

Attachments:	Attachment A, Exhibit 1 – Vashon Island Town Center Demonstration Overlay A: Remote Tasting Rooms [Revise Exhibit A to delete all Sammamish Valley demonstration project sites.] [Delete Attachment B].
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AN ORDINANCE responding to the King County Sammamish Valley Wine and Beverage Study; amending Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080, Ordinance 10870, Section 407, as amended, and K.C.C. 21A.18.030, Ordinance 10870, Section 536, as amended, and K.C.C. 21A.30.080, Ordinance 15606, Section 20, as amended, and K.C.C. 21A.30.085, Ordinance 10870, Section 537, as amended, and K.C.C. 21A.30.090, Ordinance 10870, Section 549, as amended, and K.C.C. 21A.32.120 and Ordinance 13623, Section 37, as amended, and K.C.C. 23.32.010, adding new sections to K.C.C. chapter 21A.06, adding new sections to K.C.C. chapter 21A.55, adding a new chapter to K.C.C. Title 6 and repealing Ordinance 15974, Section 5, and K.C.C. 21A.06.1427.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:
SECTION 1. **Findings:**

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

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

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

32 D. ~~Two~~ A demonstration projects ~~are~~ is established in the ~~rural area of the~~
33 ~~Sammamish Valley, with one of the two also applicable to the~~ Vashon Island Town
34 Center Special District Overlay. ~~One~~ The demonstration ~~project is in two limited areas~~
35 ~~and~~ evaluates the presence of remote tasting rooms in the rural community. ~~The second~~
36 ~~demonstration is in one very limited area and evaluates incorporating industry supporting~~
37 ~~events within the conditional use permit rather than through the annual temporary use~~
38 ~~permit process.~~

39 E. All adult beverage business owners and operators shall bring their operations and
40 facilities into full compliance with the regulations adopted by this ordinance within twelve
41 months following the effective date of the ordinance, or within such period shall relocate their
42 facilities and operations to locations where the facilities and operations shall be in full

compliance with the regulations applicable to such sites. King County shall work in cooperation with King County Cities, and in particular the City of Woodinville, to provide assistance to owners and operators of wineries, tasting rooms and other adult beverage businesses who must relocate their businesses in order to comply with the regulations adopted by this ordinance. Assistance shall be provided to locate appropriate sites, particularly sites within urban areas that can provide urban services needed to support and grow these businesses. King County shall explore with the cities the ability to expedite licensing and permits for tenant improvements and new construction to accommodate the needs of these businesses.

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

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

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

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

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

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

67 An application for an adult beverage business license or license renewal must be
68 submitted in the name of the business owner or the entity proposing to operate the
69 business. The application shall be signed by the owner or primary responsible officer of
70 any entity proposing to operate the business, certified as true under penalty of perjury. All
71 applications shall be submitted on a form supplied by the director, and shall include the
72 following:

73 A. The full name, current residential, email and mailing address of the owner or
74 primary responsible officer;

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

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

80 D. For businesses in the A zone, a signed statement that at least sixty percent of
81 the products to be used by the business are grown on-site, as prescribed under K.C.C.
82 21A.08.080.B.3.f.

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

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

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

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

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

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

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

107 Within thirty days of the director's receipt of a complete adult beverage business
108 license application, the director shall issue or deny the license. Within thirty days of the
109 director's receipt of a complete renewal application, the director shall issue or deny the
110 renewal.

SECTION 10. Ordinance 15974, Section 5, and K.C.C. 21A.06.1427 are hereby repealed.

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

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

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

Brewery: An establishment primarily engaged in producing beer, ale or similar beverages by steeping, boiling and fermenting ingredients such as malt, barley and hops. As used in this section “primarily engaged in” means that not less than 80% of the annual gross revenues from all business operations conducted on the site is derived directly from the sale of beer, ale or similar beverages brewed on-site.

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

Distillery: An establishment primarily engaged in the process of producing alcoholic beverages through processes of fermentation and distillation that produces higher concentrations of alcohol, including bourbon, vodka, gin, rum, tequila, whiskey, scotch and other adult beverages. As used in this section “primarily engaged in” means that not less than 80% of the annual gross revenues from all business operations conducted on the site are derived directly from the sale of alcoholic beverages distilled on-site.

