



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance

Proposed No. 2024-0387.2

Sponsors Balducci

1 AN ORDINANCE relating to wineries, breweries,
2 distilleries, and remote tasting rooms; amending Ordinance
3 1888, Article III, Section 5, as amended, and K.C.C.
4 6.01.150, Ordinance 19030, Section 13, and K.C.C.
5 21A.06.996, Ordinance 19881, Section 211, and K.C.C.
6 21A.xx.xxx, Ordinance 10870, Section 336, as amended,
7 and K.C.C. 21A.08.070, Ordinance 10870, Section 335, as
8 amended, and K.C.C. 21A.08.080, Ordinance 10870,
9 Section 336, as amended, and K.C.C. 21A.08.090,
10 Ordinance 19881, Section 177, and K.C.C. 21A.xx.xxx,
11 Ordinance 10870, Section 407, as amended, and K.C.C.
12 21A.18.030, Ordinance 10870, Section 536, as amended,
13 and K.C.C. 21A.30.080, Ordinance 15606, Section 20, as
14 amended, and K.C.C. 21A.30.085, Ordinance 10870,
15 Section 537, as amended, and K.C.C. 21A.30.090,
16 Ordinance 10870, Section 547, as amended, and K.C.C.
17 21A.32.100, Ordinance 10870, Section 548, as amended,
18 and K.C.C. 21A.32.110, Ordinance 10870, Section 549, as
19 amended, and K.C.C. 21A.32.120, and Ordinance 13623,
20 Section 37, as amended, and K.C.C. 23.32.010, adding a

new section to K.C.C. chapter 21A.06, repealing Ordinance 19030, Section 3, Ordinance 19030, Section 4, and K.C.C. 6.74.010, Ordinance 19030, Section 5, and K.C.C. 6.74.020, Ordinance 19030, Section 6, and K.C.C. 6.74.030, Ordinance 19030, Section 7, and K.C.C. 6.74.040, Ordinance 19030, Section 8, and K.C.C. 6.74.050, Ordinance 19030, Section 9, and K.C.C. 6.74.060, Ordinance 19030, Section 10, and K.C.C. 6.74.070, Ordinance 19030, Section 11, and K.C.C. 6.74.080, Ordinance 19030, Section 14, and K.C.C. 21A.06.1427A, Ordinance 19030, Section 15, and K.C.C. 21A.06.1427B, Ordinance 19030, Section 16, and K.C.C. 21A.06.1427C, Ordinance 19030, Section 28, Ordinance 19030, Section 29, and K.C.C. 21A.55.110, and Ordinance 19030, Section 32, prescribing penalties, and establishing an effective date.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

- A. Ordinance 19030 established updated regulations for winery, brewery, distillery facilities and remote tasting rooms in unincorporated King County.
- B. After a lengthy litigation process, on September 19, 2024, the Washington state Supreme Court, in a 5-4 decision, published an opinion reinstating a January 2022

order from the Growth Management Hearings Board that invalidated Ordinance 19030, Sections 12 through 29, Section 31, and Map Amendments 1 and 2.

C. Ordinance 19030 created a licensing system to assist with enforcement, which the Growth Management Hearings Board left in place. While the Board's litigation was pending at the Court of Appeals, the King County Hearing Examiner considered several preemption-based challenges to the licensing provisions. Although the Hearing Examiner determined that he was unable to resolve the core constitutional issues because it was beyond his jurisdiction, he engaged in a lengthy analysis of applicable authorities. The Hearing Examiner concluded that a local license for alcohol-related sales, distribution and premises '...sounds like the local power the State explicitly withdrew in RCW 66.08.120.'

D. This ordinance amends the provisions adopted by Ordinance 19030. Where provisions adopted by Ordinance 19030 are unchanged, they are not included in this ordinance, and the council's intent is that they remain in effect.

E. The council finds that this ordinance complies with the decision of the Washington state Supreme Court, as well as potential preemption issues with the licensing system.

SECTION 2. Ordinance 1888, Article III, Section 5, as amended, and K.C.C. 6.01.150 are hereby amended to read as follows:

A. The office of the hearing examiner is designated to hear appeals by parties aggrieved by actions of the director pursuant to any business license ordinance. For appeals under K.C.C. chapter 6.65 the office of the hearing examiner is designated to hear such appeals unless a different party is designated by the director. The examiner may adopt

reasonable rules or regulations for conducting its business. Copies of all rules and regulations adopted by the examiner shall be delivered to the director, who shall make them freely accessible to the public. All decisions and findings of the examiner shall be rendered to the appellant in writing, with a copy to the director.

B. For-hire transportation appeals under K.C.C. chapter 6.64 (~~and adult beverage businesses appeals under K.C.C. chapter 6.74~~) shall be filed in accordance with K.C.C. 20.22.080 and the hearing process conducted in accordance with K.C.C. chapter 20.22. Appeals under K.C.C. chapter 6.65 shall be filed in accordance with K.C.C. 6.65.450 and the hearing process conducted in accordance with that same section. Subsections C. through H. of this section do not apply to this subsection B.

C. 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;

89 6. The signatures of all parties named as appellants, and their official mailing
90 addresses; and

91 7. The verification (by declaration under penalty of perjury) of at least one
92 appellant as to the truth of the matters stated in the appeal.

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

100 E. At the hearing the appellant shall be entitled to appear in person, ~~((and))~~ be
101 represented by counsel, and offer such evidence as is pertinent and material to the action of
102 the director.

103 F. Only those matters or issues specifically raised by the appellant in the written
104 notice of appeal shall be considered in the hearing of the appeal.

105 G. Failure of any person to file an appeal in accordance with this section shall
106 constitute a waiver of the person's right to an administrative hearing and adjudication of the
107 notice and order, or any portion thereof.

108 H. Enforcement of any notice and order of the director shall be stayed during the
109 pendency of an appeal therefrom that is properly and timely filed.

110 SECTION 3. Ordinance 19030, Section 13, and K.C.C. 21A.06.996 are hereby
111 amended to read as follows:

Remote tasting room: A small facility licensed by the Washington state Liquor and Cannabis Board and limited to the following non-retail liquor licenses: an off-site tasting room license for a distillery licensed as a Distillery or Craft Distillery; a Tasting Room - Additional Location for a winery licensed as a Domestic Winery; or a Microbrewery, including, but not limited to, a Microbrewery operating in accordance with an off-site tavern license subject to the retail sale limitations for a Microbrewery in WAC 314-20-015(1). "Remote tasting room" does not include any additional privileges allowed for such licenses or approvals or any use that would require a license under chapter 314-02 WAC, except as specifically set forth in this chapter.

NEW SECTION. SECTION 4. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Winery, brewery, or distillery: as defined in RCW 66.04.010.

SECTION 5. Ordinance 10870, Section 336, as amended, and K.C.C. 21A.08.070 are hereby amended to read as follows:

A. Retail land uses.

SI C#	SPECIFIC LAND USE	A	F	M	RA	UR	R-1	R-4 – R- 8	R- 12 – R- 48	NB	CB	RB	O	I
*	Building Materials and Hardware Stores		P23							P2	P	P		
*	Retail Nursery,	P1 C1			P1 C1					P18	P	P		

	Garden Center, and Farm Supply Stores													
*	Forest Products Sales	P3 and 4	P4		P3 and 4							P		
*	Department and Variety Stores							P30 C14 a C31	P14 P32	P5	P	P		
54	Food Stores				C17			P30 C15 a C31	P15 P32	P18	P	P	C	P6
*	Agricultural Product Sales (28)								P25	P25	P25	P2 5	P2 5	P2 5
*	Farmers Market	P24	P24		P24	P24	P24	P24	P24	P24	P24	P2 4	P2 4	P2 4
*	Motor Vehicle and Boat Dealers											P8		P
55 3	Auto Supply Stores										P9	P9		P
55 4	Gasoline Service Stations									P	P	P		P
56	Apparel and Accessory										P	P		

	Stores													
*	Furniture and Home Furnishings Stores										P	P		
58	Eating and Drinking Places				P21 C19		P20	P20 P30 C16 C31	P20 P16 P32	P10	P	P	P	P
*	Remote Tasting Room				((P1 3))						P7	P7		
*	Drug Stores							P30 C15 C31	P15 P32	P18	P	P	C	
*	Cannabis retailer										P26 C27	P2 6 C2 7		
59 2	Liquor Stores										P	P		
59 3	Used Goods: Antiques/ Secondhand Shops										P	P		
*	Sporting Goods and Related Stores			P2 2 and 29	P22 and 29	P22 and 29	P22 and 29	P22 and 29	P22 and 29	P22 and 29	P29	P2 9	P2 2 and 29	P2 2 and 29
*	Book, Stationery,							P30 C15	P15 P32	P18	P	P		

	Video, and Art Supply Stores							a C31						
*	Jewelry Stores										P	P		
*	Monuments, Tombstones, and Gravestones											P		
*	Hobby, Toy, Game Shops									P18	P	P		
*	Photographic and Electronic Shops									P18	P	P		
*	Fabric Shops										P	P		
59 8	Fuel Dealers										C11	P		P
*	Florist Shops							P30 C15 a C31	P15 P32	P18	P	P	P	
*	Personal Medical Supply Stores										P	P		
*	Pet Shops									P18	P	P		
*	Bulk Retail										P	P		
*	Auction Houses											P1 2		P
*	Livestock Sales (28)													P

127

B. Development conditions.

128 1.a. As a permitted use, covered sales areas shall not exceed a total area of three
129 thousand five hundred square feet, unless located in a building designated as historic
130 resource under K.C.C. chapter 20.62. With a conditional use permit, covered sales areas
131 of up to five thousand square feet may be allowed. Greenhouses used for the display of
132 merchandise other than plants shall be considered part of the covered sales area.

133 Uncovered outdoor areas used to grow or display trees, shrubs, or other plants are not
134 considered part of the covered sales area;

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

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

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

138 2.a. Only hardware stores; and

139 b. In rural neighborhood commercial centers, limited to fifteen thousand
140 square feet of gross floor area.

141 3.a. Limited to products grown on-site.

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

143 4. No permanent structures or signs.

144 5. Limited to SIC Industry 5331-Variety Stores, and further limited to a
145 maximum of two thousand square feet of gross floor area.

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

147 7. Off-street parking is limited to a maximum of one space per fifty square feet
148 of tasting and retail areas.

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

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

- 151 10. Excluding SIC Industry 5813-Drinking Places.
- 152 11. No outside storage of fuel trucks and equipment.
- 153 12. Excluding vehicle and livestock auctions.
- 154 13. ~~((Allowed as part of the demonstration project authorized by K.C.C.~~
- 155 ~~21A.55.110))~~ Repealed.
- 156 14.a. Outside of the urban area, limited to SIC Industry No. 5331-Variety
- 157 Stores, limited to a maximum of five thousand square feet of gross floor area, and subject
- 158 to K.C.C. 21A.12.230; and
- 159 b. Before filing an application with the department, the applicant shall hold a
- 160 community meeting in accordance with K.C.C. 20.20.035.
- 161 15. Outside of the urban area, limited to a maximum of five thousand square
- 162 feet of gross floor area and subject to K.C.C. 21A.12.230; and
- 163 b. Before filing an application with the department, the applicant shall hold a
- 164 community meeting in accordance with K.C.C. 20.20.035.
- 165 16.a. Excluding SIC Industry No. 5813-Drinking Places, and limited to a
- 166 maximum of five thousand square feet of gross floor area, and subject to K.C.C.
- 167 21A.12.230, except as provided in subsection B.20. of this section; and
- 168 b. Before filing an application with the department, the applicant shall hold a
- 169 community meeting in accordance with K.C.C. 20.20.035.
- 170 17. Only within a former grange hall incorporated under chapter 24.28 RCW
- 171 and listed in the National Register of Historic Places or designated as a King County
- 172 landmark subject to K.C.C. chapter 21A.32 and if the parcel is located within one

thousand feet of a rural neighborhood commercial center as designated by the King
County Comprehensive Plan.

18. In rural neighborhood commercial centers, limited to fifteen thousand
square feet of gross floor area.

19. Only as:

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

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

20. Only as:

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

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

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

22. Only as an accessory use to:

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

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

23. Only as accessory to SIC Industry Group 242-Sawmills and SIC Industry
2431-Millwork and:

a. limited to lumber milled on-site; and

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

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

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

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

204 b. There shall be legal parking that is easily available for customers; and

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

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

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

216 c. Any lot line of a lot having any area devoted to retail cannabis activity shall
217 be one thousand feet or more from any lot line of any other lot having any area devoted to
218 retail cannabis activity; and a lot line of a lot having any area devoted to new retail

cannabis activity may not be within one thousand feet of any lot line of any lot having any area devoted to existing retail cannabis activity.

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

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

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

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

(4) if a business license application was not submitted or more than one business license application was submitted, then the director shall determine compliance based on the totality of the circumstances, including, but not limited to, the date that a

242 retail cannabis license application was submitted to the Washington state Liquor and
243 Cannabis Board identifying the lot at issue, the date that the applicant entered into a lease
244 or purchased the lot at issue for the purpose of retail cannabis use, and any other facts
245 illustrating the timing of substantial investment in establishing a licensed retail cannabis
246 use at the proposed location.

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

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

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

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

262 a. Any lot line of a lot having any area devoted to retail cannabis activity shall
263 be one thousand feet or more from any lot line of any other lot having any area devoted to
264 retail cannabis activity; and any lot line of a lot having any area devoted to new retail

cannabis activity may not be within one thousand feet of any lot line of any lot having any area devoted to existing retail cannabis activity;

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

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

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

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

(4) if a business license application was not submitted or more than one business license application was submitted, then the director shall determine compliance based on the totality of the circumstances, including, but not limited to, the date that a

288 retail cannabis license application was submitted to the Washington state Liquor and
289 Cannabis Board identifying the lot at issue, the date that the applicant entered into a lease
290 or purchased the lot at issue for the purpose of retail cannabis use, and any other facts
291 illustrating the timing of substantial investment in establishing a licensed retail cannabis
292 use at the proposed location; and

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

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

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

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

308 29. Businesses selling firearms that have a storefront, have hours during which
309 it is open for business, and post advertisements or signs observable to passersby that
310 firearms are available for sale shall be located at least five hundred feet or more from any

311 elementary, middle/junior high, and secondary or high school properties. Businesses
312 selling firearms in existence before June 30, 2020, shall be considered nonconforming
313 and may remain in their current location, subject to the provisions of K.C.C. 21A.32.020
314 through 21A.32.075 for nonconforming uses.

