

Cover Page

Subject: Appeal of Adult Beverage Business License Application Denial
Case Number: BUSL20-0011-Cashmere Partners, LLC (D.b.a Château Lill)

List of Documents:

1. Applicant Email and Statement of Appeal (pg 2-22)
2. Summary of Charges: Proof of Payment for Business License and Appeal Fee (pg 23)
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4. BUSL20-0011 Application Material Submitted for Renewal (pg 28-39)
5. BUSL20-0011 BUSL20-0011 6-month Conditional Adult Beverage Business License Response Letter, 6-month Extension Letter, and Application Material (pg 40-70)

Document 1: Applicant Email and Statement of Appeal

Clauss, Warren

From: Maddi Warnock <mwarnock@mhseattle.com>
Sent: Friday, July 15, 2022 2:36 PM
To: DPER, Billing Hotline; Clauss, Warren
Cc: Hearing Examiner, King County Council; Oscoy, Jessica; Madden, Lena; Courtney Flora; Sarah Willis
Subject: Appeal Statement - Adult Beverage Business License Denial #BUSL20-0011
Attachments: 2022-07-15 Chateau Lill Appeal.pdf; 2022-07-15 DOS re Chateau Lill Appeal.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL Email Notice!] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Hello,

Please find attached:

- 1) Notice of Appeal of Adult Beverage Business License Denial Dated December 16, 2021; and
- 2) Declaration of Service

For filing and service in the above-referenced case. As per my phone call with Warren Clauss this afternoon, we are requesting to pay the \$250.00 appeal fee by credit card. Please open a payment for the appeal at your earliest convenience.

Thank you for your time and attention to this matter.

Sincerely,

Maddi Warnock
Legal Assistant
MCCULLOUGH HILL LEARY, PS
701 Fifth Avenue, Suite 6600
Seattle, Washington 98104
Tel: 206.812.3388
Fax: 206.812.3389
mwarnock@mhseattle.com
www.mhseattle.com

NOTICE: This communication may contain privileged or confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

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BEFORE THE OFFICE OF THE
KING COUNTY HEARING EXAMINER

In Re Appeal of Cashmere Corporation f/k/a
Cashmere Partners, Inc. and Cedar Pond 14208
LLC,

Appellant,

v.

KING COUNTY,

Respondent.

No.

NOTICE OF APPEAL OF ADULT
BEVERAGE BUSINESS LICENSE
DENIAL DATED DECEMBER 16, 2021

Cashmere Corporation and Cedar Pond 14208 LLC (“Appellants”) file this Notice of Appeal (“Appeal”) of King County’s denial (“Denial”) of Cashmere Partners, Inc.’s application for an Adult Beverage Business License, Case # BUSL20-0011. The Denial issued on December 16, 2021 incorrectly referenced a seven-day appeal period instead of the 21-day appeal period required by King County Code. The County issued a correction letter on June 23, 2022 which provided an opportunity to appeal the Denial based on the correct appeal period.

The Denial must be reversed because (1) the County has no authority to require an Adult Beverage Business License because the state has preempted that authority under RCW

1 66.08.08.12; (2) by the County’s own admission, approval of the License was not possible due to
2 a County-enacted moratorium on land use submittals; and (3) Appellants’ use is a legally
3 nonconforming use that may continue so long as it is it not impermissibly expanded or
4 discontinued. This Appeal is timely, and Appellants have standing as the applicant for the
5 business license at issue and owner of the subject property.
6

7 **I. APPELLANT AND APPELLANT’S INTEREST**

8 Appellant Cashmere Corporation/Cashmere Partners, Inc. is the applicant for the Adult
9 Beverage Business License that was the subject of the Denial. Cashmere Corporations’ principal
10 office mailing address is PO BOX 1301, Woodinville, WA, 98072 and its telephone number is
11 (206) 715-4518.
12

13 Appellant Cedar Pond 14208 (“Cedar Pond”) is the owner of “Chateau Lill,” the property
14 on which Cashmere Partners operates. Cedar Pond’s principal office address is 14208
15 Woodinville Redmond Road NE, Redmond, WA, 98052, and its telephone number is (206) 715-
16 4518.
17

18 Appellants have standing to appeal the Denial as the applicant for the license and owner
19 of the business and subject property. Appellants are adversely affected by the Denial because it
20 was improperly issued in conflict with state law and County Code.
21

22 Appellants request that all documents in this matter be served on and communications
23 made through its attorneys McCullough Hill Leary P.S., at the address and telephone number
24 indicated below.
25
26
27

1 **II. JURISDICTION**

2 This appeal is filed with the King County Hearing Examiner, consistent with the appeal
3 procedures set forth in the Denial, the correction letter dated June 23, 2022, and pursuant to KCC
4 6.74.060 and KCC 20.22.080.
5

6 **III. DECISION APPEALED**

7 The decision being appealed is the December 16, 2021 Denial of Adult Beverage
8 Business License, Case #BUSL20-0011, as corrected by the June 23, 2022 Appeal Period
9 Correction Notice, issued by King County Department of Local Services, Permitting Division
10 (“Department”), attached hereto as Exhibits A and B.
11

12 **IV. FACTUAL BACKGROUND**

13 The evidence relied on will be provided at the hearing in this matter. A brief statement of
14 the factual basis for this appeal is outlined below. Appellants reserve the right to provide
15 additional facts and evidence at the hearing.
16

17 Cashmere Partners operates a winery and wedding facility on the property known as
18 “Chateau Lill,” located at 14208 Woodinville-Redmond Rd NE in unincorporated King County
19 near Woodinville City limits. Chateau Lill is a nearly 10-acre property featuring a restored and
20 expanded chateau building originally constructed in 1932, landscaped areas and walking trails,
21 and open spaces supporting resident goats and alpaca.
22

23 DeLille Cellars was previously housed on this property but moved to Woodinville in
24 April 2019. Wine-related functions, primarily weddings, are a core functions of Chateau Lill’s
25 operations. Weddings have been held on the property since 1994. In the nearly 30 years that
26

1 Chateau Lill has held weddings on the property, it has developed rigorous procedures to mitigate
2 impacts on adjacent properties and the neighborhood. Parking for guests is accommodated on-
3 site (most guests arrive via Uber), and no outside amplified noise is permitted after 8 pm. Staff
4 keeps a decibel monitor on site to ensure compliance with the County’s noise ordinance.
5

6 In 2010, King County enforcement officer Erroll Garnett visited the site and confirmed
7 that an unlimited number of winery-related events could occur on the property, to specifically
8 include weddings. In addition, two events that were not winery-related are allowed per year, per
9 KCC 21A.32.110. Chateau Lill continues to operate in good faith reliance on this confirmation.
10

11 Cashmere Partners has maintained all required licensing by the U.S. Alcohol and
12 Tobacco Tax and Trade Bureau (“TTB”) and the Washington State Liquor Control Board (and
13 its successor, the Liquor and Cannabis Board) (“LCB”). King County received notifications and
14 opportunities to object to these licenses pursuant to RCW 66.24.010(8) and WAC 314-07-020;
15 King County has never objected to the repeated license approvals for the winery at this site.
16

17 In 2016, the County initiated a study of the winery and brewery industries in the
18 Sammamish Valley, acknowledging widespread confusion about the applicability of certain code
19 provisions and that its regulations had not evolved with the growing alcohol and beverage
20 industry. While that study was pending, the County offered a “Settlement Agreement” to nearly
21 all of the existing winery and brewery operators in the Valley, including Cashmere Corporation.
22 The Settlement Agreement provided that “business owners may continue their current operations
23 during the study period and also while any resulting legislative changes are being considered by
24 the King County Council.” The Agreement was intended to maintain the status quo and provide
25
26
27

1 some measure of certainty to owners and operators during the time necessary to complete this
2 study and legislative changes to be implemented (which is still ongoing).

3 The County’s initial effort to implement recommendations of the study and to revise its
4 code culminated in Ordinance 19030, adopted in December 2019. Appellants worked closely
5 with Council and staff to ensure that Ordinance 19030 would protect and maintain its existing
6 operations, to include wine-related events. Under Ordinance 19030, Chateau Lill was classified
7 as a Type III Winery and required to obtain a Conditional Use Permit for continued operations.
8 Ordinance 19030 also established a business license requirement for the adult beverage industry,
9 requiring an annual license fee and requirements regarding sale and distribution of liquor.
10

11 In January 2022, the Growth Management Hearings Board invalidated the majority of
12 provisions in Ordinance 19030, with the exception of the new licensing provisions. The County
13 appealed that decision, and it is currently before the Court of Appeals. While the Growth
14 Management Hearings Board decision is under appeal, the County began the legislative process
15 of creating and adopting new regulations to satisfy the order of invalidity and update the County
16 code as recommended by the study. The County Council held a hearing on the proposed
17 legislation on June 28, 2022, but the legislation was sent back to committee for additional study.
18

19 In November 2020, Cashmere Partners obtained its initial Adult Beverage Business
20 License from the County. The County subsequently extended that initial license for six months in
21 recognition of (1) Covid-related challenges; (2) the Growth Board’s invalidation of Ordinance
22

1 or to license the sale and distribution thereof, as defined in this title, shall
2 be suspended and shall be of no further effect: PROVIDED, That
3 municipalities and counties shall have power to adopt police ordinances
4 and regulations not in conflict with this title or with the regulations made
5 by the board.

6 This issue is dispositive. The County has no authority to require a license for liquor. The
7 state has preempted that field.

8 Second, the County erred in issuing the Denial given that KCC 6.74.080 provides:

9 B. For any adult beverage businesses operating under an active
10 Washington state Liquor and Cannabis Board production license issued
11 for their current location before December 31, 2019, and where King
12 County did not object to the location during the Washington state Liquor
13 and Cannabis Board license application process, if all other requirements
14 of this chapter are met, the director shall approve the first adult beverage
15 business license. The first business license shall be valid for six months
16 from the date of issuance. The first business license may be extended, at
17 no charge to the applicant, for an additional six months, if the director
18 determines that the business operator has taken substantial steps to
19 document compliance with K.C.C. Title 21A. Subsequent business
20 licenses or renewals for such locations shall only be approved by the
21 director if:

- 22 1. The requirements to establish a legal nonconforming use have
23 been met;
- 24 2. The applicant has otherwise established a vested legal
25 nonconforming use;
- 26 3. The director determines that the business operator has taken
27 substantial steps to document compliance with K.C.C. Title 21A;
28 or
- 1. If the business has come into conformance with the winery,
brewery, distillery facility I, II or III or remote tasting room
regulations adopted in K.C.C. 21A.08.070, 21A.08.080 or K.C.C.
21A.55.110.

23 This code section is invalid due to the preemption raised above, but even if it were valid,
24 the County erred in its application of this provision, resulting in the Denial.

25 Third, the County erred in issuing the Denial given that KCC Ch. 21A.32 allows a
26 use established in compliance with use and development standards in effect at the time of
27

1 establishment to be continued so long as the use is not discontinued or expanded in a
2 manner inconsistent with the chapter. The use of the property was in compliance with the
3 use and development standards in effect at the time of establishment, which was
4 confirmed by the County by its various approvals and lack of objection to the LCB
5 licenses since at least 2000. The use has not been discontinued or expanded in violation
6 of KCC Ch. 21A.32.

8 Fourth, the County erred in issuing the Denial given the Settlement Agreement
9 and the fact that the County is continuing its consideration of legislative changes
10 affecting wineries, breweries, distilleries, and associated tasting rooms.

12 Fifth, the County erred in issuing the Denial given that the continuing moratorium
13 makes it impossible to satisfy the requirements for obtaining an Adult Beverage Business
14 License.

16 Sixth, the County erred in issuing the Denial given that the Growth Management
17 Hearings Board invalidated the development standards that must be met for the Adult
18 Beverage Business License, rendering it impossible to satisfy those standards.

19 Finally, the Denial was otherwise unsupported by other provisions of King County Code
20 or state law.

21
22 **VI. RELIEF REQUESTED**

23 Appellant requests that the Hearing Examiner reverse and remand the Denial to the
24 Department for further processing consistent with the final decision of the Examiner. Appellant
25 requests that the Hearing Examiner conclude that (a) the County's authority to require the Adult
26

1 Beverage Business License is preempted by RCW 66.08.120; and/or (b) Appellant’s use is a
2 legally nonconforming use that may continue so long as it is not impermissibly expanded or
3 discontinued.

4 **VII. APPELLANT STATEMENT AND SIGNATURE**

5 Appellant has read this appeal and believes its contents to be true.

6 Cashmere Corporation

7
8
9 By:  _____
10 Its: President

11 Cedar Pond, LLC

12
13 By:  _____
14 Its: President

15
16 DATED this 15th day of July, 2022.

17 s/Courtney E. Flora, WSBA #29847
18 McCULLOUGH HILL LEARY, PS
19 701 Fifth Avenue, Suite 6600
20 Seattle, WA 98104
21 Tel: 206-812-3388
22 Fax: 206-812-3398
23 Email: cflora@mhseattle.com
24 *Attorneys for Appellants Cashmere Corporation and*
25 *Cedar Pond 14208, LLC*

EXHIBIT A



King County

Permitting Division

Department of Local Services

35030 SE Douglas Street, Suite 210
Snoqualmie, WA 98065-9266

206-296-6600 | Relay: 711

<https://kingcounty.gov/permits>

December 16, 2021

Attn: Gregory C Lill
Cashmere Partners
P.O. Box 1301
Woodinville, WA 98072

RE: Adult Beverage Business License, Case # BUSL20-0011

Business Name: Cashmere Partners

Subject Property: 14208 Woodinville-Redmond Rd NE, Redmond, WA 98052

Dear Mr. Lill,

This letter is to notify you that your Adult Beverage Business License application for a Type III Winery has been denied. After thorough review of the submitted application material, King County Permitting Division has determined that the proposed business does not comply with the provisions of King County Code (KCC) Title 6 and KCC Title 21A.

In order to renew your Adult Beverage Business License after the first year, you must demonstrate compliance with the business license regulations in KCC 6.74.080.B, which requires businesses to demonstrate:

- 1) The requirements to establish a legal nonconforming use have been met;
- 2) The applicant has otherwise established a vested legal nonconforming use;
- 3) The director determines that the business operator has taken substantial steps to document compliance with K.C.C. Title 21A; or
- 4) If the business has come into conformance with the winery, brewery, distillery facility I, II or III or remote tasting room regulations adopted in K.C.C. 21A.08.070, 21A.08.080 or K.C.C. 21A.55.110*.

Based on the application material provided, you have not demonstrated that the criteria of KCC 6.74.080.B have been met. The subject business has not obtained any required land use and building permits for a Type III Winery to demonstrate compliance with King County development standards. The following compliance issues have been documented on the subject property:

- 1) The applicant has not obtained a Conditional Use Permit (CUP) for a Type III Winery in accordance to KCC 21A.08.080.
- 2) The applicant has not obtained a commercial building permit to establish a Type III

Winery use on the property.

King County understands that the applicant would like to obtain land use and building permits per winery, brewery, and distillery standards put into effect by Ordinance 19030. However, King County is not able to accept any land use and/or building permits for businesses seeking compliance with the winery, brewery, and distillery standards adopted under Ordinance 19030 due to the current moratorium that is in effect. The moratorium, originally passed in June of 2020 under Ordinance 19122 has been extended until December 23, 2022. It is further important to note that due to an appeal to Ordinance 19030 filed to the Central Puget Sound Region Growth Management Hearings Board under FOSV, et al. v King County (Case No. 20-3-0004c), King County Permitting Division cannot speculate on the outcome of the case or the impact it could have on the winery, brewery, distillery and remote tasting room standards that go into effect once the existing moratorium is lifted. Given these circumstances and the lack of a path towards compliance as a Type III Winery at this point in time, your request to renew your Adult Beverage Business License cannot be approved.

Should you have any questions about this letter, you can contact me by email at wclauss@kingcounty.gov or by telephone at 206-263-3377.

All applicants are afforded the right to appeal this decision. Please refer to page three for more information about the appeal process.

