915 of fifty feet and a minimum interior setback of one hundred feet, and a minimum setback
916 of one hundred fifty feet from any existing residence.
917 18.a. Production is limited to indoor only;
918 b. With a lighting plan only as required by and that complies with K.C.C.
919 21A.12.220.G.;
920 c. Only with documentation that the operator has applied for a Puget Sound
921 Clean Air Agency Notice of Construction Permit. All department permits issued to either
922 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
923 Clean Air Agency Notice of Construction Permit be approved before marijuana products
924 are imported onto the site; and
925 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
926 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
927 aggregated total of two thousand square feet and shall be located within a building or
928 tenant space that is no more than ten percent larger than the plant canopy and separately
929 authorized processing area; and
930 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
931 every marijuana-related entity occupying space in addition to the two-thousand-square
932 foot threshold area on that parcel shall obtain a conditional use permit as set forth in
933 subsection B.19. of this section.

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934 19.a. Production is limited to indoor only;
935 b. With a lighting plan only as required by and that complies with K.C.C.
936 21A.12.220.G.;
937 c. Only with documentation that the operator has applied for a Puget Sound
938 Clean Air Agency Notice of Construction Permit. All department permits issued to either
939 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
940 Clean Air Agency Notice of Construction Permit be approved before marijuana products
941 are imported onto the site; and
942 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
943 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
944 aggregated total of thirty thousand square feet and shall be located within a building or
945 tenant space that is no more than ten percent larger than the plant canopy and separately
946 authorized processing area.
947 20.a. Production is limited to indoor only;
948 b. With a lighting plan only as required by and that complies with K.C.C.
949 21A.12.220.G.;
950 c. Only with documentation that the operator has applied for a Puget Sound
951 Clean Air Agency Notice of Construction Permit. All department permits issued to either
952 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
953 Clean Air Agency Notice of Construction Permit be approved before marijuana products
954 are imported onto the site;
955 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
956 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum

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957 aggregated total of two thousand square feet and shall be located within a building or
958 tenant space that is no more than ten percent larger than the plant canopy and separately
959 authorized processing area; and
960 _____ e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
961 every marijuana-related entity occupying space in addition to the two-thousand-square-
962 foot threshold area on that lot shall obtain a conditional use permit as set forth in
963 subsection B.21. of this section.
964 _____ 21.a. Production is limited to indoor only;
965 _____ b. With a lighting plan only as required by and that complies with K.C.C.
966 21A.12.220.G.;
967 _____ c. Only with documentation that the operator has applied for a Puget Sound
968 Clean Air Agency Notice of Construction Permit. All department permits issued to either
969 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
970 Clean Air Agency Notice of Construction Permit be approved before marijuana products
971 are imported onto the site; and
972 _____ d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
973 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
974 aggregated total of thirty thousand square feet and shall be located within a building or
975 tenant space that is no more than ten percent larger than the plant canopy and separately
976 authorized processing area.
977 _____ 22. Marijuana production by marijuana producers licensed by the Washington
978 state Liquor and Cannabis Board is subject to the following standards:

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- 979 a. With a lighting plan only as required by and that complies with K.C.C.
980 21A.12.220.G.;
- 981 b. Only allowed on lots of at least four and one-half acres;
- 982 c. Only with documentation that the operator has applied for a Puget Sound
983 Clean Air Agency Notice of Construction Permit. All department permits issued to either
984 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
985 Clean Air Agency Notice of Construction Permit be approved before marijuana products
986 are imported onto the site;
- 987 d. Production is limited to outdoor, indoor within marijuana greenhouses, and
988 within structures that are nondwelling unit structures that exist as of October 1, 2013,
989 subject to the size limitations in subsection B.22. e. and f. of this section;
- 990 e. On lots less than ten acres, per lot, the plant canopy, as defined in WAC 314-
991 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be
992 limited to a maximum aggregated total of five thousand square feet and shall be located
993 within a fenced area or marijuana greenhouse that is no more than ten percent larger than
994 that combined area, or may occur in nondwelling unit structures that exist as of October 1,
995 2013;
- 996 f. On lots ten acres or more, per lot, the plant canopy, as defined in WAC 314-
997 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be
998 limited to a maximum aggregated total of ten thousand square feet, and shall be located
999 within a fenced area or marijuana greenhouse that is no more than ten percent larger than
1000 that combined area, or may occur in nondwelling unit structures that exist as of October 1,
1001 2013; and

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1002 g. Outdoor production area fencing as required by the Washington state Liquor
1003 and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall maintain
1004 a minimum street setback of fifty feet and a minimum interior setback of one hundred feet,
1005 and a minimum setback of one hundred fifty feet from any existing residence.

1006 23. The storage and processing of non-manufactured source separated organic
1007 waste that originates from agricultural operations and that does not originate from the site,
1008 if:

1009 a. agricultural is the primary use of the site;

1010 b. the storage and processing are in accordance with best management practices
1011 included in an approved farm plan; and

1012 c. except for areas used for manure storage, the areas used for storage and
1013 processing do not exceed three acres and ten percent of the site.

1014 24.a. For activities relating to the processing of crops or livestock for commercial
1015 purposes, including associated activities such as warehousing, storage, including
1016 refrigeration, and other similar activities and excluding ~~((wineries, SIC Industry No. 2085~~
1017 ~~Distilled and Blended Liquors and SIC Industry No. 2082 – Malt Beverages)) winery,~~
1018 brewer distillery facility I, II and III:

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Commented [AE15]: Updates to new definition.

1019 (1) limited to agricultural products and sixty percent or more of the products
1020 processed must be grown in the Puget Sound counties. At the time of initial application,
1021 the applicant shall submit a projection of the source of products to be produced;

1022 (2) in the RA and UR zones, only allowed on sites of at least four and one-
1023 half acres;

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1024 (3) (a) as a permitted use, the floor area devoted to all processing shall not
1025 exceed two thousand square feet, unless located in a building designated as an historic
1026 resource under K.C.C. chapter 20.62. The agricultural technical review committee, as
1027 established in K.C.C. 21A.42.300, may review and approve an increase in the processing
1028 floor area as follows: up to three thousand five hundred square feet of floor area may be
1029 devoted to all processing in the RA zones or on farms less than thirty-five acres located in
1030 the A zones or up to seven thousand square feet on farms greater than thirty-five acres in
1031 the A zone; and

1032 (b) as a permitted use, the floor area devoted to all warehousing,
1033 refrigeration, storage or other similar activities shall not exceed two thousand square feet,
1034 unless located in a building designated as historic resource under K.C.C. chapter 20.62.
1035 The agricultural technical review committee, as established in K.C.C. 21A.42.300, may
1036 review and approve an increase of up to three thousand five hundred square feet of floor
1037 area devoted to all warehousing, storage, including refrigeration, or other similar
1038 activities in the RA zones or on farms less than thirty-five acres located in the A zones or
1039 up to seven thousand square feet on farms greater than thirty-five acres in the A zone;

1040 (4) in the A zone, structures and areas used for processing, warehousing,
1041 refrigeration, storage and other similar activities shall be located on portions of
1042 agricultural lands that are unsuitable for other agricultural purposes, such as areas within
1043 the already developed portion of such agricultural lands that are not available for direct
1044 agricultural production, or areas without prime agricultural soils; and

1045 (5) structures and areas used for processing, warehousing, storage, including
1046 refrigeration, and other similar activities shall maintain a minimum distance of seventy-

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1047 five feet from property lines adjoining rural area and residential zones, unless located in a
1048 building designated as historic resource under K.C.C. chapter 20.62.
1049 b. For activities relating to the retail sale of agricultural products, except
1050 livestock;
1051 (1) sales shall be limited to agricultural products and locally made arts and
1052 crafts;
1053 (2) in the RA and UR zones, only allowed on sites at least four and one-
1054 half acres;
1055 (3) as a permitted use, the covered sales area shall not exceed two thousand
1056 square feet, unless located in a building designated as a historic resource under K.C.C.
1057 chapter 20.62. The agricultural technical review committee, as established in K.C.C.
1058 21A.42.300, may review and approve an increase of up to three thousand five hundred
1059 square feet of covered sales area;
1060 (4) forty percent or more of the gross sales of agricultural product sold
1061 through the store must be sold by the producers of primary agricultural products;
1062 (5) sixty percent or more of the gross sales of agricultural products sold
1063 through the store shall be derived from products grown or produced in the Puget Sound
1064 counties. At the time of the initial application, the applicant shall submit a reasonable
1065 projection of the source of product sales;
1066 (6) tasting of products, in accordance with applicable health regulations, is
1067 allowed;
1068 (7) storage areas for agricultural products may be included in a farm store
1069 structure or in any accessory building; and