NEW SECTION. SECTION ~~12~~14. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Remote tasting room: A small facility with total space devoted to tasting and retail activity not to exceed one thousand square feet of gross floor area, that is approved by the Washington state Liquor and Cannabis Board as a remote tasting room for a licensed winery, brewery or distillery that is operating at a location other than the licensed winery, brewery or distillery production facility, for the purpose of the retail sale and sampling of the licensed product.

SECTION 15. Ordinance 15974, Section 5, as amended, and K.C.C. 21A.06.1427 are hereby repealed and replaced* with the following: [*for clarity, this is shown as a new, code section, replacing the existing code definition of winery, rather than a redline of the existing definition]

Winery: An establishment primarily engaged in manufacturing wine, cider or brandies. In the A zone wineries are allowed only as a secondary use where the primary use of the site is SIC Industry Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small Animals. In the RA Zone, wineries are allowed only as the primary use of the site or as a secondary use where the primary use of the site is SIC Industry Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small Animals.

As used in this section, “primary use” when used in reference to a winery means that not less than 80% of the annual gross revenues from all business operations conducted on the site is derived directly from the sale of wine, cider and/or brandy produced on the site. With reference to the use of A zoned property, “primary use” means that (1) not less than 80% of the annual gross revenues from all business operations conducted on the site is derived directly from SIC Industry Group No. 01-Growing and Harvesting Crops and/or No. 02-Raising Livestock and

small animals and that (2) not less than sixty percent of all products used in the manufacturing process are grown on the site. As used in this section, “manufacturing” means that all of the activities required to process whole grapes or other unprocessed fruit into wine, cider or brandy take place on the site, including the crushing of fruit, fermentation and barrel or tank aging.

NEW SECTION. SECTION 4316. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Winery, brewery, distillery facility I: A winery, brewery or distillery as those terms are defined by KCC 21A.06, with gross floor area devoted to processing not to exceed ~~one~~ thousand five hundred square, licensed by the State of Washington to produce adult beverages such as wine, cider, beer or distilled spirits.~~,- A very small establishment licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits and~~ where on-site product tasting or retail sale of merchandise does not occur.

NEW SECTION. SECTION 4417. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Winery, brewery, distillery facility II: A winery, brewery, or distillery as those terms are defined by KCC 21A.06, that meets the size limitations of the zoning district in which it is located for a winery, brewery, distillery facility II, licensed by the State of Washington to produce adult beverages such as wine, cider, beer or distilled spirits. A Winery, brewery, distillery facility II may include on-site tasting and sales of products produced on-site only.~~A small-scale production facility licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits and~~

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

NEW SECTION. SECTION ~~15~~18. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Winery, brewery, distillery facility III: A winery, brewery, or distillery as those terms are defined by KCC 21A.06, that meets the size limitations of the zoning district in which it is located for a winery, brewery, distillery facility III, licensed by the State of Washington to produce adult beverages such as wine, cider, beer or distilled spirits. A winery, brewery, distillery facility III may include on-site tasting and sales of products produced on-site only.~~An establishment licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits and that includes an adult beverage production use such as crushing, fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility III may include additional product-related uses such as vineyards, orchards, wine cellars or similar product storage areas as authorized by state law, on-site product tasting as authorized by state law, and sales of merchandise related to products available as authorized by state law.~~

NEW SECTION. SECTION 19. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

[illegible]

374	Railroad Equipment												C
376	Guided Missile and Space Vehicle Parts												C
379	Miscellaneous Transportation Vehicles												C
38	Measuring and Controlling Instruments										C	C	P
39	Miscellaneous Light Manufacturing										C		P
*	Motor Vehicle and Bicycle Manufacturing												C
*	Aircraft, Ship and Boat Building												P10C
7534	Tire Retreading										C		P
781-82	Movie Production/Distribution										P		P