Sincerely,



Warren Clauss,
Associate Planner, Project/Program Manager II
Permitting Division, Department of Local Services

Information: Filing an Appeal
King County Permitting Division

Appeal Notice

Any person entitled to service under K.C.C. 6.01.130 may appeal any notice and order or any action of the director by filing at the office of the director within seven days from the date of service of such order, a written appeal containing;

1. A heading in the words: "Before the Office of the Hearing Examiner";
2. A caption reading: "Appeal of" giving the names of all appellants participating in the appeal;
3. A brief statement setting forth the legal interest of each of the appellants in the business or entertainment involved in the notice and order;
4. A brief statement in concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant;
5. A brief statement in concise language of the relief sought, and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside;
6. The signatures of all parties named as appellants, and their official mailing addresses; and
7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.
8. \$250 appellant fee as provided in K.C.C. 4A.780.010.A. The fee shall be paid at the time the appeal statement is delivered and is not refundable.

Notification of Appeal Hearing Date

As soon as practicable after receiving the written appeal, the examiner shall fix a date, time and place for the hearing of the appeal. The date shall be neither less than ten days nor more than sixty days from the date the appeal was filed with the director. Written notice of the time and place of the hearing shall be given at least ten days before the date of the hearing to each appellant by the examiner either by causing a copy of the notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the appellant's address shown on the appeal.

Appeal Hearing

At the hearing the appellant shall be entitled to appear in person and be represented by counsel and offer such evidence as is pertinent and material to the action of the director. Only those matters or issues specifically raised by the appellant in the written notice of appeal shall be considered in the hearing of the appeal. Failure of any person to file an appeal in accordance with this section shall constitute a waiver of the person's right to an administrative hearing and adjudication of the notice and order, or any portion thereof.

Additional Information:

For more information about the appeal hearing process, refer to K.C.C. 20.22 or refer to the Hearing Examiner website at: <https://www.kingcounty.gov/independent/hearing-examiner.aspx>

EXHIBIT B



King County

Department of Local Services

Permitting Division

919 SW Grady Way, Suite 300

Renton, WA 98057

206-296-6600

<https://kingcounty.gov/depts/local-services/permits>

June 23, 2022

Subject: Adult Beverage Business License: Appeal Period Correction Notice

Adult Beverage Business License Applicant,

This letter is to notify you that the Adult Beverage Business License application denial that was previously issued incorrectly cited the appeal period allowed for the decision. This correction letter is:

- 1) To inform you that the standards appeal period for an Adult Beverage Business License application denial is 24 days (not 7 days as listed in the denial letter that you received); and
- 2) To allow you the opportunity to appeal the decision based on the corrected 24-day appeal period.

If you would like to appeal the Adult Beverage Business License denial decision that was previously issued, you may do so in accordance to the King County Code (K.C.C) standards provided on page two and three. The appeal statement must be received within 24 days from the date of this letter.

Should you have any questions about this letter, you can contact me by email at wclauss@kingcounty.gov or by telephone at 206-263-3377.

Sincerely,



Warren Claus,
Associate Planner, Project/Program Manager II
Permitting Division, Department of Local Services

Information: Filing an Appeal
King County Permitting Division

King County Code (K.C.C.) 20.22.080 Appeals - generally.

A. Unless K.C.C. 20.22.070 applies, a person initiates an appeal from a decision of a department or division by delivering an appeal statement to the issuing department or division.

B. The appeal statement must be received by the department or division within twenty-four days of the date of issuance of the decision by the department or division.

C. The statement appealing the decision of a department or division to the office of the hearing examiner shall:

1. Include a copy of, or clearly identify, the decision being appealed;
2. Identify the location of the property subject to the appeal, if any;
3. Identify the legal interest of the appellant;
4. Identify the alleged errors in the decision;
5. State specific reasons why the decision should be reversed or modified;
6. State the harm suffered or anticipated by the appellant; and
7. Identify the relief sought.

D. The appellant shall pay a fee as provided in K.C.C. 4A.780.010.A. The fee shall be paid at the time the appeal statement is delivered and is not refundable.

E. In order that a person contemplating an appeal has the necessary information on which to base the appeal, during the time between the issuance of the decision and the deadline for delivering an appeal, the department or division shall:

1. Respond to inquiries concerning the facts and process of the decision; and
2. Make available any files that detail the facts on which the department or division based its ruling.

F. If a department or division is unable to comply with subsection E. of this section, the examiner may authorize an amendment to an appeal statement to reflect information subsequently made available to the appellant.

G. The scope of an appeal shall be limited to matters or issues raised in the appeal statement and any amendments to the appeal statement the examiner may authorize.

H. If a person fails to timely deliver the appeal statement or pay the appeal fee, the office of the hearing examiner does not have jurisdiction to consider the appeal and the decision of the department or division becomes final and unreviewable.

King County Code (K.C.C.) 4A.780.010 Fees.

A. Except as otherwise provided in subsection B. of this section, the fee for filing an appeal to the office of the hearing examiner under K.C.C. 20.22.080, is two hundred fifty dollars.

B.1. The fee for filing an appeal to the office of the hearing examiner under K.C.C. 20.22.080, of a permit fee estimate and billing under K.C.C. chapter 27.50* is fifty dollars.

2. There is no fee for filing an appeal to the office of the hearing examiner of an enforcement or penalty action under K.C.C. Title 6, K.C.C. Title 11 or K.C.C. Title 23, or a transit rider suspension under K.C.C. 28.96.130.

C. The fee for filing an appeal to the council under section K.C.C. 20.22.230.D. is two hundred fifty dollars.

King County Code (K.C.C.) 20.22.090 Appeals - reasons for dismissal.

A. For appeals of agency actions to the office of the hearing examiner, the examiner, on the examiner's own motion or on the motion of a party, shall dismiss an appeal if the appellant lacks standing or if the appeal is untimely, frivolous on its face or beyond the examiner's jurisdiction.

B. The examiner may dismiss an appeal that is not sufficiently specific to apprise the parties of the factual basis upon which relief is sought or if the grounds stated do not constitute a legally adequate basis for the appeal. Alternatively, the examiner may clarify the issues on appeal or may require any party with the burden of proof to clarify the issues on appeal.

King County Code (K.C.C.) 20.22.100 Appeals and applications - processing.

A. The examiner shall process all appeals and applications as expeditiously as possible, giving appropriate consideration to the procedural due process rights of the parties.

B.1. For appeals initiated by delivering the appeal statement to the responsible department or division, the responsible department or division shall file with the office of the hearing examiner the decision or decisions being appealed, the appeal statement and a current list of parties and interested persons within seventeen days of the date the responsible department or division receives the appeal statement. The examiner shall hold a prehearing conference or a hearing within forty-five days, and shall complete the appeal process, including issuing a determination, within ninety days of the date the office of the hearing examiner receives those materials.

2. For any appeal that requires the appeal statement to be delivered directly to the office of the hearing examiner, the examiner shall hold a prehearing conference or a hearing within forty-five days, and shall complete the appeal process, including issuing a determination, within ninety days, of receiving the appeal statement.

C. For applications for which the responsible department or division issues a recommendation and an examiner holds a public hearing and issues a decision or recommendation, the examiner shall complete the application review, including holding a public hearing and transmitting the report required by K.C.C. 20.22.220, within ninety days from the date the council refers the application to the office of the hearing examiner. Any time required by the applicant or the responsible department or division to obtain and provide additional information requested by the examiner and necessary for the determination on the application and consistent with applicable laws, regulations and adopted policies is excluded from the ninety-day calculation.

D. At least fourteen days before a scheduled hearing, the examiner shall transmit notice of the time and place of the hearing.

E. If for any reason testimony cannot be completed on the date set for a hearing, the matter shall be continued to the soonest available date. To the extent practicable, a matter should be heard on consecutive days until it is concluded.

F. The examiner may extend the deadlines in this section for up to thirty days. Extensions of over thirty days are permissible with the consent of all parties. When an extension is made, the examiner shall state in writing the reason for the extension.

G. Failure to complete the hearing process within the times stated in this section shall not terminate the jurisdiction of the office of the hearing examiner.

King County Code (K.C.C.) 20.22.110 Consolidation of hearings.

Whenever an appeal or application includes more than one county permit, approval or determination for which a public hearing is required or for which an appeal is provided under

this chapter, the hearings and any appeals may be consolidated into a single proceeding before the examiner.

King County Code (K.C.C.) 20.22.120 Prehearing conference.

A. On the examiner's own initiative, or at the request of a party, the examiner may set a prehearing conference.

B. If a prehearing conference is set, it shall be held not less than fourteen days before the scheduled hearing. At least seven days before the prehearing conference, the examiner shall transmit notice of the date and location of the prehearing conference.

Additional Information:

For more information about the appeal hearing process, refer to K.C.C. 20.22 or refer to the Hearing Examiner website at: <https://www.kingcounty.gov/independent/hearing-examiner.aspx>

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BEFORE THE OFFICE OF THE
KING COUNTY HEARING EXAMINER

In Re Appeal of Cashmere Corporation f/k/a
Cashmere Partners, Inc. and Cedar Pond 14208
LLC,

Appellant,

v.

KING COUNTY,

Respondent.

No.

DECLARATION OF SERVICE

I, Madison S. Warnock, declare as follows:

I am employed with McCullough Hill Leary, P.S., which represents Appellant Cashmere Corporation f/k/a Cashmere Partners, Inc. and Cedar Pond 14208 LLC. On this date, I filed the following documents with the King County Hearing Examiner, namely the NOTICE OF APPEAL OF ADULT BEVERAGE BUSINESS LICENSE DENIAL DATED DECEMBER 16, 2021 and this DECLARATION OF SERVICE and served copies via electronic mail to:

1 Jessica Oscoy
2 Office of the Hearing Examiner
3 King County Courthouse
4 516 Third Avenue Room 1200
5 Seattle, Washington 98104
6 Email: hearingexaminer@kingcounty.gov
7 Email: Jessica.Oscoy@kingcounty.gov

Warren Clauss
King County Department of Local Services
Permitting Division
919 SW Grady Way, Suite 300
Renton, WA 98057
Email: wclauss@kingcounty.gov


6 Lena Madden, SDPA
7 King County Prosecuting Attorney's
8 Office
9 516 Third Avenue, Civil Division
10 Seattle, WA 98104
11 Email: Lena.Madden@kingcounty.gov

11 I declare under penalty of perjury under the laws of the State of Washington that the
12 foregoing is true and correct to the best of my knowledge and belief.

13 DATED this 15th day of July, 2022 in Seattle, Washington

16 s/Madison S. Warnock
17 Madison S. Warnock, *Legal Assistant*
18 McCULLOUGH HILL LEARY PS
19 701 Fifth Avenue, Suite 6600
20 Seattle, WA 98104
21 Tel: 206-812-3388
22 Fax: 206-812-3389
23 Email: mwarnock@mhseattle.com

Document 2: Summary of Charges: Proof of Payment for Business License and Appeal Fee

 Department of Local Services Permitting Division 919 SW Grady Way, Suite 300 Renton, WA 98057	<h1>Summary of Charges</h1>
Project Name: CASHMERE PARTNERS	As of: 07/19/2022
Project Location: 14208 WOODINVILLE REDMOND RD NE	Permit #: BUSL20-0011
	PO Number:
Customer: CASHMERE PARTNERS	Parcel Number: 3404700060
GREGORY C LILL	Permit Type: Adult Beverage
PO BOX 1301	
WOODINVILLE, WA 98072	
	Permit Status: Business License Issued

Fees

Fixed Fees

Appeal Filing Fee - Hearing Examiner Type 2 Decision	\$250.00	
License: Adult Beverage	\$200.00	
Total:		\$450.00

Hourly Charges:

Project Cost to Date: **\$450.00**

Payments

Date	Type	Check #/Trust #	Payee	Amount
04/14/2020	Check - Mail-In	3587	CASHMERE PARTNERS	\$100.00
09/07/2021	Check - Mail-In	3619	CASHMERE PARTNERS	\$100.00
07/15/2022	Credit Card		April Campbell	\$250.00

Total Payments: **\$450.00**

Total Balance of Project Cost **\$0.00**

The permitting fees shown on this summary represent estimated charges based on County review of submitted application materials, and the fees adopted by the County as of the summary date. Fees are subject to change based on changes to an application or to adopted fees. Additional fees may be incurred after initial application submittal or at permit issuance.

All fees must be paid in full before DLS Permitting issues Final Approval, T.C.O. or C.O.

For billing questions, please call 206-296-6659 or email BillingHotline.DPER@kingcounty.gov.

**Document 3: Denial Response Letter Issued and Appeal
Period Correction Notice by King County Permitting Division**



King County

Permitting Division

Department of Local Services

35030 SE Douglas Street, Suite 210
Snoqualmie, WA 98065-9266

206-296-6600 | Relay: 711

<https://kingcounty.gov/permits>

December 16, 2021

Attn: Gregory C Lill
Cashmere Partners
P.O. Box 1301
Woodinville, WA 98072

RE: Adult Beverage Business License, Case # BUSL20-0011

Business Name: Cashmere Partners

Subject Property: 14208 Woodinville-Redmond Rd NE, Redmond, WA 98052

Dear Mr. Lill,

This letter is to notify you that your Adult Beverage Business License application for a Type III Winery has been denied. After thorough review of the submitted application material, King County Permitting Division has determined that the proposed business does not comply with the provisions of King County Code (KCC) Title 6 and KCC Title 21A.

In order to renew your Adult Beverage Business License after the first year, you must demonstrate compliance with the business license regulations in KCC 6.74.080.B, which requires businesses to demonstrate:

- 1) The requirements to establish a legal nonconforming use have been met;
- 2) The applicant has otherwise established a vested legal nonconforming use;
- 3) The director determines that the business operator has taken substantial steps to document compliance with K.C.C. Title 21A; or
- 4) If the business has come into conformance with the winery, brewery, distillery facility I, II or III or remote tasting room regulations adopted in K.C.C. 21A.08.070, 21A.08.080 or K.C.C. 21A.55.110*.

Based on the application material provided, you have not demonstrated that the criteria of KCC 6.74.080.B have been met. The subject business has not obtained any required land use and building permits for a Type III Winery to demonstrate compliance with King County development standards. The following compliance issues have been documented on the subject property:

- 1) The applicant has not obtained a Conditional Use Permit (CUP) for a Type III Winery in accordance to KCC 21A.08.080.
- 2) The applicant has not obtained a commercial building permit to establish a Type III

Winery use on the property.

King County understands that the applicant would like to obtain land use and building permits per winery, brewery, and distillery standards put into effect by Ordinance 19030. However, King County is not able to accept any land use and/or building permits for businesses seeking compliance with the winery, brewery, and distillery standards adopted under Ordinance 19030 due to the current moratorium that is in effect. The moratorium, originally passed in June of 2020 under Ordinance 19122 has been extended until December 23, 2022. It is further important to note that due to an appeal to Ordinance 19030 filed to the Central Puget Sound Region Growth Management Hearings Board under FOSV, et al. v King County (Case No. 20-3-0004c), King County Permitting Division cannot speculate on the outcome of the case or the impact it could have on the winery, brewery, distillery and remote tasting room standards that go into effect once the existing moratorium is lifted. Given these circumstances and the lack of a path towards compliance as a Type III Winery at this point in time, your request to renew your Adult Beverage Business License cannot be approved.

Should you have any questions about this letter, you can contact me by email at wclauss@kingcounty.gov or by telephone at 206-263-3377.

All applicants are afforded the right to appeal this decision. Please refer to page three for more information about the appeal process.

Sincerely,



Warren Clauss,
Associate Planner, Project/Program Manager II
Permitting Division, Department of Local Services

Information: Filing an Appeal
King County Permitting Division

Appeal Notice

Any person entitled to service under K.C.C. 6.01.130 may appeal any notice and order or any action of the director by filing at the office of the director within seven days from the date of service of such order, a written appeal containing;

1. A heading in the words: "Before the Office of the Hearing Examiner";
2. A caption reading: "Appeal of" giving the names of all appellants participating in the appeal;
3. A brief statement setting forth the legal interest of each of the appellants in the business or entertainment involved in the notice and order;
4. A brief statement in concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant;
5. A brief statement in concise language of the relief sought, and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside;
6. The signatures of all parties named as appellants, and their official mailing addresses; and
7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.
8. \$250 appellant fee as provided in K.C.C. 4A.780.010.A. The fee shall be paid at the time the appeal statement is delivered and is not refundable.

Notification of Appeal Hearing Date

As soon as practicable after receiving the written appeal, the examiner shall fix a date, time and place for the hearing of the appeal. The date shall be neither less than ten days nor more than sixty days from the date the appeal was filed with the director. Written notice of the time and place of the hearing shall be given at least ten days before the date of the hearing to each appellant by the examiner either by causing a copy of the notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the appellant's address shown on the appeal.