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1070 (8) outside lighting is permitted if there is no off-site glare.
1071 c. Retail sales of livestock is permitted only as accessory to raising
1072 livestock.
1073 d. Farm operations, including quipment repair and related facilities, except
1074 that:
1075 (1) the repair of tools and machinery is limited to those necessary for the
1076 operation of a farm or forest;
1077 (2) in the RA and UR zones, only allowed on sites of at least four and one-
1078 half acres;
1079 (3) the size of the total repair use is limited to one percent of the farm size
1080 in the A zone, and up to one percent of the size in other zones, up to a maximum of five
1081 thousand square feet unless located within an existing farm structure, including but not
1082 limited to barns, existing as of December 31, 2003; and
1083 (4) Equipment repair shall not be permitted in the Forest zone.
1084 e. The agricultural technical review committee, as established in K.C.C.
1085 21A.42.300, may review and approve reductions of minimum site sizes in the rural and
1086 residential zones and minimum setbacks from rural and residential zones.
1087 25. The department may review and approve establishment of agricultural
1088 support services in accordance with the code compliance review process in K.C.C.
1089 21A.42.300 only if:
1090 a. project is sited on lands that are unsuitable for direct agricultural production
1091 based on size, soil conditions or other factors and cannot be returned to productivity by
1092 drainage maintenance; and

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1093 b. the proposed use is allowed under any Farmland Preservation Program
1094 conservation easement and zoning development standards.
1095 26. The agricultural technical review committee, as established in K.C.C.
1096 21A.42.300, may review and approve establishment of agricultural support services only
1097 if the project site:
1098 a. adjoins or is within six hundred sixty feet of the agricultural production
1099 district;
1100 b. has direct vehicular access to the agricultural production district;
1101 c. except for farmworker housing, does not use local access streets that abut
1102 lots developed for residential use; and
1103 b. has a minimum lot size of four and one-half acres.
1104 27. The agricultural technical review committee, as established in K.C.C.
1105 21A.42.300, may review and approve establishment of agricultural support services only
1106 if the project site:
1107 a. is outside the urban growth area,
1108 b. adjoins or is within six hundred sixty feet of the agricultural production
1109 district,
1110 c. has direct vehicular access to the agricultural production district,
1111 d. except for farmworker housing, does not use local access streets that abut
1112 lots developed for residential use; and
1113 e. has a minimum lot size of four and one-half acres.
1114 28. Only allowed on properties that are outside the urban growth area.
1115 SECTION 197. Ordinance 10870, Section 407, as amended, and K.C.C.

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1116 21A.18.030 are each hereby amended to read as follows:

1117 A. Except as modified in K.C.C. 21A.18.070.B((-)), through D., off-street
1118 parking areas shall contain at a minimum the number of parking spaces as stipulated in
1119 the following table. Off-street parking ratios expressed as number of spaces per square
1120 feet means the usable or net square footage of floor area, exclusive of non-public areas.
1121 Non-public areas include but are not limited to building maintenance areas, storage areas,
1122 closets or restrooms. If the formula for determining the number of off-street parking
1123 spaces results in a fraction, the number of off-street parking spaces shall be rounded to
1124 the nearest whole number with fractions of 0.50 or greater rounding up and fractions
1125 below 0.50 rounding down.

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

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

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

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Vocational schools	1 per classroom, plus 1 per five students
Specialized instruction Schools	1 per classroom, plus 1 per two students
Artist Studios	0.9 per 1,000 square feet of area used for studios
GOVERNMENT/BUSINESS SERVICES (K.C.C. 21A.08.060.A):	
Government/business services uses:	1 per 300 square feet
Exceptions:	
Public agency yard	1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas
Public agency archives	0.9 per 1000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas
Courts	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas
Police facility	(director)
Fire facility	(director)
Construction and trade	1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area

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Warehousing and storage	1 per 300 square feet of office, plus <u>0.9</u> per 1,000 square feet of storage area
Self-service storage	1 per 3,500 square feet of storage area, plus 2 for any resident director's unit
Outdoor advertising services	1 per 300 square feet of office, plus <u>0.9</u> per 1,000 square feet of storage area
Heavy equipment repair	1 per 300 square feet of office, plus <u>0.9</u> per 1,000 square feet of indoor repair areas
Office	1 per 300 square feet
LAND USE	MINIMUM PARKING SPACES REQUIRED
RETAIL/WHOLESALE (K.C.C. 21A.08.070.A):	
Retail trade uses:	1 per 300 square feet
Exceptions:	
Food stores, less than 15,000 square feet	3 plus 1 per 350 square feet
Gasoline service stations w/o grocery	3 per facility, plus 1 per service bay
Gasoline service stations w/grocery, no service bays	1 per facility, plus 1 per 300 square feet of store
Restaurants	1 per 75 square feet in dining or lounge areas

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Wholesale trade uses	<u>0.9</u> per 1000 square feet
Retail and wholesale trade mixed use	1 per 300 square feet
MANUFACTURING (K.C.C. 21A.08.080.A):	
Manufacturing uses	<u>0.9</u> per 1,000 square feet
Winery/Brewery/ <u>Distillery Facility II</u>	<u>0.9</u> per 1,000 square feet, plus 1 per ((50)) <u>300</u> square feet of tasting area
RESOURCES (K.C.C. 21A.08.090.A):	
Resource uses	(director)
REGIONAL (K.C.C. 21A.08.100.A):	
Regional uses	(director)

1126 B. An applicant may request a modification of the minimum required number of
 1127 parking spaces by providing that parking demand can be met with a reduced parking
 1128 requirement. In such cases, the director may approve a reduction of up to fifty percent of
 1129 the minimum required number of spaces.

1130 C. When the county has received a shell building permit application, off-street
 1131 parking requirements shall be based on the possible tenant improvements or uses
 1132 authorized by the zone designation and compatible with the limitations of the shell
 1133 permit. When the range of possible uses result in different parking requirements, the
 1134 director will establish the amount of parking based on a likely range of uses.

1135 D. Where other provisions of this code stipulate maximum parking allowed or

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1136 reduced minimum parking requirements, those provisions shall apply.

1137 E. In any development required to provide six or more parking spaces, bicycle
1138 parking shall be provided. Bicycle parking shall be bike rack or locker-type parking
1139 facilities unless otherwise specified.

1140 1. Off-street parking areas shall contain at least one bicycle parking space for
1141 every twelve spaces required for motor vehicles except as follows:

1142 a. The director may reduce bike rack parking facilities for patrons when it is
1143 demonstrated that bicycle activity will not occur at that location.

1144 b. The director may require additional spaces when it is determined that the
1145 use or its location will generate a high volume of bicycle activity. Such a determination
1146 will include but not be limited to the following uses:

1147 (1) Park/playfield,

1148 (2) Marina,

1149 (3) Library/museum/arboretum,

1150 (4) Elementary/secondary school,

1151 (5) Sports club, or

1152 (6) Retail business (when located along a developed bicycle trail or
1153 designated bicycle route).

1154 2. Bicycle facilities for patrons shall be located within 100 feet of the building
1155 entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a
1156 structure attached to the pavement.

1157 3. All bicycle parking and storage shall be located in safe, visible areas that do
1158 not impede pedestrian or vehicle traffic flow, and shall be well lit for nighttime use.

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1159 4. When more than ten people are employed on site, enclosed locker-type
1160 parking facilities for employees shall be provided. The director shall allocate the
1161 required number of parking spaces between bike rack parking and enclosed locker-type
1162 parking facilities.

1163 5. One indoor bicycle storage space shall be provided for every two dwelling
1164 units in townhouse and apartment residential uses, unless individual garages are provided
1165 for every unit. The director may reduce the number of bike rack parking spaces if indoor
1166 storage facilities are available to all residents.

1167 ~~SECTION 2018.~~ Ordinance 10870, Section 536, as amended, and K.C.C.

1168 21A.30.080 are each hereby amended to read as follows:

1169 In the R, UR, NB, CB and RB zones, residents of a dwelling unit may conduct one
1170 or more home occupations as accessory activities, only if:

1171 A. The total floor area of the dwelling unit devoted to all home occupations shall
1172 not exceed twenty percent of the floor area of the dwelling unit.

1173 B. Areas within garages and storage buildings shall not be considered part of the
1174 dwelling unit and may be used for activities associated with the home occupation;

1175 C. All the activities of the home occupation or occupations shall be conducted
1176 indoors, except for those related to growing or storing of plants used by the home
1177 occupation or occupations;

1178 D. A home occupation or occupations is not limited in the number of employees
1179 that remain off-site. No more than one nonresident employee shall be permitted to work
1180 on-site for the home occupation or occupations;

1181 E. The following uses, by the nature of their operation or investment, tend to

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1182 increase beyond the limits permitted for home occupations. Therefore, the following shall
1183 not be permitted as home occupations:

- 1184 1. Automobile, truck and heavy equipment repair;
- 1185 2. ~~((Autobody))~~ Auto body work or painting;
- 1186 3. Parking and storage of heavy equipment;
- 1187 4. Storage of building materials for use on other properties;
- 1188 5. Hotels, motels or organizational lodging;
- 1189 6. Dry cleaning;
- 1190 7. Towing services;
- 1191 8. Trucking, storage or self service, except for parking or storage of one
1192 commercial vehicle used in home occupation; ~~((and))~~
- 1193 9. Veterinary clinic; ~~((and))~~
- 1194 10. Recreational marijuana processor, recreational marijuana producer or
1195 recreational marijuana retailer; and
- 1196 11. Winery, brewery, distillery facility I, II, and III, and remote tasting room;