315 30. In the urban area, subject to the following:

316 a. Limited to a maximum of one thousand square feet of gross floor area;

317 b. Drive-throughs are prohibited, except for detached buildings for eating and
318 drinking places that do not exceed two hundred square feet and are located at an
319 intersection with an arterial;

320 c. Amplified noise is prohibited;

321 d. The maximum on-site parking ratio shall be two spaces per one thousand
322 square feet and required parking shall not be located between the building and the street;
323 and

324 e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

325 31. In the urban area, subject to the following:

326 a. Limited to a maximum of two thousand five hundred square feet of gross
327 floor area;

328 b. Drive-throughs are prohibited, except for detached buildings for eating and
329 drinking places that do not exceed two hundred square feet and are located at an
330 intersection with an arterial;

331 c. Amplified noise is prohibited;

332 d. The maximum on-site parking ratio shall be two spaces per one thousand
 333 square feet and required parking shall not be located between the building and the street;
 334 and

335 e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

336 32. In the urban area, subject to the following:

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

338 b. Drive-throughs are prohibited, except for detached buildings for eating and
 339 drinking places that do not exceed two hundred square feet and are located at an
 340 intersection with an arterial;

341 c. Amplified noise is prohibited;

342 d. The maximum on-site parking ratio shall be two spaces per one thousand
 343 square feet and required parking shall not be located between the building and the street;
 344 and

345 e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

346 SECTION 6. Ordinance 10870, Section 335, as amended, and K.C.C.

347 21A.08.080 are hereby amended to read as follows:

348 A. Manufacturing land uses.

SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R- 1	R-4 – R- 8	R- 12 – R- 48	NB	CB	RB	O	I (11)
20	Food and Kindred Products (28)									P2	P2	P2 C		P2 C

((*	Winery/Brewery /Distillery Facility I				P32									
*	Winery/Brewery /Distillery Facility II	P3			P3 C30					P17	P17	P29		P31
	Winery/Brewery /Distillery Facility III	C12			C12					C29	C29	C29		C31)
*	Winery/Brewery /Distillery									P17 C29	P17 C29	P29		P31
*	Materials Processing Facility		P13 C	P14 C15	P16 C									P
22	Textile Mill Products													C
23	Apparel and other Textile Products											C		P
24	Wood Products, except furniture	P4 P18	P4 P18		P4 P18 C	P4						C6		P
25	Furniture and Fixtures		P19		P19							C		P
26	Paper and Allied Products													C
27	Printing and Publishing									P7	P7	P7 C	P7 C	P
*	Cannabis Processor I	P20			P27						P21 C22	P21 C22		P25 C26
*	Cannabis Processor II										P23 C24	P23 C24		P25 C26
28	Chemicals and Allied Products													C
*	Petroleum Refining and Related Industries													C
30	Rubber and Misc.													C

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	Plastics Products													
31	Leather and Leather Goods											C		P33 C
32	Stone, Clay, Glass, and Concrete Products										P9	P9		P
33	Primary Metal Industries													C
34	Fabricated Metal Products													P
35	Industrial and Commercial Machinery													P
351-55	Heavy Machinery and Equipment													C
357	Computer and Office Equipment											C	C	P
36	Electronic and other Electric Equipment											C		P
371	Motor Vehicles and Motor Vehicle Equipment													C
374	Railroad Equipment													C
375	Motorcycles, Bicycles, and Parts													P34 C
376	Guided Missile and Space Vehicle Parts													C
379	Miscellaneous Transportation Vehicles													C
38	Measuring and											C	C	P

	Controlling Instruments													
39	Miscellaneous Light Manufacturing											C		P
*	Aircraft, Ship, and Boat Building													P10 C
7534	Tire Retreading											C		P
781- 82	Movie Production/Distribution											P		P

349 B. Development conditions.

350 1. Repealed.

351 2. Except slaughterhouses.

352 3. ~~((a. In the A zone, only allowed on sites where the primary use is SIC Industry~~

353 ~~Group No. 01 Growing and Harvesting Crops or No. 02 Raising Livestock and Small~~

354 ~~Animals;~~

355 ~~b. Only allowed on lots of at least two and one half acres, except that this~~

356 ~~requirement shall not apply on Vashon Maury Island to winery, brewery, or distillery~~

357 ~~business locations in use and licensed to produce by the Washington state Liquor and~~

358 ~~Cannabis Board before January 1, 2019, and that in the RA zone, for sites that contain a~~

359 ~~building designated as historic resource under K.C.C. chapter 20.62, only allowed on lots~~

360 ~~of at least two acres;~~

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

362 ~~distillery facility uses shall not exceed three thousand five hundred square feet, unless~~

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

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

winery, brewery, distillery facility uses shall not exceed seven thousand square feet in the RA zone and five thousand square feet in the A zone. Decks that are not occupied and not open to the public are excluded from the calculation for maximum aggregated floor area;

d. 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, except that on Vashon Maury Island this setback requirement shall not apply to structures and parking areas in use on December 4, 2019, by existing winery, brewery or distillery business locations licensed to produce by the Washington state Liquor and Cannabis Board before January 1, 2019;

e. 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 produced;

f. 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 production occurring on site shall include crushing, fermenting or distilling;

g. In the A zone, structures and area 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

388 ~~prime agricultural soils. No more than one acre of agricultural land may be converted to~~
389 ~~a nonagricultural accessory use;~~

390 ~~h. Tasting and retail sales of products produced on-site may occur only as~~
391 ~~accessory to the primary winery, brewery, distillery production use and may be provided~~
392 ~~in accordance with state law. The area devoted to on-site tasting or retail sales shall be~~
393 ~~limited to no more than thirty percent of the aggregated floor area and shall be included~~
394 ~~in the aggregated floor area limitation in subsection B.3.c. of this section. The limitation~~
395 ~~on tasting and retail sales of products produced on-site shall not apply on Vashon Maury~~
396 ~~Island to winery, brewery, or distillery business locations in use and licensed to produce~~
397 ~~by the Washington state Liquor and Cannabis Board before January 1, 2019, or on sites~~
398 ~~in the RA zone that contain a building designated as historic resource under K.C.C.~~
399 ~~chapter 20.62. Incidental retail sales of merchandise related to the products produced on-~~
400 ~~site is allowed subject to the restrictions described in this subsection B.3. Hours of~~
401 ~~operation for on-site tasting of products shall be limited as follows: Mondays, Tuesdays,~~
402 ~~Wednesdays and Thursdays, tasting room hours shall be limited to 11:00 a.m. through~~
403 ~~7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours shall be limited to~~
404 ~~11:00 a.m. through 9:00 p.m.;~~

405 ~~i. Access to the site shall be directly to and from an arterial roadway, except~~
406 ~~that this requirement shall not apply on Vashon Maury Island to winery, brewery,~~
407 ~~distillery facility business locations in use and licensed to produce by the Washington~~
408 ~~state Liquor and Cannabis Board before January 1, 2019;~~

409 ~~j. Off street parking is limited to a maximum of one hundred fifty percent of~~
410 ~~the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;~~

411 ~~k. The business operator shall obtain an adult beverage business license in~~
412 ~~accordance with K.C.C. chapter 6.74;~~

413 ~~l. Events may be allowed with an approved temporary use permit under K.C.C.~~
414 ~~chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.; and~~

415 ~~m. The impervious surface associated with the winery, brewery, distillery~~
416 ~~facility use shall not exceed twenty-five percent of the site, or the maximum impervious~~
417 ~~surface for the applicable zone as established by this title, whichever is less)) Repealed.~~

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

420 5. Repealed.

421 6. Limited to uses found in SIC Industry 2434-Wood Kitchen Cabinets and
422 2431-Millwork, excluding planing mills.

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

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

425 9. Only within enclosed buildings.

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

427 11. For I-zoned sites located outside the urban area, uses shown as a conditional
428 use in the table of K.C.C. 21A.08.080.A. shall be prohibited, and all other uses shall be
429 subject to the provisions for rural industrial uses in K.C.C. 21A.14.280, as recodified by
430 ~~((this ordinance))~~ Ordinance 19881.

431 ~~12.((a. In the A zone, only allowed on sites where the primary use is SIC~~
432 ~~Industry Group No. 01 Growing and Harvesting Crops or No. 02 Raising Livestock and~~
433 ~~Small Animals;~~

434 b. ~~The aggregated floor area of structures and areas for winery, brewery,~~
435 ~~distillery facility uses shall not exceed a total of eight thousand square feet. Decks that~~
436 ~~are not occupied and not open to the public are excluded from the calculation for~~
437 ~~maximum aggregated floor area;~~

438 c. ~~Only allowed on lots of at least four and one half acres. If the aggregated~~
439 ~~floor area of structures for winery, brewery, distillery uses exceeds six thousand square~~
440 ~~feet, the minimum site area shall be ten acres;~~

441 d. ~~Wineries, breweries, and distilleries shall comply with Washington state~~
442 ~~Department of Ecology and King County board of health regulations for water usage and~~
443 ~~wastewater disposal, and must connect to an existing Group A water system. The~~
444 ~~definitions and limits of Group A water systems are described in K.C.C. 13.24.007, and~~
445 ~~provision of water service is described in K.C.C. 13.24.138, 13.24.140 and 13.24.142;~~

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

450 f. ~~In the A Zone, sixty percent or more of the products processed must be~~
451 ~~grown on site. At the time of the initial application under K.C.C. chapter 6.74, the~~
452 ~~applicant shall submit a projection of the source of products to be processed;~~

453 g. ~~At least two stages of production of wine, beer, cider or distilled spirits,~~
454 ~~such as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized~~
455 ~~by the Washington state Liquor and Cannabis Board production license, shall occur on-~~

456 ~~site. At least one of the stages of on-site production shall include crushing, fermenting or~~
457 ~~distilling;~~

458 ~~h. In the A zone, structures and areas for non-agricultural winery, brewery,~~
459 ~~distillery facility uses shall be located on portions of agricultural lands that are unsuitable~~
460 ~~for agricultural purposes, such as areas within the already developed portion of such~~
461 ~~agricultural lands that are not available for direct agricultural production, or areas without~~
462 ~~prime agricultural soils. No more than one acre of agricultural land may be converted to~~
463 ~~a nonagricultural accessory use;~~

464 ~~i. Tasting and retail sales of products produced on-site may occur only as~~
465 ~~accessory to the primary winery, brewery, distillery production use and may be provided~~
466 ~~in accordance with state law. The area devoted to on-site tasting or retail sales shall be~~
467 ~~limited to no more than thirty percent of the aggregated floor area and shall be included~~
468 ~~in the aggregated floor area limitation in subsection B.12.b. and c. of this section.~~

469 ~~Incidental retail sales of merchandise related to the products produced on-site is allowed~~
470 ~~subject to the restrictions described in this subsection. Hours of operation for on-site~~
471 ~~tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and~~
472 ~~Thursdays, tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and~~
473 ~~Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m.~~
474 ~~through 9:00 p.m.;~~

475 ~~j. Access to the site shall be directly to and from an arterial roadway;~~

476 ~~k. Off-street parking maximums shall be determined through the conditional~~
477 ~~use permit process, and should not be more than one hundred fifty percent of the~~
478 ~~minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;~~

479 ~~l. The business operator shall obtain an adult beverage business license in~~
480 ~~accordance with K.C.C. chapter 6.74;~~

481 ~~m. Events may be allowed with an approved temporary use permit under~~
482 ~~K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.;~~
483 ~~and~~

484 ~~n. The impervious surface associated with the winery, brewery, distillery~~
485 ~~facility use shall not exceed twenty five percent of the site, or the maximum impervious~~
486 ~~surface for the applicable zone in accordance with this title, whichever is less)) Repealed.~~

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

490 a. does not include retail sales of processed materials, and

491 b.(1) as accessory to a primary forestry use and at a scale appropriate to
492 process the organic waste generated on the site; or

493 (2) as a continuation of a sawmill or lumber manufacturing use only for that
494 period to complete delivery of products or projects under contract at the end of the
495 sawmill or lumber manufacturing activity.

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

499 a. does not include retail sales of processed materials; and

500 b.(1) as accessory to a primary mineral use and may only process materials
501 generated from on-site or properties within three miles of the site; or

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

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

506 16. Only a site that is ten acres or greater and in accordance with the following:

507 a. the site does not use local access streets that abut lots developed for
508 residential use;

509 b. the materials processing use meets the requirements of K.C.C. 21A.12.220
510 and K.C.C. chapter 21A.16;

511 c. the materials processing use obtains and maintains an operational grading
512 permit;

513 d. storage of fill material, as defined in K.C.C. chapter 16.82, does not exceed
514 three thousand cubic yards;

515 e. processed fill material, as defined in K.C.C. chapter 16.82, are primarily
516 from the rural area and natural resource lands; and

517 f. Does not include retail sales of processed materials.

518 17.a. The aggregated floor area of structures and areas for a winery, brewery, or
519 distillery (~~((facility uses))~~) shall not exceed three thousand five hundred square feet, unless
520 located in whole or in part in a structure designated as historic resource under K.C.C.

521 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to a
522 winery, brewery, or distillery (~~((facility uses))~~) shall not exceed five thousand square feet.

523 Decks that are not occupied and not open to the public are excluded from the calculation
524 for maximum aggregated floor area;

b. Structures and parking areas for a winery, brewery, or 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;

c. Tasting and retail sale of products produced on-site, and merchandise related
to the products produced on-site, may be provided in accordance with state law. The area
devoted to on-site tasting or retail sales shall be included in the aggregated floor area
limitation in subsection B.17.a. of this section;

d. Off-street parking for the tasting and retail areas shall be limited to a
maximum of one space per fifty square feet of tasting and retail areas; and

e. (~~The business operator shall obtain an adult beverage business license in~~
~~accordance with K.C.C. chapter 6.74; and~~

~~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 242-Sawmills and SIC Industry 2431-Millwork, as
follows:

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

(2) In the A and RA zones:

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

547 (b) Structures housing equipment used in the operation shall be located at
548 least one-hundred feet from adjacent properties with R, UR, and RA zoning;

549 (c) Deliveries and customer visits shall be limited to 8:00 a.m. to 7:00 p.m.
550 on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

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

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

556 b. SIC Industry 2411-Logging.

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

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

559 b. Only as an accessory use to a Washington state Liquor and Cannabis Board
560 licensed cannabis production facility on the same lot;

561 c. With a lighting plan, only if required by K.C.C. 21A.12.220.A.2.;

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

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

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

- 570 b. With a lighting plan, only if required by K.C.C. 21A.12.220.A.2.;
- 571 c. Only with documentation that the operator has applied for a Puget Sound
- 572 Clean Air Agency Notice of Construction Permit. All department permits issued to either
- 573 cannabis producers or cannabis processors, or both, shall require that a Puget Sound
- 574 Clean Air Agency Notice of Construction Permit be approved before cannabis products
- 575 are imported onto the site;
- 576 d. Per lot, the aggregated total gross floor area devoted to the use of, and in
- 577 support of, processing cannabis together with any separately authorized production of
- 578 cannabis shall be limited to a maximum of two thousand square feet; and
- 579 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
- 580 every cannabis-related entity occupying space in addition to the two-thousand-square-
- 581 foot threshold area on that lot shall obtain a conditional use permit as required in
- 582 subsection B.22. of this section.
- 583 22.a. Only in the CB and RB zones located outside the urban area;
- 584 b. Per lot, the aggregated total gross floor area devoted to the use of, and in
- 585 support of, processing cannabis together with any separately authorized production of
- 586 cannabis shall be limited to a maximum of thirty thousand square feet;
- 587 c. With a lighting plan, only if required by K.C.C. 21A.12.220.A.2.; and
- 588 d. Only with documentation that the operator has applied for a Puget Sound
- 589 Clean Air Agency Notice of Construction Permit. All department permits issued to either
- 590 cannabis producers or cannabis processors, or both, shall require that a Puget Sound
- 591 Clean Air Agency Notice of Construction Permit be approved before cannabis products
- 592 are imported onto the site.

- 593 23.a. Only in the CB and RB zones located inside the urban area, except the
594 White Center unincorporated activity center;
- 595 b. With a lighting plan, only if required by K.C.C. 21A.12.220.A.2.;
- 596 c. Only with documentation that the operator has applied for a Puget Sound
597 Clean Air Agency Notice of Construction Permit. All department permits issued to either
598 cannabis producers or cannabis processors, or both, shall require that a Puget Sound
599 Clean Air Agency Notice of Construction Permit be approved before cannabis products
600 are imported onto the site;
- 601 d. Per lot, the aggregated total gross floor area devoted to the use of, and in
602 support of, processing cannabis together with any separately authorized production of
603 cannabis shall be limited to a maximum of two thousand square feet; and
- 604 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
605 every cannabis-related entity occupying space in addition to the two-thousand-square-
606 foot threshold area on that lot shall obtain a conditional use permit as required in
607 subsection B.24. of this section.
- 608 24.a. Only in the CB and RB zones located inside the urban area, except the
609 White Center unincorporated activity center;
- 610 b. With a lighting plan, only if required by K.C.C. 21A.12.220.A.2.;
- 611 c. Only with documentation that the operator has applied for a Puget Sound
612 Clean Air Agency Notice of Construction Permit. All department permits issued to either
613 cannabis producers or cannabis processors, or both, shall require that a Puget Sound
614 Clean Air Agency Notice of Construction Permit be approved before cannabis products
615 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 cannabis together with any separately authorized production of cannabis 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.A.2.;

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 cannabis producers or cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before cannabis 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 cannabis together with any separately authorized production of cannabis.