Appeal Hearing

At the hearing the appellant shall be entitled to appear in person and be represented by counsel and offer such evidence as is pertinent and material to the action of the director. Only those matters or issues specifically raised by the appellant in the written notice of appeal shall be considered in the hearing of the appeal. Failure of any person to file an appeal in accordance with this section shall constitute a waiver of the person's right to an administrative hearing and adjudication of the notice and order, or any portion thereof.

Additional Information:

For more information about the appeal hearing process, refer to K.C.C. 20.22 or refer to the Hearing Examiner website at: <https://www.kingcounty.gov/independent/hearing-examiner.aspx>



King County

Permitting Division

Department of Local Services

35030 SE Douglas Street, Suite 210
Snoqualmie, WA 98065-9266

206-296-6600 | Relay: 711

<https://kingcounty.gov/permits>

Adult Beverage Business Owner,

This letter is to inform you that your conditional Adult Beverage Business License has been extended for an additional six months.

King County Permitting recognizes the challenges that existing adult beverage businesses have faced over the past six months, including:

- (1) Adjusted protocols and procedures in response to Covid-19,
- (2) Invalidation of King County zoning standards for wineries, breweries, distilleries, and remote tasting rooms put into effect by Ordinance 19030, and
- (3) A moratorium passed by King County Council prohibiting the expansion of existing or the establishment of new wineries, breweries, distilleries.

Based on these circumstances, King County Permitting Division is aware that adult beverage businesses, such as your own, have faced increased challenges that have limited their ability to make substantial progress towards compliance with King County Code. For this reason, King County Permitting Division is extending the Adult Beverage Business License to allow additional time for businesses to respond to the restrictions put into effect by the both the moratorium and Washington State Growth Management Hearings Board ruling on Ordinance 19030.

It is important to note that this extension is not a determination that your adult beverage business has taken substantial progress towards compliance per King County Code 6.74.080, but rather an extension based on the existing circumstances listed above. Once the moratorium has been lifted and the zoning standards for wineries, breweries, distilleries, and remote tasting rooms re-established, all adult beverage business licenses will need to obtain all necessary permits to demonstrate compliance.

Any adult beverage businesses that are already vested through an existing building permit or as a nonconforming home occupation are encouraged to use the next six months to obtain all necessary permits to ensure compliance with King County Permitting Division standards. Businesses seeking compliance with the invalidated zoning standards for wineries, breweries, distilleries, and remote tasting rooms will need to wait until zoning standards are back in effect.

If you have any questions, please contact me at wclauss@kingcounty.gov or 206-263-3377.

Sincerely,

Warren Clauss,
Associate Planner, Project/Program Manager II
Permitting Division, Department of Local Services

BUSL20-0011

8-25-2021 **Document 4: BUSL20-0011 Application Material Submitted for Renewal**

Mr. Warren Clauss

Department of Local Services
35030 SE Douglas Street, Suite 210
Snoqualmie, Wa. 98065-9266

Re: Adult Beverage Business License application renewal
Cashmere Partners

Dear Mr. Clauss,

Enclosed please find the Adult Beverage Business License Application and related documents needed as part of the application renewal for our location of 14208 Woodinville-Redmond Rd. NE. Redmond, WA. 98052. I have also enclosed the \$100 check as part of the application fee.

If you have any questions, please do not hesitate to call.

Cheers,



Gregory C. Lill

Cashmere Partners

PO Box 1301
Woodinville, WA. 98072
206-715-4518

Business License Renewal Application, Adult Beverage, continued

Application and Facility Types

Application Type: New Application Renewal

Facility Use: Remote Tasting Room Brewery Distillery
 (check all that apply) Winery Other Non-Conforming

WBD Type: Type I Type II Type III

Square footage of Manufacturing: 1600

Square footage of Tasting Room: 2000

Business Information

BUSINESS NAME

CASHMERE PARTNERS

PARCEL NUMBER (required)

340470-0060-08

BUSINESS ADDRESS

14208 WOOD-RED RP, NE.

CITY

REDMOND

STATE

WA

ZIP CODE

98052

BUSINESS MAILING ADDRESS

Same as above

PO BOX 1301

CITY

WOODINVILLE

STATE

WA

ZIP CODE

98072

BUSINESS EMAIL

greg@greglill.com

BUSINESS PHONE NUMBER

206-715-4518

UBI NUMBER

604188796

BUSINESS WEBSTE ADDRESS

WWW.CHATEAULILL.COM

WSLCB LICENSE NUMBER

427391-6B

EFFECTIVE DATE

3-14-19

Applicant Information (name of person or entity proposing to operate the business)

FULL NAME

GREGORY E. LILL

PHONE NUMBER

206-715-4518

EMAIL ADDRESS

greg@greglill.com

MAILING ADDRESS

PO BOX 1301

CITY

WOODINVILLE

STATE

WA

ZIP CODE

98072

Continued

Business License Renewal Application, Adult Beverage, continued

Select one: Sole Ownership (Applicant listed above) Partnership Corporation

CORPORATE OR PARTNERSHIP NAME <i>CASHMERE PARTNERS.COM</i>				
ADDRESS OF PRINCIPAL OFFICE <i>14208 WOOD - RED . RD. NE</i>		CITY <i>REDMOND</i>	STATE <i>WA</i>	ZIP CODE <i>98052</i>
NAME OF REGISTERED AGENT <i>GREGORY C LILL</i>	PHONE NUMBER <i>206-765-4518</i>	EMAIL ADDRESS <i>greg@greglill.com</i>		
MAILING ADDRESS <i>Po Box 1301</i>		CITY <i>WOODBURN</i>	STATE <i>WA</i>	ZIP CODE <i>98072</i>

Partnerships or corporations: list all owners, partners or officers with a financial interest: (Attach an additional page if necessary)

FULL NAME <i>NA</i>	EMAIL ADDRESS		
MAILING ADDRESS	CITY	STATE	ZIP CODE
FULL NAME <i>NA</i>	EMAIL ADDRESS		
MAILING ADDRESS	CITY	STATE	ZIP CODE

The issuance of this business license is not meant to imply that all regulations have been met.

I, the undersigned, declare under the penalty of perjury that I am the applicant or authorized representative of the above-listed adult beverage business and that the answers and accompanying information contained in this document have been examined by me and are true, correct and complete. I understand that if information provided in this document is not true, correct and complete that this license may be denied or revoked, and that future extensions may also be denied. I understand that additional local, state, and federal licenses, authorizations, and permits are required before I may engage in any adult beverage business use, and that I am fully responsible for obtaining all applicable local, state and federal licenses, authorizations and permits. I understand that the granting of this adult beverage business license does not satisfy and shall not be construed as satisfying any other local, state, or federal laws or regulations

Applicant Signature: *Gregory C Lill* Date: *8.20.21*



BUSINESS LICENSE

STATE OF
WASHINGTON

Profit Corporation

CASHMERE CORPORATION
CASHMERE PARTNERS
14208 WOODINVILLE REDMOND RD NE
REDMOND, WA 98052-2008

UNEMPLOYMENT INSURANCE - ACTIVE

INDUSTRIAL INSURANCE - ACTIVE

DOMESTIC WINERY < 250,000 LITERS #427391 -
ACTIVE

Issue Date: Dec 24, 2020
Unified Business ID #: 604188746
Business ID #: 001
Location: 0001
Expires: Nov 30, 2021

CITY ENDORSEMENTS:

WOODINVILLE GENERAL BUSINESS - NON-RESIDENT - ACTIVE

LICENSING RESTRICTIONS:

Not licensed to hire minors without a Minor Work Permit.

REGISTERED TRADE NAMES:

CASHMERE PARTNERS
CASHMERE PARTNERS INC
LILL FAMILY WINES

This document lists the registrations, endorsements, and licenses authorized for the business named above. By accepting this document, the licensee certifies the information on the application was complete, true, and accurate to the best of his or her knowledge, and that business will be conducted in compliance with all applicable Washington state, county, and city regulations.

Director, Department of Revenue



ALTERATION REQUEST FORM

Use this form to request physical alterations (changes) to your licensed premise. It cannot be used to request a change to your license type. If you wish to change the type of liquor license you have, you must file a Business License Application and any supplemental forms. Alteration requests must be accompanied by 2 sets of floor plans to include the following information:

1. Drawn ¼ inch to 1 foot scale
2. North arrow indicator
3. Location of all public entrances (must designate access such as street, alley, parking lot, and list street names)
4. Name of rooms (dining areas, lounge, tap room, game room, dance floor, bandstand, etc.)
5. Furniture (tables, chairs, booths, bar, service bars, pool tables, dart boards, etc.)
6. Outdoor service areas (patio, deck, beer garden, etc.)

Licensee information: (To be filled out by licensee)

Licensee Name	Cashmere Partners	Trade Name	Lill Family Wines
Liquor License Number	427391	UBI #	604188746
Address	14208 Woodinville-Redmond Rd NE,	Redmond,	WA.,98052
	Street and Suite/Room/Unit #	City	State, Zip

Contact Person	Greg Lill	Phone No.	(206) 715- 4518
Email Address	greg@greglill.com		

Alteration information: (To be filled out by licensee)

Describe the alteration: (attach additional sheets of paper if needed) Adding the Stone Terrace
 and outdoor balconies adjacent to the Grand Room on the main floor for outdoor tasting areas. See the
 attached drawings and maps.

	11-17-2020
Signature (Licensee or Authorized Representative)	Date



King County

Department of Local Services

Permitting Division

35030 SE Douglas St., Ste. 210

Snoqualmie, WA 98065-9266

206-296-6600 TTY Relay 711

King County Business License

Doing Business As:

CASHMERE PARTNERS

14208 WOODINVILLE-REDMOND RD

NE

REDMOND, WA 98052

Adult Beverage

License Number: BUSL20-0011

Issued: 11/05/2020

Expires: 05/12/2021

Applicant: GREGORY C LILL

CASHMERE PARTNERS

PO BOX 1301

WOODINVILLE, WA 98072

Not transferable. Post conspicuously at business location

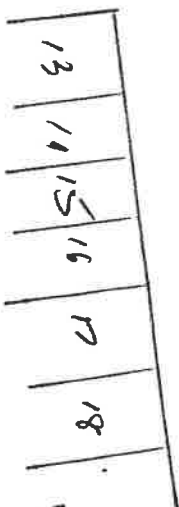
9-8-2020

Information on Cashmere Corporation / Cashmere Partners property in Unincorporated King Co.

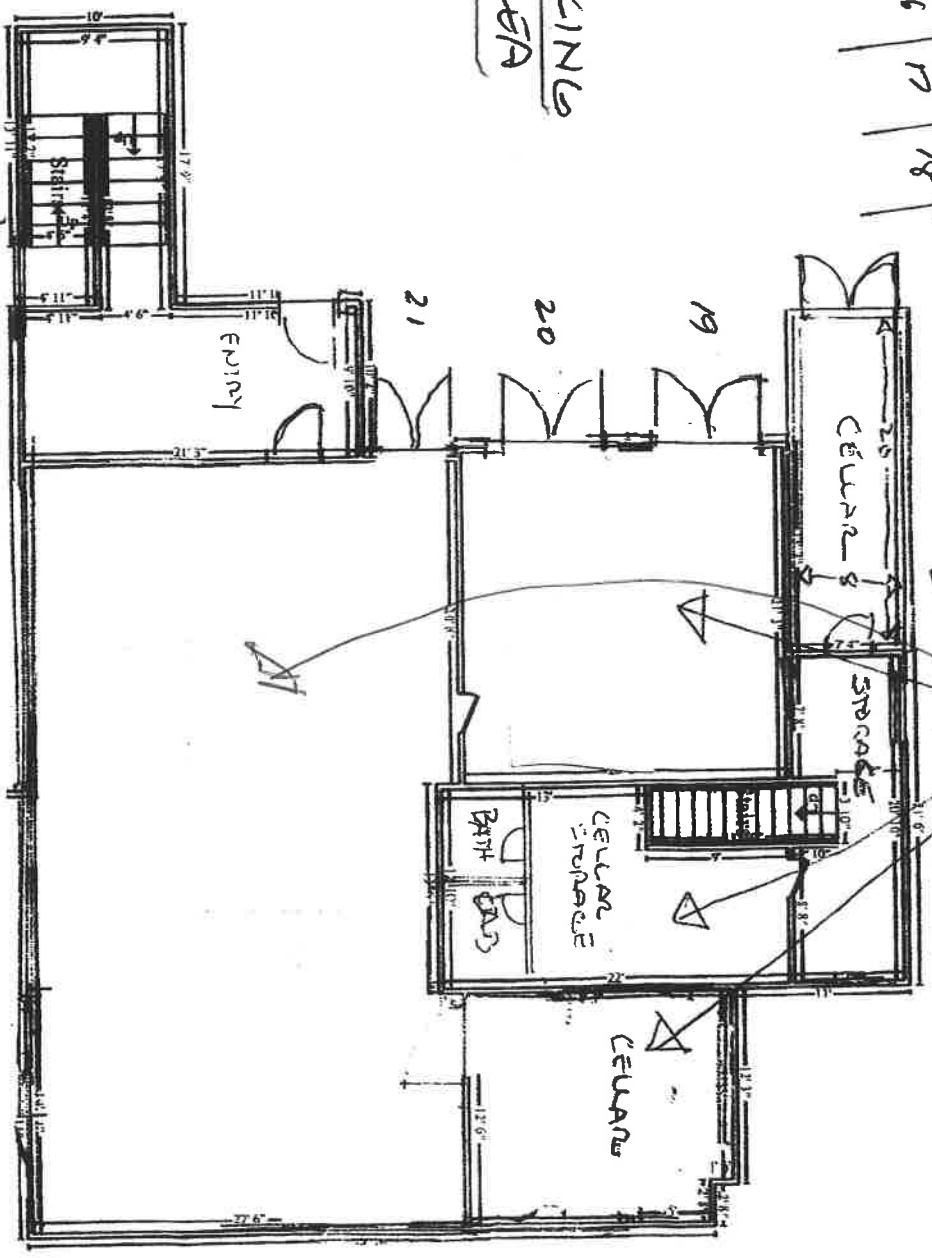
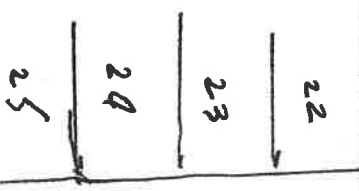
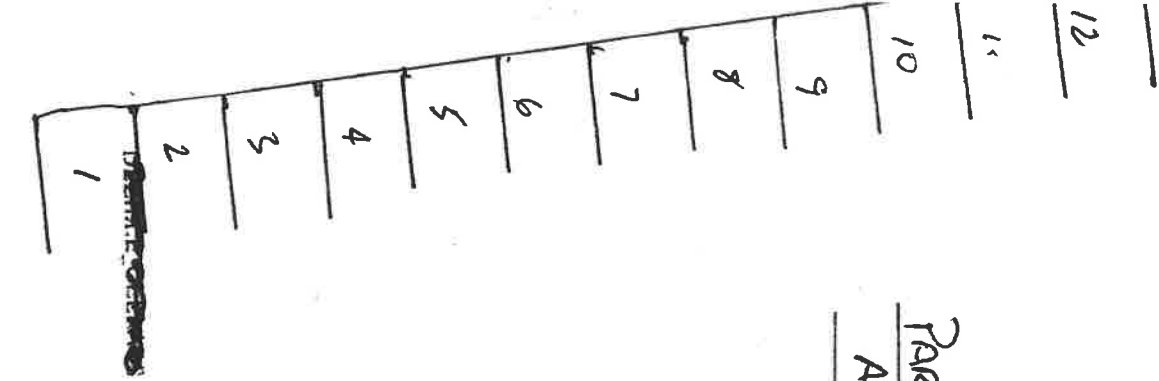
Operations Description: Cashmere is a small 400 case production winery with no tasting room operations and or daily customer, or open to the public business. All operations are conducted in the Cellar Lower Level as indicated on the building site plan.

Address:	14208 Woodinville-Redmond Rd. NE Redmond, WA. 98052
KC Parcel Number	340470-0060-08
Building Size	7,930 Sq. Ft. (three stories) Main building, winery area is only 1,500 sq.ft. 2,278 Sq. Ft. storage barn 1,064 Sq. Ft. animal barn
Parcel size	8.84 Acres
Car parking	In front of west side of building facing street for 25 cars
Impervious surfaces	8,000 Sq. Ft.
Distance from bldg. to property line.	260' to the west (Street) 225' to the south, 180' to the north, 900' to the east
Water Source	Woodinville Water District.