1197 F. In addition to required parking for the dwelling unit, on-site parking is provided
1198 as follows:

- 1199 1. One stall for each nonresident employed by the home occupations; and
 - 1200 2. One stall for patrons when services are rendered on-site;
- 1201 G. Sales are limited to:
- 1202 1. Mail order sales;
 - 1203 2. Telephone, Internet or other electronic commerce sales with off-site delivery;

1204 and

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1205 3. Items accessory to a service provided to patrons who receive services on the
1206 premises;

1207 H. On-site services to patrons are arranged by appointment;

1208 I. The home occupation or occupations use or store a vehicle for pickup of
1209 materials used by the home occupation or occupations or the distribution of products from
1210 the site, only if:

1211 1. No more than one such a vehicle is allowed; and

1212 2. The vehicle is not stored within any required setback areas of the lot or on
1213 adjacent streets; and

1214 3. The vehicle does not exceed an equivalent licensed gross vehicle weight of one
1215 ton;

1216 J. The home occupation or occupations do not:

1217 1. Use electrical or mechanical equipment that results in a change to the
1218 occupancy type of the structure or structures used for the home occupation or occupations;
1219 or

1220 2. Cause visual or audible interference in radio or television receivers, or
1221 electronic equipment located off-premises or fluctuations in line voltage off-premises;

1222 ~~((and))~~

1223 K. There shall be no exterior evidence of a home occupation, other than growing or
1224 storing of plants under subsection C. of this section or a permitted sign, that would cause
1225 the premises to differ from its residential character. Exterior evidence includes, but is not
1226 limited to, lighting, the generation or emission of noise, fumes or vibrations as determined
1227 by using normal senses from any lot line or on average increase vehicular traffic by more

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1228 than four additional vehicles at any given time;

1229 L. Customer visits and deliveries shall be limited to the hours of 8:00 a.m. to 7:00
1230 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends; and

1231 M. Uses not allowed as home occupations may be allowed as a home industry
1232 under K.C.C. 21A.30.090.

1233 SECTION 2119, Ordinance 15606, Section 20, as amended, and K.C.C.

1234 21A.30.085 are each hereby amended to read as follows:

1235 In the A, F and RA zones, residents of a dwelling unit may conduct one or more
1236 home occupations as accessory activities, under the following provisions:

1237 A. The total floor area of the dwelling unit devoted to all home occupations shall
1238 not exceed twenty percent of the dwelling unit.

1239 B. Areas within garages and storage buildings shall not be considered part of the
1240 dwelling unit and may be used for activities associated with the home occupation;

1241 C. Total outdoor area of all home occupations shall be permitted as follows:

1242 1. For any lot less than one acre: Four hundred forty square feet; and

1243 2. For lots one acre or greater: One percent of the area of the lot, up to a
1244 maximum of five thousand square feet.

1245 D. Outdoor storage areas and parking areas related to home occupations shall be:

1246 1. No less than twenty-five feet from any property line; and

1247 2. Screened along the portions of such areas that can be seen from an adjacent
1248 parcel or roadway by the:

1249 a. planting of Type II landscape buffering; or

1250 b. use of existing vegetation that meets or can be augmented with additional

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1251 plantings to meet the intent of Type II landscaping((-));

1252 E. A home occupation or occupations is not limited in the number of employees
1253 that remain off-site. Regardless of the number of home occupations, the number of
1254 nonresident employees is limited to no more than three who work on-site at the same time
1255 and no more than three who report to the site but primarily provide services off-site((-));

1256 F. In addition to required parking for the dwelling unit, on-site parking is provided
1257 as follows:

1258 1. One stall for each nonresident employed on-site; and

1259 2. One stall for patrons when services are rendered on-site;

1260 G. Sales are limited to:

1261 1. Mail order sales;

1262 2. Telephone, Internet or other electronic commerce sales with off-site delivery;

1263 3. Items accessory to a service provided to patrons who receive services on the
1264 premises;

1265 4. Items grown, produced or fabricated on-site; and

1266 5. On sites five acres or larger, items that support agriculture, equestrian or
1267 forestry uses except for the following:

1268 a. motor vehicles and parts (North American Industrial Classification System
1269 ("NAICS" Code 441);

1270 b. electronics and appliances (NAICS Code 443); and

1271 c. building material and garden equipments and supplies (NAICS Code 444);

1272 H. The home occupation or occupations do not:

1273 1. Use electrical or mechanical equipment that results in a change to the

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1274 occupancy type of the structure or structures used for the home occupation or occupations;

1275 2. Cause visual or audible interference in radio or television receivers, or
1276 electronic equipment located off-premises or fluctuations in line voltage off-premises; or

1277 3. Increase average vehicular traffic by more than four additional vehicles at any
1278 given time;

1279 I. Customer visits and deliveries shall be limited to the hours of 8:00 a.m. to 7:00
1280 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

1281 J. The following uses, by the nature of their operation or investment, tend to
1282 increase beyond the limits permitted for home occupations. Therefore, the following shall
1283 not be permitted as home occupations:

1284 1. Hotels, motels or organizational lodging;

1285 2. Dry cleaning~~((=))~~;

1286 3. Automotive towing services, automotive wrecking services and tow-in parking
1287 lots; ~~((and))~~

1288 4. Recreational marijuana processor, recreational marijuana producer or
1289 recreational marijuana retailer~~((=))~~; and

1290 5. Winery, brewery, distillery facility I, II, and III, and remote tasting room;

1291 K. Uses not allowed as home occupation may be allowed as a home industry under
1292 K.C.C. chapter 21A.30; and

1293 L. The home occupation or occupations may use or store vehicles, as follows:

1294 1. The total number of vehicles for all home occupations shall be:

1295 a. for any lot five acres or less: two;

1296 b. for lots greater than five acres: three; and

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- 1297 c. for lots greater than ten acres: four;
- 1298 2. The vehicles are not stored within any required setback areas of the lot or on
- 1299 adjacent streets; and
- 1300 3. The parking area for the vehicles shall not be considered part of the outdoor
- 1301 storage area provided for in subsection C. of this section.

1302 SECTION 220, Ordinance 10870, Section 537, as amended, and K.C.C.

1303 21A.30.090 are each hereby amended to read as follows:

1304 A resident may establish a home industry as an accessory activity, as follows:

1305 A. The site area is one acre or greater;

1306 B. The area of the dwelling unit used for the home industry does not exceed fifty

1307 percent of the floor area of the dwelling unit.

1308 C. Areas within attached garages and storage buildings shall not be considered part

1309 of the dwelling unit for purposes of calculating allowable home industry area but may be

1310 used for storage of goods associated with the home industry;

1311 D. No more than six nonresidents who work on-site at the time;

1312 E. In addition to required parking for the dwelling unit, on-site parking is provided

1313 as follows:

1314 1. One stall for each nonresident employee of the home industry; and

1315 2. One stall for customer parking;

1316 F. Additional customer parking shall be calculated for areas devoted to the home

1317 industry at the rate of one stall per:

1318 1. One thousand square feet of building floor area; and

1319 2. Two thousand square feet of outdoor work or storage area;

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1320 G. Sales are limited to items produced on-site, except for items collected, traded
1321 and occasionally sold by hobbyists, such as coins, stamps, and antiques;

1322 H. Ten feet of Type I landscaping are provided around portions of parking and
1323 outside storage areas that are otherwise visible from adjacent properties or public rights-of-
1324 way;

1325 I. The department ensures compatibility of the home industry by:

1326 1. Limiting the type and size of equipment used by the home industry to those that
1327 are compatible with the surrounding neighborhood;

1328 2. Providing for setbacks or screening as needed to protect adjacent residential
1329 properties;

1330 3. Specifying hours of operation;

1331 4. Determining acceptable levels of outdoor lighting; and

1332 5. Requiring sound level tests for activities determined to produce sound levels
1333 that may be in excess of those in K.C.C. chapter 12.88; ~~((and))~~

1334 J. Recreational marijuana processors, recreational marijuana producers and
1335 recreational marijuana retailers shall not be allowed as home industry; and

1336 K. Winery, brewery, distillery facility I, II, and III, and remote tasting room shall
1337 not be allowed as home industry.

1338 SECTION 234. Ordinance 10870, Section 549, as amended, and K.C.C.

1339 21A.32.120 are each hereby amended to read as follows:

1340 Except as otherwise provided in this chapter or in K.C.C. chapter 21A.45,
1341 temporary use permits shall be limited in duration and frequency as follows:

1342 A. The temporary use permit shall be effective for one year from the date of

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1343 issuance and may be renewed annually as provided in subsection D. of this section;

1344 B.1. The temporary use shall not exceed a total of sixty days in any three-
1345 hundred and sixty five day period. This requirement applies only to the days that the
1346 event or events actually take place.

1347 2. For a winery, brewery, distillery facility II and III in the A ~~((or RA))~~ zones,
1348 the temporary use shall not exceed a total of two events per month and all event parking
1349 ~~((for the events))~~ must be accommodated on site or managed through a parking
1350 management plan approved by the director.