- 137 B. Development conditions.
- 138 1. Repealed.
- 139 2. Except slaughterhouses.
- 140 3.a. Limited to winery, brewery, distillery facility II uses;
- 141 b. In the A zone, only allowed on sites where the primary use is SIC Industry
- 142 Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small
- 143 Animals;
- 144 c. In the RA, A and UR zones, only allowed on lots of at least four and one- half
- 145 acres;
- 146 d. The aggregated floor area of structures and areas for winery, brewery,
- 147 distillery facility uses, [including winery, brewery, distillery special events as defined](#)

[in KCC 21A.06, when allowed](#), shall not exceed three thousand five hundred square feet, unless located in whole or in part in a structure designated as historic resource under K.C.C. chapter 20.62, in which case the aggregated floor area of structures and areas devoted to winery, brewery, distillery facility uses shall not exceed five thousand square feet;

e. Structures and parking areas for winery, brewery, distillery facility uses, [including winery, brewery, distillery special events as defined in KCC 21A.06, when allowed](#), shall maintain a minimum distance of seventy-five feet from property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

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

g. In the A zone, structures and areas for ~~non-agricultural~~ winery, brewery, distillery facility uses, [including winery, brewery, distillery special events as defined in KCC 21A.06 when allowed](#), 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;

h. Tastings [and sales shall be limited to](#) ~~of~~ products produced on site, ~~may be provided in accordance with state law~~. The area devoted to tasting [and retail sales](#) shall be included in the floor area limitation in subsection B.3.d. of this section. Hours of

operation for on-site tasting and sale of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to 11:00 a.m. through 5:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;

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

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

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

l. Winery, brewery, distillery facility special events~~Events as defined in KCC 21A.06~~ may be allowed not more frequently than two times per month with an approved temporary use permit under K.C.C. chapter 21A.32. No outdoor amplified sound allowed. No other special events or temporary uses are allowed.

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

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

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

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

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

195 9. Only within enclosed buildings.

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

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

199 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for
200 rural industrial uses as set forth in K.C.C. chapter 21A.12.

201 12.a. Limited to winery, brewery, distillery facility III uses;

202 b. The aggregated floor area of structures and areas for winery, brewery,
203 distillery facility uses shall not exceed a total of eight thousand square feet, except that
204 the floor area may be increased by up to an additional eight thousand square feet of
205 underground storage that is constructed completely below natural grade, not including
206 required exits and access points, if the underground storage is at least one foot below the
207 surface and is not visible above ground;

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

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

215 e. Structures and parking areas for winery, brewery distillery uses shall be set
216 back a minimum distance of seventy-five feet from property lines adjacent to 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 for the adult beverage licensing provisions of K.C.C. chapter 6.xx (the new chapter created in section 2 of this ordinance), the applicant shall submit a projection of the source of products to be processed;

g. In the A zone, structures and areas, including parking areas, ~~for non-~~
~~agricultural~~ winery, brewery, distillery facility uses, including winery, brewery, distillery
special events as defined in KCC 21A.06, when allowed, 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;

h. Tasting and sales shall be limited to ~~of~~ products produced on site ~~may be~~
~~provided in accordance with state law.~~ The area devoted to tasting and sales shall be included in the aggregated floor area limitation in subsection B.12.b. and c. of this section. Hours of operation for on-site tasting and sales of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to 11:00 a.m. through 5:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;

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

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

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

l. Winery, brewery, distillery facility special events as defined in KCC 21A.06 Events may be allowed not more frequently than two times per month with an approved temporary use permit under K.C.C. chapter 21A.32. No outdoor amplified sound allowed. No other special events or temporary uses are allowed.

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

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

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

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

a. as accessory to a primary mineral use; or

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

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

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

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

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

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

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

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

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

18. Limited to:

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

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

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

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

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

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

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

b. SIC Industry No. 2411-Logging.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

b. Events may be allowed with an approved Temporary Use Permit under K.C.C. chapter 21A.32.