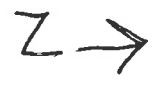
PARKING MAP



PARKING AREA



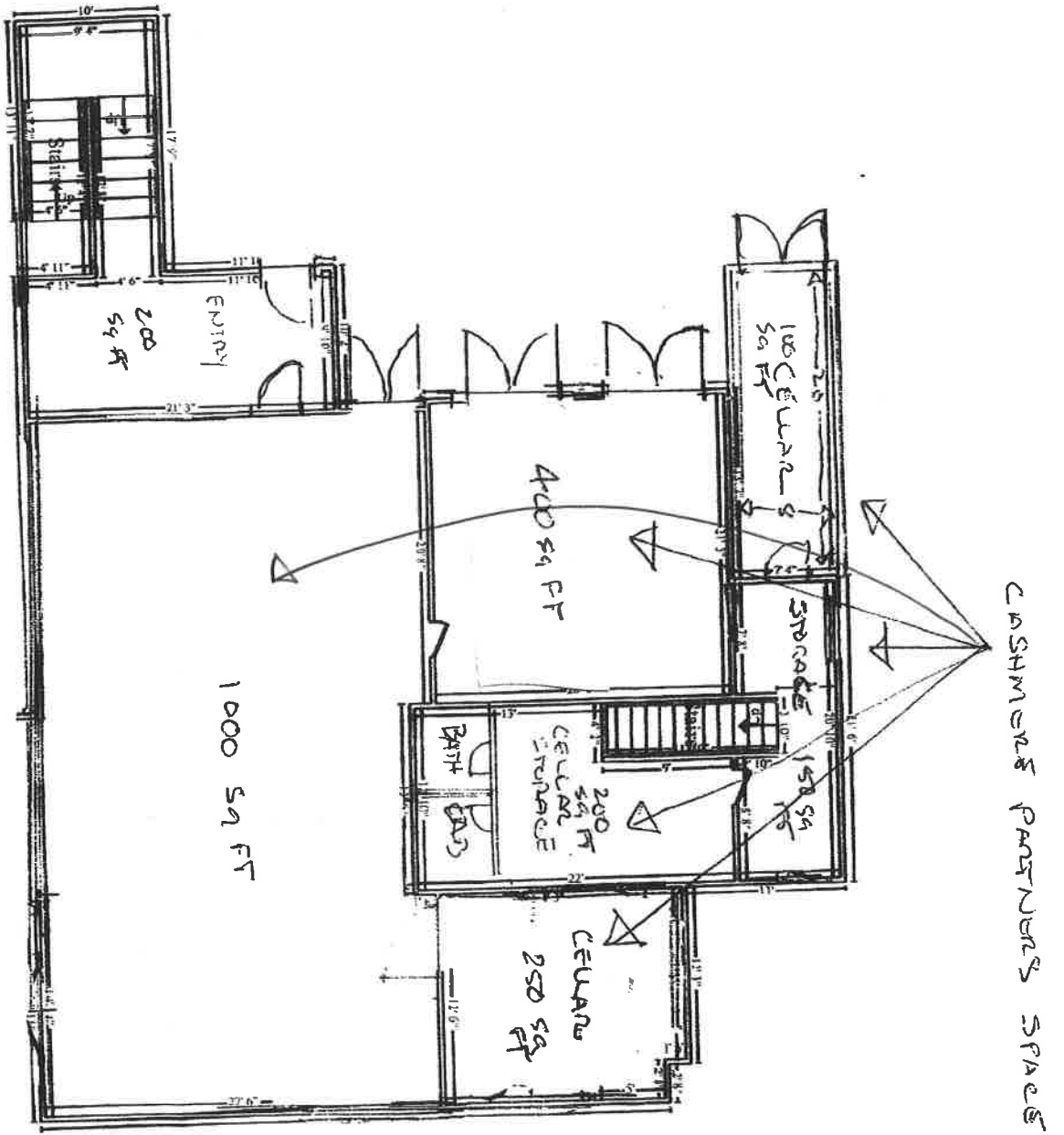
CASHMERE PASTURES SPACES



GALAR LOWER LEVEL

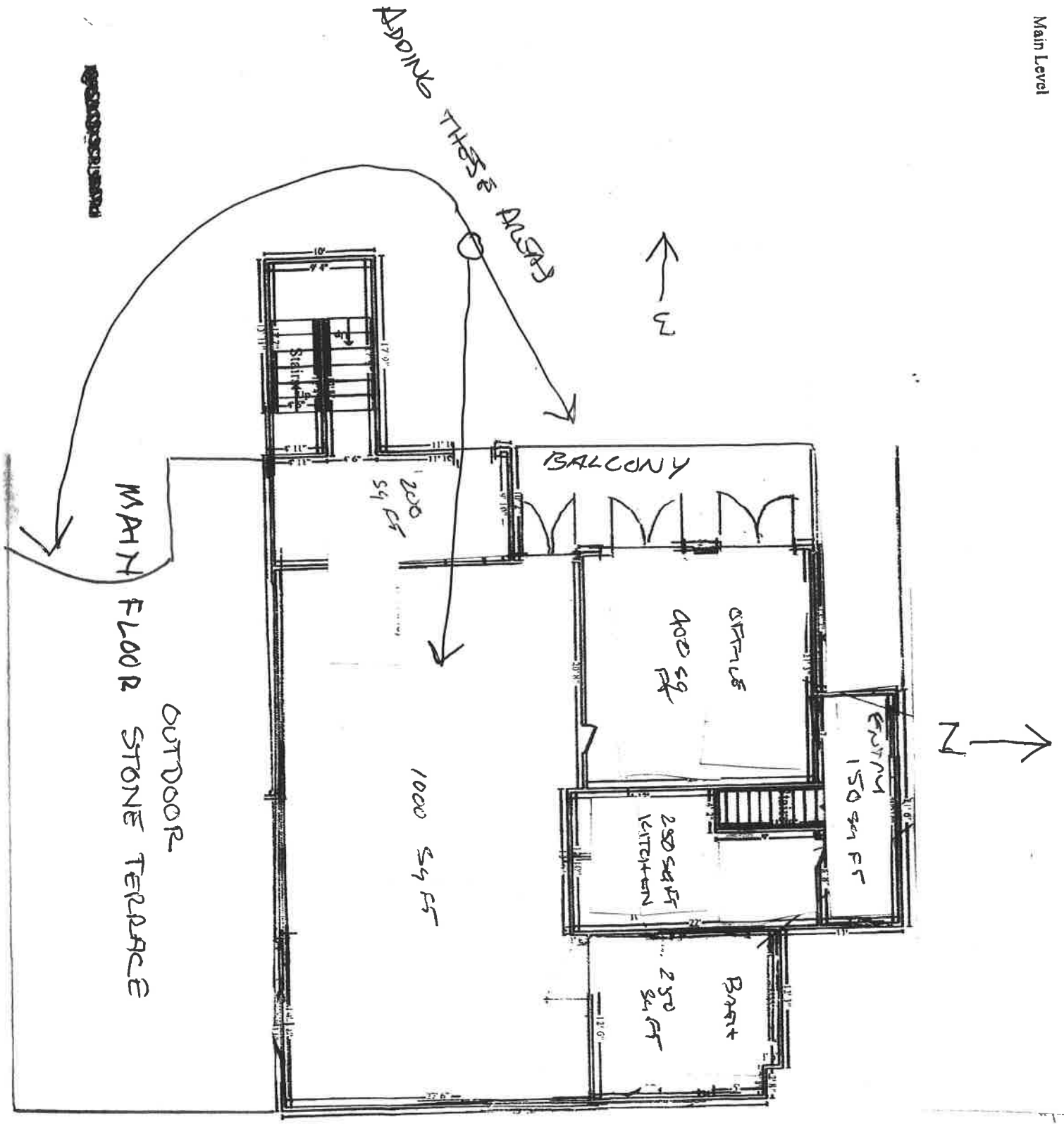
8/28/2017

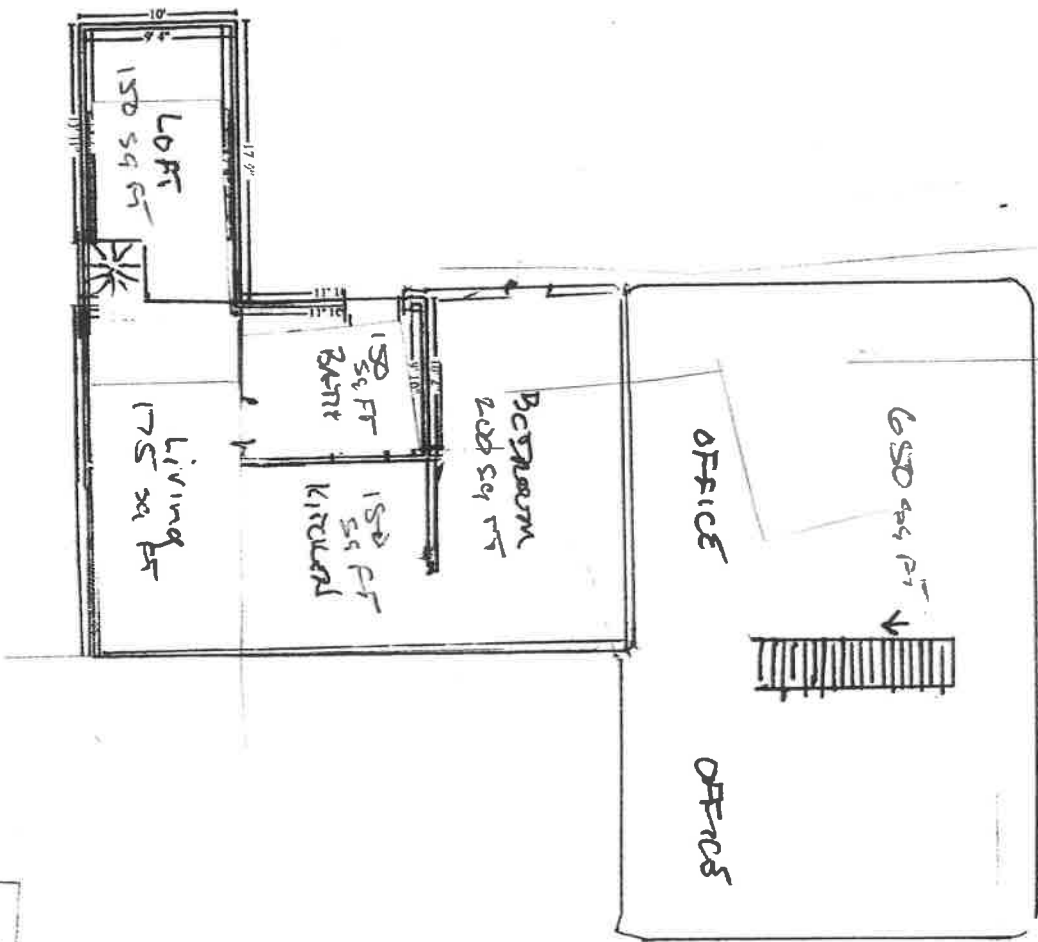
MAIN LEVEL
7 920 SQ. FT.



CELANA LOWER LEVEL

8/28/2017



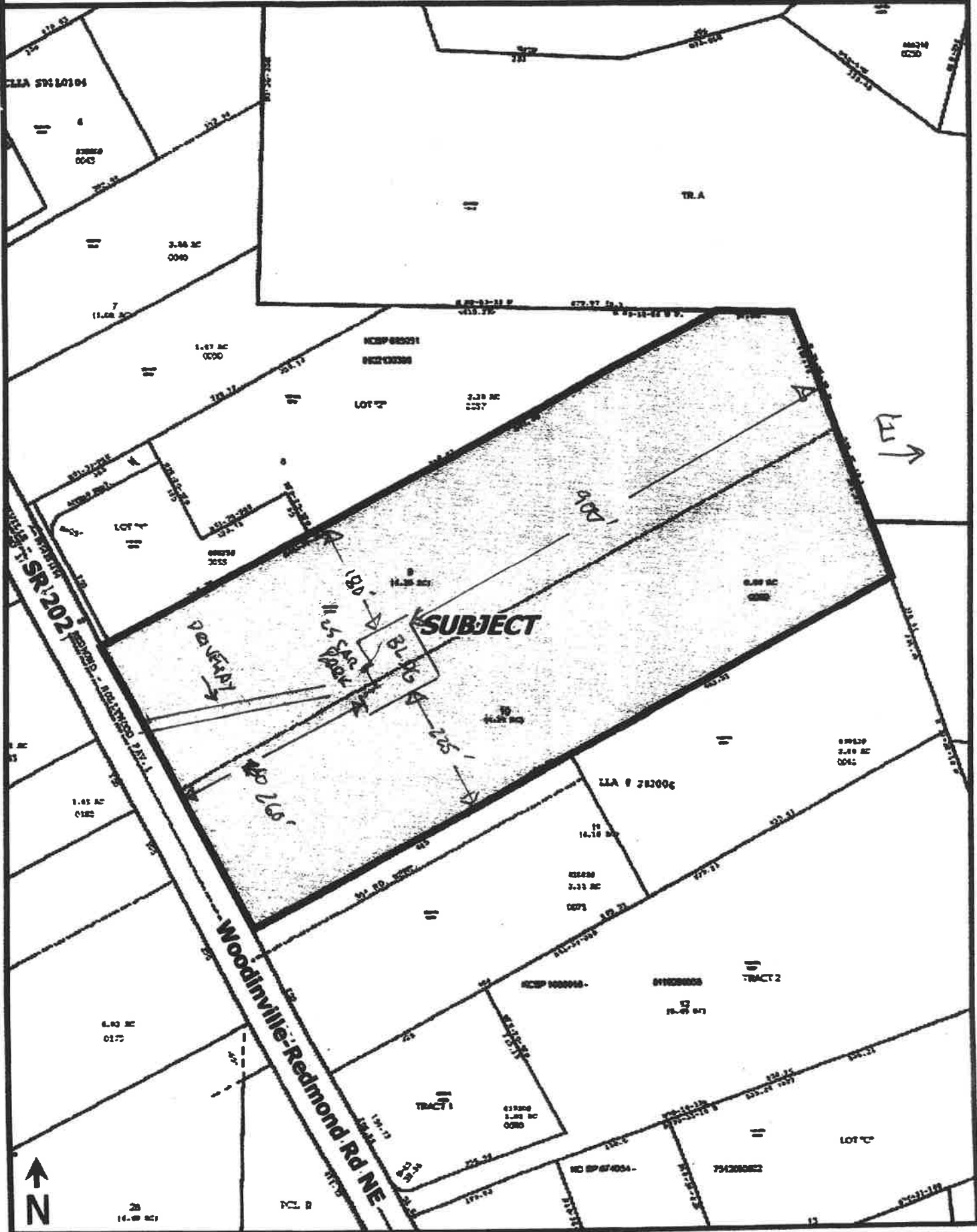


2ND FLOOR



REPORT

Site Map





Document 5: BUSL20-0011 6-month Conditional Adult Beverage Business License Response Letter, 6-month Extension Letter, and Application Material

King County

Permitting Division

Department of Local Services

35030 SE Douglas Street, Suite 210
Snoqualmie, WA 98065-9266

206-296-6600 | Relay: 711

<https://kingcounty.gov/permits>

Attn: Gregory C Lill
Cashmere Partners
P.O. Box 1301
Woodinville, WA 98072

RE: Adult Beverage Business License, Case # BUSL20-0011

Business Name: Cashmere Partners

Subject Property: 14208 Woodinville-Redmond Rd NE, Redmond, WA 98052 (Parcel # 3404700060)

Dear Mr. Lill,

You have been approved for a six-month conditional Adult Beverage Business License. This conditional license does not certify that your business is in compliance with King County Code. Instead, it provides an opportunity for you to bring your business into compliance.

This conditional license is valid for six months from the date of issuance. In order to extend this license beyond six months, you must demonstrate either full compliance or substantial progress toward compliance with King County Zoning Code Title 21A. Please refer to page two through five of this letter for a list of options you can use over the next six months to document substantial progress made in bringing your adult beverage business into compliance.

After six months, if you can demonstrate that you have made substantial progress with King County Zoning Code Title 21A, your Adult Beverage Business License will be extended for another six months. If you cannot demonstrate substantial progress with King County Zoning Code Title 21A, the Adult Beverage Business License extension will be denied and your business will be required to cease operation until it fully complies with King County zoning requirements.