1351 3. For a winery, brewery, distillery facility II and III in the RA zones, the
1352 temporary use shall not exceed a total of twenty-four days in any three-hundred-sixty-
1353 five-day period and all event parking must be accommodated on site or managed through
1354 a parking management plan approved by the director. This requirement applies only to
1355 the days that the event or events actually take place;

1356 4. For a winery, brewery, distillery facility II in the A or RA zones, in addition
1357 to all other relevant facts, the department shall consider building occupancy limits and
1358 parking limitations during permit review, and: ~~The department shall~~ condition the
1359 number of guests allowed for a temporary use based on these limitations. Under no
1360 circumstance ~~No permit shall the department~~ authorize attendance of more than one
1361 hundred twenty-five guests.

1362 5. For a winery, brewery, distillery facility III in the A or RA zones, in addition
1363 to all other relevant facts, the department shall consider building occupancy limits and
1364 parking limitations during permit review, and: ~~The department shall~~ condition the
1365 number of guests allowed for a temporary use based on these limitations. Under no

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1366 ~~circumstance No permit shall the department authorize attendance of more than two~~
1367 ~~hundred fifty guests.~~

Commented [AE16]: Clarifies the language.

1368 6. Events that require a temporary use permit are prohibited for any winery,
1369 brewery, distillery facility I, any nonconforming winery, brewery, distillery facility home
1370 occupation, and any nonconforming winery, brewery, distillery facility home industry.
1371 No temporary use permit shall be issued to the operator or a winery, brewery, distillery
1372 facility I, a nonconforming home occupation winery, brewery, distillery facility or a
1373 nonconforming home industry winery, brewery, distillery facility.

1374 C. The temporary use permit shall specify a date upon which the use shall be
1375 terminated and removed; and

1376 D. A temporary use permit may be renewed annually for up to a total of five
1377 consecutive years as follows:

1378 1. The applicant shall make a written request and pay the applicable permit
1379 extension fees for renewal of the temporary use permit at least seventy days before the
1380 end of the permit period;

1381 2. The department must determine that the temporary use is being conducted in
1382 compliance with the conditions of the temporary use permit;

1383 3. The department must determine that site conditions have not changed since
1384 the original temporary permit was issued; and

1385 4. At least forty-five days before the end of the permit period, the department
1386 shall notify property owners within five hundred feet of the property boundaries that a
1387 temporary use permit extension has been requested and contact information to request
1388 additional information or to provide comments on the proposed extension.

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1389 NEW SECTION. SECTION 242. There is hereby added to K.C.C. chapter
1390 21A.55 a new section to read as follows:

1391 A.1. There is hereby created the Sammamish Valley and Vashon Town Center
1392 wine and adult beverage remote tasting room demonstration project A. The purpose of
1393 demonstration project A is to support agriculture and synergistic development of mixed
1394 use wine and adult beverage facilities in order to boost agritourism and both areas'
1395 reputations as food and adult-beverage destinations.

1396 2. The demonstration project will enable the county to determine if expanded
1397 wine and adult beverage-based uses can be permitted while maintaining the core
1398 functions and purposes of the Rural Area and Agricultural Production District zones. The
1399 expected benefits from the demonstration projects include: developing a clear picture of
1400 wine and adult beverage industry impacts on and benefits to Rural Area and Agricultural
1401 Production District zoned communities, opportunity for additional exposure for locally
1402 sourced agricultural products; and the opportunity to identify and evaluate potential
1403 substantive changes to countywide land use regulations to support the development of
1404 additional areas of unincorporated King County that may benefit from growth in wine
1405 and adult beverage industry agritourism.

1406 B. An application for a demonstration project remote tasting room under this
1407 section shall be approved or denied administratively by the department of permitting and
1408 environmental review based upon compliance with the criteria in subsections D. and E. of
1409 this section. Approval or denial of a remote tasting room application shall not be
1410 construed as applying to any other development application either within the
1411 demonstration project area or elsewhere in the county.

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1412 C. The use that the department may approve pursuant to this Sammamish Valley
1413 and Vashon Town Center wine and beverage tourism demonstration project A shall
1414 include only the following: Remote tasting room as defined in ~~K.C.C. chapter~~
1415 ~~21A.06 section ###12 of this ordinance.~~

Commented [AE17]: Ties this to the definition wherever it gets codified.

1416 D.1. This section allows establishment and operation of a remote tasting room
1417 use.

1418 2. A demonstration project remote tasting room use may be approved, subject to
1419 the following:

1420 a. One or more winery, brewery, distillery facility I, II or III may operate
1421 within one remote tasting room;

1422 b. The aggregated total space devoted to tasting and retail activity shall be
1423 limited to one thousand square feet of gross floor area, not including areas devoted to
1424 storage, restrooms, and similar ~~non-public nonpublic areas back of the house uses;~~

Commented [AE18]: Replaces colloquial term with term used in the parking regulations.

1425 c. Notwithstanding subsection D.2.b. of this section, an additional five hundred
1426 square feet of immediately adjacent outdoor space may be used for tasting, subject to
1427 applicable state regulations limiting sale, service and consumption of alcoholic
1428 beverages;

1429 d. The site must have direct access to an arterial;

1430 e. The remote tasting room site shall not be used as a winery, brewery,
1431 distillery facility I, II or III production facility;

1432 f. Incidental retail sales of products and merchandise related to the products
1433 being tasted is allowed;

1434 g. The hours of operation for the tasting room shall be limited as follows:

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1435 Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to
1436 11:00 a.m. through ~~7~~5:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours
1437 shall be limited to 11:00 a.m. through 9:00 p.m.;

Commented [AE19]: Fixes weekday tasting hours to match Executive's intent.

1438 h. An -adult beverage business license is required, in accordance with K.C.C.
1439 Title 6;

1440 i. A remote tasting room may not operate without proof of Washington state
1441 Liquor and Cannabis Board approval;

1442 j. Events that require a temporary use permit shall be prohibited at remote
1443 tasting rooms; and

1444 k. Parking shall be limited to one hundred fifty percent of minimum required
1445 for retail trade uses in accordance with K.C.C. 21A.18.030.

1446 E.1. To be eligible to use the provisions of this section, a remote tasting room
1447 must be located on a demonstration project site identified in Attachment A to this
1448 ordinance.

1449 2. Projects proposed in accordance with this section must be consistent with
1450 general health, safety and public welfare standards, and must not violate state or federal
1451 law.

1452 3. The criteria in this subsection supersede other variance, modification or
1453 waiver criteria and provisions of K.C.C. Title 21A.

1454 F.1. Projects proposed in accordance with this section may be submitted in
1455 conjunction with an application for an adult beverage business license or a building
1456 permit.

1457 2. Requests shall be submitted to the department in writing, together with any

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1458 supporting documentation and must illustrate how the proposal meets the criteria in
1459 subsections D. and E. of this section.

1460 3. A director's decision regarding a remote tasting room application shall be
1461 treated as a Type I land use decision in accordance with K.C.C. 20.20.020.

1462 G. Applications in accordance with this section may be accepted by the
1463 department of permitting and environmental review only within three years of the
1464 effective date of this ordinance. Remote tasting room uses approved in accordance with
1465 this section may continue as long as an underlying business license or renewal is
1466 maintained, and subject to the nonconformance provisions of K.C.C. chapter 21A.32.

1467 H. One year after the effective date of this ordinance, and on an annual basis for
1468 three years thereafter, the director shall compile a list of demonstration project
1469 applications submitted and related code complaints, if any.

1470 I. After considering the information compiled under subsection H. of this section,
1471 the executive may submit additional proposed legislation extending or otherwise
1472 amending this ordinance within three years of the effective date of this ordinance.

1473 NEW SECTION. SECTION 253. There is hereby added to K.C.C. chapter
1474 21A.55 a new section to read as follows:

1475 A.1. ~~The~~ re is hereby created the Sammamish Valley wine and adult beverage
1476 tourism district demonstration project B. ~~The purpose of the Sammamish valley wine~~
1477 ~~and adult beverage tourism district events~~ demonstration project B is to support
1478 agriculture and synergistic development of mixed use wine and adult beverage facilities
1479 in order to boost agritourism and the area's reputation as a food and adult beverage
1480 destination.

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1481 2. The demonstration project will enable the county to determine if expanded
1482 wine and adult beverage-based uses can be permitted while maintaining the core
1483 functions and purposes of the Rural Area and Agricultural Production District zones. The
1484 expected benefits from the demonstration projects include: developing a clear picture of
1485 wine and adult beverage industry impacts on and benefits to surrounding Rural Area and
1486 Agricultural Production District zoned communities; the opportunity for additional
1487 exposure for locally sourced agricultural products; and the opportunity to identify and
1488 evaluate potential substantive changes to countywide land use regulations to support the
1489 development of additional areas of unincorporated King County that may benefit from
1490 growth in wine and adult beverage industry agritourism.

1491 B. A wine and beverage tourism demonstration project ~~district B~~ application to
1492 modify development standards for on-site winery, brewery, distillery facility III wedding
1493 and events shall be administratively approved by the department of permitting and
1494 environmental review, and upon such an approval K.C.C. chapter 21A.42 review
1495 procedures shall be applied. Demonstration project uses may be approved and
1496 conditioned by the department if compliant with the criteria in K.C.C. 21A.44.040.
1497 Approval of the proposed demonstration project shall not be construed as applying to any
1498 other development application either within the demonstration project area or elsewhere
1499 in the county, and shall not render uses authorized under this section "otherwise
1500 permitted in the zone" under K.C.C. 21A.32.100.A.