26.a. With a lighting plan, only if required by K.C.C. 21A.12.220.A.2.;

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 cannabis producers or cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before cannabis 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 cannabis together with any separately authorized production of cannabis.

27.a. Cannabis 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

639 Washington state Liquor and Cannabis Board license business before October 1, 2016,
640 and that King County did not object to within the Washington state Liquor and Cannabis
641 Board cannabis license application process, shall be considered nonconforming as to
642 subsection B.27.e. of this section, subject to the provisions of K.C.C. 21A.32.020 through
643 21A.32.075 for nonconforming uses;

644 b. Only with a lighting plan that complies with K.C.C. 21A.12.220.A.2.;

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

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

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

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

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

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

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

b. 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;

c. For a winery, brewery, or distillery ~~((facility uses))~~ that does not require a conditional use permit, off-street parking for the tasting and retail areas shall be limited to a maximum of one space per fifty square feet of tasting and retail areas. For a winery, brewery, or distillery ~~((facility uses))~~ that ~~((do))~~ requires a conditional use permit, off-street parking maximums shall be determined through the conditional use permit process, and off-street parking for the tasting and retail areas should be limited to a maximum of one space per fifty square feet of tasting and retail areas; and

d. ~~((The business operator shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74; and~~

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

30.~~((a. Only allowed on lots of at least two and one-half acres;~~

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

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

689 d. ~~Tasting and retail sales of products produced on site may only occur as~~
690 ~~accessory to the primary winery, brewery, distillery production use and may be provided~~
691 ~~in accordance with state law. The area devoted to on-site tasting or retail sales shall be~~
692 ~~limited to no more than thirty percent of the aggregated floor area and shall be included~~
693 ~~in the aggregated floor area limitation in subsection B.30.b. of this section. Incidental~~
694 ~~retail sales of merchandise related to the products produced on-site is allowed subject to~~
695 ~~the restrictions described in this subsection. Hours of operation for on-site tasting of~~
696 ~~products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays,~~
697 ~~tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays,~~
698 ~~Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00~~
699 ~~p.m.;~~

700 e. ~~Access to the site shall be directly to and from a public roadway;~~

701 f. ~~Off street parking is limited to a maximum of one hundred fifty percent of~~
702 ~~the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;~~

703 g. ~~The business operator shall obtain an adult beverage business license in~~
704 ~~accordance with K.C.C. chapter 6.74;~~

705 h. ~~Events may be allowed with an approved temporary use permit under~~
706 ~~K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.;~~

707 i. ~~At least two stages of production of wine, beer, cider or distilled spirits, such~~
708 ~~as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the~~
709 ~~Washington state Liquor and Cannabis Board production license, shall occur on-site. At~~
710 ~~least one of the stages of production occurring on-site shall include crushing, fermenting~~
711 ~~or distilling; and~~

712 j. ~~The impervious surface associated with the winery, brewery, distillery~~
713 ~~facility use shall not exceed twenty five percent of the site, or the maximum impervious~~
714 ~~surface for the applicable zone in accordance with this title, whichever is less)) Repealed.~~

715 31.a. Limited to ~~((businesses with non-retail brewery and distillery production~~
716 ~~licenses from the Washington state Liquor and Cannabis board)) brewery or distillery~~
717 ~~uses.~~ Wineries and remote tasting rooms for wineries shall not be allowed;

718 b. Tasting and retail sale of products produced on-site and merchandise related
719 to the products produced on-site may be provided in accordance with state law. The area
720 devoted to on-site tasting or retail sales shall not exceed one thousand five hundred
721 square feet;

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

726 d. ~~((For brewery and distillery facility uses that do not require a conditional~~
727 ~~use permit, or))~~ Off-street parking for the tasting and retail areas shall be limited to a
728 maximum of one space per fifty square feet of tasting and retail areas. ~~((For brewery and~~
729 ~~distillery facility uses that do require a conditional use permit, off-street parking~~

730 ~~maximums shall be determined through the conditional use permit process, and off-street~~
731 ~~parking for the tasting and retail areas should be limited to a maximum of one space per~~
732 ~~fifty square feet of tasting and retail areas)); and~~

733 ~~e. ((The business operator shall obtain an adult beverage business license in~~
734 ~~accordance with K.C.C. chapter 6.74; and~~

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

737 ~~32.((a. The aggregated floor area of structures and areas for winery, brewery,~~
738 ~~distillery facility uses shall not exceed one thousand five hundred square feet;~~

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

743 ~~c. One on-site parking stall shall be allowed for the winery, brewery, distillery~~
744 ~~facility I use;~~

745 ~~d. The business operator shall obtain an adult beverage business license in~~
746 ~~accordance with K.C.C. chapter 6.74;~~

747 ~~e. At least two stages of production of wine, beer, cider or distilled spirits, such~~
748 ~~as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the~~
749 ~~Washington state Liquor and Cannabis Board production license, shall occur on-site. At~~
750 ~~least one of the stages of production occurring on-site shall include crushing, fermenting~~
751 ~~or distilling;~~

752 ~~f. No product tasting or retail sales shall be allowed on-site;~~

753 ~~g. Events may be allowed in accordance with K.C.C. 21A.32.120.B.6; and~~
 754 ~~h. The impervious surface associated with the winery, brewery, distillery~~
 755 ~~facility use shall not exceed twenty-five percent of the site or the maximum impervious~~
 756 ~~surface for the applicable zone in accordance with this title, whichever is less)) Repealed.~~

757 33. Except leather tanning and finishing.

758 34. Except gasoline powered motorcycles.

759 SECTION 7. Ordinance 10870, Section 336, as amended, and K.C.C.

760 21A.08.090 are hereby amended to read as follows:

761 A. Resource land uses.

SIC#	SPECIFIC LAND USE	A	F	M	R A	UR	R- 1	R- 4 – R- 8	R- 12 – R- 48	NB	CB	RB	O	I
12	Coal Mining													
13	Oil and Gas Extraction													
*	Anaerobic Digester	P13 C	C		P 1 3 C	C3 1	C3 1	C3 1	C3 1	C3 1	C3 1	C	C	C
	AGRICULTURE:													
01	Growing and Harvesting Crops	P	P		P	P	P	P	P3 0	P3 0	P3 0	P3 0	P3 0	P
02	Raising Livestock and Small Animals (6)	P	P		P	P								P
*	Stable	P32 C			P 3	P32 C	P3 2	P 32						

					2 C		C	C						
*	Agricultural Activities	P24 C	P24 C		P 2 4 C	P24 C	P3 0 C3 0	P3 0 C3 0	P3 0 C3 0	P3 0 C3 0	P3 0 C3 0	P3 0 C3 0	P3 0 C3 0	
*	Agricultural Support Services	P25 C	P25 C		P 2 6 C	P26 C	P2 6 C	P2 6 C		P2 7 C2 8	P2 7 C2 8			
*	Cannabis producer	P15 C22			P 1 6 C 1 7						P1 8 C1 9	P1 8 C1 9		P2 0 C2 1
*	Agriculture Training Facility	C10												
*	Agriculture-related Special Needs Camp	P12												
*	Temporary Farm Worker Housing	P14 a			P 1 4a									
	FORESTRY:													
08	Growing and Harvesting Forest Production	P	P	P7	P	P	P	P						P
*	Forest Research		P		P	P							P2	P
	FISH AND WILDLIFE MANAGEMENT:													
0921	Hatchery/Fish Preserve	P	P		P	P	C	C						P

	(1)													
0273	Aquaculture (1)	P	P		P	P	C	C						P
*	Wildlife Shelters	P	P		P	P								
	MINERAL:													
10, 14	Mineral Extraction and Processing		P9 C	P C1 1										
2951, 3271, 3273	Asphalt/Concrete Mixtures and Block		P8 C11	P8 C1 1										P
	ACCESSORY USES:													
*	Resource Accessory Uses	P3 P23 P29	P4 P29	P5 P2 9	P 3 P 2 9	P3 P29								P4 P2 9
*	Permanent Farm Worker Housing	P14 b			P 1 4 b									

B. Development conditions.

1. May be further subject to K.C.C. chapter 21A.25.
2. Only forest research conducted within an enclosed building.
3. Farm residences in accordance with K.C.C. 21A.08.030.
4. Excluding housing for agricultural workers.
5. Limited to either maintenance or storage facilities, or both, in conjunction with mineral extraction or processing operation.
6. Allowed in accordance with K.C.C. chapter 21A.30.

770 7. Only in conjunction with a mineral extraction site plan approved in
771 accordance with K.C.C. chapter 21A.22.

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

775 a. as accessory to a primary mineral extraction use; or

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

778 9. Limited to mineral extraction and processing:

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

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

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

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

788 a. The impervious surface associated with the agriculture training facilities
789 shall comprise not more than ten percent of the maximum impervious surface allowed
790 under Ordinance 19881, ((s))Section 227 ((of this ordinance));

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

- 793 c. The director may require reuse of surplus structures to the maximum extent
794 practical;
- 795 d. The director may require new structures to be sited near existing structures;
- 796 e. New structures or other site improvements shall be set back a minimum
797 distance of seventy-five feet from property lines adjoining RA, UR, and R zones;
- 798 f. Bulk and design of structures shall be compatible with the architectural style
799 of the surrounding agricultural community;
- 800 g. New sewers shall not be extended to the site;
- 801 h. Traffic generated shall not impede the safe and efficient movement of
802 agricultural vehicles, nor shall it require capacity improvements to rural roads;
- 803 i. Agriculture training facilities may be used to provide educational services to
804 the surrounding rural/agricultural community or for community events. Property owners
805 may be required to obtain a temporary use permit for community events in accordance
806 with K.C.C. chapter 21A.32;
- 807 j. Use of lodging and food service facilities shall be limited only to activities
808 conducted in conjunction with training and education programs or community events
809 held on-site;
- 810 k. Incidental uses, such as office and storage, shall be limited to those that
811 directly support education and training activities or farm operations; and
- 812 l. The King County agriculture commission shall be notified of and have an
813 opportunity to comment upon all proposed agriculture training facilities during the permit
814 process in accordance with K.C.C. chapter 21A.40.

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

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

820 (1) passive recreation;

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

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

823 (4) agriculture education for youth.

824 b. Outside the camp center, as provided for in subsection B.12.e. of this
825 section, camp activities shall not preclude the use of the site for agriculture and
826 agricultural related activities, such as the processing of local food to create value-added
827 products and the refrigeration and storage of local agricultural products. The camp shall
828 be managed to coexist with agriculture and agricultural activities both on-site and in the
829 surrounding area.

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

832 d.(1) The minimum site area shall be five hundred acres. Unless the property
833 owner has sold or transferred the development rights as provided in subsection B.12.c.(2)
834 of this section, a minimum of five hundred acres of the site shall be owned by a single
835 individual, corporation, partnership, or other legal entity and shall remain under the
836 ownership of a single individual, corporation, partnership, or other legal entity for the
837 duration of the operation of the camp.

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

842 e. The impervious surface associated with the camp shall comprise not more
843 than ten percent of the maximum impervious surface allowed under Ordinance 19881,
844 ~~((s))Section 227 ((of this ordinance))~~;

845 f. Structures for living quarters, dining facilities, medical facilities, and other
846 nonagricultural camp activities shall be located in a camp center. The camp center shall
847 be no more than fifty acres and shall be depicted on a site plan. New structures for
848 nonagricultural camp activities shall be sited near existing structures;

849 g. To the extent practicable, existing structures shall be reused. The applicant
850 shall demonstrate to the director that a new structure for nonagricultural camp activities
851 cannot be practicably accommodated within an existing structure on the site, though
852 cabins for campers shall be allowed only if they do not already exist on-site;

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

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

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

861 k. New nonagricultural camp structures and site improvements shall maintain a
862 minimum set-back of seventy-five feet from property lines adjoining RA, UR, and R
863 zones;

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

867 m. Landscaping equivalent to a type III landscaping screen, as provided for in
868 K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures
869 and site improvements located within two hundred feet of an adjacent RA, UR, and R
870 zoned property not associated with the camp;

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

872 o. The total number of persons staying overnight shall not exceed three
873 hundred;

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

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

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

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

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

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

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

893 a. the digester shall be included as part of a Washington state Department of
894 Agriculture approved dairy nutrient plan;

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

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

901 d. the use shall be accessory to an operating dairy or livestock operation.

902 14. Farm worker housing. Either:

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

904 (1) The housing shall be licensed by the Washington state Department of
905 Health under chapter 70.114A RCW and chapter 246-358 WAC, unless it falls below the
906 threshold for licensing in WAC 246-358-025;

907 (2) Water supply and sewage disposal systems are subject to approval by
908 public health - Seattle & King County;

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

912 (4) The property owner shall file with the department of executive services,
913 records and licensing services division, a notice approved by the department identifying
914 the housing as temporary farm worker housing and that the housing shall be occupied
915 only by agricultural employees and their families while employed by the owner or
916 operator or on a nearby farm. The notice shall run with the land; or

917 b. Permanent farmworker housing for agricultural employees who are
918 employed by the owner or operator of the farm year-round as follows:

919 (1) Not more than:

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

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

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

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

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

930 (3) The applicant shall file with the department of executive services, records
931 and licensing services division, a notice approved by the department that identifies the
932 agricultural employee dwelling units as accessory and that the dwelling units shall only
933 be occupied by agricultural employees who are employed by the owner or operator year-
934 round. The notice shall run with the land. The applicant shall submit to the department
935 proof that the notice was filed with the department of executive services, records and
936 licensing services division, before the department approves any permit for the
937 construction of agricultural employee dwelling units;

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

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

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

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

947 15. Cannabis production by cannabis producers licensed by the Washington
948 state Liquor and Cannabis Board is subject to the following standards:

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

950 b. With a lighting plan, only if required by and that complies with K.C.C.

951 21A.12.220.A.2.;

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

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

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

965 f. Outdoor production area fencing as required by the Washington state Liquor
966 and Cannabis Board, cannabis greenhouses and nondwelling unit structures shall
967 maintain a minimum street setback of fifty feet and a minimum interior setback of thirty
968 feet; and

969 g. If the two-thousand-square-foot-per-lot threshold of plant canopy combined
970 with area used for processing under K.C.C. 21A.08.080 is exceeded, each and every
971 cannabis-related entity occupying space in addition to the two-thousand-square-foot
972 threshold area on that lot shall obtain a conditional use permit as required in subsection
973 B.22. of this section.

974 16. Cannabis production by cannabis producers licensed by the Washington
975 state Liquor and Cannabis Board is subject to the following standards:

976 a. Cannabis producers in all RA zoned areas except for Vashon-Maury Island,
977 that do not require a conditional use permit issued by King County, that receive a
978 Washington state Liquor and Cannabis Board license business before October 1, 2016,
979 and that King County did not object to within the Washington state Liquor and Cannabis
980 Board cannabis license application process, shall be considered nonconforming as to
981 subsection B.16.d. and h. of this section, subject to the provisions of K.C.C. 21A.32.020
982 through 21A.32.075 for nonconforming uses;

983 b. In RA zones, only with a lighting plan that complies with K.C.C.
984 21A.12.220.A.2.;

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

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

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

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

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

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

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

17. Cannabis production by cannabis producers licensed by the Washington state Liquor and Cannabis Board is subject to the following standards:

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

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

c. In RA zones, only with a lighting plan that complies with K.C.C. 21A.12.220.A.2.;

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

1020 cannabis producers or cannabis processors, or both, shall require that a Puget Sound
1021 Clean Air Agency Notice of Construction Permit be approved before cannabis products
1022 are imported onto the site;

1023 e. Production is limited to outdoor and indoor within cannabis greenhouses
1024 subject to the size limitations in subsection B.17.f. of this section;

1025 f. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1026 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
1027 aggregated total of thirty thousand square feet and shall be located within a fenced area or
1028 cannabis greenhouse that is no more than ten percent larger than that combined area; and

1029 g. Outdoor production area fencing as required by the Washington state Liquor
1030 and Cannabis Board, and cannabis greenhouses shall maintain a minimum street setback
1031 of fifty feet and a minimum interior setback of one hundred feet, and a minimum setback
1032 of one hundred fifty feet from any existing residence.