If you have any questions about this process, please contact me at wclauss@kingcounty.gov or 206-263-3377.

Sincerely,

Warren Clauss,
Associate Planner, Project/Program Manager II
Permitting Division, Department of Local Services

Adult Beverage Business Facility, Compliance with King County Code, Title 21A

With the Adult Beverage Business License application submitted to King County Permitting Division, you have demonstrated that your adult beverage business was operating under an active Washington State Liquor and Cannabis Board production license issued for their current location before December 31, 2019, and that King County did not object to the location during the Washington State Liquor and Cannabis Board license application process. On your application, you applied as a type III winery in accordance to the regulations of King County Code Title 21A, adopted by Ordinance 19030.

I. Review of your Adult Beverage Business Licenses Application:

After review of your adult beverage business license application, your winery business has the opportunity to qualify as a type III winery, in accordance King County Code Title 21A. In order to meet the code criteria to qualify as a type III winery, your business will be required to submit a Conditional Use Permit to ensure it is a compatible land use and complies with the criteria in King County Code 21A.08.080.B.12. The Conditional Use Permit is a land use decision that requires public notice and is appealable. If your adult beverage business is approved through a Conditional Use Permit, a commercial building permit will be required to establish the use on the property.

Before applying for a Conditional Use Permit, you are required to submit an application for a mandatory Pre-application Meeting. This Pre-application Meeting reviews the proposed type III winery use to provide guidance on the requirements for a complete application and to expose and discuss any critical issues. Multiple review disciplines are required for the pre-application meeting and is listed on the Pre-Application Meeting Information packet.

The following code criteria are the minimum standards required in order to comply as a type III winery:

King County Code 21A.08.080.B.12:

- a. In the A zone, only allowed on sites where the primary use is SIC Industry Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small Animals;
- b. The aggregated floor area of structures and areas for winery, brewery, distillery facility uses shall not exceed a total of eight thousand square feet. Decks that are not occupied and not open to the public are excluded from the calculation for maximum aggregated floor area;
- c. Only allowed on lots of at least four and one-half acres. If the aggregated floor area of structures for winery, brewery, distillery uses exceeds six thousand square feet, the minimum site area shall be ten acres;
- d. Wineries, breweries and distilleries shall comply with Washington state Department of Ecology and King County board of health regulations for water usage and wastewater disposal, and must connect to an existing Group A water system. The definitions and limits of Group A water systems are described in K.C.C. 13.24.007, and provision of water service is described in K.C.C. 13.24.138, 13.24.140 and 13.24.142;
- e. Structures and parking areas for winery, brewery distillery facility uses shall maintain a minimum distance of seventy-five feet from interior property lines adjoining rural

- area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;
- f. In the A Zone, sixty percent or more of the products processed must be grown on-site. At the time of the initial application under K.C.C. chapter 6.74, the applicant shall submit a projection of the source of products to be processed;
 - g. At least two stages of production of wine, beer, cider or distilled spirits, such as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the Washington state Liquor and Cannabis Board production license, shall occur on-site. At least one of the stages of on-site production shall include crushing, fermenting or distilling;
 - h. In the A zone, structures and areas for non-agricultural winery, brewery, distillery facility uses shall be located on portions of agricultural lands that are unsuitable for agricultural purposes, such as areas within the already developed portion of such agricultural lands that are not available for direct agricultural production, or areas without prime agricultural soils. No more than one acre of agricultural land may be converted to a nonagricultural accessory use;
 - i. Tasting and retail sales of products produced on-site may occur only as accessory to the primary winery, brewery, distillery production use and may be provided in accordance with state law. The area devoted to on-site tasting or retail sales shall be limited to no more than thirty percent of the aggregated floor area and shall be included in the aggregated floor area limitation in subsection B.12.b. and c. of this section. Incidental retail sales of merchandise related to the products produced on-site is allowed subject to the restrictions described in this subsection. Hours of operation for on-site tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;
 - j. Access to the site shall be directly to and from an arterial roadway;
 - k. Off-street parking maximums shall be determined through the conditional use permit process, and should not be more than one hundred fifty percent of the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;
 - l. The business operator shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;
 - m. Events may be allowed with an approved temporary use permit under K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.; and
 - n. The impervious surface associated with the winery, brewery, distillery facility use shall not exceed twenty-five percent of the site, or the maximum impervious surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A., whichever is less.

*In additional to the criteria mentioned above, all applicable zoning standards of King County Code Title 21A will be applied including but not limited to landscaping, parking and circulation, and critical areas.

II. Review Considerations and Feedback:

1. You will need to submit proof that two stages of production are being conducted on site such as crushing, fermenting, distilling, barrel or tank aging, or finishing. At least one of these stages needs to include crushing, fermenting, or distilling. Additional information will be required during the pre-application meeting and conditional use permit submittal

- to verify that two stages of production is occurring on site.
2. The aggregated square footage of the business should include all areas related to the winery manufacturing use. This includes but is not limited to both primary and accessory uses such as production, raw and finished product storage, incidental storage, administrative offices, employee facilities, and caretaker units. Additional information about portions of the building related to the winery manufacturing use and business operation will be required during the mandatory Pre-application Meeting and Conditional Use Permit.
 3. The winery operation proposes to use a portion of an existing residential building. This will need to be reviewed during the mandatory Pre-application Meeting and Conditional Use Permit to determine if this will be allowed in accordance to zoning and building code standards.
 4. Off-street parking maximums shall be determined through the conditional use permit process, and should not be more than one hundred fifty percent of the minimum required for winery, brewery, and distillery facilities in King County Code 21A.18.030. Minimum off-street parking standards for a winery manufacturing use requires at 0.9 parking stalls per every 1,000 square feet of space plus 1 additional parking stall for every 300 square feet of tasting and retail areas. At a proposed size of 1,500 square feet of winery manufacturing space with no tasting room area, the off-street parking areas for the winery is limited to a maximum of three parking spaces. Twenty-five parking spaces are included in your site plan. You will need to provide information addressing this requirement during the mandatory Pre-application Meeting and Conditional Use Permit.
 5. Any events proposed on the property is subject to an approved temporary use permit under King County Code chapter 21A.32 or needs to be in compliance with the exemption criteria in King County Code 21A.32.110.E. It is important to note that if the use complies with the exemption under King County Code 21A.32.110.E, this does not allow use of any portion of the building permitted for residential use or residential accessory structures. Any winery use area within a building that is open to the public is required to comply with King County Building Code.

III. Demonstrating Substantial Progress Toward Compliance to Extend the Adult Beverage Business License After 6-Months

To demonstrate substantial progress toward compliance after six months, you should complete at least one of the following permits or meetings listed below:

1. Mandatory Pre-Application Meeting (Attachment 1)
Prior to applying for a Conditional Use Permit for a type III winery, you are required to submit for a mandatory Pre-application Meeting. This pre-application meeting reviews the proposed type III winery use to provide guidance on the requirements for a complete application and to expose and discuss any critical issues. Multiple review disciplines are required for the pre-application meeting and are in the Pre-Application Meeting Information packet.
2. Conditional Use Permit (Attachment 2)
In order to meet the zoning code criteria to qualify as a type III winery, your business will be required to submit a Conditional Use Permit to ensure it is a compatible land use and complies with the criteria in King County Code 21A.08.080.B.12. The Conditional Use Permit is a land use decision that requires public notice and is appealable. If your adult

beverage business is approved as a Conditional Use Permit, a commercial building permit will be required to establish the use on the property.

*If the applicant cannot demonstrate that they have taken at least one of the options listed above in order to demonstrate substantial progress, the six-month conditional license may not be extended and code enforcement action may be taken. King County Permitting Division may not consider other actions taken toward code compliance.

IV. King County Code Advisory:

One of the goals of this Adult Beverage Business License is to educate business owners and verify that they comply with county land use, health and safety regulations. This Adult Beverage Business License only reviews code standards related to King County Land Use. To ensure compliance with health and safety regulations, your adult beverage business needs to comply with all King County Code regulations including building, septic, wastewater.

For more information for which departments to contact regarding any authorizations or permits related to health and safety regulations please refer to Information & Resources: Adult Beverage Facilities sheet (Attachment 3).



Pre-application meeting information

Pre-application meetings are intended to provide applicants an opportunity to present development proposals to the Department of Local Services, Permitting Division (Permitting) prior to the formal permit submittal. This process allows applicants to ask permitting staff questions about applicable codes and standards and to determine the requirements for a complete application. It also allows Permitting staff to become familiar with project elements prior to a complete, in-depth review. There are two types of Pre-application Meetings.

1) A **Voluntary Pre-application Meeting** is held at the applicant's request to gain a better understanding of regulations that will influence the project design or to determine the project's feasibility. This meeting may be very preliminary in nature and is not intended to fulfill the mandatory pre-application meeting requirements of the King County Code (KCC). The applicant is free to choose as many or as few review disciplines as they feel necessary to discuss the desired topics that will help refine their proposal.

Voluntary pre-application meetings for commercial building permits and site development/clearing & grading permits subject to SEPA (Type 1 decisions) are highly recommended. Although these permit types do not require a pre-application meeting, the communication with staff is likely to reduce the number of revision cycles and improve permit approval timeframes.

2) A **Mandatory Pre-application Meeting** is required prior to permit submittal for all Type 2, 3, and 4 decisions per KCC 20.20.030. A mandatory pre-application meeting generally requires a higher level of plan detail than a voluntary pre-application meeting. The objectives of the mandatory pre-application meeting are to provide guidance on the requirements for a complete application and to expose and discuss any critical issues. Depending on the development permit being discussed, Permitting considers certain review disciplines essential to the review of the permit application. See submittal requirements on page 4 for direction.

Information provided by King County staff during the pre-application phase is preliminary in nature and subject to changes in codes and regulations until a formal permit application is submitted and deemed complete. The pre-application process is not intended to provide assurances that a development proposal will be approved by King County. Pre-application meeting products are valid for one year from the date of the meeting.

Pre-application meetings do not vest a proposal to a particular version of code, regulation, or standard.

Pre-application meeting information & application, continued

Application Submittal

1. Complete the “pre-application meeting application form”.
 - a. Select the review disciplines from the list below that apply to your project. Permitting may determine additional staff/disciplines are necessary based on the pre-application materials presented and charges will apply accordingly.
2. Submit the completed Pre-application Meeting Application form to PermitCenter.DPER@KingCounty.gov.

Invoicing and Payment

1. You will receive an email with an invoice and permit number for payment of the pre-application fee.
2. Using the provided permit number (no user account is required), pay the invoice at <https://aca.accela.com/kingco/Default.aspx> .

Additional Documents

1. Upon payment of your pre-application meeting fees, the project manager will:
 - a. Coordinate a pre-application meeting date and time. The meeting will be online using Microsoft Skype.
 - b. Send you an email with a Microsoft OneDrive link for the purpose of sending large files to Permitting. Refer to the Submittal Requirements section for a full listing of required documents. Upload the documents appropriate for your project. Documents should be in the PDF format.

Alternatively, applicants may email documents (10 gigabyte size limit) or transfer files using their own cloud storage location (DropBox, Google Docs, Adobe Cloud, etc.). If an alternative service is used, Permitting staff are not permitted to create user accounts to access these services.

Incomplete application packages can delay the scheduling of the pre-application meeting.

Additional Resources

King County [Department of Local Services, Permitting Division](#)

- [Pre-application meeting packet](#)
- [Property Research Guide](#) and [Property Research Video](#)
- [Permit Fees](#)
- Call the Permit Center at 206-296-6600 or email DPERWebInquiries@KingCounty.gov

Pre-application meeting information & application, continued

Review Disciplines and Fee Information

King County Code Title 27 requires Permitting to assess non-refundable fees for pre-application meetings based on the number of review disciplines preparing review comments and attending the pre-application meeting. The review disciplines are listed in the chart below. Mark the box next to each review discipline being requested for the pre-application meeting. The application fee is the total of the checked boxes.

A: Land Use and Zoning, includes: Site Planning, Project Management, Land Use, Zoning, Landscaping, Parking and lot layout, On-site traffic flow, Historic preservation, Subdivisions, Conditional Uses, Variances, Temporary Use Permits and SEPA Environmental Review.	\$733
B: Site Engineering, includes: Surface Water Design Manual, King County Road Design and Construction Standards, Floodplain development, and Addressing.	\$733
C: Transportation, include: Traffic impact analysis, Signalization, Channelization, and Level-of-service evaluations	\$772
D: Geologic Issues (Critical Areas): Landslide hazards, Seismic, Coal Mine hazards, and Steep slopes	\$733
E: Aquatic Resource Issues (Critical Areas): Streams, Wetlands, and Shorelines	\$733
F: Grading Issues: Clearing and Grading, Erosion and sedimentation control, Tree removal/retention, Site development issues, and Site restoration.	\$733
H: Fire Issues: Fire protection, Fire flow, Fire access, Sprinklers, Alarms, and Hazardous materials.	\$733
I: Building Issues: Building occupancy classification, Construction types, and Structural requirements.	\$733
J: Department of Natural Resources and Parks: For projects affecting facilities managed by Water and Land Resources Division, King County Parks, Solid Waste Division, or Wastewater Treatment Division.	\$772

Pre-application meeting information & application, continued

Submittal Requirements

R = Required O = Optional	Voluntary (Feasibility) Clearing & Grading and Building Permits	Plats and Short Plats	Conditional Use & Temporary Use Permits	Critical Areas Alteration Exception or Reasonable Use Exception	Shoreline Substantial Development, Shoreline Variance or Shoreline Conditional Use Permit Shorelines Packet	Special Use Permits & Rezones	Variance from Zoning Code
Review Disciplines Required (1) <i>See page 2 for descriptions</i>		A, B, C, D, E, F	A, B, C, H, I	A, D, E, F	A, B, E	A	A
Affidavit of Application	R	R	R	R	R	R	R
Project Narrative & Questions for Permitting Staff	R	R	R	R	R	R	R
Preliminary Site & Building Plans (2)	R	R	R	R	R	R	R
Draft of Application Form (follow links in column headings)	R	R	R	R	R	R	R
Residential Density Calculation Worksheet	O	R	n/a	n/a	n/a	n/a	n/a
Conceptual Drainage Plan/Drainage Study	O	O	O	O	O	O	n/a
SEPA Environmental Checklist	O	R	O	n/a	R	O	n/a
Geotechnical Report	O	O	O	O	O	O	n/a
Wetland/Stream Report	O	O	O	R	O	O	n/a
Traffic Impact Analysis	O	O	O	n/a	n/a	O	n/a
Critical Areas Designation	O	O	O	O	O	O	O
Groundwater Study (required for proposed mining activities)	O	O	O	O	O	O	O
Site Photographs	O	O	O	O	O	O	O

(1) Waiver of a review discipline may be granted by a Product Line Manager or Planner, depending on project and site characteristics. Call 206-296-6600 for questions.

- (2) Preliminary Site Plan should include, if known or applicable to project:
- Location of the property (vicinity map showing cross street)
 - Address (if an address has been assigned)
 - Parcel number(s)
 - Zoning of parcel(s) and adjacent parcels
 - North Arrow and Scaled dimensions (Eng. Scale for Site Plan, Arch. Scale for Building Plans)
 - Existing and proposed building footprints, with overhangs and projections
 - Existing and proposed grade contours
 - Site area in square feet or acres of the project site
 - Area of disturbance and/or development, including utilities and septic, as needed
 - Existing and proposed easements (ingress/egress, utilities, or drainage)
 - Critical areas and their buffers, if known



King County
Department of Permitting
and Environmental Review
 35030 SE Douglas Street, Suite 210
 Snoqualmie, Washington 98065-9566
206-296-6600 TTY Relay: 711
www.kingcounty.gov

Conditional Use Permit (CUP) Instructions & Information

For alternate formats, call 206-296-6600.

General Information

The following is a summary of the Conditional Use Permit (CUP) application process and a description of the application submittal requirements. The information for a Conditional Use Permit application is necessary in order to evaluate the merits of a proposal with applicable county and state regulations and to assess the potential community environmental impacts. If required to be submitted, the environmental checklist will be the basis for determining if an environmental impact statement will be required prior to any approval of a Conditional Use Permit.