1501 C. The ~~director shall waive the following~~ development regulations ~~that shall be~~
1502 ~~waived upon application include the following as part of the conditional use permit review~~
1503 ~~under demonstration project B.;~~

Commented [AE20]: Clarifies language around what is allowed to be waived as part of this demonstration project.

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1504 1. K.C.C. 21A.32.100 through 21A.32.140;

1505 2. K.C.C. 21A.44.020; and

1506 3. K.C.C. 21A.08.080.B.12.1

1507 D.1. A demonstration project authorized by this section allows a winery,
1508 brewery, distillery facility III operator to obtain authorization for on-site weddings and
1509 similar uses pursuant to conditional use review mechanisms in K.C.C. 21A.44.040, and
1510 applicable to those uses under K.C.C. 21A.08.080.A and B;

1511 2. Demonstration project conditional use permits are subject to all King County
1512 Code provisions, including but not limited to, K.C.C. chapters 21A.42 and 20.20, except
1513 those specifically excluded by subsection C. of this section, including but not limited to,
1514 K.C.C. chapters 21A.42 and 20.20.

1515 E.1. Demonstration project applications made in accordance with this section
1516 may only be submitted in relation to an application for a winery, brewery, distillery
1517 facility III conditional use permit or winery, brewery, distillery facility conditional use
1518 permit modification or expansion.

1519 2. Demonstration project applications shall be submitted to the department in
1520 writing before or in conjunction with an application for a winery, brewery, distillery
1521 facility III conditional use permit or an application for a winery, brewery, distillery
1522 facility III conditional use permit modification or expansion. The supporting
1523 documentation must illustrate how the proposal meets the criteria in K.C.C 21A.44.040.

1524 3. A demonstration project conditional use permit, conditional use modification
1525 or conditional use expansion decision shall be treated as a Type II land use decision in
1526 accordance with K.C.C. 20.20.020.

Commented [AE21]: Clarifies that an applicant must comply with 21A.42 and 20.20.

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1527 F.1. To be eligible to use the provisions of this section, a demonstration project
1528 must be located on a demonstration project site identified in Attachment B to this
1529 ordinance.

1530 2. Demonstration project applications must be consistent with general health,
1531 safety and public welfare standards, and must not violate state or federal law.

1532 G. Demonstration project applications authorized by this section shall be filed
1533 with the department of permitting and environmental review within three years of the
1534 effective date of this ordinance. Conditional uses permitted under this section are subject
1535 to the nonconformance provisions of K.C.C. Title 21A.32. Any deadline in this
1536 subsection shall be adjusted to include the time for appeal of all or any portion of the
1537 project approval.

1538 H. One year after the effective date of this ordinance, and on an annual basis for
1539 three years thereafter, the director shall compile a list of demonstration project
1540 applications, an evaluation of the impacts of wedding and similar uses authorized
1541 pursuant to demonstration project conditional use permits, and related code complaints, if
1542 any.

1543 I. The executive may submit additional proposed legislation reflecting
1544 information compiled under subsection H~~2~~ of this section within three years of the
1545 effective date of this ordinance.

1546 SECTION 246. Ordinance 13623, Section 37, as amended, and K.C.C. 23.32.010
1547 are each hereby amended to read as follows:

1548 A.1. Civil fines and civil penalties for civil code violations shall be imposed for
1549 remedial purposes and shall be assessed for each violation identified in a citation, notice

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1550 and order, voluntary compliance agreement or stop work order pursuant to the following
1551 schedule:

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

II and II and remote tasting room:

- | | |
|--|---|
| (1) with no previous similar code violations | \$100 |
| (2) with no previous code violations of K.C.C. chapter 12.86 within the past twelve months | \$125 |
| (3) with one previous code violation of K.C.C. chapter 12.86 within the past twelve months | \$250 |
| (4) with one or more previous similar code violations, or with two previous code violations of K.C.C. chapter 12.86 within the past twelve months | \$500 |
| (5) with two or more previous violations of K.C.C. Title 10, or three or more previous code violations of K.C.C. chapter 12.86 within the past twelve months | Double the rate of the previous penalty |

b. citations for violations of winery, brewery,

~~distillery~~distillery facility I, II, and III and remote tasting room

zoning conditions, including but not limited to unapproved

events:

- | | |
|--|----------------|
| (1) <u>with no previous similar code violations</u> | <u>\$500</u> |
| (2) <u>with one or more previous similar code violations</u> | <u>\$1,000</u> |

within the past twelve months:

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

(1) stop work order basic penalty \$500

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

basic penalty

(3) additional initial penalties may be added in the

following amounts for violations where there is:

(a) public health risk \$15

(b) environmental damage risk \$15

(c) damage to property risk \$15

(d) one previous similar code violation \$25

(e) two previous similar code violations \$50

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

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

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

K.C.C. 23.02.140.

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

(1) first reinspection, which shall occur no sooner than \$150

the day following the date compliance is required by the notice and order

(2) second reinspection, which shall occur no sooner than \$300

fourteen days following the first reinspection

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(3) third reinspection, which shall occur no sooner than \$450
fourteen days following the second reinspection

(4) reinspection after the third reinspection, which shall \$450
only be conducted immediately preceding an administrative
or court ordered abatement or at the direction of the
prosecuting attorney for the purpose of presenting evidence in
the course of litigation or administrative hearing against the
person responsible for code compliance

1552 2. For the purposes of this section, previous similar code violations that can
1553 serve as a basis for a higher level of civil penalties include violations of the same chapter
1554 of the King County Code. Any citation, stop work order or notice and order previously
1555 issued by the department shall not constitute a previous code violation for the purposes of
1556 this section if that stop work order or notice and order was appealed and subsequently
1557 reversed.

1558 B. The penalties assessed pursuant to this section for any failure to comply with a
1559 notice and order or voluntary compliance agreement shall be assessed daily, according to
1560 the schedule in subsection A of this section, for the first thirty days following the date the
1561 notice and order or voluntary compliance agreement required the code violations to have
1562 been cured. If after thirty days the person responsible for code compliance has failed to
1563 satisfy the notice and order or voluntary compliance agreement, penalties shall be
1564 assessed daily at a rate of double the rate for the first thirty days. Penalties may be
1565 assessed daily until the person responsible for code compliance has fully complied with
1566 the notice and order.

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1567 C. Penalties based on violation of a stop work order shall be assessed, according
1568 to the schedule in subsection A. of this section, for each day the department determines
1569 that work or activity was done in violation of the stop work order.

1570 D. Citations and cleanup restitution payments shall only be subject to a one-time
1571 civil penalty.

1572 E. The director may suspend the imposition of additional civil penalties if the
1573 person responsible for code compliance has entered into a voluntary compliance
1574 agreement. If the person responsible for code compliance enters into a voluntary
1575 compliance agreement and cures the code violations, the director may also waive all or
1576 part of the accrued civil penalties in accordance with K.C.C. 23.32.050. Penalties shall
1577 begin to accrue again pursuant to the terms of the voluntary compliance agreement if any
1578 necessary permits applied for are denied, canceled or not pursued, or if corrective action
1579 identified in the voluntary compliance agreement is not completed as specified.

1580 F. The civil penalties in this section are in addition to, and not in lieu of, any
1581 penalties, sanctions, restitution or fines provided for in any other provisions of law.

1582 SECTION 275. Severability. If any provision of this ordinance or its application
1583 to any person or circumstance is held invalid, the remainder of the ordinance or the
1584 application of the provision to other persons or circumstances is not affected."

1585

1586 **EFFECT: This technical striker makes clarifying edits, and corrects drafting errors**
1587 **so that the Proposed Ordinance matches the Executive's intent.**

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**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
Chair’s Conceptual Striking Amendment**

Issue #	Proposed Change	Chair’s Direction
1	<p>Sections 3 through 9 add a new chapter in Title 6 – business licenses</p> <p>This adds a new requirement to get a business license for wineries, breweries, and distilleries, and remote tasting rooms.</p> <p>The business license fee would be \$100 for initial and renewal of licenses.</p>	7/11 – ok with Executive’s proposal.
2	<p>Section 10: Repeals existing definition of winery:</p> <p>An establishment primarily engaged in one or more of the following:</p> <ul style="list-style-type: none"> 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. 	6/28 – ok with Executive’s proposal.
3	<p>Section 11: Adds a definition for adult beverage business:</p> <p>An adult beverage business means a winery, brewery, distillery or cidery, and remote tasting rooms for any of those businesses.</p>	6/28 – ok with Executive’s proposal.