1033 18.a. Production is not allowed in the White Center unincorporated activity
1034 center;

1035 b. Production is limited to indoor only;

1036 c. With a lighting plan only as required by and that complies with K.C.C.
1037 21A.12.220.A.2.;

1038 d. Only with documentation that the operator has applied for a Puget Sound
1039 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1040 cannabis producers or cannabis processors, or both, shall require that a Puget Sound
1041 Clean Air Agency Notice of Construction Permit be approved before cannabis products
1042 are imported onto the site; and

1043 e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1044 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1045 aggregated total of two thousand square feet and shall be located within a building or
1046 tenant space that is no more than ten percent larger than the plant canopy and separately
1047 authorized processing area; and

1048 f. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
1049 every cannabis-related entity occupying space in addition to the two-thousand-square foot
1050 threshold area on that parcel shall obtain a conditional use permit as required in
1051 subsection B.19. of this section.

1052 19.a. Production is not allowed in the White Center unincorporated activity
1053 center;

1054 b. Production is limited to indoor only;

1055 c. With a lighting plan only as required by and that complies with K.C.C.
1056 21A.12.220.A.2.;

1057 d. Only with documentation that the operator has applied for a Puget Sound
1058 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1059 cannabis producers or cannabis processors, or both, shall require that a Puget Sound
1060 Clean Air Agency Notice of Construction Permit be approved before cannabis products
1061 are imported onto the site; and

1062 e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1063 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1064 aggregated total of thirty thousand square feet and shall be located within a building or

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

20.a. Production is limited to indoor only;

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

21A.12.220.A.2.;

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

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

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

21.a. Production is limited to indoor only;

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

21A.12.220.A.2.;

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

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

22. Cannabis production by cannabis producers licensed by the Washington state Liquor and Cannabis Board is subject to the following standards:

a. With a lighting plan only as required by and that complies with K.C.C. 21A.12.220.A.2.;

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

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

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

1110 e. On lots less than ten acres, per lot, the plant canopy, as defined in WAC
1111 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall
1112 be limited to a maximum aggregated total of five thousand square feet and shall be
1113 located within a fenced area or cannabis greenhouse that is no more than ten percent
1114 larger than that combined area, or may occur in nondwelling unit structures that exist as
1115 of October 1, 2013;

1116 f. On lots ten acres or more, per lot, the plant canopy, as defined in WAC 314-
1117 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be
1118 limited to a maximum aggregated total of ten thousand square feet, and shall be located
1119 within a fenced area or cannabis greenhouse that is no more than ten percent larger than
1120 that combined area, or may occur in nondwelling unit structures that exist as of October
1121 1, 2013; and

1122 g. Outdoor production area fencing as required by the Washington state Liquor
1123 and Cannabis Board, cannabis greenhouses and nondwelling unit structures shall
1124 maintain a minimum street setback of fifty feet and a minimum interior setback of one
1125 hundred feet, and a minimum setback of one hundred fifty feet from any existing
1126 residence.

1127 23. The storage and processing of nonmanufactured source separated organic
1128 waste that originates from agricultural operations and that does not originate from the
1129 site, if:

1130 a. agricultural is the primary use of the site;

1131 b. the storage and processing are in accordance with best management
1132 practices included in an approved farm plan; and

1133 c. except for areas used for manure storage, the areas used for storage and
1134 processing do not exceed three acres and ten percent of the site.

1135 24.a. For activities relating to the processing of crops or livestock for
1136 commercial purposes, including associated activities such as warehousing, storage,
1137 including refrigeration, and other similar activities and excluding winery, brewery,
1138 distillery ((~~facility I, II, III~~)), and remote tasting room uses:

1139 (1) limited to agricultural products and sixty percent or more of the products
1140 processed shall be grown in the Puget Sound counties. At the time of initial application,
1141 the applicant shall submit a projection of the source of products to be produced;

1142 (2) in the RA and UR zones, only allowed on sites of at least four and one-
1143 half acres;

1144 (3)(a) as a permitted use, the floor area devoted to all processing shall not
1145 exceed two thousand square feet, unless located in a building designated as an historic
1146 resource under K.C.C. chapter 20.62. The agricultural technical review committee, as
1147 established in K.C.C. 21A.42.300, may review and approve an increase in the processing
1148 floor area as follows: up to three thousand five hundred square feet of floor area may be
1149 devoted to all processing in the RA zones or on farms less than thirty-five acres located in
1150 the A zones or up to seven thousand square feet on farms greater than thirty-five acres in
1151 the A zone; and

1152 (b) as a permitted use, the floor area devoted to all warehousing,
1153 refrigeration, storage, or other similar activities shall not exceed two thousand square
1154 feet, unless located in a building designated as historic resource under K.C.C. chapter
1155 20.62. The agricultural technical review committee, as established in K.C.C.

1156 21A.42.300, may review and approve an increase of up to three thousand five hundred
1157 square feet of floor area devoted to all warehousing, storage, including refrigeration, or
1158 other similar activities in the RA zones or on farms less than thirty-five acres located in
1159 the A zones or up to seven thousand square feet on farms greater than thirty-five acres in
1160 the A zone;

1161 (4) in the A zone, structures and areas used for processing, warehousing,
1162 refrigeration, storage, and other similar activities shall be located on portions of
1163 agricultural lands that are unsuitable for other agricultural purposes, such as areas within
1164 the already developed portion of such agricultural lands that are not available for direct
1165 agricultural production, or areas without prime agricultural soils; and

1166 (5) structures and areas used for processing, warehousing, storage, including
1167 refrigeration, and other similar activities shall maintain a minimum distance of seventy-
1168 five feet from property lines adjoining RA, UR, and R zones, unless located in a building
1169 designated as historic resource under K.C.C. chapter 20.62.

1170 b. For activities relating to the retail sale of agricultural products, except
1171 livestock:

1172 (1) sales shall be limited to agricultural products and locally made arts and
1173 crafts;

1174 (2) in the RA and UR zones, only allowed on sites at least four and one-
1175 half acres;

1176 (3) as a permitted use, the covered sales area shall not exceed three
1177 thousand five hundred square feet, unless located in a building designated as a historic
1178 resource under K.C.C. chapter 20.62. The agricultural technical review committee, as

1179 established in K.C.C. 21A.42.300, may review and approve an increase of up to five
1180 thousand square feet of covered sales area;

1181 (4) forty percent or more of the gross sales of agricultural product sold
1182 through the store shall be sold by the producers of primary agricultural products;

1183 (5) sixty percent or more of the gross sales of agricultural products sold
1184 through the store shall be derived from products grown or produced in the Puget Sound
1185 counties. At the time of the initial application, the applicant shall submit a reasonable
1186 projection of the source of product sales;

1187 (6) tasting of products, in accordance with applicable health regulations, is
1188 allowed;

1189 (7) storage areas for agricultural products may be included in a farm store
1190 structure or in any accessory building; and

1191 (8) outside lighting is allowed if there is no off-site glare.

1192 c. Retail sales of livestock is allowed only as accessory to raising livestock.

1193 d. Farm operations, including equipment repair and related facilities, except
1194 that:

1195 (1) the repair of tools and machinery is limited to those necessary for the
1196 operation of a farm or forest;

1197 (2) in the RA and UR zones, only allowed on sites of at least four and one-
1198 half acres;

1199 (3) the size of the total repair use is limited to one percent of the farm size
1200 in the A zone, and up to one percent of the size in other zones, up to a maximum of five

1201 thousand square feet unless located within an existing farm structure, including, but not
1202 limited to, barns, existing as of December 31, 2003; and

1203 (4) Equipment repair shall not be allowed in the Forest zone.

1204 e. The agricultural technical review committee, as established in K.C.C.

1205 21A.42.300, may review and approve reductions of minimum site sizes in the RA, UR,
1206 and R zones and minimum setbacks from RA, UR, and R zones.

1207 25. The department may review and approve establishment of agricultural
1208 support services in accordance with the code compliance review process in K.C.C.

1209 21A.42.300 only if:

1210 a. project is sited on lands that are unsuitable for direct agricultural production
1211 based on size, soil conditions, or other factors and cannot be returned to productivity by
1212 drainage maintenance; and

1213 b. the proposed use is allowed under any Farmland Preservation Program
1214 conservation easement and zoning development standards.

1215 26. The agricultural technical review committee, as established in K.C.C.
1216 21A.42.300, may review and approve establishment of agricultural support services only
1217 if the project site:

1218 a. adjoins or is within six hundred sixty feet of the agricultural production
1219 district;

1220 b. has direct vehicular access to the agricultural production district;

1221 c. except for farm worker housing, does not use local access streets that abut
1222 lots developed for residential use; and

1223 d. has a minimum lot size of four and one-half acres.

- 1224 27. The agricultural technical review committee, as established in K.C.C.
1225 21A.42.300, may review and approve establishment of agricultural support services only
1226 if the project site:
- 1227 a. is outside the urban area;
 - 1228 b. adjoins or is within six hundred sixty feet of the agricultural production
1229 district;
 - 1230 c. has direct vehicular access to the agricultural production district;
 - 1231 d. except for farm worker housing, does not use local access streets that abut
1232 lots developed for residential use; and
 - 1233 e. has a minimum lot size of four and one-half acres.
- 1234 28. Only allowed on properties that are outside the urban area.
- 1235 29. Battery energy storage systems are considered a resource accessory use
1236 when the total system capacity is two megawatts or less, and:
- 1237 a. the system provides electricity for on-site use only, with "on-site use"
1238 including net metering as well as charging of vehicles on-site or in the right-of-way
1239 immediately adjacent to the site; or
 - 1240 b. the system is intended primarily for on-site use, but also participates in load
1241 sharing or another grid-connected electricity-sharing arrangement.
- 1242 30.a. Permitted as a primary use or an accessory use, except in accordance with
1243 subsection B.30.g. of this section;
- 1244 b. A sufficient water supply shall be available to support cultivation practices
1245 on-site;

- 1246 c. The site shall be designed and maintained to prevent water and fertilizer
1247 runoff onto adjacent properties;
- 1248 d. Compost materials shall be stored at least twenty feet from interior lot lines
1249 and in a manner that minimizes odors and is not visible from adjacent properties;
- 1250 e. Raising livestock and small animals, animal mortality management, and on-
1251 site animal waste storage, disposal, and processing is not allowed;
- 1252 f. In the R-1 through R-48 zones:
- 1253 (1) The total lot area devoted to the use shall not exceed four thousand square
1254 feet.
- 1255 (2) Structures used for agricultural activities:
- 1256 (a) shall not exceed one thousand square feet in gross floor area per lot;
- 1257 (b) shall not exceed twelve feet in height, including any pitched roof;
- 1258 (c) shall be limited to raised garden beds, greenhouses, hoop houses, storage
1259 sheds, cold frames, and rain barrel systems; and
- 1260 (d) are also subject to the development standards that would apply to an
1261 accessory structure in the zone, if the use is accessory;
- 1262 (3) Only mechanical equipment designed for household use may be used;
- 1263 (4) Retail sales and all other public use shall begin no earlier than 8:00 a.m.
1264 and end by 7:00 p.m.;
- 1265 (5) Commercial deliveries and pickups are limited to one per day. On-site
1266 sales are not considered commercial pickups;
- 1267 (6) No more than two motor vehicles dedicated to the use shall be stored on-
1268 site, each with a gross vehicle weight of ten thousand pounds or less; and

(7) One identification sign is allowed, not exceeding one-hundred square inches in area; and

g. A conditional use permit is required on properties twenty acres or more in size in the R-1 zone, or to exceed the limitations of subsection B.30.f. of this section in the R-1 through R-48 zones. Conditional use permits shall not be granted for properties with an urban separator land use designation.

31. Digester shall be limited to processing of waste generated on-site only.

32. Covered riding arenas are subject to K.C.C. 21A.30.030 and shall not exceed twenty thousand square feet. Stabling areas, whether attached or detached, shall not be counted in this calculation.

SECTION 8. Ordinance 19881, Section 177, and K.C.C. 21A.xx.xxx are hereby amended to read as follows:

A.1. The required number of off-street parking spaces shall be provided in accordance with the table in this section. If a parking standard for a use is not specified in this chapter, the Director shall establish the minimum parking requirement.

2. Off-street parking ratios shall be based on the usable or net floor area, exclusive of nonoccupied areas. For the purposes of calculating parking, "nonoccupied areas" include, but are not limited to, building maintenance areas, storage areas, closets, or restrooms.

3. If the calculation 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 rounded up and fractions below 0.50 rounded down.

LAND USE	White Center Unincorporated Activity Center	Within 1/2 Mile Walkshed or High- Capacity of Frequent Transit Stop as Mapped by the Metro Transit Department	Other Areas of North Highline
RESIDENTIAL (K.C.C. 21A.08.030.A.):			
Inclusionary housing development (K.C.C. chapter 21A.48)	No minimum required	0.5 per dwelling unit	0.8 per dwelling unit
Single detached residence	No minimum required	1.0 per dwelling unit	2.0 per dwelling unit
Duplex, houseplex, or townhouse	No minimum required	1.0 per dwelling unit	1.5 per dwelling unit
Apartment:			
Studio units	No minimum required	0.7 per dwelling unit	1.2 per dwelling unit
One or more bedroom units	No minimum required	1.0 per dwelling unit	1.5 per dwelling unit
Manufactured home community	No minimum required	1.0 per dwelling unit	2.0 per dwelling unit

Cottage housing	No minimum required	0.8 per dwelling unit	1 per dwelling unit
Congregate residence	No minimum required	0.3 per dwelling or sleeping units	1 per two bedrooms
Senior assisted housing	No minimum required	1.0 per 4 dwelling or sleeping units	1 per 2 dwelling or sleeping units
RECREATIONAL AND CULTURAL (K.C.C. 21A.08.040.A.):			
Recreation use, if not otherwise specified	(director)	(director)	(director)
Cultural uses, if not otherwise specified	1 per 400 square feet	1 per 300 square feet	1 per 300 square feet
Golf course facility	3 per hole, plus 1 per 400 square feet of club house facilities	3 per hole, plus 1 per 300 square feet of club house facilities	3 per hole, plus 1 per 300 square feet of club house facilities
Golf driving range	.75 per tee	1 per tee	1 per tee
Tennis club	3 per tennis court plus 1 per 500 square feet of clubhouse facility	4 per tennis court plus 1 per 500 square feet of clubhouse facility	4 per tennis court plus 1 per 300 square feet of clubhouse facility
Theater	1 per 5 fixed seats	1 per 4 fixed seats	1 per 3 fixed seats
Bowling center	3 per lane	4 per lane	5 per lane