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

b. The aggregated floor area of structures and areas, [including parking areas](#), for the winery, brewery, distillery use shall not exceed one thousand five hundred square feet;

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

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

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

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

g. No product tasting, retail sale or events requiring a Temporary Use Permit under K.C.C. chapter 21A.32 shall be allowed.

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

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

c. The aggregated floor area of structures and areas for winery, brewery, distillery facility uses, [including winery, brewery, distillery special events as defined in KCC 21A.06, when allowed](#), shall not exceed three thousand five hundred square feet, unless located in whole or in part in a structure designated as historic resource under K.C.C. chapter 20.62, in which case the aggregated floor area of structures and areas devoted to winery, brewery, distillery facility uses, [including winery, brewery, distillery special events as defined in KCC 21A.06, when allowed](#), shall not exceed five thousand square feet;

d. Structures and parking areas for winery, brewery, distillery facility uses, [including winery, brewery, distillery special events as defined in KCC 21A.06, when allowed](#), shall maintain a minimum distance of seventy-five feet from property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

e. Tasting [and sales](#) of products produced on site may be provided in accordance with state law. The area devoted to tasting shall be included in the floor area limitation in subsection B.3.c. of this section. 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 5:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;

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

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

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

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

SECTION ~~1721~~. Ordinance 10870, Section 407, as amended, and K.C.C. 21A.18.030 are hereby amended to read as follows:

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

LAND USE	MINIMUM PARKING SPACES REQUIRED

RESIDENTIAL (K.C.C. 21A.08.030.A):	
Single detached/Townhouse	2.0 per dwelling unit
Apartment:	
Studio units	1.2 per dwelling unit
One bedroom units	1.5 per dwelling unit
Two bedroom units	1.7 per dwelling unit
Three bedroom units or larger	2.0 per dwelling unit
Mobile home park	2.0 per dwelling unit
Senior citizen assisted	1 per 2 dwelling or sleeping units
Community residential facilities	1 per two bedrooms
Dormitory, including religious	1 per two bedrooms
Hotel/Motel including organizational hotel/lodging	1 per bedroom
Bed and breakfast guesthouse	1 per guest room, plus 2 per facility
RECREATION/CULTURAL (K.C.C. 21A.08.040.A):	
Recreation/culture uses:	1 per 300 square feet
Exceptions:	
Bowling center	5 per lane

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

Churches, synagogue, temple	1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes
Outpatient and Veterinary clinic offices	1 per 300 square feet of office, labs and examination rooms
Nursing and personal care Facilities	1 per 4 beds
Hospital	1 per bed
Elementary schools	1 per classroom, plus 1 per 50 students
Secondary schools	
Middle/junior high schools	1 per classroom, plus 1 per 50 students
High schools	1 per classroom, plus 1 per 10 students
High schools with stadiums	greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium
Vocational schools	1 per classroom, plus 1 per five students
Specialized instruction Schools	1 per classroom, plus 1 per two students
Artist Studios	0.9 per 1,000 square feet of area used for studios
GOVERNMENT/BUSINESS SERVICES (K.C.C. 21A.08.060.A):	

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

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

Winery/Brewery/Distillery Facility II	0.9 per 1,000 square feet, plus 1 per () 300 square feet of tasting/ sales area
RESOURCES (K.C.C. 21A.08.090.A):	
Resource uses	(director)
REGIONAL (K.C.C. 21A.08.100.A):	
Regional uses	(director)

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

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

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

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

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

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

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

(1) Park/playfield,

(2) Marina,

(3) Library/museum/arboretum,

(4) Elementary/secondary school,

(5) Sports club, or

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

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

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

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

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

SECTION 1822. Ordinance 10870, Section 536, as amended, and K.C.C. 21A.30.080 are hereby amended to read as follows:

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

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

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

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

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

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

1. Automobile, truck and heavy equipment repair;
2. Auto body work or painting;

- 523 3. Parking and storage of heavy equipment;
- 524 4. Storage of building materials for use on other properties;
- 525 5. Hotels, motels or organizational lodging;
- 526 6. Dry cleaning;
- 527 7. Towing services;
- 528 8. Trucking, storage or self service, except for parking or storage of one
- 529 commercial vehicle used in home occupation;
- 530 9. Veterinary clinic;
- 531 10. Recreational marijuana processor, recreational marijuana producer or
- 532 recreational marijuana retailer; and
- 533 11. Winery, brewery, distillery facility I, II, and III, and remote tasting room;
- 534 F. In addition to required parking for the dwelling unit, on-site parking is
- 535 provided as follows:
- 536 1. One stall for each nonresident employed by the home occupations; and
- 537 2. One stall for patrons when services are rendered on-site;
- 538 G. Sales are limited to:
- 539 1. Mail order sales;
- 540 2. Telephone, Internet or other electronic commerce sales with off-site delivery;
- 541 and
- 542 3. Items accessory to a service provided to patrons who receive services on the
- 543 premises;
- 544 H. On-site services to patrons are arranged by appointment;

545 I. The home occupation or occupations use or store a vehicle for pickup of
546 materials used by the home occupation or occupations or the distribution of products
547 from the site, only if:

548 1. No more than one such a vehicle is allowed; and

549 2. The vehicle is not stored within any required setback areas of the lot or on
550 adjacent streets; and

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

553 J. The home occupation or occupations do not:

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

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

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

565 L. Customer visits and deliveries shall be limited to the hours of 8:00 a.m. to
566 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends; and

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

SECTION 1923. Ordinance 15606, Section 20, as amended, and K.C.C. 21A.30.085 are hereby amended to read as follows:

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

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

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

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

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

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

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

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

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

a. planting of Type II landscape buffering; or

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

E. A home occupation or occupations is not limited in the number of employees that remain off-site. Regardless of the number of home occupations, the number of

nonresident employees is limited to no more than three who work on-site at the same time and no more than three who report to the site but primarily provide services off-site;

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

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

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

G. Sales are limited to:

1. Mail order sales;

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

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

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

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

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

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

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

H. The home occupation or occupations do not:

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

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

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

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

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

1. Hotels, motels or organizational lodging;

2. Dry cleaning;

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

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

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

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

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

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

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

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

c. for lots greater than ten acres: four;

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

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

SECTION 2024. Ordinance 10870, Section 537, as amended, and K.C.C. 21A.30.090 are hereby amended to read as follows:

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

A. The site area is one acre or greater;

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

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

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

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

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

2. One stall for customer parking;

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

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

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

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

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

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

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

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

3. Specifying hours of operation;

4. Determining acceptable levels of outdoor lighting; and

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

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

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

SECTION 2125. Ordinance 10870, Section 549, as amended, and K.C.C.

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

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

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

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

683 2. For a winery, brewery, distillery facility II and III in the A zones, the
684 temporary use shall not exceed a total of two ~~events-days~~ per month and all event parking
685 must be accommodated on site in compliance with the development conditions specified
686 in KCC 21.08 or managed through an off-site parking management plan approved by the
687 director. No parking shall be allowed on A-zoned land except on-site parking in
688 compliance with the development conditions specified in KCC 21.08.

689 3. For a winery, brewery, distillery facility II and III in the RA zones, the
690 temporary use shall not exceed a total of twenty-four days in any three-hundred-sixty-
691 five-day period and all event parking must be accommodated on site or managed through
692 an off-site parking management plan approved by the director. No off-site parking shall
693 be allowed on A-zoned land. This requirement applies only to the days that the event or
694 events actually take place;

695 4. For a winery, brewery, distillery facility II in the A or RA zones, in addition to
696 all other relevant facts, the department shall consider building occupancy limits and
697 parking limitations during permit review. The department shall condition the number of
698 guests allowed for a temporary use. No permit shall authorize attendance of more than
699 one hundred twenty-five guests.

700 5. For a winery, brewery, distillery facility III in the A or RA zones, in addition
701 to all other relevant facts, the department shall consider building occupancy limits and
702 parking limitations during permit review. The department shall condition the number of

703 guests allowed for a temporary use. No permit shall authorize attendance of more than
704 ~~two one~~ hundred ~~fifty twenty-five~~ guests.