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
Chair’s Conceptual Striking Amendment**

Issue #	Proposed Change	Chair’s Direction
4	<p>Section 12: Adds a definition for remote tasting room:</p> <p>A small facility approved by the Washington state Liquor and Cannabis Board as a remote tasting room for a licensed winery, brewery or distillery that is operating at a location other than the licensed winery, brewery or distillery production facility, for the purpose of the retail sale and sampling of the licensed product.</p>	<p>6/28 – revise the language so that breweries and distilleries can participate in the demonstration project. Be clear that additional endorsements, and other retail liquor licenses (bars and restaurants) would not be allowed – farmers market allowances may have language to use.</p>
5	<p>Section 13: Adds a definition for winery, brewery, distillery facility I:</p> <p>A very small establishment licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits and where on-site product tasting or retail sale of merchandise does not occur.</p>	<p>6/28 – add a maximum size qualifier</p>
6	<p>Section 14: Adds a definition for winery, brewery, distillery facility II:</p> <p>A small scale production facility licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits and that includes an adult beverage production use such as crushing, fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility II may include additional product-related uses such as vineyards, orchards, wine cellars or similar product-</p>	<p>6/28 – add a maximum size qualifier</p>

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
Chair’s Conceptual Striking Amendment**

Issue #	Proposed Change	Chair’s Direction
	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.	
7	<p>Section 15: Adds a definition for winery, brewery, distillery facility III:</p> <p>An establishment licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits and that includes an adult beverage production use such as crushing, fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility III may include additional product-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law, on-site product tasting as authorized by state law, and sales of merchandise related to products available as authorized by state law.</p>	6/28 – ok with Executive’s proposal. With changes to I and II definitions to add size qualifiers, ensure no changes are needed to facility III definition.
8	<p>Section 17: Modifies parking requirements:</p> <p>Requires for WBD II facilities, 0.9 per 1,000 square feet plus 1 per 300 square feet of tasting area (existing code is 1 per 50 square feet of tasting area).</p> <p>Does not specify parking requirements for other WBD facilities.</p>	6/28 – keep existing parking ratio of 1:50sf for tasting. Add language to the demonstration projects to evaluate parking needs/impacts.

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
Chair’s Conceptual Striking Amendment**

Issue #	Proposed Change	Chair’s Direction
9	<p>Section 18: Modifies home occupation requirements (R, UR, NB, CB and RB zones):</p> <p>Prohibits all WBD facilities and remote tasting rooms.</p>	6/28 – ok with Executive’s proposal.
10	<p>Section 19: Modifies home occupation requirements (A, F and RA zones):</p> <p>Prohibits all WBD facilities and remote tasting rooms.</p>	6/28 – ok with Executive’s proposal.
11	<p>Section 20: Modifies home industry requirements:</p> <p>Prohibits all WBD facilities and remote tasting rooms.</p>	6/28 – allow WBD as a home industry. (see modified conditions in HIP section).
12	<p>Section 21: Modifies temporary use permit requirements:</p> <p>For WBD II and III in A zones, events limited to 2 per month and all parking must be accommodated on site or through a plan approved by the director.</p> <p>For WBD II and III in RA zones, events limited to 24 within a one-year period and all parking must be accommodated on site or through a plan approved by the director.</p>	<p>6/28 –</p> <ul style="list-style-type: none"> • add language that specifies when a TUP is required. Include events that exceed the building occupancy, that require portable toilets and additional parking as criteria, but exclude those that have stages or tents. • Include language that events within the normal business hours do not require a TUP. • Allow 24 events per year in Ag zone. • WBD II allowed 150 guests (WBD III ok with 250)

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
Chair’s Conceptual Striking Amendment**

Issue #	Proposed Change	Chair’s Direction
	<p>For WBD II in A and RA zones, consider building occupancy limits and parking limitations during permit review, shall condition the number of guests and shall not be more than 125 guests.</p> <p>For WBD III in A and RA zones, consider building occupancy limits and parking limitations during permit review, shall condition the number of guests and shall not be more than 250 guests.</p> <p>No events or temporary use permits for WBD I, nonconforming home occupations, home industries.</p> <p>WBD II and III in other zones are allowed 60 days a year</p>	
13	<p>Section 22: Adds a Sammamish Valley and Vashon Town Center wine and adult beverage remote tasting room demonstration project A.</p> <ul style="list-style-type: none"> • Administrative approval by DPER – as a Type I land use decision • May apply for approval simultaneously as business license application • Allowed uses under the demonstration project limited to remote tasting room. • Adds criteria for remote tasting room: <ul style="list-style-type: none"> ○ One or more WBD I, II or III may operate 	<p>6/28 –</p> <ul style="list-style-type: none"> • Add Fall City Rural Town, CB zoning only, as third area. • Add language to the demonstration projects to evaluate parking needs/impacts. • Add more robust evaluation language. Include the nearby City’s, and CSA groups, views of the overlays. Include evaluation of the businesses to survive/profit with the regulations. • Require a Council action to end the overlay. Remove the provision that has DPER stop accepting applications automatically after 3 years.

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
Chair’s Conceptual Striking Amendment**

Issue #	Proposed Change	Chair’s Direction
	<ul style="list-style-type: none"> ○ Total space for tasting and retail is 1,000sf plus storage, restroom, back-of-the-house uses ○ Additional 500sf of outdoor space allowed ○ Direct access to an arterial ○ No production allowed ○ Incidental retail sales of products related to products tasted allowed ○ Hours of operation M-Th 11am-5pm, F-S 11am-9pm ○ Need a liquor license ○ No events or temporary use permits ○ Parking maximum of 150 percent of minimum required ● Only allowed in area identified in Attachment A to ordinance. ● Must be consistent with general health, safety and welfare. ● Supersedes other variance, modification and waiver criteria in Title 21A. ● Demonstration project A is in effect for 3 years from effective date of the ordinance, after which the remote tasting rooms would become nonconforming. ● Annually, DPER compiles a list of applications submitted and related code complaints. ● The Executive may submit additional proposed legislation extending or amending this ordinance within the 3 year demonstration project. 	<p>6/29 – Executive staff suggest that the allowance be narrowed to either the Town Core, or the CB zoned land within the Rural Town.</p> <p>7/11 – will reduce the scope of the Vashon overlay to either the Town Core or CB zoning in the Rural Town.</p>

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
Chair’s Conceptual Striking Amendment**

Issue #	Proposed Change	Chair’s Direction
14	<p>Section 23: Adds a Sammamish Valley wine and adult beverage tourist district events demonstration project B.</p> <ul style="list-style-type: none"> • Administrative approval by DPER, using review procedures in 21A.42 and decision criteria in 21A.44.040 (for CUPs) • Allowed for WBD III • Waives requirements in 21A.32.100 through .140; 21A.44.020 and 21A.08.080.B.12.I • Allowed to obtain authorization for on-site weddings and similar uses under the CUP • No waiver from other requirements (including review procedures) • Only allowed with an application for a new or modified CUP for WBD III, either in conjunction with that application or before. Must demonstrate compliance with 21A.44.040. • CUPs are a Type II land use decision • Only allowed in area identified in Attachment B to ordinance. • Must be consistent with general health, safety and welfare. • Demonstration project B is in effect for 3 years from effective date of the ordinance (plus any time for appeal timelines), after which the CUPs would become nonconforming. 	<p>6/28 –</p> <ul style="list-style-type: none"> • During the 3-year demonstration period properties in overlay B cannot be consolidate to create a winery. • Evaluate water use and compliance with Hirst. During the course of the counties work to comply with Hirst Legislation we will also evaluate the impact of various types of businesses on water evaluation. • Add more robust evaluation language. Include the nearby City’s, and CSA groups, opinions of the overlays. Include evaluation of the businesses to survive/profit with the regulations. • Require a Council action to end the overlay. Remove the provision that has DPER stop accepting applications automatically after 3 years.

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
Chair’s Conceptual Striking Amendment**

Issue #	Proposed Change	Chair’s Direction
	<ul style="list-style-type: none"> Annually, DPER compiles a list of applications submitted, evaluation of impacts of events authorized by the demonstration project, and related code complaints. The Executive may submit additional proposed legislation within the 3 year demonstration project. 	
15	<p>Section 24: Modifies citation penalty:</p> <p>Adds specific citations for WBD I, II, II and remote tasting rooms: \$500 for first violation, and \$1,000 for subsequent violations</p> <p>(existing code is \$100 for first violation, \$500 for subsequent violations)</p>	<p>6/28 –</p> <ul style="list-style-type: none"> Modify the citation penalties: <ul style="list-style-type: none"> 1st violation – written warning plus discretion to fine up to \$100 2nd violation - written warning plus discretion to fine up to \$200 3rd violation - written warning plus discretion to fine up to \$500 4th violation - \$750 5th violation - \$1,000 <p>Subsequent: Notice and Order process with civil penalties. Review whether to suspend or revoke KCC business license, or not renew it.</p>

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
Chair’s Conceptual Striking Amendment**

Issue #	Proposed Change	Chair’s Direction
16	<p>Section 16: Modifies the Manufacturing land use table:</p> <p>Adds WBD I, WBD II, and WBD III to the permitted use table and permits them in multiple zones, either as permitted outright with development conditions or with a conditional use permit with development conditions in several zones.</p> <p>Modifies development conditions for WBD facilities related to minimum lot size, floor area, parking area, setbacks, product content, location of facilities on farmland, tasting hours, site access, business license, events, connection to water supply, growing requirements, and employee maximums.</p>	<p>See separate tables on following pages for changes to this table.</p>

Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations Chair’s Conceptual Striking Amendment

Manufacturing Table - Agriculture Zones – Production Facilities

Note: if the Chair’s Direction cell is blank, then the Executive’s transmittal is agreed to

Issue #	Condition	Proposed Ordinance 2018-0241	Chair’s Direction	Proposed Ordinance 2018-0241	Chair’s Direction
		WBD II (DC#3)		WBD III (DC#12)	
17	Type of Permit	Permitted– only as an accessory to agricultural use		Conditional Use	
18	Min. Lot Size	2.5 acres		4.5 acres Except if floor area is over 6,000 square feet, the minimum lot size is 10 acres	
19	Max. Building Size	3,500 sf (historic buildings maximum is 5,000 sf)	For historic buildings, 5,000sf is the maximum building footprint. Total square footage is not limited. Decks that are not occupied and not open to the public are excluded from the calculation for aggregated floor area.	Maximum floor area 8,000 sf; additional 8,000 sf for underground storage	Decks that are not occupied and not open to the public are excluded from the calculation for aggregated floor area.
20	Tastings	Tasting of products produced on-site, and no extra floor area allowed for tasting Hours for on-site tasting: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm	Hours for on-site tasting: Sun-Th: 11am – 9pm F-Sat: 11am – 11pm (but no outdoors tasting past 10pm)	Tasting of products produced on-site, and no extra floor area allowed for tasting Hours for on-site tasting: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm	Hours for on-site tasting: Sun-Th: 11am – 9pm F-Sat: 11am – 11pm (but no outdoors tasting past 10pm)

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
Chair’s Conceptual Striking Amendment**

Issue #	Condition	Proposed Ordinance 2018-0241	Chair’s Direction	Proposed Ordinance 2018-0241	Chair’s Direction
		WBD II (DC#3)		WBD III (DC#12)	
21	Events	Up to 2 events/month with TUP. Max. size = 125 guests; parking accommodated on-site or managed through parking plan	Up to 24 events/year with TUP. Max. size = 150 guests; parking accommodated on-site or managed through parking plan	Up to 2 events/month with TUP. Max. size = 250 guests; parking accommodated on-site or managed through parking plan	Up to 24 events/year with TUP. Max. size = 250 guests; parking accommodated on-site or managed through parking plan
22	Water	Not specified		Must connect to existing Group A water system, or existing Group B water system if Group A water system not available	Maintain existing code: Meet requirements for water and wastewater; water meters required for use of wells
23	Access	Direct access from an arterial	Add CUP allowance for Ag zone (like for RA zone) Access must be provided either through: <ul style="list-style-type: none"> • Direct access to an arterial or within one street to an arterial • Legal access to an arterial but physical access within one street to an arterial • Agreement from neighbors 	Direct access from an arterial	Access must be provided either through: <ul style="list-style-type: none"> • Direct access to an arterial or within one street to an arterial • Legal access to an arterial but physical access within one street to an arterial • Agreement from neighbors
24	Product Content	60% of product to be processed must be grown on site.	60% of land must be in agricultural production. For properties larger than 100 acres, 75% of prime ag soils must be in production.	60% of product to be processed must be grown on site.	60% of land must be in agricultural production. For properties larger than 100 acres, 75% of prime ag soils must be in production.

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
Chair’s Conceptual Striking Amendment**

Issue #	Condition	Proposed Ordinance 2018-0241	Chair’s Direction	Proposed Ordinance 2018-0241	Chair’s Direction
		WBD II (DC#3)		WBD III (DC#12)	
25	Production/ Facility Location	Required Non-agricultural facility uses must be on portion of the property unsuitable for agricultural production purposes.	Non-agricultural facility uses must be on portion of the property least suitable for agricultural production purposes.	Required Non-agricultural facility uses must be on portion of the property unsuitable for agricultural production purposes.	Non-agricultural facility uses must be on portion of the property least suitable for agricultural production purposes.
26	Parking	0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting area Limited to 150% of minimum required	Tasting ratio is 1 per 50 square feet	Determined through CUP	
27	Setbacks	75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.	Allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25’	75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.	Allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25’
28	KC Bus. License	Required		Required	

Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations Chair’s Conceptual Striking Amendment

Manufacturing Table – Rural Area Zones – Production Facilities

Note: if the Chair’s Direction cell is blank, then the Executive’s transmittal is agreed to

Issue #	Issue/Condition	Proposed Ordinance 2018-0241	Chair’s Direction	Proposed Ordinance 2018-0241	Chair’s Direction	Proposed Ordinance 2018-0241	Chair’s Direction
		WBD I (DC#30)		WBD II (DC#3 and DC#31)		WBD III (DC#12)	
29	Type of Permit	Permitted – only one nonresident employee allowed	Move WBD I to a residential accessory use. Allow in RA and A zones.	Permitted Conditional Use		Conditional Use	
30	Min. Lot Size	None		P and C: 2.5 acres		4.5 acres Except if floor area is over 6,000 square feet, the minimum lot size is 10 acres	
31	Max. Building Size	1,500 sf		P and C: 3,500 sf (historic buildings maximum is 5,000 sf)	For historic buildings, 5,000sf is the maximum building footprint. Total square footage is not limited. Decks that are not occupied and not open to the public are excluded from the calculation for aggregated floor area.	Maximum floor area 8,000 sf; additional 8,000 sf for underground storage	Decks that not occupied and are not open to the public are excluded from the calculation for aggregated floor area.

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
Chair’s Conceptual Striking Amendment**

Issue #	Issue/Condition	Proposed Ordinance 2018-0241	Chair’s Direction	Proposed Ordinance 2018-0241	Chair’s Direction	Proposed Ordinance 2018-0241	Chair’s Direction
		WBD I (DC#30)		WBD II (DC#3 and DC#31)		WBD III (DC#12)	
32	Tastings	Not allowed	Tastings allowed by appointment only. No more than 10 people/appointment. Limitations on when the hours can be (similar to allowances for other facilities) Allow on-site sales of items produced on-site and incidental items.	P and C: Tasting of products produced on-site, and no extra floor area allowed for tasting Hours for on-site tasting: Mon-Th: 11am – 7pm F-Sun: 11am – 9pm	Hours for on-site tasting: Sun-Th: 11am – 9pm F-Sat: 11am – 11pm (but no outdoors tasting past 10pm)	Tasting of products produced on-site, and no extra floor area allowed for tasting Hours for on-site tasting: Mon-Th: 11am – 7pm F-Sun: 11am – 9pm	Hours for on-site tasting: Sun-Th: 11am – 9pm F-Sat: 11am – 11pm (but no outdoors tasting past 10pm)
33	Events	Not allowed	2/year, up to 50 people	Up to 24 days/year with TUP. Max. size = 125 guests; parking accommodated on-site or managed through parking plan	150 guests	Up to 24 days/year with TUP Max. size = 250 guests; parking accommodated on-site or managed through parking plan	
34	Water	Not specified		Not specified		Must connect to existing Group A water system, or existing Group B water system if Group A water system not available	Maintain existing code: Meet requirements for water and wastewater; water meters required for use of wells

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
Chair’s Conceptual Striking Amendment**

Issue #	Issue/Condition	Proposed Ordinance 2018-0241	Chair’s Direction	Proposed Ordinance 2018-0241	Chair’s Direction	Proposed Ordinance 2018-0241	Chair’s Direction
		WBD I (DC#30)		WBD II (DC#3 and DC#31)		WBD III (DC#12)	
35	Access	Not specified		P: Direct access from an arterial C: Direct access from public roadway.	Access must be provided either through: <ul style="list-style-type: none"> • Direct access to an arterial or within one street to an arterial • Legal access to an arterial but physical access within one street to an arterial • Agreement from neighbors 	Direct access from an arterial	Access must be provided either through: <ul style="list-style-type: none"> • Direct access to an arterial or within one street to an arterial • Legal access to an arterial but physical access within one street to an arterial • Agreement from neighbors
36	Product Content	None		None		None	
37	Production/ Facility Location	Required		Required		Required	

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
Chair’s Conceptual Striking Amendment**

Issue #	Issue/Condition	Proposed Ordinance 2018-0241	Chair’s Direction	Proposed Ordinance 2018-0241	Chair’s Direction	Proposed Ordinance 2018-0241	Chair’s Direction
		WBD I (DC#30)		WBD II (DC#3 and DC#31)		WBD III (DC#12)	
38	Parking	One parking stall allowed for nonresident employee	Add a parking ratio for tastings, 1 per 50 square feet	0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting area P: Limited to 150% of minimum required C: Determined through CUP	Tasting ratio is 1 per 50 square feet	Determined through CUP	
39	Setbacks	75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.	Allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25’	P and C: 75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.	Allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25’	75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.	Allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25’
40	KC Bus. License	Required		P and C: Required		Required	

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
Chair’s Conceptual Striking Amendment**