Paintball range	(director)	(director)	(director)
Conference center	Greater of 1 per 5 fixed seats plus 1 per 75 square feet used for assembly purposes without fixed seats, or 1 per lodging room	Greater of 1 per 3 fixed seats plus 1 per 60 square feet used for assembly purposes without fixed seats, or 1 per lodging room	Greater of 1 per 3 fixed seats plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per lodging bedroom, whichever results in the greater number of spaces.
HEALTH CARE SERVICES AND RESIDENTIAL CARE SERVICES ((((subsection A. of) <u>Ordinance 19881</u>, ((s))<u>Section 162.A.</u> ((of this ordinance)))):			
Health care and residential care services, if not otherwise specified	1 per 400 square feet of office, labs, examination, or patient room	1 per 300 square feet of office, labs, examination, or patient room	1 per 300 square feet of office, labs, examination, or patient room
Hospital	1 per bed	1 per bed	1 per bed
Nursing and personal care facility	1 per 4 beds	1 per 4 beds	1 per 4 beds
Adult family home	2 per home	2 per home	2 per home
Community	1 per 3 bedrooms	1 per 2 bedrooms	1 per 2 bedrooms

residential facilities			
Permanent supportive housing	1 per 2 employees plus 1 per 20 dwelling units	1 per 2 employees plus 1 per 20 dwelling units	1 per 2 employees plus 1 per 20 dwelling units
Recuperative housing	1 per 2 employees plus 1 per 10 sleeping unit	1 per 2 employees plus 1 per 10 sleeping unit	1 per 2 employees plus 1 per 10 sleeping unit
Emergency supportive housing	1 per 2 employees plus 1 per 20 sleeping unit	1 per 2 employees plus 1 per 20 sleeping unit	1 per 2 employees plus 1 per 20 sleeping unit
Microshelter villages	1 per 2 employees plus 1 per 20 microshelters	1 per 2 employees plus 1 per 20 microshelters	1 per 2 employees plus 1 per 20 microshelters
PERSONAL SERVICE AND TEMPORARY LODGING (K.C.C. 21A.08.050.A.):			
Personal service and temporary lodging uses, if not otherwise specified	No minimum required	1 per 400 square feet	1 per 300 square feet
Specialized instruction Schools	1 per classroom, plus 1 per 3 students	1 per classroom, plus 1 per 2 students	1 per classroom, plus 1 per 2 students
Funeral	1 per 65 square feet	1 per 50 square feet of	1 per 50 square feet

home/crematory	of chapel area	chapel area	of chapel area
Daycare I	2 per facility	2 per facility	2 per facility
Daycare II	1.5 per facility, plus 1 space for each 25 children	2 per facility, plus 1 space for each 20 children	2 per facility, plus 1 space for each 20 children
Religious facility	1 per 100 square feet of gross floor area	1 per 75 square feet of gross floor area	1 per 60 square feet of gross floor area
Veterinary clinic	1 per 400 square feet of office, labs, and examination rooms	1 per 300 square feet of office, labs, and examination rooms	1 per 300 square feet of office, labs, and examination rooms
Artist studios	0.7 per 1,000 square feet of area used for studios	0.8 per 1,000 square feet of area used for studios	0.9 per 1,000 square feet of area used for studios
Hotel/motel	0.8 per room	0.9 per room	1 per room
Bed and breakfast guesthouse	1 per guest room	1 per guest room, plus 1 per facility	1 per guest room, plus 2 per facility
Organizational hotel/lodging	0.8 per room	0.9 per room	1 per room
GOVERNMENT AND EDUCATION (((subsection A. of))) <u>Ordinance 19881,</u> ((s))<u>Section 164.A.</u> (((of this ordinance)))):			

Government uses, if not otherwise specified	1 per 400 square feet	1 per 300 square feet	1 per 300 square feet
Public agency or utility yard	1 per 400 square feet of offices, plus 0.7 per 1,000 square feet of indoor storage or repair areas	1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas	1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas
Public agency archives	0.7 per 1,000 square feet of storage area, plus 1 per 60 square feet of waiting/reviewing areas	0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas	0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas
Court	2 per courtroom, plus 1 per 60 square feet of fixed seat or assembly areas	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas
Police facility	(director)	(director)	(director)
Fire facility	(director)	(director)	(director)

Elementary schools	1 per classroom, plus 1 per 60 students	1 per classroom, plus 1 per 50 students	1 per classroom, plus 1 per 50 students
Middle/junior high schools	1 per classroom, plus 1 per 60 students	1 per classroom, plus 1 per 50 students	1 per classroom, plus 1 per 50 students
Secondary or high schools	1 per classroom, plus 1 per 12 students	1 per classroom, plus 1 per 10 students	1 per classroom, plus 1 per 10 students
Secondary or high schools with stadiums	Greater of 1 per classroom plus 1 per 12 students, or 1 per 4 fixed seats in stadium	Greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium	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 7 students	1 per classroom, plus 1 per 5 students	1 per classroom, plus 1 per 5 students
BUSINESS SERVICES (K.C.C. 21A.08.060.A.):			
Business services uses, if not otherwise specified	1 per 400 square feet	1 per 350 square feet	1 per 300 square feet
Self-service storage	1 per 5,500 square	1 per 4,500 square feet	1 per 3,500 square

	feet of storage area, plus 1 for any resident manager's unit	of storage area, plus 1 for any resident manager's unit	feet of storage area, plus 2 for any resident manager's unit
Outdoor advertising services	1 per 400 square feet of office, plus 0.7 per 1,000 square feet of storage area	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area
Office	1 per 400 square feet	1 per 350 square feet	1 per 300 square feet
Construction and trade	1 per 1,000 square feet of office, plus 1 per 3,000 square feet of storage area	1 per 750 square feet of office, plus 1 per 3,000 square feet of storage area	1 per 500 square feet of office, plus 1 per 3,000 square feet of storage area
Warehousing and wholesale trade	1 per 400 square feet of office, plus 0.5 per 1,000 square feet of storage area	1 per 300 square feet of office, plus 0.6 per 1,000 square feet of storage area	1 per 300 square feet of office, plus 0.7 per 1,000 square feet of storage area
Heavy equipment repair	1 per 400 square feet of office, plus 0.7	1 per 300 square feet of office, plus 0.9 per	1 per 300 square feet of office, plus

	per 1,000 square feet of indoor repair areas	1,000 square feet of indoor repair areas	0.9 per 1,000 square feet of indoor repair areas
RETAIL (K.C.C. 21A.08.070.A.):			
Retail uses, if not otherwise specified	No minimum required	1 per 500 square feet	1 per 300 square feet
Food stores (retail area 1,000 sf or larger)	3 plus 1 per 700 square feet	3 plus 1 per 500 square feet	3 plus 1 per 350 square feet
Food stores (retail area less than 1,000 sf)	No minimum required	No minimum required	1 per 100 square feet in dining or lounge areas
Restaurants (dining or lounge areas 1,000 sf or larger)	No minimum required	1 per 300 square feet in dining or lounge areas	1 per 100 square feet in dining or lounge areas
Restaurants (dining or lounge areas less than 1,000 sf)	No minimum required	No minimum required	1 per 100 square feet in dining or lounge areas
Remote tasting rooms	No minimum required	1 per 400 square feet of tasting and retail areas	1 per 300 square feet of tasting and retail areas
Gasoline service	3 per facility, plus	3 per facility, plus 1	3 per facility, plus 1

stations	.75 per service bay	per service bay	per service bay
MANUFACTURING (K.C.C. 21A.08.080.A.):			
Manufacturing uses, if not specified elsewhere	0.5 per 1,000 square feet	0.7 per 1,000 square feet	0.9 per 1,000 square feet
Winery/brewery/distillery ((facility II and III))	0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting and retail areas	0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting and retail areas	0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting and retail areas
RESOURCES (K.C.C. 21A.08.090.A.):			
Resource uses	(director)	(director)	(director)
REGIONAL (K.C.C. 21A.08.100.A.):			
Regional uses	(director)	(director)	(director)

1292 B. Off-street parking shall comply with the requirements in K.C.C. chapter

1293 21A.18.

1294 SECTION 9. Ordinance 19881, Section 211, and K.C.C. 21A.xx.xxx are hereby

1295 amended to read as follows:

1296 A. The allowed uses in K.C.C. chapter 21A.08 shall apply, except as provided in
1297 this section.

1298 B. Formula businesses are prohibited in the Vashon Rural Town, except that
1299 formula businesses classified as general business service, food stores, or building
1300 materials and hardware stores are allowed as noted in this section.

1301 C. In the CB zone of the Vashon Rural Town, the allowed uses in K.C.C. chapter
1302 21A.08 are replaced with the uses in this subsection. Where one or more development
1303 conditions is identified in a land use table in K.C.C. chapter 21A.08 for a specific use in
1304 the CB zone, they shall also apply to the following uses:

1305 1. Residential land uses:

1306 a. as a permitted use:

1307 (1) townhouses;

1308 (2) apartments;

1309 (3) senior assisted housing; and

1310 (4) home occupations under K.C.C. chapter 21A.30;

1311 2. Recreational and cultural land uses:

1312 a. as a permitted use:

1313 (1) park;

1314 (2) theater;

1315 (3) bowling center;

1316 (4) library;

1317 (5) museum;

1318 (6) arboretum; and

- 1319 (7) conference center;
- 1320 b. as a conditional use:
- 1321 (1) community center;
- 1322 3. Health care services and residential care services land uses:
- 1323 a. as a permitted use:
- 1324 (1) doctor's office/outpatient clinic;
- 1325 (2) medical or dental lab;
- 1326 (3) social services;
- 1327 (4) nursing and personal care facilities;
- 1328 (5) hospital; and
- 1329 (6) community residential facility I and II;
- 1330 4. Personal services and temporary lodging land uses:
- 1331 a. as a permitted use:
- 1332 (1) beauty and barber shops;
- 1333 (2) shoe repair shops;
- 1334 (3) laundry, cleaning, and garment services;
- 1335 (4) drycleaners and garment pressing;
- 1336 (5) carpet and upholstery cleaning;
- 1337 (6) sports club;
- 1338 (7) specialized instruction school;
- 1339 (8) funeral home/crematory;
- 1340 (9) daycare I;
- 1341 (10) daycare II;

- 1342 (11) automotive repair;
- 1343 (12) miscellaneous repair;
- 1344 (13) religious facility;
- 1345 (14) veterinary clinic;
- 1346 (15) commercial kennel;
- 1347 (16) interim recycling facility;
- 1348 (17) hotel/motel;
- 1349 (18) bed and breakfast guesthouse;
- 1350 (19) industrial launderers;
- 1351 (20) drycleaning plants; and
- 1352 (21) theatrical production services;
- 1353 5. Government and education land uses:
- 1354 a. as a permitted use:
- 1355 (1) public agency or utility office;
- 1356 (2) police facility;
- 1357 (3) utility facility;
- 1358 (4) private stormwater management facility;
- 1359 (5) commuter parking lot; and
- 1360 (6) secondary or high school;
- 1361 6. Business services land uses:
- 1362 a. as a permitted use:
- 1363 (1) individual transportation and taxi;
- 1364 (2) trucking and courier service;

- 1365 (3) self-service storage;
- 1366 (4) passenger transportation service;
- 1367 (5) telegraph and other communications (excluding towers);
- 1368 (6) general business service;
- 1369 (7) professional office;
- 1370 (8) miscellaneous equipment rental;
- 1371 (9) automotive parking; and
- 1372 (10) commercial/industrial accessory uses (administrative offices, employee
- 1373 exercise and food service facilities, storage of agricultural raw materials or products
- 1374 manufactured on-site, owner/caretaker residence, grounds maintenance);
- 1375 7. Retail land uses:
- 1376 a. as a permitted use:
- 1377 (1) building materials and hardware stores;
- 1378 (2) retail nursery, garden center, and farm supply stores;
- 1379 (3) department and variety stores;
- 1380 (4) food stores;
- 1381 (5) farmers market;
- 1382 (6) auto supply stores;
- 1383 (7) apparel and accessory stores;
- 1384 (8) furniture and home furnishings stores;
- 1385 (9) eating and drinking places;
- 1386 (10) remote tasting rooms;
- 1387 (11) drug stores;

- 1388 (12) liquor stores;
- 1389 (13) used goods: antiques/secondhand shops;
- 1390 (14) sporting goods and related stores;
- 1391 (15) book, stationery, video, and art supply stores;
- 1392 (16) jewelry stores;
- 1393 (17) hobby, toy, game shops;
- 1394 (18) photographic and electronic shops;
- 1395 (19) photographic and electronic shops;
- 1396 (20) fabric shops;
- 1397 (21) florist shops;
- 1398 (22) personal medical supply stores;
- 1399 (23) pet shops; and
- 1400 (24) cannabis retailer;
- 1401 8. Manufacturing land uses:
- 1402 a. as a permitted use:
- 1403 (1) cannabis processor I;
- 1404 (2) printing and publishing; and
- 1405 (3) winery/brewery/distillery; and
- 1406 9. Regional land uses:
- 1407 a. as a permitted use:
- 1408 (1) wastewater treatment facility.
- 1409 D. In the I zone of the Vashon Rural Town, the allowed uses in K.C.C. chapter
- 1410 21A.08 are replaced with the uses in this subsection. Where one or more development

1411 conditions is identified in a land use table in K.C.C. chapter 21A.08 for a specific use in
1412 the I zone, they shall also apply to the following uses.

1413 1. Recreational and cultural land uses:

1414 a. as a permitted use:

1415 (1) Park;

1416 (2) Trails;

1417 (3) Campgrounds;

1418 (4) Theater;

1419 (5) Bowling Center;

1420 (6) Amusement and recreation services; and

1421 (7) Museum;

1422 2. Health care services and residential care services land uses:

1423 a. as a permitted use:

1424 (1) doctor's office/outpatient clinic; and

1425 (2) medical or dental lab;

1426 3. Personal services and temporary lodging land uses:

1427 a. as a permitted use:

1428 (1) specialized instruction school;

1429 (2) beauty and barber shops;

1430 (3) shoe repair shops;

1431 (4) laundry, cleaning and garment services;

1432 (5) drycleaners and garment pressing;

1433 (6) carpet and upholstery cleaning;

- 1434 (7) daycare I;
- 1435 (8) daycare II;
- 1436 (9) veterinary clinic, subject to K.C.C. 21A.08.050.B.10.;
- 1437 (10) automotive repair;
- 1438 (11) automotive service;
- 1439 (12) miscellaneous repair;
- 1440 (13) animal specialty services;
- 1441 (14) dog training facilities;
- 1442 (15) artist studios; and
- 1443 (16) interim recycling facility;
- 1444 4. Government and education land uses:
- 1445 a. as a permitted use:
- 1446 (1) public agency or utility office;
- 1447 (2) public agency or utility yard;
- 1448 (3) public agency archives;
- 1449 (4) police facility;
- 1450 (5) fire facility;
- 1451 (6) utility facility;
- 1452 (7) commuter parking lot;
- 1453 (8) private stormwater management facility;
- 1454 (9) vector waste receiving facility;
- 1455 (10) vocational school; and
- 1456 (11) school district support facility;

- 1457 5. Business services land uses:
- 1458 a. as a permitted use:
- 1459 (1) individual transportation and taxi;
- 1460 (2) self-service storage;
- 1461 (3) farm product warehousing, refrigeration, and storage;
- 1462 (4) communication offices;
- 1463 (5) telegraph and other communications;
- 1464 (6) general business service;
- 1465 (7) professional office;
- 1466 (8) outdoor advertising service;
- 1467 (9) automotive rental and leasing;
- 1468 (10) automotive parking;
- 1469 (11) off-street required parking lot;
- 1470 (12) construction and trade;
- 1471 (13) warehousing and wholesale trade;
- 1472 (14) log storage;
- 1473 (15) transportation service;
- 1474 (16) trucking and courier service;
- 1475 (17) freight and cargo service;
- 1476 (18) miscellaneous equipment rental;
- 1477 (19) research, development, and testing;
- 1478 (20) heavy equipment and truck repair;

1479 (21) commercial/industrial accessory uses (administrative offices, employee
1480 exercise and food service facilities, storage of agricultural raw materials or products
1481 manufactured on-site, owner/caretaker residence, grounds maintenance); and

1482 (22) helistop, as a conditional use;

1483 6. Retail land uses:

1484 a. as a permitted use:

1485 (1) food stores;

1486 (2) agricultural product sales;

1487 (3) farmers market;

1488 (4) motor vehicles and boat dealers;

1489 (5) auto supply stores;

1490 (6) gasoline service stations;

1491 (7) eating and drinking places;

1492 (8) sporting goods and related stores;

1493 (9) fuel dealers;

1494 (10) auction houses; and

1495 (11) livestock sales;

1496 7. Manufacturing land uses:

1497 a. as a permitted use:

1498 (1) food and kindred products;

1499 (2) winery/brewery/distillery ~~((facility II;))~~

1500 (3) ~~((winery/brewery/distillery facility III;~~

1501 ~~(4)))~~ materials processing facility;

- 1502 ~~((5))~~ (4) textile mill products;
- 1503 ~~((6))~~ (5) apparel and other textile products;
- 1504 ~~((7))~~ (6) wood products, except furniture;
- 1505 ~~((8))~~ (7) furniture and fixtures;
- 1506 ~~((9))~~ (8) paper and allied products, limited to ten thousand square feet;
- 1507 ~~((10))~~ (9) printing and publishing;
- 1508 ~~((11))~~ (10) cannabis processor ii;
- 1509 ~~((12))~~ (11) leather and leather goods, limited to ten thousand square feet;;
- 1510 ~~((13))~~ (12) stone, clay, glass, and concrete products, limited to ten thousand
- 1511 square feet;
- 1512 ~~((14))~~ (13) fabricated metal products;
- 1513 ~~((15))~~ (14) industrial and commercial machinery;
- 1514 ~~((16))~~ (15) computer and office equipment;
- 1515 ~~((17))~~ (16) electronic and other electric equipment;
- 1516 ~~((18))~~ (17) measuring and controlling instruments;
- 1517 ~~((19))~~ (18) miscellaneous light manufacturing; and
- 1518 ~~((20))~~ (17) aircraft, ship, and boat building, limited to small boats under 30
- 1519 feet length;
- 1520 8. Resource land uses:
- 1521 a. as a permitted use:
- 1522 (1) growing and harvesting crops;
- 1523 (b) raising livestock and small animals, excluding feed lots and auctions;
- 1524 (c) cannabis producer;

- 1525 (d) growing and harvesting forest production;
1526 (e) forest research;
1527 (f) hatchery/fish preserve;
1528 (g) aquaculture; and
1529 (h) resource accessory uses;
- 1530 9. Regional land uses:
- 1531 a. as a permitted use:
- 1532 (1) public agency animal control facility;
1533 (2) public agency training facility;
1534 (3) renewable energy generation facility;
1535 (4) communication facility;
1536 (5) municipal water production;
1537 (6) airport/heliport, limited to heliports only;
1538 (7) rural public infrastructure maintenance facility;
1539 (8) transit bus base;
1540 (9) transit comfort facility;
1541 (10) school bus base; and
1542 (11) fairground.
- 1543 2. Uses shall not require substantial investments in infrastructure, such as water,
1544 sewers, or transportation, or facilities that generate substantial volumes of heavy gross-
1545 weight truck trips.
- 1546 3. Developments shall maintain rural character through site and building design,
1547 buffering, and compatible commercial and industrial uses as follows:

- 1548 a. All uses occurring outside an enclosed building shall be screened from
1549 adjoining residential uses in RA zones;
- 1550 b. The landscaping standards in K.C.C. chapter 21A.16 are modified as
1551 follows:
- 1552 (1) Twenty-foot-wide Type II landscaping shall be provided along exterior
1553 streets;
- 1554 (2) Twenty-foot-wide Type I landscaping shall be provided along property
1555 lines adjacent to RA or R zoned areas; and
- 1556 (3) Fifteen-foot-wide Type II landscaping shall be provided along lines
1557 adjacent to nonresidential zoned areas;
- 1558 c. Outdoor lighting shall be focused downward and configured to minimize
1559 intrusion of light into surrounding RA or R-zoned areas;
- 1560 d. Refuse collection, recycling, and loading or delivery areas shall be located at
1561 least one hundred feet from RA, UR, and R zones and screened with a solid view-
1562 obscuring barrier;
- 1563 e. Off-street parking shall be no less than one space for every one thousand
1564 square feet of floor area and no greater than one space for every five hundred square feet
1565 of floor area;
- 1566 f. Sign are allowed as follows:
- 1567 (1) Signs shall not exceed an area of sixty-four square feet per sign;
- 1568 (2) Pole signs are prohibited; and
- 1569 (3) Signs shall not be internally illuminated; and

1570 g. The director shall approve building design, materials, and color. Buildings
1571 shall be designed and use accent materials such as wood and brick, nonreflective glass,
1572 and muted colors to be compatible with rural character.

1573 SECTION 10. Ordinance 10870, Section 407, as amended, and K.C.C.

1574 21A.18.030 are hereby amended to read as follows:

1575 A.1. The required number of off-street parking spaces shall be provided in
1576 accordance with this title. If a parking ratio is not specified in K.C.C. chapters 21A.xx,
1577 21A.xx, 21A.xx, 21A.xx, or 21A.xx (the chapters created by Ordinance 19881,
1578 ~~((s))Sections 170, 195, 203, 209, 217, and 224 ((of this ordinance))~~), special district
1579 overlay, or property-specific development conditions, parking shall be provided using the
1580 table in subsection A.4. of this section.

1581 2. Off-street parking ratios shall be based on the usable or net floor area,
1582 exclusive of nonoccupied areas. For the purposes of this section, "nonoccupied areas"
1583 include, but are not limited to, building maintenance areas, storage areas, closets, or
1584 restrooms.

1585 3. If the calculation for determining the number of off-street parking spaces
1586 results in a fraction, the number of off-street parking spaces shall be rounded to the
1587 nearest whole number with fractions of 0.50 or greater rounded up and fractions below
1588 0.50 rounded down.

1589 4. Minimum Required Parking Spaces.

LAND USE	MINIMUM PARKING SPACES REQUIRED
RESIDENTIAL (K.C.C. 21A.08.030.A.):	

Any residential use within a 1/2 mile watershed of a high-capacity or frequent transit stop as mapped by the Metro Transit Department	1.2 per dwelling unit or the minimum required for the use, whichever is lower
Inclusionary housing (K.C.C. chapter 21A.48)	Per K.C.C. 21A.48.050
Single detached residence/Townhouse	2.0 per dwelling unit
Duplex or Houseplex	1.5 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
Manufactured home community	2.0 per dwelling unit
Senior assisted housing	1 per 2 dwelling or sleeping units
Congregate residence	1 per 2 dwelling or sleeping units
Cottage housing	1 per dwelling unit
HEALTH CARE SERVICES AND RESIDENTIAL CARE SERVICES ((subsection A. of) <u>Ordinance 19881</u>, ((s))<u>Section 162.A</u>, ((of this ordinance)))	
Health care and residential care	1 per 300 square feet of office, labs, examination

services, if not otherwise specified	or patient room
Hospital	1 per bed
Nursing and personal care facility	1 per 4 beds
Adult family home	2 per home
Community residential facilities	1 per 2 bedrooms
Permanent supportive housing	1 per 2 employees plus 1 per 20 dwelling units
Recuperative housing	1 per 2 employees plus 1 per 10 sleeping unit
Emergency supportive housing	1 per 2 employees plus 1 per 20 sleeping unit
Microshelter villages	1 per 2 employees plus 1 per 20 microshelters
RECREATIONAL AND CULTURAL (K.C.C. 21A.08.040.A.):	
Recreational and cultural uses, if not otherwise specified	1 per 300 square feet
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	Greater of 1 per 3 fixed seats plus 1 per 50 square feet used for assembly purposes without fixed

	seats, or 1 per hotel room.
PERSONAL SERVICES AND TEMPORARY LODGING (K.C.C. 21A.08.050.A.):	
Personal services and temporary lodging, if not otherwise specified	1 per 300 square feet
Specialized instruction schools	1 per classroom, plus 1 per 2 students
Funeral home/Crematory	1 per 50 square feet of chapel area
Daycare I	2 per facility
Daycare II	2 per facility, plus 1 space for each 20 children
Religious facility	1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes
Veterinary clinic	1 per 300 square feet of office, labs, and examination rooms
Hotel/motel	1 per room
Organizational hotel/lodging	1 per room
Bed and breakfast guesthouse	1 per guest room, plus 2 per facility
GOVERNMENT AND EDUCATION (((subsection A. of)) <u>Ordinance</u>, ((s))<u>Section 164.A.</u> (((of this ordinance)))):	
Government uses, if not otherwise specified	1 per 300 square feet
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 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas
Courts	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas
Police facility	(director)
Fire facility	(director)
Elementary schools	1 per classroom, plus 1 per 50 students
Middle/junior high schools	1 per classroom, plus 1 per 50 students
Secondary or high schools	1 per classroom, plus 1 per 10 students
Secondary or 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 5 students
Artist Studios	0.9 per 1,000 square feet of area used for studios
BUSINESS SERVICES (K.C.C. 21A.08.060.A.):	
Business services uses, if not otherwise specified	1 per 300 square feet
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
RETAIL (K.C.C. 21A.08.070.A.):	
Retail uses, if not otherwise specified	1 per 300 square feet
Food stores, less than 15,000 square feet	3 plus 1 per 350 square feet
Gasoline service stations without grocery	3 per facility, plus 1 per service bay
Gasoline service stations with 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
Remote tasting rooms	1 per 300 square feet of tasting and retail areas
Wholesale trade uses	0.9 per 1000 square feet
MANUFACTURING (K.C.C. 21A.08.080.A.):	
Manufacturing uses	0.9 per 1,000 square feet
Winery/Brewery/Distillery (Facility II and III)	0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting and retail areas

RESOURCES (K.C.C. 21A.08.090.A.):	
Resource uses	(director)
REGIONAL (K.C.C. 21A.08.100.A.):	
Regional uses	(director)

1590 B. An applicant may request a modification of the minimum required number of
1591 parking spaces by demonstrating that parking demand can be met with a reduced parking
1592 requirement. In such cases, the director may approve a reduction of up to fifty percent of
1593 the minimum required number of spaces.

1594 C. When the county has received a shell building permit application, off-street
1595 parking requirements shall be based on the possible tenant improvements or uses
1596 authorized by the zoning classification and compatible with the limitations of the shell
1597 permit. When the range of possible uses result in different parking requirements, the
1598 director will establish the amount of parking based on a likely range of uses.

1599 D. Where other provisions of this code stipulate maximum parking allowed or
1600 reduced minimum parking requirements, those provisions shall apply.

1601 E.1. In any development required to provide six or more parking spaces, bicycle
1602 parking shall be provided. Bicycle parking shall be bike racks or locker-type parking
1603 facilities unless otherwise specified.

1604 2. At least one bicycle parking space for every twelve required parking spaces
1605 except as follows:

1606 a. The director may reduce bicycle parking facilities for patrons when it is
1607 demonstrated that bicycle activity will not occur at that location.

1608 b. The director may require additional spaces when it is determined that the
1609 use or its location will generate a high volume of bicycle activity. Such a determination
1610 will include, but not be limited to, the following uses:

1611 (1) Park/playfield;

1612 (2) Marina;

1613 (3) Library/museum/arboretum;

1614 (4) Elementary/secondary school;

1615 (5) Sports club; or

1616 (6) Retail business (when located along a developed bicycle trail or
1617 designated bicycle route).

1618 3. Bicycle parking for patrons shall be located within 100 feet of the building
1619 entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a
1620 structure attached to the pavement.

1621 4. All bicycle parking and storage shall be located in safe, visible, and well-lit
1622 areas that do not impede pedestrian or vehicle traffic flow.

1623 5. When more than ten people are employed on-site, enclosed locker-type
1624 parking facilities for employees shall be provided. The director shall allocate the
1625 required number of parking spaces between bike rack parking and enclosed locker-type
1626 parking facilities.

1627 6. One indoor bicycle storage space shall be provided for every two dwelling
1628 units in townhouses and apartments, unless individual garages are provided for every

unit. The director may reduce the number of bicycle parking spaces if indoor storage facilities are available to all residents.

SECTION 11. 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, as follows:

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. The dwelling unit shall be the primary residence of the owner of the home occupation business. 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 allowed 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 allowed for home occupations. Therefore, the following shall not be allowed as home occupations:

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

- 1652 4. Storage of building materials for use on other properties;
- 1653 5. Hotels, motels, or organizational lodging;
- 1654 6. Dry cleaning;
- 1655 7. Towing services;
- 1656 8. Trucking, storage, or self service, except for parking or storage of one
- 1657 commercial vehicle used in home occupation;
- 1658 9. Veterinary clinic;
- 1659 10. Recreational cannabis processor, recreational cannabis producer, or
- 1660 recreational cannabis retailer; and
- 1661 11. Winery, brewery, distillery ((facility I, II and III)), and remote tasting
- 1662 room(~~(, except that home occupation adult beverage businesses operating under an active~~
- 1663 ~~Washington state Liquor and Cannabis Board production license issued for their current~~
- 1664 ~~location before December 31, 2019, and where King County did not object to the location~~
- 1665 ~~during the Washington state Liquor and Cannabis Board license application process, shall~~
- 1666 ~~be considered legally nonconforming and allowed to remain in their current location~~
- 1667 ~~subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is in compliance with this~~
- 1668 ~~section as of December 31, 2019. Such nonconforming businesses shall remain subject~~
- 1669 ~~to all other requirements of this section and other applicable state and local regulations.~~
- 1670 ~~The resident operator of a nonconforming winery, brewery or distillery home occupation~~
- 1671 ~~shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74))~~
- 1672 uses;
- 1673 F. In addition to required parking for the dwelling unit, on-site parking is
- 1674 provided as follows:
-

- 1675 1. One stall for each nonresident employed by the home occupations; and
1676 2. One stall for patrons when services are rendered on-site;
- 1677 G. Sales are limited to:
- 1678 1. Mail order sales;
- 1679 2. Telephone, Internet, or other electronic commerce sales with off-site delivery;
- 1680 and
- 1681 3. Items accessory to a service provided to patrons who receive services on the
1682 premises;
- 1683 H. On-site services to patrons are arranged by appointment;
- 1684 I. The home occupation or occupations use or store a vehicle for pickup of
1685 materials used by the home occupation or occupations or the distribution of products
1686 from the site, only if:
- 1687 1. No more than one such a vehicle is allowed; and
- 1688 2. The vehicle is not stored within any required setback areas of the lot or on
1689 adjacent streets; and
- 1690 3. The vehicle does not exceed an equivalent licensed gross vehicle weight of
1691 one ton;
- 1692 J. The home occupation or occupations do not:
- 1693 1. Use electrical or mechanical equipment that results in a change to the
1694 occupancy type of the structure or structures used for the home occupation or
1695 occupations; or

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

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

L. Customer visits and deliveries shall be limited to 8:00 a.m. to 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 12. 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, as follows:

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 as follows:

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

- 1719 2. For lots one acre or greater: One percent of the area of the lot, up to a
1720 maximum of five thousand square feet;
- 1721 D. Outdoor storage areas and parking areas related to home occupations shall be:
- 1722 1. No less than twenty-five feet from any property line; and
- 1723 2. Screened along the portions of such areas that can be seen from an adjacent
1724 parcel or roadway by the:
- 1725 a. planting of Type II landscape buffering; or
- 1726 b. use of existing vegetation that meets or can be augmented with additional
1727 plantings to meet the intent of Type II landscaping;
- 1728 E. The dwelling unit shall be the primary residence of the owner of the home
1729 occupation business. A home occupation or occupations is not limited in the number of
1730 employees that remain off-site. Regardless of the number of home occupations, the
1731 number of nonresident employees is limited to no more than three who work on-site at
1732 the same time;
- 1733 F. In addition to required parking for the dwelling unit, on-site parking is
1734 provided as follows:
- 1735 1. One space for each nonresident employed on-site; and
- 1736 2. One space for patrons when services are rendered on-site;
- 1737 G. Sales are limited to:
- 1738 1. Mail order sales;
- 1739 2. Telephone, Internet, or other electronic commerce sales with off-site delivery;
- 1740 3. Items accessory to a service provided to patrons who receive services on the
1741 premises;