705 6. Events that require a temporary use permit are prohibited for any winery,
706 brewery, distillery facility I, any nonconforming winery, brewery, distillery facility I, II,
707 or III and any nonconforming winery, brewery, distillery home occupation, and any
708 nonconforming winery, brewery, distillery facility home industry. No temporary use
709 permit shall be issued to the operator or a winery, brewery, distillery facility I, or an
710 nonconforming winery, brewery, distillery facility II or III, or a nonconforming home
711 occupation winery, brewery, distillery facility or a nonconforming home industry winery,
712 brewery, distillery facility.

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

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

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

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

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

724 4. At least forty-five days before the end of the permit period, the department
725 shall notify property owners within five hundred feet of the property boundaries and

interested parties that have requested to be notified of actions affecting the temporary use
that a temporary use permit extension has been requested and contact information to
request additional information or to provide comments on the proposed extension.

NEW SECTION. SECTION ~~2226~~. There is hereby added to K.C.C. chapter
21A.55 a new section to read as follows:

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

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

B. An application for a demonstration project remote tasting room under this
section shall be approved or denied administratively by the department of permitting and
environmental review based upon compliance with the criteria in subsections D. and E. of

749 this section. Approval or denial of a remote tasting room application shall not be
750 construed as applying to any other development application either within the
751 demonstration project area or elsewhere in the county.

752 C. The use that the department may approve pursuant to this ~~Sammamish Valley~~
753 ~~and~~ Vashon Town Center wine and beverage tourism demonstration project A shall
754 include only the following: Remote tasting room as defined in K.C.C. chapter 21A.06.

755 D.1. This section allows establishment and operation of a remote tasting room
756 use.

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

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

761 b. The aggregated total space devoted to tasting and retail activity shall be
762 limited to one thousand square feet of gross floor area, not including areas devoted to
763 storage, restrooms, and similar back-of-the-house uses;

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

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

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

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

g. The hours of operation for the tasting room shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to 11:00 a.m. through 5:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;

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

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

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

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

E.1. To be eligible to use the provisions of this section, a remote tasting room must be located on a demonstration project site identified in Attachment A to this ordinance. [\[Attachment A to be revised to identify only Vashon Rural Town sites, excluding all Sammamish Valley sites.\]](#)

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

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

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

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

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

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

H. One year after the effective date of this ordinance, and on an annual basis for three years thereafter, the director shall compile a list of demonstration project applications submitted and related code complaints, if any.

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

~~NEW SECTION. SECTION 23. There is hereby added to K.C.C. chapter 21A.55 a new section to read as follows:~~

~~A.1. The purpose of the Sammamish valley wine and adult beverage tourism district events demonstration project B is to support agriculture and synergistic~~

development of mixed-use wine and adult beverage facilities in order to boost agritourism and the area's reputation as a food and adult beverage destination.

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

B. A wine and beverage tourism demonstration project district B application to modify development standards for on-site winery, brewery, distillery facility III wedding and events shall be administratively approved by the department of permitting and environmental review, and upon such an approval K.C.C. chapter 21A.42 review procedures shall be applied. Demonstration project uses may be approved and conditioned by the department if compliant with the criteria in K.C.C. 21A.44.040. Approval of the proposed demonstration project shall not be construed as applying to any other development application either within the demonstration project area or elsewhere in the county, and shall not render uses authorized under this section "otherwise permitted in the zone" under K.C.C. 21A.32.100.A.

~~C. The development regulations that shall be waived upon application include the following:~~

~~1. K.C.C. 21A.32.100 through 21A.32.140;~~

~~2. K.C.C. 21A.44.020; and~~

~~3. K.C.C. 21A.08.080.B.12.1~~

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

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

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

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

~~3. A demonstration project conditional use permit, conditional use modification or conditional use expansion decision shall be treated as a Type II land use decision in~~

862 ~~accordance with K.C.C. 20.20.020.~~

863 ~~F.1. To be eligible to use the provisions of this section, a demonstration project~~
864 ~~must be located on a demonstration project site identified in Attachment B to this~~
865 ~~ordinance.~~