An application will be evaluated on the basis of information provided by the applicant, the King County Comprehensive Plan (KCCP), pertinent provisions of the King County Code (KCC), site inspection, and comments submitted by citizens and interested public agencies. If the subject property is located within an identified landslide, erosion, steep slope, seismic, avalanche or coal mine hazard or wetland or stream area, the applicant may be required to submit a special study produced by a qualified professional to address the identified critical area features on the subject property.

Copies of the KCC and KCCP are available for inspection at the Department of Permitting and Environmental Review (Permitting) Permit Services Center and at the main branch of the Seattle Public Library. KCC and other development regulations are also available on the Internet via the King County Web site at www.kingcounty.gov.

Questions related to CUP may be answered by calling or contacting:

Department of Permitting and Environmental Review
 35030 SE Douglas Street, Suite 210
 Snoqualmie, WA 98065-9266
 Telephone: 206-296-6600

Pre-Application Conference

A pre-application conference with Permitting staff is required prior to filing a CUP application. Pre-application request forms and instructions for filing a pre-application conference request are available at the Permitting Services Center, from the Permitting Web site at www.kingcounty.gov/permits, or by calling 206-296-6600. A filing fee is required at the time a request is made with the amount to be determined at the time of filing and based on the latest adopted fee ordinance. Permitting staff will schedule the pre-application conference within thirty (30) days from the date of the request.

Filing an Application

A CUP application must be filed in person at the Permitting Services Center. An appointment with Permitting staff is required to file the application. Please call 206-296-6797 to schedule the appointment. The minimum submittal requirements necessary to file the application are described below. Permitting staff has twenty-eight (28) days from the date of filing to determine whether or not the application is complete. An application that fails to meet the submittal requirements described herein will be deemed incomplete.

Notice of Application

Public Comment Period: After Permitting staff determines that a CUP application is complete, a Notice of Application is issued, as specified below. The minimum public comment period is twenty-one (21) days, although public comments may be submitted and considered until the time of the decision.

Permitting sends out a notice of the application to property owners within a 500-foot radius of the subject property.

If the area is rural or lightly populated, the notice must be mailed to at least 20 different property owners; or, in other appropriate cases, the department may determine it is necessary to notify additional property owners.

A notice of the application will be published by the Permitting staff in the official county newspaper and another newspaper of general circulation.

The applicant is required to install a notice board, which must be placed in a conspicuous place on the property throughout the permit process so that it is visible to people passing by the property. Additional notice boards may be required as determined by Permitting.

The cost of the board is the applicant's responsibility. Permitting will send the applicant written instructions regarding the specific requirements for the notice board.

Notice of the application is also provided to anyone who writes to the department requesting information regarding the CUP request.

Method for Processing

The Department Director has appointed a representative to make final decisions regarding CUPs. This process generally takes 120-days provided no appeals are filed or substantial additional information is required. Upon conclusion of the review of the CUP application materials, the director's representative will issue a written decision based on the written record. If the proposal is subject to the State Environmental Policy Act (SEPA), Permitting will issue the SEPA threshold determination. A copy of the decision is mailed to all parties who have written to the department. There is an appeal period, as identified in the written decision, whereby an aggrieved person can file an appeal together with an appeal filing fee to the King County Hearing Examiner.

In those cases where a proposed action for a CUP also requires other County permits, the following procedures shall apply:

When other permits require a public hearing before the Hearing Examiner, the review of the CUP shall be combined with the other permit(s), and the Examiner shall act on behalf of the director's representative for the purpose of the CUP decision.

When other permits are administratively approved, review of the CUP application may be combined with other permits dependent on the granting of a CUP. If not combined, other permits may proceed prior to review and approval of such CUP.

In those cases where the Hearing Examiner is presiding, the Examiner will also act as the decision-maker and rule on the CUP.

In all cases of combined review, the most informative provisions for notification and processing shall govern the review of CUP requests.

No permit shall be approved without prior review and approval of any required variance.

Criteria for CUP Approval

KCC 21.44.040 Conditional Use Permit. A Conditional Use Permit shall be granted by the county, only if the applicant demonstrates that:

The conditional use is designed in a manner which is compatible with the character and appearance of an existing, or proposed development in the vicinity of the subject property;

The location, size and height of the buildings, structures, walls and fences, and screening vegetation for the conditional use shall not hinder neighborhood circulation or discourage the permitted development or use of neighboring properties;

The conditional use is designed in a manner that is compatible with the physical characteristics of the subject property;

Requested modifications to standards are limited to those that will mitigate impacts in a manner equal to or greater than the standards of this title;

The conditional use is not in conflict with the health and safety of the community;

The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood; and

The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts on such facilities.

Submittal Requirements for Filing a CUP Application

Unless otherwise noted, the following listed items are required to be submitted at the time of application.

Permit application form: Submit one (1) original and two (2) copies.

Legal Description: Submit one (1) copy.

One a piece of white, legal-size, 8½" x 14" paper, type the legal description of the subject property and attach it to the application. The legal description of the property may be obtained from the King County Department of Assessments. **Be absolutely sure the description is correct and agrees with the property outlined on the Assessor's map.** A current legal description is necessary before the application is acceptable. If the legal description is written from a survey map, the map should accompany the description along with the Assessor's map outlined in red.

Conditional Use Permit (CUP) Application: Submit five (5) copies.

CUP Development Plans: Submit six (6) copies on uniform-sized sheets. Plans must be folded to fit in a legal-size folder (8½" x 14").

Provide on cover sheet

A 6" x 6" blank space in the lower right hand corner for Permitting identification stamps.

Name, address, day telephone number of owner.

Name, address, day telephone number of registered engineer, land surveyor, architect, or planner.

Existing zone classification.

Acreage within property boundaries.

Proposed method of sewage disposal and sewer district.

Source of water; if water district, include name.

Fire district.

School district.

Legal description (type or print).

A written statement of the general purposes of the project.

An explanation of all features pertaining to uses and other pertinent matters not readily identifiable in map form.

Vicinity maps: Show sufficient area and detail to clearly locate the project in relation to surrounding roads, parks, rivers, and municipal boundaries, together with its scale.

In the case of kennels, include the number, size, and characteristics of the breed.

For communication facilities: name, address, and day telephone number of operators.

Site plans – drawn to a convenient engineer scale:

Map scale and North arrow.

Property boundaries clearly dimensioned and accurately delineated by a heavy line or color.

Boundary lines and zoning classification of adjacent tracts within 500-feet of the subject property.

Locate, name, and dimension all existing and proposed streets and other public ways, easements, utility and railroad rights-of-way within and adjacent to the proposed development.

Existing and proposed topography on separate drawings showing at least 5-foot contours to be extended at least 100-feet beyond project boundaries.

Location of any major physical features such as railroads, lakes and rivers, including those with 500-feet of the subject property.

Locate all critical areas and associated buffers on plans. A critical area includes erosion hazards, landslide hazards, steep slope hazards, avalanche, floodplain, wetland, and/or stream. Indicate if streams are intermittent: 100-year floodplain for rivers, 25-year floodplain for streams, and delineate top and toe of 40% slopes. See KCC 21A.24 for Critical Area Standards and Development Limitations.

Accurate dimensions, location, and use of all existing and proposed structures on the subject property indicating porches, eaves, fences and signs. Identify any structures to remain or to be removed. Identify existing wells and/or septic tank and drainfields.

General size, location and uses of all existing structures within 100-feet of boundaries of the subject property.

Show elevations and/or sections of all existing and proposed buildings depicting general character of the structures, relationship between floors, entrances, building height and grades.

Illustration of building types or building complexes (may be schematic plan view) showing relationships between parking, entrances, walks, indoor areas and outdoor uses (structural floor and building plans are not required).

A minimum of one cross-section in each direction showing the relationship of the proposed structures to both existing and final grade.

If any new streets are proposed (public or private), show street construction section or reference to suitable King County Department of Transportation standards (reference King County Road Standards).

Location, dimensions, and design of off-street parking facilities showing points of ingress and egress. (See KCC 21A.18 and King County Road Standards.)

Boundaries of proposed common open space land, if any; indicate proposed use.

Proposed public dedications, e.g. school sites, parks, etc., if any, within the site.

Preliminary landscape plan showing existing vegetation to be retained and proposed landscaping identifying height and type of landscaping to be provided at time of planting. This plan can include narrative, if necessary. (See KCC 21A.16 for applicable standards for the proposed use.)

Easements, deed restrictions or other encumbrances restricting the use of the property.

Reduced Site Plan: Submit one (1) copy of a reduced site plan on an 8½" x 11" sheet.

Water Availability Certificate: Submit three (3) copies.

Preliminary approval for the creation of a new water system in accordance with the provisions of the applicable Coordinated Water System Plan or for connection with a private well from the Seattle-King County Department of Public Health; **or**

The Certificate of Water Availability form for the site must be given to the appropriate existing water purveyor to complete (water district; city; water association), and then returned with this application. At the top of the form, a space is provided for a description of the site. In this space, the legal description of the site should be inserted or attached on a separate sheet if it is too lengthy.

Note: For sites located in the Urban Growth Area, if the development is not proposing to be served by an existing or new Group A water system at the time of construction, a Certificate of Future Connection must be given to the appropriate Group A water purveyor to complete and then returned with this form.

Sewer Availability Certificate: Submit three (3) copies.

Preliminary approval for individual or community on-site sewage disposal systems from the Seattle-King County Department of Public Health must be submitted with this application; **or**

The Certificate Sewer Availability form for the site must be given to the appropriate agency to complete (sewer district) and then returned with this application. At the top of the form, a space is provided for a description of the site. In this space, the legal description of the site should be inserted or attached on a separate sheet if it is too lengthy.

Certificate of Future Water/Sewer Connection (if applicable): Submit three (3) copies.

If the site is located in the Urban Growth Areas, and an interim on-site sewage system is proposed consistent with KCC 13.24.136, the following information is also required:

The sewer availability form must be submitted to the most logical sewer purveyor to complete and returned with this application along with a letter which demonstrates to the satisfaction of the Director of Permitting that the requirement to receive sewer service from the purveyor is unreasonable or unfeasible at the time of construction; and

A Certificate of Future Connection must be given to the appropriate agency to complete and then returned with this application.

SEPA Environmental Checklist with gas emission worksheet and a reduced copy of the site plan (only if required by KCC 20.44): Submit eight (8) copies.

Please refer to instructions on the SEPA checklist form. The applicant will be contacted by the Permitting Department if additional information or clarity is required. Failure to respond may cause postponement of consideration of the request. If another agency is the SEPA lead agency for this project, also submit eight (8) copies of the Threshold Determination. If an EIS has been prepared for this proposal, submit three (3) copies of the EIS with the application.

Level-One Drainage Analysis: (Required only if the thresholds for drainage review per the King County Surface Water Design Water Manual are met.) Submit two (2) copies.

Conceptual Drainage Plan: (Required only if the thresholds for drainage review per the King County Surface Water Design Manual are met.) Submit two (2) copies.

Fire District Receipt: Obtain from the local fire district. Submit one (1) copy.

Proof of "Legal" Lot Status: Documentation of the date and method of segregation of the subject property. Submit one (1) copy.

Certificate/Affidavit of Critical Areas Compliance: Submit one (1) copy.

Certification of Applicant Status Form: Submit one (1) copy.

Copies of variance decisions required per KCC 21A

List of other issued or pending permits or decisions related to the proposal

Permit Review Fees

Additional Documents Required for Communication Facilities Only: Submit four (4) copies of each.

Attachment A for Communication facilities filing requirements

Interference and Noise Report

Radio frequency, National Instruments Error Report (NIER)

A list of community meeting attendees, a list of those who received a mailed notice, and a copy of the published meeting notice.

Other documents: (Optional at time of application submittal – Permitting staff may request or require submittal after application has been filed):

Special studies or reports (e.g., traffic studies, wetland reports, geotechnical evaluation). Submit four (4) copies.

Photographs, charts, petitions, letters, models, etc., may be submitted at the discretion of the applicant. Submittals should fit within an 8½" x 14" legal-sized file folder.



Information & Resources: Winery, Brewery, Distillery (WBD) I, II, III & Remote Tasting Rooms (Adult Beverage Facilities)

**Click on the hyperlink or refer to the endnotes for full link to each resource*

On January 3rd, 2020, [Ordinance 19030 \(Adult Beverage\)](#)¹ went into effect, which updated development regulations related to wineries, breweries, distilleries, and remote tasting rooms in unincorporated King County. The changes made by this ordinance is to help King County to prepare for and support the future of the adult beverage industry as it evolves in the region, to better implement and comply with the policies of the King County Comprehensive Plan, Countywide Planning Policies and the Growth Management Act.

Ordinance 19030 identifies four new land use definitions in [King County Code](#)² (KCC) 21A.06. These include:

1. Remote Tasting Rooms (KCC 21A.06.996)
2. Winery, Brewery, Distillery Facility I (KCC 21A.06.1427A)
3. Winery, Brewery, Distillery Facility II (KCC 21A.06.1427B)
4. Winery, Brewery, Distillery Facility III (KCC 21A.06.1427C)

1. Permits & Licenses:

All WBD I, II, III Facilities and Remote Tasting Rooms require:

- A. [Liquor License](#)³ from Washington State Liquor and Cannabis Board (WSLCB)
- B. [Adult Beverage Business License](#)⁴ from King County Permitting Division
- C. All applicable development permits necessary to comply with King County regulations. This varies based on the each proposed development. Refer to section 2 for a list of related development regulations that may be required.

2. King County Development Regulations, including, but not limited to:

- [Commercial Development Permit](#)⁵, [Tenant Improvement, or Change of Use Permit](#)⁶
- [Fire Permit](#)⁷ or [Mechanical Permit](#)⁸
- [Sign Permits](#)⁹
- [Temporary Use Permit](#)¹⁰
- [Conditional Use Permit](#)¹¹

Information & Resources: Winery, Brewery, Distillery (WBD) I, II, II & Remote Tasting Rooms (Adult Beverage Facilities), continued

3. Seattle King County Public Health Regulations, including, but not limited to:

- [Septic Use Approval](#)¹² or [Sewer Certificate](#)¹³
- [Food Handlers Permit](#)¹⁴
- [Beverage-Related Businesses](#)¹⁵

4. King County Industrial Waste

For discharge to the sanitary sewer, contact [King County Industrial Waste](#)¹⁶ at (206) 477-5300.

5. King County Stormwater Services

For information on required [Best Management Practices](#)¹⁷ to protect water quality, contact [King County Stormwater Services](#)¹⁸ at (206) 477-4811.

6. Washington State Department of Ecology

For information on [State Waste Discharges Permits](#)¹⁹ for land application or surface water discharge of wastewater (non-sewage), contact Ecology at (425) 649-7098

¹ https://www.kingcounty.gov/~media/Council/documents/Issues/winery/Ordinance_19030.ashx?la=en

² https://aqua.kingcounty.gov/council/clerk/code/24-30_Title_21A.pdf

³ <https://lcb.wa.gov/licensing/apply-liquor-license>

⁴ <https://www.kingcounty.gov/services/business/licenses/types.aspx>

⁵ <https://www.kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/bulletins/8.ashx?la=en>

⁶ <https://www.kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/bulletins/5.ashx?la=en>

⁷ <https://www.kingcounty.gov/depts/local-services/permits/permits-inspections/fire-permits.aspx>

⁸ <https://www.kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/bulletins/36A.ashx?la=en>

⁹ <https://www.kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/bulletins/20A.ashx?la=en>

¹⁰ <https://www.kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/forms/b-tempuse-geninfo-pdf.ashx?la=en>

¹¹ <https://www.kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/forms/ConditionalUsePermit-CUP-InstructAndInfo.ashx?la=en>

¹² <https://www.kingcounty.gov/depts/health/environmental-health/piping/onsite-sewage-systems/applications/permits.aspx>

¹³ <https://kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/forms/Sewer-Availability-Certificate.ashx?la=en>

¹⁴ <https://www.kingcounty.gov/depts/health/environmental-health/food-safety/food-business-permit.aspx>

¹⁵ <https://www.kingcounty.gov/depts/health/environmental-health/food-safety/food-business-permit/beverage.aspx>

¹⁶ <https://www.kingcounty.gov/services/environment/wastewater/industrial-waste.aspx>

¹⁷ <https://www.kingcounty.gov/services/environment/water-and-land/stormwater/documents/pollution-prevention-manual.aspx>

¹⁸ <https://www.kingcounty.gov/services/environment/water-and-land/stormwater.aspx>

¹⁹ <https://ecology.wa.gov/Water-Shorelines/Water-quality/Water-quality-permits>



King County

Permitting Division

Department of Local Services

35030 SE Douglas Street, Suite 210
Snoqualmie, WA 98065-9266

206-296-6600 | Relay: 711

<https://kingcounty.gov/permits>

Adult Beverage Business Owner,

This letter is to inform you that your conditional Adult Beverage Business License has been extended for an additional six months.