- 1742 4. Items grown, produced, or fabricated on-site; and
- 1743 5. On sites five acres or larger, items that support agriculture, equestrian, or
- 1744 forestry uses except for the following:
- 1745 a. motor vehicles and parts (SIC Major Group 55);
- 1746 b. electronics and appliances (SIC Industry Groups and Industries 504, 506,
- 1747 5731, 5734, 5722, and 5946); and
- 1748 c. building material and garden equipment and supplies (SIC Major Group 52);
- 1749 H. The home occupation or occupations do not:
- 1750 1. Use electrical or mechanical equipment that results in a change to the
- 1751 occupancy type of the structure or structures used for the home occupation or
- 1752 occupations;
- 1753 2. Cause visual or audible interference in radio or television receivers, or
- 1754 electronic equipment located off-premises or fluctuations in line voltage off-premises; or
- 1755 3. Increase average vehicular traffic by more than four additional vehicles at any
- 1756 given time;
- 1757 I. Customer visits and deliveries shall be limited to 8:00 a.m. to 7:00 p.m. on
- 1758 weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;
- 1759 J. The following uses, by the nature of their operation or investment, tend to
- 1760 increase beyond the limits allowed for home occupations. Therefore, the following shall
- 1761 not be allowed as home occupations:
- 1762 1. Hotels, motels, or organizational lodging;
- 1763 2. Dry cleaning;

1764 3. Automotive towing services, automotive wrecking services, and tow-in
1765 parking lots;

1766 4. Recreational cannabis processor, recreational cannabis producer, or
1767 recreational cannabis retailer; and

1768 5. Winery, brewery, distillery ((~~facility I, II and III~~)), and remote tasting
1769 room(~~(s, except that home occupation adult beverage businesses operating under an~~
1770 ~~active Washington state Liquor and Cannabis Board production license issued for their~~
1771 ~~current location before December 31, 2019, and where King County did not object to the~~
1772 ~~location during the Washington state Liquor and Cannabis Board license application~~
1773 ~~process, shall be considered legally nonconforming and allowed to remain in their current~~
1774 ~~location subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is in compliance~~
1775 ~~with this section as of December 31, 2019. Such nonconforming businesses shall remain~~
1776 ~~subject to all other requirements of this section and all applicable state and local~~
1777 ~~regulations. The resident operator of a nonconforming home occupation winery, brewery~~
1778 ~~or distillery shall obtain an adult beverage business license in accordance with K.C.C.~~
1779 ~~chapter 6.74)) uses;~~

1780 K. Uses not allowed as home occupation may be allowed as a home industry
1781 under K.C.C. chapter 21A.30; and

1782 L. The home occupation or occupations may use or store vehicles, as follows:

- 1783 1. The total number of vehicles for all home occupations shall be:
- 1784 a. for any lot five acres or less: two;
- 1785 b. for lots greater than five acres: three; and
- 1786 c. for lots greater than ten acres: four;

1787 2. The vehicles are not stored within any required setback areas of the lot or on
1788 adjacent streets; and

1789 3. The parking area for the vehicles shall not be considered part of the outdoor
1790 storage area provided for in subsection C. of this section.

1791 SECTION 13. Ordinance 10870, Section 537, as amended, and K.C.C.

1792 21A.30.090 are hereby amended to read as follows:

1793 A resident of a dwelling unit may establish a home industry as an accessory
1794 activity, as follows:

1795 A. The site area is one acre or greater;

1796 B. The area of the dwelling unit used for the home industry does not exceed fifty
1797 percent of the floor area of the dwelling unit;

1798 C. Areas within attached garages and storage buildings shall not be considered
1799 part of the dwelling unit for purposes of calculating allowable home industry area but
1800 may be used for storage of goods associated with the home industry;

1801 D. The dwelling unit shall be the primary residence of the owner of the home
1802 occupation business. No more than six nonresidents who work on-site at the time;

1803 E. In addition to required parking for the dwelling unit, on-site parking is
1804 provided as follows:

1805 1. One space for each nonresident employee of the home industry; and

1806 2. One space for customer parking;

1807 F. Additional customer parking shall be calculated for areas devoted to the home
1808 industry at the rate of one stall per:

1809 1. One thousand square feet of building floor area; and

1810 2. Two thousand square feet of outdoor work or storage area;

1811 G. Sales are limited to items produced on-site, except for items collected, traded,

1812 and occasionally sold by hobbyists, such as coins, stamps, and antiques;

1813 H. Ten feet of Type I landscaping are provided around portions of parking and

1814 outside storage areas that are otherwise visible from adjacent properties or public rights-

1815 of-way;

1816 I. The department ensures compatibility of the home industry by:

1817 1. Limiting the type and size of equipment used by the home industry to those

1818 that are compatible with the surrounding neighborhood;

1819 2. Providing for setbacks or screening as needed to protect adjacent residential

1820 properties;

1821 3. Specifying hours of operation;

1822 4. Determining acceptable levels of outdoor lighting; and

1823 5. Requiring sound level tests for activities determined to produce sound levels

1824 that may be in excess of those in K.C.C. chapter 12.88;

1825 J. Recreational cannabis processors, recreational cannabis producers, and

1826 recreational cannabis retailers shall not be allowed as home industry; and

1827 K. Winery, brewery, distillery (~~((facility I, II and III))~~), and remote tasting room

1828 uses shall not be allowed as home industry(~~((, except that home industry adult beverage~~

1829 ~~businesses that have, in accordance with K.C.C. 20.20.070, a vested conditional use~~

1830 ~~permit application before December 31, 2019, shall be considered legally nonconforming~~

1831 ~~and allowed to remain in their current location subject to K.C.C. 21A.32.020 through~~

1832 ~~21A.32.075. Such nonconforming businesses remain subject to all other requirements of~~

~~this section and all applicable state and local regulations. The resident operator of a nonconforming winery, brewery or distillery home industry shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74)).~~

SECTION 14. Ordinance 10870, Section 547, as amended, and K.C.C. 21A.32.100 are hereby amended to read as follows:

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

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

B. The expansion of an established use that :

1. Is otherwise allowed in the zone;
2. Is not inconsistent with the original land use approval;
3. Exceeds the scope of the original land use approval; and
4. Can be made compatible with the zone for a period of up to sixty days a year(~~;~~or

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

- ~~1. Exceeds the permitted building occupancy;~~
- ~~2. Utilizes portable toilets;~~
- ~~3. Utilizes parking that exceeds the maximum number of spaces allowed by this title on-site or utilizes off-site parking;~~
- ~~4. Utilizes temporary stages;~~
- ~~5. Utilizes temporary tents or canopies that require a permit;~~

1856 ~~6. Requires traffic control for public rights-of-way; or~~
1857 ~~7. Extends beyond allowed hours of operation)).~~

1858 SECTION 15. Ordinance 10870, Section 548, as amended, and K.C.C.
1859 21A.32.110 are hereby amended to read as follows:

1860 A. The following uses shall be exempt from requirements for a temporary use
1861 permit when located in the RB, CB, NB, O₂ or I zones for the time period specified
1862 below:

1863 1. Uses not to exceed a total of thirty days each calendar year:

1864 a. Christmas tree lots; and

1865 b. Produce stands.

1866 2. Uses not to exceed a total of fourteen days each calendar year:

1867 a. Amusement rides, carnivals, or circuses;

1868 b. Community festivals; and

1869 c. Parking lot sales.

1870 B. Any use not exceeding a cumulative total of two days each calendar year shall
1871 be exempt from requirements for a temporary use permit.

1872 C. Any community event held in a park and not exceeding a period of seven days
1873 shall be exempt from requirements for a temporary use permit.

1874 D. Christmas tree sales not exceeding a total of thirty days each calendar year
1875 when located on Rural Area (RA) zoned property with legally established non-residential
1876 uses shall be exempt from requirements for a temporary use permit.

1877 ~~((E.1. Events at a winery, brewery, distillery facility II or III shall not require a~~
1878 ~~temporary use permit if:~~

1879 a. ~~The business is operating under an active Washington state Liquor and~~
1880 ~~Cannabis Board production license issued for their current location before December 31,~~
1881 ~~2019, and where King County did not object to the location during the Washington state~~
1882 ~~Liquor and Cannabis Board license application process;~~

1883 b. ~~The parcel is at least eight acres in size;~~

1884 c. ~~The structures used for the event maintain a setback of at least one hundred~~
1885 ~~fifty feet from interior property lines;~~

1886 d. ~~The parcel is located in the RA zone;~~

1887 e. ~~The parcel has access directly from and to a principal arterial or state~~
1888 ~~highway;~~

1889 f. ~~The event does not use amplified sound outdoors before 12:00 p.m. or after~~
1890 ~~8:00 p.m.~~

1891 2. ~~Events that meet the provisions in this subsection E. shall not be subject to~~
1892 ~~the provisions of K.C.C. 21A.32.120, as long as the events occur no more frequently than~~
1893 ~~an annual average of eight days per month.))~~

1894 SECTION 16. Ordinance 10870, Section 549, as amended, and K.C.C.
1895 21A.32.120 are hereby amended to read as follows:

1896 Except as otherwise provided in this chapter or in K.C.C. chapter 21A.45,
1897 temporary use permits shall be limited in duration and frequency as follows:

1898 A. The temporary use permit shall be effective for one year from the date of
1899 issuance and may be renewed annually as provided in subsection D. of this section;

1900 B. ~~((1-))~~ The temporary use shall not exceed a total of sixty days in any three-
1901 hundred-sixty-five-day period. For a winery in the A or RA zones, the temporary use

1902 shall not exceed a total of two events per month and all parking for the events must be
1903 accommodated on site. This subsection B.((1-)) applies only to the days that the event or
1904 events actually take place((-

1905 2. ~~For a winery, brewery, distillery facility II and III in the A zone, the~~
1906 ~~temporary use shall not exceed a total of two events per month and all event parking must~~
1907 ~~be accommodated on-site or managed through a parking management plan approved by~~
1908 ~~the director. This subsection B.2. applies only to the days that the event or events~~
1909 ~~actually take place.~~

1910 3. ~~For a winery, brewery, distillery facility II and III in the RA zone, the~~
1911 ~~temporary use shall not exceed a total of twenty four days in any three hundred sixty~~
1912 ~~five day period and all event parking must be accommodated on-site or managed through~~
1913 ~~a parking management plan approved by the director. This subsection B.3. applies only~~
1914 ~~to the days that the event or events actually take place.~~

1915 4. ~~For a winery, brewery, distillery facility II in the A or RA zones, in addition~~
1916 ~~to all other relevant facts, the department shall consider building occupancy and parking~~
1917 ~~limitations during permit review, and shall condition the number of guests allowed for a~~
1918 ~~temporary use based on those limitations. The department shall not authorize attendance~~
1919 ~~of more than one hundred fifty guests.~~

1920 5. ~~For a winery, brewery, distillery facility III in the A or RA zones, in addition~~
1921 ~~to all other relevant facts, the department shall consider building occupancy and parking~~
1922 ~~limitations during permit review, and shall condition the number of guests allowed for a~~
1923 ~~temporary use based on those limitations. The department shall not authorize attendance~~
1924 ~~of more than two hundred fifty guests.~~

1925 6. ~~Events for any winery, brewery, distillery facility I in the RA zone, any~~
1926 ~~nonconforming winery, brewery, distillery facility home occupation, or any~~
1927 ~~nonconforming winery, brewery, distillery facility home industry shall be limited to two~~
1928 ~~per year, and limited to a maximum of fifty guests. If the event complies with this~~
1929 ~~subsection B.6., a temporary use permit is not required for a special event for a winery,~~
1930 ~~brewery, distillery facility I in the RA zone, a nonconforming home occupation winery,~~
1931 ~~brewery, distillery facility or a nonconforming home industry winery, brewery, distillery~~
1932 ~~facility.~~

1933 7. ~~For a winery, brewery, distillery facility II and III in the RA zone, events~~
1934 ~~exempted under K.C.C 21A.32.110.E. from the requirement to obtain a temporary use~~
1935 ~~permit shall not be subject to the provisions of this section));~~

1936 C. The temporary use permit shall specify a date upon which the use shall be
1937 terminated and removed; and

1938 D. A temporary use permit may be renewed annually for up to a total of five
1939 consecutive years as follows:

1940 1. The applicant shall make a written request and pay the applicable permit
1941 extension fees for renewal of the temporary use permit at least seventy days before the
1942 end of the permit period;

1943 2. The department must determine that the temporary use is being conducted in
1944 compliance with the conditions of the temporary use permit;

1945 3. The department must determine that site conditions have not changed since
1946 the original temporary permit was issued; and

1947 4. At least forty-five days before the end of the permit period, the department
1948 shall notify property owners within five hundred feet of the property boundaries that a
1949 temporary use permit extension has been requested and contact information to request
1950 additional information or to provide comments on the proposed extension.

1951 SECTION 17. Ordinance 13623, Section 37, as amended, and K.C.C. 23.32.010
1952 are hereby amended to read as follows:

1953 A.1. Civil fines and civil penalties for civil code violations shall be imposed for
1954 remedial purposes and shall be assessed for each violation identified in a citation, notice
1955 and order, voluntary compliance agreement₂ or stop work order pursuant to the following
1956 schedule:

 a. citations, except for winery, brewery, distillery₂ (~~facility~~
~~I, II and III~~)) and remote tasting room uses:

- | | |
|---|---------------------------|
| (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 | Double the
rate of the |

12.86 within the past twelve months	previous penalty
b. citations for violations of winery, brewery, distillery, ((facility I, II and III)) and remote tasting room <u>use</u> zoning conditions, including but not limited to unapproved events;	
(1) with no previous similar code violations within the past twelve months;	\$500
(2) with one or more previous similar code violations within the past twelve months;	\$1,000
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 basic penalty	\$25
(3) additional initial penalties may be added in the following amounts for violations where there is:	
(a) public health risk	\$15
(b) environmental damage risk	\$15
(c) damage to property risk	\$15
(d) one previous similar code violation	\$25
(e) two previous similar code violations	\$50
(f) three or more previous similar code violations	\$75
(g) economic benefit to person responsible for violation	\$25

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

1957 2. For the purposes of this section, previous similar code violations that can
1958 serve as a basis for a higher level of civil penalties include violations of the same chapter
1959 of the King County Code. Any citation, stop work order, or notice and order previously
1960 issued by the department shall not constitute a previous code violation for the purposes of

1961 this section if that stop work order or notice and order was appealed and subsequently
1962 reversed.

1963 B. The penalties assessed pursuant to this section for any failure to comply with a
1964 notice and order or voluntary compliance agreement shall be assessed daily, according to
1965 the schedule in subsection A of this section, for the first thirty days following the date the
1966 notice and order or voluntary compliance agreement required the code violations to have
1967 been cured. If after thirty days the person responsible for code compliance has failed to
1968 satisfy the notice and order or voluntary compliance agreement, penalties shall be
1969 assessed daily at a rate of double the rate for the first thirty days. Penalties may be
1970 assessed daily until the person responsible for code compliance has fully complied with
1971 the notice and order.

1972 C. Penalties based on violation of a stop work order shall be assessed, according
1973 to the schedule in subsection A. of this section, for each day the department determines
1974 that work or activity was done in violation of the stop work order.