Manufacturing Table – Urban Reserve Zone – Production Facilities

Issue #	Issue/Condition	Proposed Ordinance 2018-0241			Chair’s Direction
		WBD I (DC#30)	WBD II (DC#3)	WBD III (DC#12)	
41					Remove allowance for WBD in the UR zone. These facilities would not be permitted in the UR zone. Don’t want to bind the Cities to these regulations, want to learn from the pilot first, and each UR zone is unique (one-size regulations may not work).
	Type of Permit	Permitted – only one nonresident employee allowed	Permitted	Conditional Use	
	Min. Lot Size	None	2.5 acres	4.5 acres Except if floor area is over 6,000 square feet, the minimum lot size is 10 acres	
	Max. Building Size	1,500 sf	3,500 sf (historic buildings maximum is 5,000 sf)	Maximum floor area 8,000 sf; additional 8,000 sf for underground storage	
	Tastings	Not allowed	Tasting of products produced on-site, and no extra floor area allowed for tasting Hours for on-site tasting: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm	Tasting of products produced on-site, and no extra floor area allowed for tasting Hours for on-site tasting: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm	
	Events	Not allowed	60 days in a one-year period Max. size = no limit Parking not specified	60 days in a one-year period Max. size = no limit Parking not specified	

**Proposed Ordinance 2018-0241 – Winery/Brewery/Distillery Regulations
Chair’s Conceptual Striking Amendment**

Issue #	Issue/Condition	Proposed Ordinance 2018-0241			Chair’s Direction
		WBD I (DC#30)	WBD II (DC#3)	WBD III (DC#12)	
41					Remove allowance for WBD in the UR zone. These facilities would not be permitted in the UR zone. Don’t want to bind the Cities to these regulations, want to learn from the pilot first, and each UR zone is unique (one-size regulations may not work).
	Water	Not specified	Not specified	Must connect to existing Group A water system, or existing Group B water system if Group A water system not available	
	Access	Not specified	Direct access from an arterial	Direct access from an arterial	
	Product Content	None	None	None	
	Production/ Facility Location	Required	Required	Required	
	Parking	One parking stall allowed for nonresident employee	0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting area Limited to 150% of minimum required	Determined through CUP	
	Setbacks	75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.	75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.	75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas.	
	KC Bus. License	Required	Required	Required	

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Manufacturing Table – Commercial and Industrial Zones – Production Facilities

Note: if the Chair’s Direction cell is blank, then the Executive’s transmittal is agreed to

Issue #	Issue/Condition	Proposed Ordinance 2018-0241	Chair’s Direction	Proposed Ordinance 2018-0241	Chair’s Direction
		NB and CB		RB and I	
42	Type of Permit	WBD I – not permitted WBD II – permitted (DC#17) WBD III – conditional use (DC#29)		WBD I – not permitted WBD II – permitted (DC#29) WBD III – conditional use (DC#29)	In I zone, limit to breweries and distilleries. No wineries or remote tasting rooms.
43	Min. Lot Size	None		None	
44	Max. Building Size	WBD II – 3,500 sf, except historic buildings are 5,000 sf	For historic buildings, 5,000sf is the maximum building footprint. Total square footage is not limited. Decks that are not occupied and not open to the public are excluded from the calculation for aggregated floor area.	None	
45	Tastings	WBD II – Tasting of products produced on-site, and no extra floor area allowed for tasting	Add tasting allowance to WBD III for consistency.	Not specified	Add tasting allowance to II and III for consistency. Prohibit remote tasting rooms in I zone (tasting with production okay) Add a limitation on tasting size in the I zone.
46	Events	WBD II and III – with a TUP, 60 days in a one-year period Max. size = no limit Parking not specified		WBD II and III – with a TUP, 60 days in a one-year period Max. size = no limit Parking not specified	
47	Water	None		None	
48	Access	None		None	

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		NB and CB		RB and I	
49	Product Content	None		None	
50	Production/Facility Location	Not specified		Not specified	
51	Parking	WBD II – 0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting area WBD III – not specified	Tasting ratio is 1 per 50 square feet	WBD II – 0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting area WBD III – not specified	Tasting ratio is 1 per 50 square feet
52	Setbacks	WBD II – 75 feet from RA and R zones, except historic buildings; 5 or 10 feet from all other zones. Includes parking areas. WBD III – 5 or 10 feet	Require 75’, but allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25’	5 or 10 feet	Require 75’, but allow the setback to be modified through a CUP. Require screening and other mitigation to reduce it to 25’.
53	KC Bus. License	WBD II and III– Required		WBD II and III– Required	

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Retail Table – Commercial Zones – Remote Tasting Rooms Countywide

These concepts are still under consideration by the PRE Chair.

Issue #	Issue/Condition	Proposed Ordinance 2018-0241	Chair’s Direction
		CB and RB	CB and RB
54	Type of Permit	Not proposed by Executive’s transmittal	Permitted inside urban areas, and within the demonstration project areas subject to the requirements in 21A.55.
55	Min. Lot Size		None
56	Max. Building Size		None
57	Tastings		Allowed
58	Events		Subject to standard TUP requirements (60 days per/year, maximum guests determined through review process)
59	Water		Not specified
60	Access		Not specified
61	Product Content		None
62	Production/Facility Location		Not required
63	Parking		Add this use to table, require 1 per 50sf of area open to the public
64	Setbacks		None
65	KC Bus. License		Required

Residential Table - Home Industry – Production Facilities

Issue #	Standards	Home Industry - A, RA, UR, R1-8 zones	Chair’s Direction
66	Permit Required	Conditional Use Permit	
67	Definition	a limited-scale sales, service or fabrication activity undertaken for financial gain, which occurs in a dwelling unit or residential accessory building, or in a barn or other resource accessory building and is subordinate to the primary use of the site as a residence	Allow WBD in A and RA zones as home industry. Business license required.

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Issue #	Standards	Home Industry - A, RA, UR, R1-8 zones	Chair’s Direction
68	Number of businesses	One	
69	Minimum lot size	1 acre	0.75 acres
70	Total floor area	50% of dwelling unit floor area, plus garages and storage buildings	
71	Indoor/Outdoor Requirements	Setbacks and screening determined by permit review to protect adjacent residences. Outdoor storage and parking: screened from adjacent properties or public ROW	
72	Employees	On-site – Maximum 6 nonresident employee	
73	Prohibited uses	<ul style="list-style-type: none"> Recreational marijuana processors, recreational marijuana producers and recreational marijuana retailers 	
74	Parking	1 stall for each nonresident employee 1 stall for customers, plus 1 stall per 1,000 sf of floor area plus 1 stall per 2,000 sf of outdoor area	
75	Sales	On-site sales limited to items produced on-site, except collectors (coins, stamps, antiques)	
76	On-site Services		
77	Vehicle Storage		
78	Electrical/equipment restrictions	Equipment must be compatible with surrounding neighborhood.	
79	Exterior evidence	Appropriate levels of lighting, sound levels/tests determined in permit review.	
80	Traffic impacts		
81	Visits to site	Hours of operation determined in permit review.	Same as WBD I: by appointment, limit 10 people/appointment, limited hours/appointments per day

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Demonstration Projects – Remote Tasting Room Overlay A and Tourist Events Overlay B

Note: if the Chair’s Direction cell is blank, then the Executive’s transmittal is agreed to

Issue #		Tasting Room in Overlay A	Chair’s Direction	Winery III in Overlay B	Chair’s Direction
82	Use	Allows a remote tasting room One or more WBD I, II, III allowed to operate		On-site weddings and similar uses with a WBD III	
83	Type of Permit	Permitted – Type 1 land use permit		Conditional Use	
84	Areas allowed	Sammamish Valley area Vashon Rural Town (map provided)	Extend Sammamish Valley north from Woodinville City limits (up to Castillo’s existing facilities/Tolt Pipeline) Vashon Town Center or CB zoning, not entire Rural Town Add CB zoning in Fall City Rural Town	Sammamish Valley area	
85	Min. Lot Size	None		Specified by underlying zoning	
86	Max. Building Size	1,000 sf for tasting and retail only 500 sf outdoors		Specified by underlying zoning	
87	Tastings	Tasting hours: Mon-Th: 11am – 7pm F-Sun: 11am – 9 pm	Tasting hours Sun-Th: 11am – 9pm F-Sat: 11am – 11pm (but no outdoors tasting past 10pm)	Specified by underlying zoning	
88	Sales	Incidental retail sales of products related to tasting allowed		Specified by underlying zoning	

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Issue #		Tasting Room in Overlay A	Chair’s Direction	Winery III in Overlay B	Chair’s Direction
89	Events	Not allowed	2/year. Max 50 people.	No specific limit – conditions set with CUP w/ annual monitoring of impacts	
90	Water	Not specified		Specified by underlying zoning	
91	Access	Direct access from an arterial	No access requirement.	Specified by underlying zoning	
92	Product Content	None		Specified by underlying zoning	
93	Production	Not allowed	Not required	Specified by underlying zoning	
94	Parking	1 space per 300 square feet Limited to 150% of minimum required	1 per 50sf of tasting/retail area (same exclusion on non-public space as Executive’s proposal)	Specified by underlying zoning	
95	Setbacks	Not specified		Specified by underlying zoning	
96	KC Bus. License	Required, and LCB approval require		Specified by underlying zoning	
97	Demonstration Project Review	3 years with annual review. Code amendments within 3 years of this ordinance.		3 years with annual review. Code amendments within 3 years of this ordinance.	