King County Permitting recognizes the challenges that existing adult beverage businesses have faced over the past six months, including:

- (1) Adjusted protocols and procedures in response to Covid-19,
- (2) Invalidation of King County zoning standards for wineries, breweries, distilleries, and remote tasting rooms put into effect by Ordinance 19030, and
- (3) A moratorium passed by King County Council prohibiting the expansion of existing or the establishment of new wineries, breweries, distilleries.

Based on these circumstances, King County Permitting Division is aware that adult beverage businesses, such as your own, have faced increased challenges that have limited their ability to make substantial progress towards compliance with King County Code. For this reason, King County Permitting Division is extending the Adult Beverage Business License to allow additional time for businesses to respond to the restrictions put into effect by the both the moratorium and Washington State Growth Management Hearings Board ruling on Ordinance 19030.

It is important to note that this extension is not a determination that your adult beverage business has taken substantial progress towards compliance per King County Code 6.74.080, but rather an extension based on the existing circumstances listed above. Once the moratorium has been lifted and the zoning standards for wineries, breweries, distilleries, and remote tasting rooms re-established, all adult beverage business licenses will need to obtain all necessary permits to demonstrate compliance.

Any adult beverage businesses that are already vested through an existing building permit or as a nonconforming home occupation are encouraged to use the next six months to obtain all necessary permits to ensure compliance with King County Permitting Division standards. Businesses seeking compliance with the invalidated zoning standards for wineries, breweries, distilleries, and remote tasting rooms will need to wait until zoning standards are back in effect.

If you have any questions, please contact me at wclauss@kingcounty.gov or 206-263-3377.

Sincerely,

Warren Clauss,
Associate Planner, Project/Program Manager II
Permitting Division, Department of Local Services

Application Material:

4-6-2020

Mr. Warren Clauss
Department of Local Services
35030 SE Douglas Street, Suite 210
Snoqualmie, WA. 98065-9266

RECEIVED
APR - 9 2020
KC DLS/PERMITS

Re: Adult Beverage Business License Application
Cashmere Partners

Dr. Mr. Clauss,

Enclosed please find the Adult Beverage Business Application for Cashmere Partners for our location at 14208 Woodinville-Redmond Rd. NE. Redmond, WA. 98052. Also enclosed is our check in the amount of \$100.00 for the Annual License fee.

If you have any questions please do not hesitate to reach out to me or my appointed agent, Courtney Flora with whom you have been speaking with.

Cheers,



Gregory Lill

Cashmere Partners

206-715-4518

greg@cashmerepartners.com

BUSL20-0011



Business License Application, Adult Beverage

Submit this completed application form with the required application materials listed below to the Department of Local Services, Permitting Division (Permitting). Application can be made in person during [customer service hours](#), or by mail to the address shown below. Incomplete applications will not be accepted.

Nonrefundable

Annual License Fee:
\$100.00

Application submittal checklist

- Copy of current WSLCB liquor license for this location
- For properties in the Agriculture Zone a signed statement that at least 60% of the products to be used in production are grown on-site.
- Non-Conforming businesses (businesses that met the conditions of a previous King County Zoning Code, but do not meet current code) must submit the following additional documentation:
 - Copy of a Washington State Liquor and Cannabis Board production license or approval issued for this location before December 31, 2019 and that King County did not object to the location during the Washington State Liquor and Cannabis Board license application process, or
 - Documentation of the county's response to the notice of application, if any
 - Documentation sufficient to establish that all the requirements of [King County Code \(KCC\) Title 21A](#), or a previous code version, including but not limited to zoning, home occupation, and critical areas requirements have been met as defined in KCC 21A.32.

Other submittal requirements

- Public Health Approval documentation including septic use approval if applicable.
- Detailed description of all on-site adult beverage business operations.
- Site plan showing:
 - Lot size
 - Square footage and uses of all buildings onsite.
 - Distance of structures from property lines.
 - Parking areas with number of parking spaces indicated.
 - Total area of impervious surface.
- Floor plans to scale for all on-site structures including labels for all uses and square footage.
- Water Source.

BUSL20-0011

Business License Application, Adult Beverage, continued

Application and Facility Types

Application Type: New Application Renewal

Facility Use: Remote Tasting Room Brewery Distillery
 (check all that apply) Winery Other Non-Conforming

WBD Type: Type I Type II Type III

Square footage of Manufacturing: 1500 Sq.Ft. Square footage of Tasting Room:

Business Information

BUSINESS NAME CASHMERE PARTNERS	PARCEL NUMBER (required) 3 40470-0060-08		
BUSINESS ADDRESS 14208 WOODINVILLE-REDMOND RD.NE.	CITY REDMOND	STATE WA	ZIP CODE 98052
BUSINESS MAILING ADDRESS <input type="checkbox"/> Same as above PO BOX 1301	CITY WOODINVILLE	STATE WA	ZIP CODE 98072
BUSINESS EMAIL greg@cashmirepartners.com	BUSINESS PHONE NUMBER 206.715-4518		
UBI NUMBER 604-188.746-001.0001	BUSINESS WEBSTE ADDRESS WWW.CHATEAULILL.COM		
WSLCB LICENSE NUMBER 427391-6B	EFFECTIVE DATE 3.14.19		

Applicant Information (name of person or entity proposing to operate the business)

FULL NAME GREGORY C. LILL	PHONE NUMBER 206.715.4518	EMAIL ADDRESS greg@cashmirepartners.com	
MAILING ADDRESS PO BOX 1301	CITY WOODINVILLE	STATE WA.	ZIP CODE 98072

Continued

Business License Application, Adult Beverage, continued

Types of Adult Beverage Facilities

1. Remote Tasting Rooms (KCC 21A.06.996)

- A small facility licensed by the Washington state Liquor and Cannabis Board and limited to the following non-retail liquor licenses: a Craft Distillery, a Tasting Room
- Limited to 1,000 square feet plus 500 square feet of adjacent outdoor tasting area in the Demonstration Project Area. The square footage limitation do not include storage, restrooms, and similar nonpublic areas.

2. Winery, Brewery, Distillery (WBD) Facility I (KCC 21A.06.1427A)

- A very small-scale production facility licensed by the state of Washington to produce adult beverages
- Limited to 1,500 square feet
- No remote tasting room or on-site retail sales allowed

3. Winery, Brewery, Distillery (WBD) Facility II (KCC 21A.06.1427B)

- A small-scale production facility licensed by the state of Washington to produce adult beverages
- Remote tasting rooms and on-site retail sales are allowed
- Cannot exceed 3,500 square feet in the Agriculture, Rural Area, Neighborhood Business and Community Business zones, unless in a designated historic structure

X 4. Winery, Brewery, Distillery (WBD) Facility III (KCC 21A.06.1427C)

- A production facility licensed by the state of Washington to produce adult beverages
- Remote tasting rooms and on-site retail sales are allowed
- Facility greater than 3,500 and less than 8,000 square feet in the Agriculture and Rural Area zones.
- Requires Conditional Use Permit.

Note: The descriptions above provide general information about the new uses introduced by the Adult Beverage Ordinance 19030. These descriptions are not comprehensive and do not encompass all applicable code criteria for each facility. It is the applicant's responsibility to perform their own due diligence for any proposed Adult Beverage related facility. Please refer to the "Summary of Zoning Requirements – Adult Beverage Businesses" information sheet for criteria related to Adult Beverage facilities and zone allowances.

Business License Application begins on next page

3-3-2020

Information on Cashmere Corporation / Cashmere Partners property in Unincorporated King Co.

Operations Description: Cashmere is a small 400 case production winery with no tasting room operations and or daily customer, or open to the public business. All operations are conducted in the Cellar Lower Level as indicated on the building site plan.

Address:	14208 Woodinville-Redmond Rd. NE Redmond, WA. 98052
KC Parcel Number	340470-0060-08
Building Size	7,930 Sq. Ft. (three stories) Main building, winery area is only 1,500 sq.ft. 2,278 Sq. Ft. storage barn 1,064 Sq. Ft. animal barn
Parcel size	8.84 Acres
Car parking	In front of west side of building facing street for 25 cars
Impervious surfaces	8,000 Sq. Ft.
Distance from bldg. to property line.	260' to the west (Street) 225' to the south, 180' to the north, 900' to the east
Water Source	Woodinville Water District.



STATE OF WASHINGTON

Profit Corporation

BUSINESS LICENSE

Issue Date: Mar 03, 2020
Unified Business ID #: 604188746
Business ID #: 001
Location: 0001
Expires: Nov 30, 2020

CASHMERE CORPORATION
CASHMERE PARTNERS
14208 WOODINVILLE REDMOND RD NE
REDMOND, WA 98052-2008

UNEMPLOYMENT INSURANCE - ACTIVE
TAX REGISTRATION - ACTIVE

INDUSTRIAL INSURANCE - ACTIVE
DOMESTIC WINERY < 250,000 LITERS #427391 - ACTIVE

CITY ENDORSEMENTS:

WOODINVILLE GENERAL BUSINESS - NON-RESIDENT - ACTIVE

LICENSING RESTRICTIONS:

Not licensed to hire minors without a Minor Work Permit.

REGISTERED TRADE NAMES:

CASHMERE PARTNERS
CASHMERE PARTNERS INC
LILL FAMILY WINES

This document lists the registrations, endorsements, and licenses authorized for the business named above. By accepting this document, the licensee certifies the information on the application was complete, true, and accurate to the best of his or her knowledge, and that business will be conducted in compliance with all applicable Washington state, county, and city regulations.

Director, Department of Revenue

STATE OF WASHINGTON

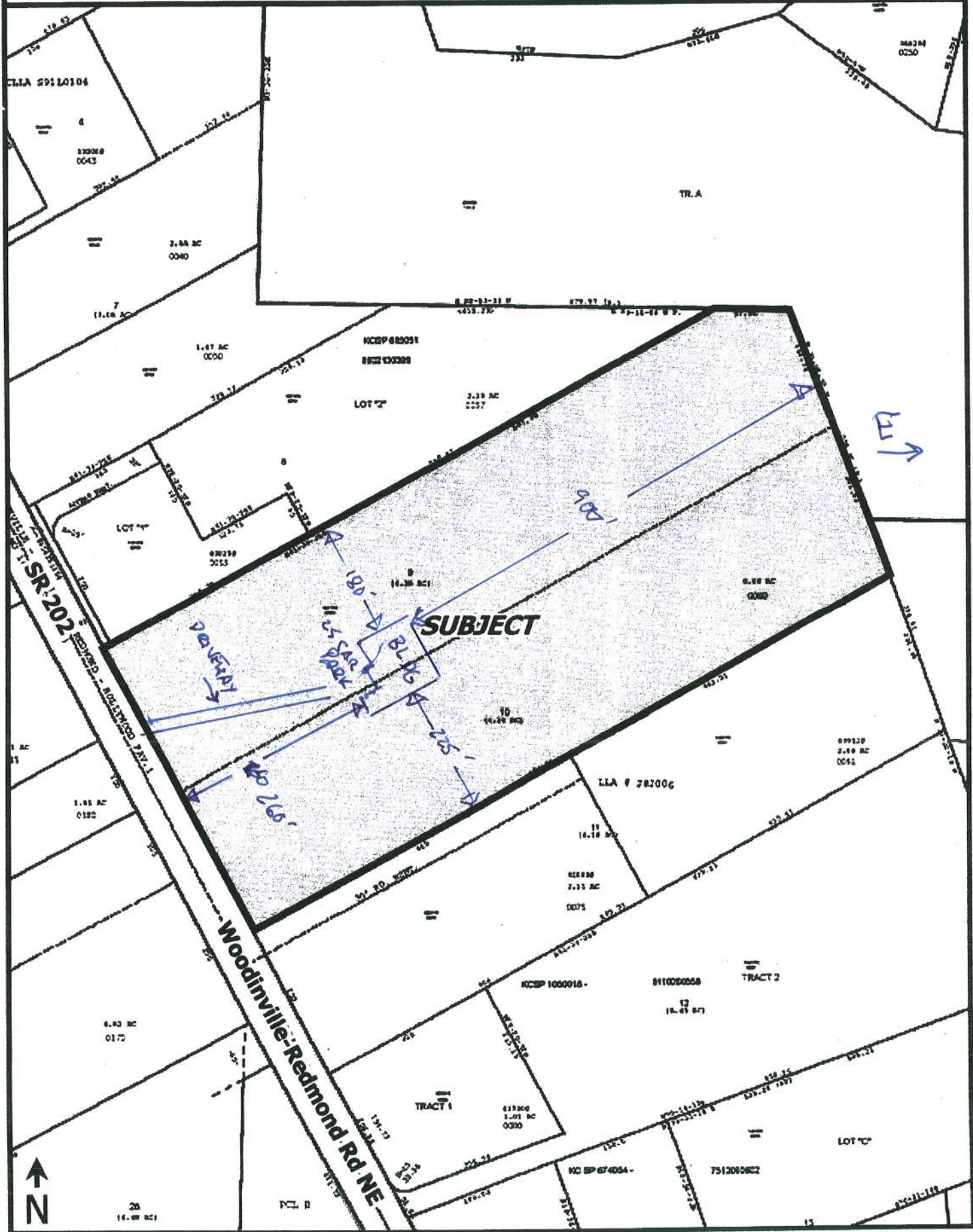
UBI: 604188746 001 0001

Expires: Nov 30, 2020

CASHMERE CORPORATION
CASHMERE PARTNERS
14208 WOODINVILLE REDMOND
RD NE
REDMOND, WA 98052-2008

UNEMPLOYMENT INSURANCE - ACTIVE
INDUSTRIAL INSURANCE - ACTIVE
TAX REGISTRATION - ACTIVE
DOMESTIC WINERY < 250,000 LITERS #427391 - ACTIVE
WOODINVILLE GENERAL BUSINESS - NON-RESIDENT - ACTIVE

Site Map

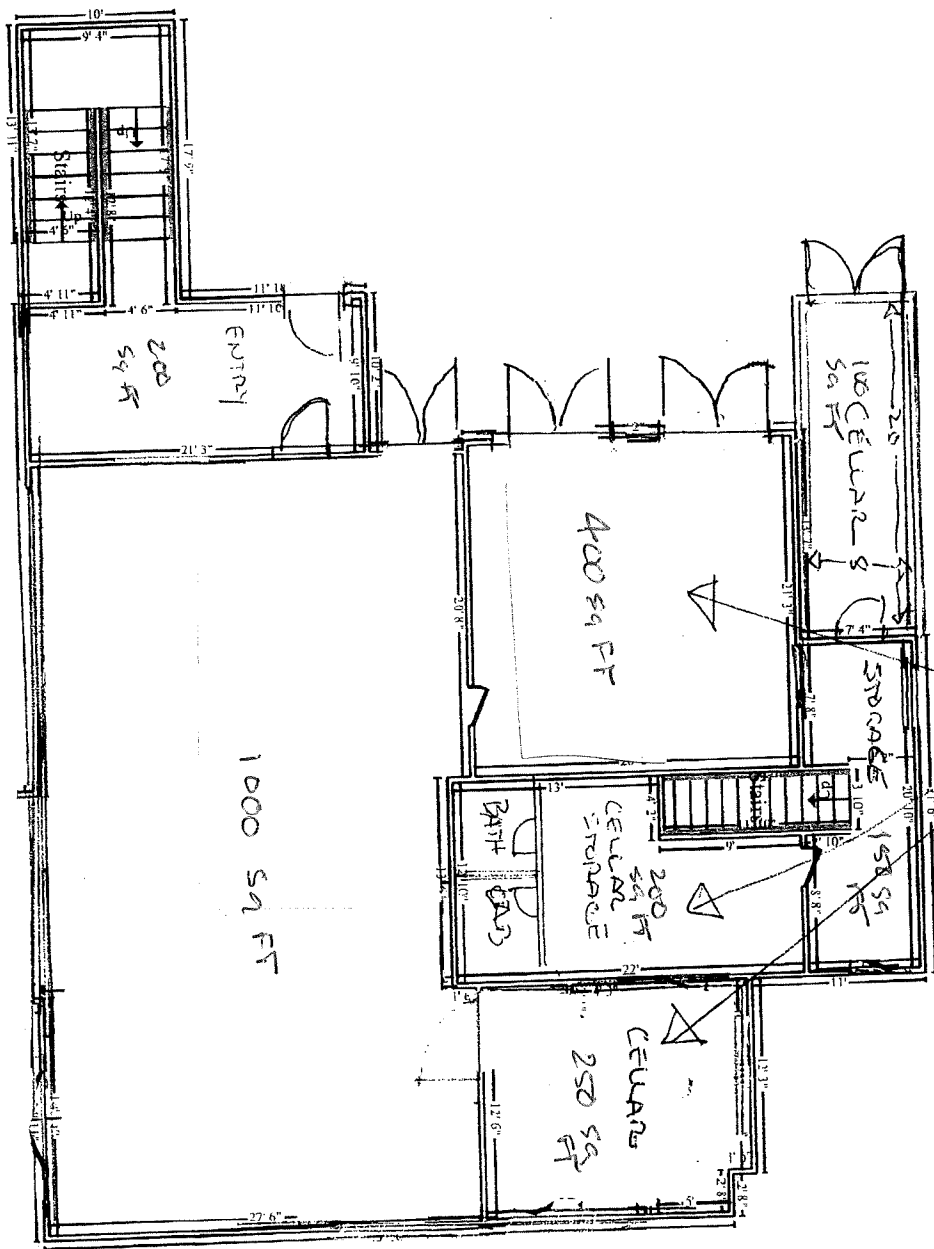


Ventilation

MAIN BLDG

7 930 SQ. FT.