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

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

874 ~~H. One year after the effective date of this ordinance, and on an annual basis for~~
875 ~~three years thereafter, the director shall compile a list of demonstration project~~
876 ~~applications, an evaluation of the impacts of wedding and similar uses authorized~~
877 ~~pursuant to demonstration project conditional use permits, and related code complaints, if~~
878 ~~any.~~

879 ~~I. The executive may submit additional proposed legislation reflecting~~
880 ~~information compiled under subsection H of this section within three years of the~~
881 ~~effective date of this ordinance. [Attachment B to be deleted].~~

882 SECTION 2427. Ordinance 13623, Section 37, as amended, and K.C.C.
883 23.32.010 are hereby amended to read as follows:

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

- a. citations, except for winery, brewery, distillery facility I,
II and II and remote tasting room:
- | | |
|--|---|
| (1) with no previous similar code violations | \$100 |
| (2) with no previous code violations of K.C.C. chapter
12.86 within the past twelve months | \$125 |
| (3) with one previous code violation of K.C.C. chapter
12.86 within the past twelve months | \$250 |
| (4) with one or more previous similar code violations, or
with two previous code violations of K.C.C. chapter 12.86
within the past twelve months | \$500 |
| (5) with two or more previous violations of K.C.C. Title
10, or three or more previous code violations of K.C.C.
chapter 12.86 within the past twelve months | Double
the rate
of the
previou
s
penalty |

- b. citations for violations of winery, brewery, distillery
facility I, II, and III and remote tasting room zoning
conditions, including but not limited to unapproved events [or](#)

events that do not conform to permit conditions or
development standards per KCC 21.08;

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

(2) with one or more previous similar code violations \$~~4~~5,000

within the past twelve months; 0

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

(1) stop work order basic penalty \$500

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

basic penalty

(3) additional initial penalties may be added in the

following amounts for violations where there is:

(a) public health risk \$~~500~~15

(b) environmental damage risk \$~~500~~15

(c) damage to property risk \$~~500~~15

(d) one previous similar code violation \$1,000

~~25~~

(e) two previous similar code violations \$5,000

~~50~~

(f) three or more previous similar code violations \$10,00

0~~75~~

(g) economic benefit to person responsible for violation \$2,500

~~25~~

d. cleanup restitution payment: as specified in K.C.C.

23.02.140.

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

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

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

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

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

888 2. For the purposes of this section, previous similar code violations that can
889 serve as a basis for a higher level of civil penalties include violations of the same chapter
890 of the King County Code. Any citation, stop work order or notice and order previously
891 issued by the department shall not constitute a previous code violation for the purposes of

892 this section if that stop work order or notice and order was appealed and subsequently
893 reversed.

894 B. The penalties assessed pursuant to this section for any failure to comply with a
895 notice and order or voluntary compliance agreement shall be assessed daily, according to
896 the schedule in subsection A of this section, for the first thirty days following the date the
897 notice and order or voluntary compliance agreement required the code violations to have
898 been cured. If after thirty days the person responsible for code compliance has failed to
899 satisfy the notice and order or voluntary compliance agreement, penalties shall be
900 assessed daily at a rate of double the rate for the first thirty days. Penalties may be
901 assessed daily until the person responsible for code compliance has fully complied with
902 the notice and order.

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

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

908 E. The director may suspend the imposition of additional civil penalties if the
909 person responsible for code compliance has entered into a voluntary compliance
910 agreement. If the person responsible for code compliance enters into a voluntary
911 compliance agreement and cures the code violations, the director may also waive all or
912 part of the accrued civil penalties in accordance with K.C.C. 23.32.050. Penalties shall
913 begin to accrue again pursuant to the terms of the voluntary compliance agreement if any

914 necessary permits applied for are denied, canceled or not pursued, or if corrective action
915 identified in the voluntary compliance agreement is not completed as specified.

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

918 SECTION 25. Severability. If any provision of this ordinance or its application to
919 any person or circumstance is held invalid, the remainder of the ordinance or the
920 application of the provision to other persons or circumstances is not affected.