CASHIERS PARTNERS SPACE



1000 SQ FT

400 SQ FT

158 SQ FT

STORAGE

200 SQ FT
CELANA STORAGE

BATH

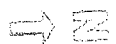
250 SQ FT
CELANA

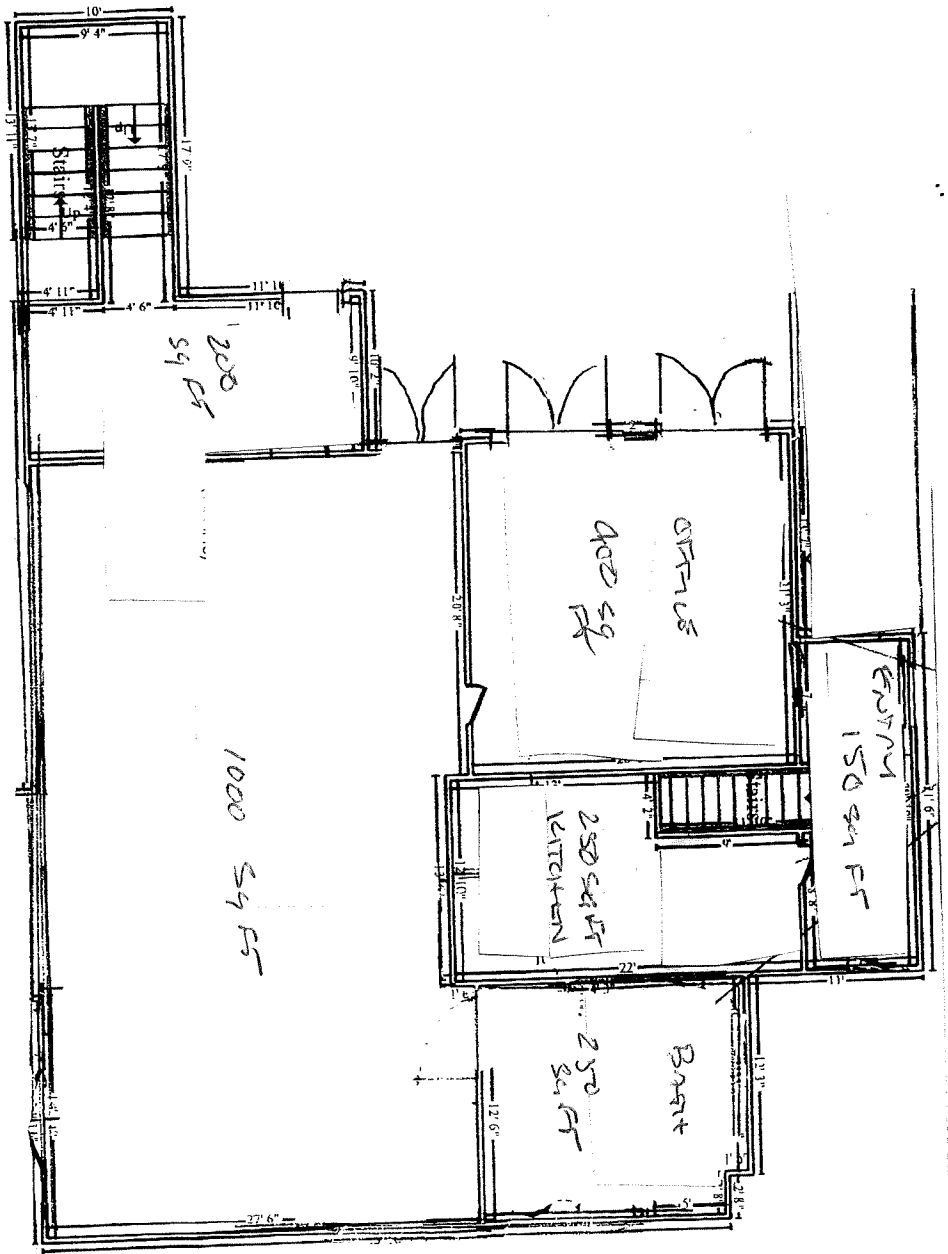
200 SQ FT

ENTRY

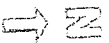
CELANA LOWER LEVEL

8/28/2017

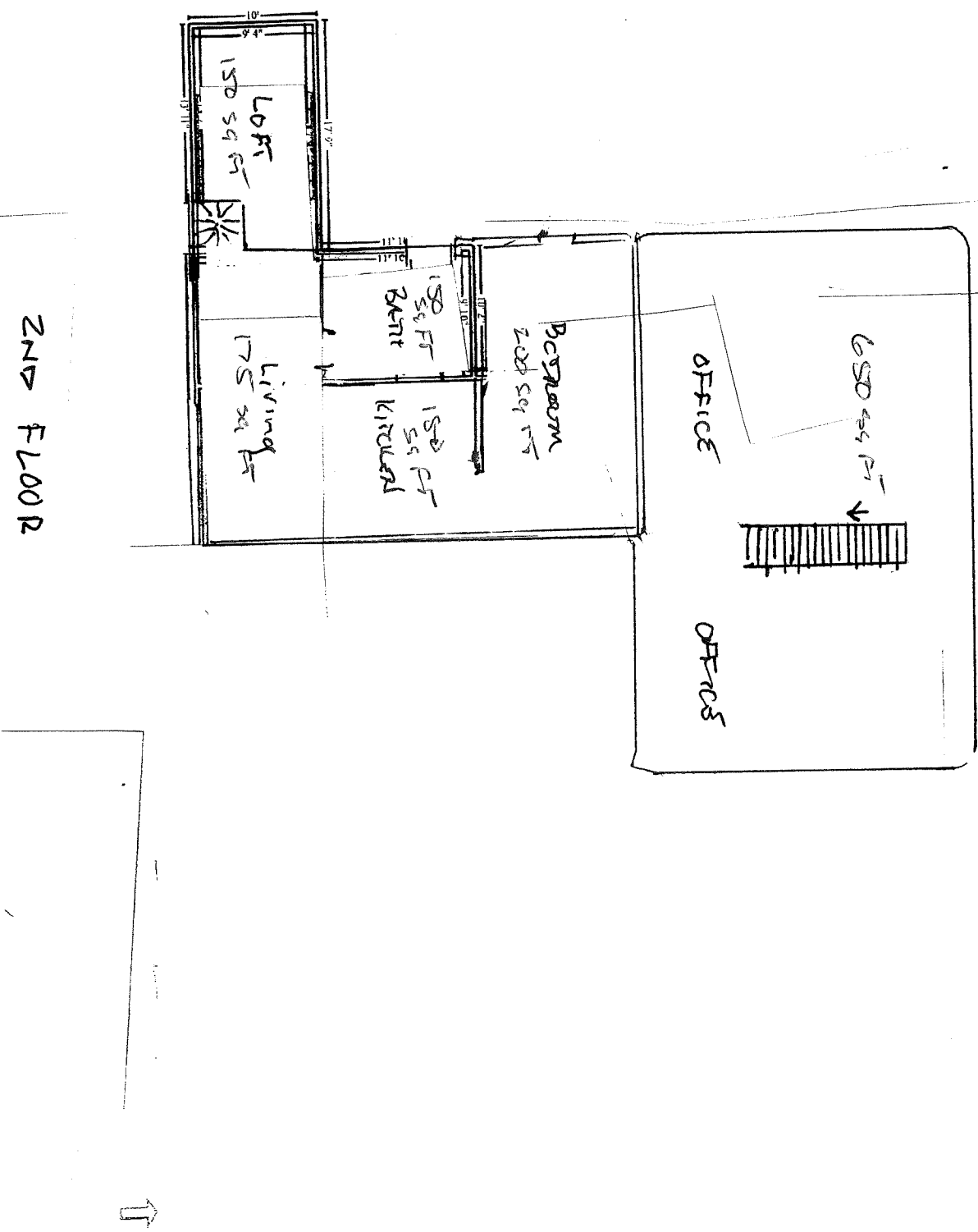




MAIN FLOOR

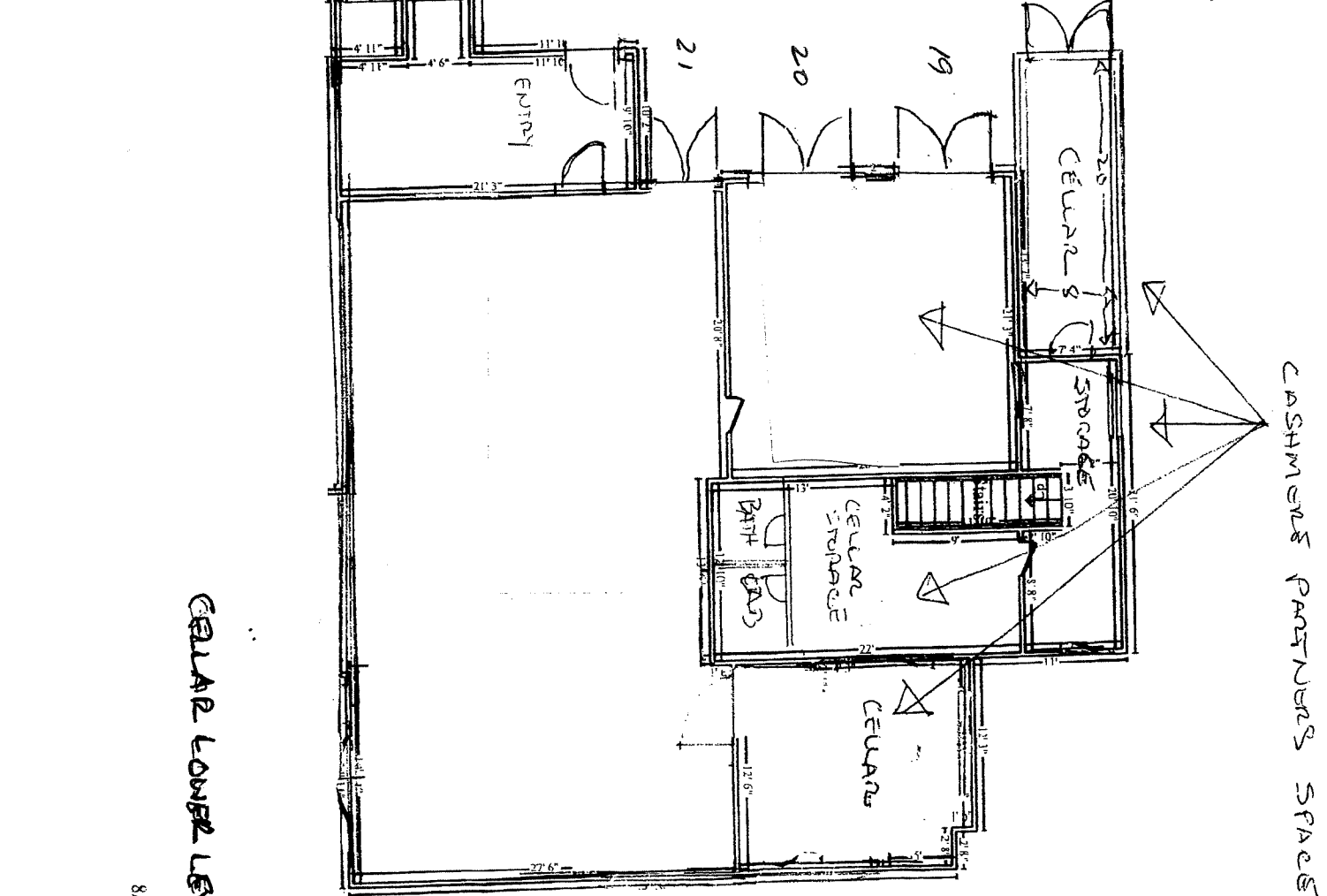
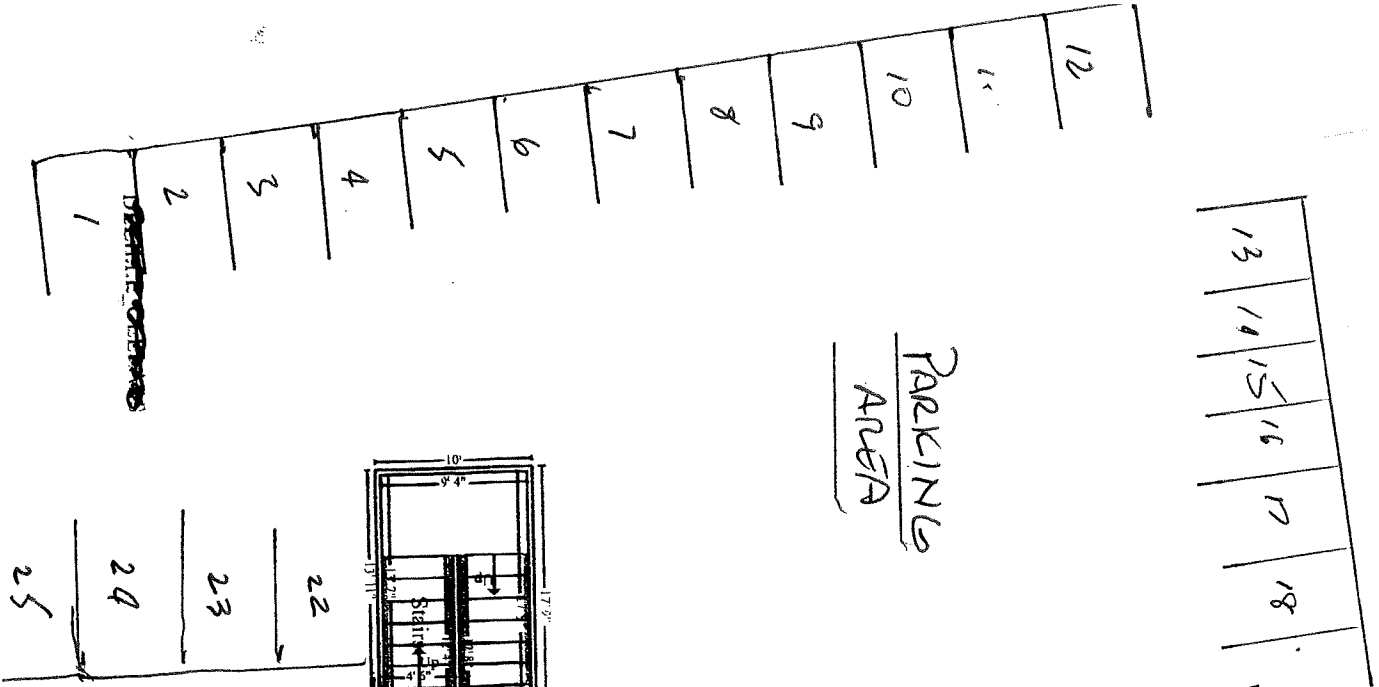


APPROXIMATE DIMENSIONS



2ND FLOOR

PARKING MAP



GALLAR LOWER LEVEL

8/28/2017

IN ↓