1975 D. Citations and cleanup restitution payments shall only be subject to a one-time
1976 civil penalty.

1977 E. The director may suspend the imposition of additional civil penalties if the
1978 person responsible for code compliance has entered into a voluntary compliance
1979 agreement. If the person responsible for code compliance enters into a voluntary
1980 compliance agreement and cures the code violations, the director may also waive all or
1981 part of the accrued civil penalties in accordance with K.C.C. 23.32.050. Penalties shall
1982 begin to accrue again pursuant to the terms of the voluntary compliance agreement if any

1983 necessary permits applied for are denied, canceled, or not pursued, or if corrective action
1984 identified in the voluntary compliance agreement is not completed as specified.

1985 F. The civil penalties in this section are in addition to, and not in lieu of, any
1986 penalties, sanctions, restitution, or fines provided for in any other provisions of law.

1987 SECTION 18. Map Amendment #1 is hereby adopted, as shown in Attachment A
1988 to this ordinance.

1989 SECTION 19. The following are hereby repealed:

1990 A. Ordinance 19030, Section 3;

1991 B. Ordinance 19030, Section 4, and K.C.C. 6.74.010;

1992 C. Ordinance 19030, Section 5, and K.C.C. 6.74.020;

1993 D. Ordinance 19030, Section 6, and K.C.C. 6.74.030;

1994 E. Ordinance 19030, Section 7, and K.C.C. 6.74.040;

1995 F. Ordinance 19030, Section 8, and K.C.C. 6.74.050;

1996 G. Ordinance 19030, Section 9, and K.C.C. 6.74.060;

1997 H. Ordinance 19030, Section 10, and K.C.C. 6.74.070;

1998 I. Ordinance 19030, Section 11, and K.C.C. 6.74.080;

1999 J. Ordinance 19030, Section 14, and K.C.C. 21A.06.1427A;

2000 K. Ordinance 19030, Section 15, and K.C.C. 21A.06.1427B;

2001 L. Ordinance 19030, Section 16, and K.C.C. 21A.06.1427C;

2002 M. Ordinance 19030, Section 28;

2003 N. Ordinance 19030, Section 29, and K.C.C. 21A.55.110; and

2004 O. Ordinance 19030, Section 32.

2005 SECTION 20. This ordinance takes effect on the latter of the following dates:

2006 A. Sixty-one days after the date of publication of notice of adoption of this
2007 ordinance, as provided in RCW 36.70A.290; or
2008 B. If a petition for review challenging adoption of this ordinance is timely filed with
2009 the growth management hearings board, then thirty-one business days after issuance of the
2010 board's final order of compliance in accordance with RCW 30.70A.300.
2011 SECTION 21. Severability. If any provision of this ordinance or its application.

2012 to any person or circumstance is held invalid, the remainder of the ordinance or the
2013 application of the provision to other persons or circumstances is not affected.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Girmay Zahilay, Chair

ATTEST:

Melani Hay, Clerk of the Council

APPROVED this ____ day of _____, ____.

Shannon Braddock, County Executive

Attachments: A. Map Amendment #1 - Remote Tasting Room Demonstration Project A Repeal

**Map Amendment # 1- Remote Tasting Room Demonstration Project A
Repeal**

Sammamish Valley near the City of Woodinville

AMENDMENT TO THE KING COUNTY ZONING ATLAS

Amend Sections 14 and 23, Township 26, Range 5, as follows:

ZONING

Repeal the Demonstration Project (-DPA) established in Ordinance 19030, Section 28 and 29, and remove the -DPA designation from the following parcels. Make no other changes to the land use designation or zoning:

Parcel	Current Zoning	Area
2481600120	RA-2.5	Sammamish Valley
3404700026	RA-2.5	Sammamish Valley
3404700027	RA-2.5	Sammamish Valley
3404700030	RA-2.5-SO	Sammamish Valley
3404700031	RA-2.5-SO	Sammamish Valley
3404700035	RA-2.5-SO	Sammamish Valley
3404700040	RA-2.5-SO	Sammamish Valley
3404700041	RA-2.5-SO	Sammamish Valley
3404700043	RA-2.5-SO	Sammamish Valley
3404700050	RA-2.5-SO	Sammamish Valley
3404700055	RA-2.5-SO	Sammamish Valley
3404700057	RA-2.5-SO	Sammamish Valley
3407700006	RA-2.5-SO	Sammamish Valley

Effect: Amends the zoning atlas to repeal the Remote Tasting Room Demonstration Project A to all or a portion of 13 parcels within the Sammamish Valley near the City of Woodinville.

Legend:

- Study Area (Yellow hatched pattern)
- Parcels (Black outline)
- Urban Growth Boundary (Red line)
- Incorporated Area (Orange fill)
- Parks & Open Space (Green fill)
- Regional Trails (Green dashed line)
- Railroads (Black line with cross-ticks)
- Waterbodies (Blue fill)
- Streams (Blue line)
- Wetland & Steep Slope (Brown hatched pattern)

Map Labels: NE 145TH ST, NE 146TH PL, NE 147TH PL, NE 148TH PL, NE 149TH PL, NE 150TH PL, NE 151TH PL, NE 152TH PL, NE 153RD ST, WOODVILLE, KIRKLAND, BOTHELL, REDMOND, NE 143RD ST, WOODMILLER REDMOND, NE 144TH ST, NE 145TH ST, NE 146TH ST, NE 147TH ST, NE 148TH ST, NE 149TH ST, NE 150TH ST, NE 151TH ST, NE 152TH ST, NE 153RD ST.

Inset Map: Shows the location of Woodville within King County, WA, near the intersection of I-5 and SR-522.

Disclaimer: The information included on this map has been compiled by King County staff from a variety of sources and is subject to change without notice. King County makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. This document is not intended for use as a survey product. King County shall not be liable for any general, special, indirect, incidental, or consequential damages including, but not limited to, lost revenues or lost profits resulting from the use or misuse of the information contained on this map. Any sale of this map or information on this map is prohibited except by written permission of King County.



King County

Metropolitan King County Council Committee of the Whole

REVISED STAFF REPORT

Agenda Item:		Name:	Erin Auzins
Proposed No.:	2024-0387	Date:	

COMMITTEE ACTION

Proposed Substitute Ordinance 2024-0387.2, which would amend regulations for wineries, breweries, distilleries, and remote tasting rooms, passed out of committee on February 25, 2025, with a “Do Pass” recommendation. The Proposed Ordinance was amended in committee with Striking Amendment S1 to which updated the definition of remote tasting rooms and engrossed changes made by other ordinances.

SUBJECT

Proposed Ordinance 2024-0387 would amend regulations for wineries, breweries, distilleries, and remote tasting rooms.

SUMMARY

Ordinance 19030 was adopted in December 2019 after a years-long process to review and update the development regulations for wineries, breweries, and distilleries (WBDs), and remote tasting rooms, in unincorporated King County. After a lengthy litigation process, on September 19, 2024, the Washington State Supreme Court published an opinion reinstating a January 2022 order from the Growth Management Hearings Board that invalidated Ordinance 19030, Sections 12 through 29, Section 31, and Map Amendments 1 and 2.

Proposed Ordinance 2024-0387 would be adopted to comply with the Supreme Court's decision, as well as an evaluation by the King County Hearing Examiner that the licensing system for WBDs was preempted by RCW 66.08.120.

At today's meeting, the Committee is scheduled to take action on the Proposed Ordinance. Striking Amendment S1 is included, which would update the definition for remote tasting rooms and engross changes made by other Ordinances adopted since this Proposed Ordinance was introduced.

BACKGROUND

Prior to Ordinance 19030. Wineries and breweries have been uses listed in the permitted use tables since at least the 1993 Zoning Code.¹ Prior to Ordinance 19030, the development conditions had not changed since 2003,² when standards relating to minimum lot size, maximum building size, special event limitations, and product content were first adopted.³ Distilleries were first recognized as a land use in 2013.⁴ Wineries, breweries, and distilleries were considered the same land use category under the code, and for each zone in which they were allowed (either outright as a permitted use, or with a conditional use permit), they had the same development conditions.

Starting around 2015, neighbors of wineries and tasting rooms within the Sammamish Valley filed a number of code enforcement complaints with the Permitting Division against some of those businesses, alleging they were operating in violation of the zoning code and some of them for construction activity without required permits.

During deliberations on a previous WBD ordinance, Executive staff provided information that outlines their concerns with enforcement of the code that was in place prior to Ordinance 19030 (references to "current code" mean the code in place prior to Ordinance 19030):

After deliberation at the County Council, Executive staff was asked to provide context for what would happen if the county were to abandon the proposed code update and just enforce the current code. Below is an attempt to catalogue ambiguities in the current code and the problems that would remain unsolved if a code update was not implemented:

Product Content Requirement:

The current code requires that any winery, brewery, or distillery must make 60% of their product content with products grown in Puget Sound Counties.

As of today, only a small handful of known businesses are meeting that requirement. Many wineries in the unincorporated areas ship their grapes in from areas in eastern Washington where grapes can be grown more easily.

Although most businesses would not be able to comply with code, enforcing the product content rule would be difficult, because tracking and proving product content would often require processes outside of Permitting staff's capabilities and implicates the interstate commerce clause in its enforceability.

Home Occupation/Home Industry:

Current code as it relates to home occupation and home industries is very vague and does not address wineries, breweries, or distilleries whatsoever. The home occupation code as written did not anticipate these types of businesses and therefore

¹ Ordinance 10870.

² Ordinance 14781.

³ There were some changes in 2007 with Ordinance 15974, and allowances for WBDs in commercial zones was added in 2010 with Ordinance 16950.

⁴ Ordinance 17539.

did not contemplate issues of tastings and eating and drinking establishments. Because of this ambiguity, code enforcement has found over the years that many winery, brewery, and/or distillery businesses operating as home occupations are not legally established, meaning no one is actually living on-site. Constitutional limits on enforcement and search of residences adds to the enforcement challenges for home occupations and home industries.

Conversely, residents who want to start a winery, brewery, or distillery business find the code vague and confusing to comply with, leading to businesses having to go to the hearing examiner for clarity on what exactly the code means and does in relation to their specific business model. If current code were to be enforced, the loopholes and challenges for well-meaning business owners would remain unresolved.

Fines:

According to Title 23, fines for when a winery, brewery, or distillery business violates the current code are very low. For businesses that cannot come into compliance with the current code and/or businesses that violate the county's code governing the operation of WBDs, it is often cheaper for them to just pay the fine than do the work with Permitting to become a lawful business.

If the current code were to be enforced, fines for businesses that violate county code would remain low and would not incentivize businesses to work to become compliant or relocate. Conversely, businesses who have invested the time and resources to become compliant with code had to work harder and pay more money than those who choose to remain in violation of the code, leaving a major equity issue unaddressed.

Impacts of these businesses on surrounding communities:

Currently, the code is unclear about the hours a winery or adult beverage business can conduct tastings and/or hold events. The current code is also unclear about whether or not a winery or adult beverage business can operate on a private driveway shared with other neighbors, within a cul-de-sac in a residential zone, and how many people are allowed for special events like concerts, weddings, and fundraisers. Because the code lacks specificity in these areas, the impacts on surrounding communities have been and remain significant. If current code were to be enforced businesses located in these areas may continue to operate at a size and scale that is not appropriate for the rural and agriculturally zoned areas. In the same vein, businesses seeking to operate legally would be stuck with the same ambiguity that makes it difficult to do just that.

Agricultural Production Districts (APD):

One of the main recommendations that came out of the stakeholder group process was to maintain protections for the APD by not changing current code OR creating more restrictive code for winery and adult beverage businesses looking to locate on agricultural land. The current code allows for 60% of product content to be grown in Puget Sound Counties, rather than on the agricultural land itself. The current code also allows for home occupations and home industries to be located on APD properties. If current code were to be enforced, businesses could continue to locate

on agricultural land with no incentive to actually put the land into production. These businesses could also act as home occupations or home industries, which the King County Agricultural Commission and many farmers and environmental organizations do not support.

Processing Requirements:

Current code does not address or define processing requirements for winery and adult beverage businesses, meaning that no actual production is required to happen on-site. If current code were to be enforced, winery and adult beverage businesses would not be required to conduct any stage of production for their product on-site, allowing a number of businesses to essentially operate as urban-scale event venues.

Business License:

Current code does not require a winery or adult beverage business to get a county business license, making it difficult for Permitting to track the number of businesses that have proliferated in the over 15 years since the current code was written. Because we have a complaint-based model for code-enforcement, it remains challenging for our code enforcement officers to track where and when new businesses are beginning to operate. If current code were to be enforced, a winery and/or adult beverage business in King County would need to obtain a liquor license from the LCB, but no license for land use purposes. It is also worth noting that the LCB's practice is to issue state licenses over the objections of the local jurisdiction based on zoning, further complicating enforcement.

One additional note on the former code: for home occupations in the RA zone, there is no minimum lot size or 75-foot setback requirement, meaning nearly any property could establish a home occupation WBD. Additionally, outbuildings are not limited in size. Although there are some limitations on traffic generation, a home occupation WBD could have the size and intensity of a larger facility with fewer restrictions.

Due to these concerns, the Executive formed a stakeholder group of Sammamish Valley wineries, agricultural interests, and the Cities of Woodinville and Redmond. The consultant performed stakeholder interviews and held five meetings with the stakeholders to review the goals and priorities, agricultural industry needs and issues, wine industry needs and issues, the issues with the existing development regulations, transportation issues, and potential policy changes and infrastructure improvements. The consultant also held an open public meeting and used an online public comment tool. The stakeholder group and consultant provided a series of policy recommendations in their final report, issued in September 2016.⁵

Between September 2016 and April 2018, the Executive worked on a series of proposed policy changes that would apply to the entire unincorporated area, not just the Sammamish Valley. A public review draft of the Executive's proposed countywide regulations was issued in June 2017, outlining an initial proposal for public comment. After reviewing and considering the feedback on the public review draft, the Executive transmitted a final report and [Proposed Ordinance 2018-0241](#) (enacted as Ordinance

⁵ Link to report: <https://www.kingcounty.gov/~media/depts/executive/performance-strategy-budget/regional-planning/Sammamish-Study-Area/CAISammValleyWineBeverageStudyFINAL-091216.ashx?la=en>.

19030) to the Council in April 2018.

During deliberations on Ordinance 19030, there was a list of WBD businesses known to be located in the unincorporated area that was cited in a Council staff report that stated that only 4 of 45 were legally established. This was incorrect information based on an incomplete understanding of the landscape. While four businesses did have permits from the County, that is not the only path to providing a nonconformance. Many known businesses are/were home occupations or were established in existing structures, neither of which necessarily require a permit from the County.

Ordinance 19030. Ordinance 19030 was adopted in December 2019, after seven Committee meetings, a town hall meeting, and two public hearings at full Council. Ordinance 19030 substantively modified the regulations for WBDs in several ways, including:

- Establishing a county business license to aid in enforcement of the land use regulations.
- Changing the structure of the regulations from a two-tiered approach to a three-tiered approach. The former code regulated WBDs as either a permitted use or a conditional use, while Ordinance 19030 adopted regulations for production WBD I (very small), WBD II (small), and WBD III. Establishing WBD I, II, and IIIs in the Manufacturing Land Uses permitted use table with varying development conditions for each zone and size of facility; more stringent conditions were adopted for the A and RA zones to reflect the need to protect those lands as required by the King County Comprehensive Plan and Washington State Growth Management Act (GMA). In general, the development conditions in the A and RA zone:
 - Maintained, reduced, and established minimum lot sizes
 - Maintained or reduced maximum building sizes
 - Specified additional limitations on on-site tasting and retail sales
 - Required water hookup for WBD IIIs
 - Required access to an arterial or public roadway
 - Established an on-site grow requirement for products in the A zone and eliminated a requirement in the RA zone for sourcing in Puget Sound counties.
 - Established minimum on-site production requirements
 - Established requirements for locating facilities on agricultural lands
 - Modified parking minimums and maximums
 - Maintained and added parking areas to setbacks from Rural Area and Residential zones
 - Established maximum impervious surfaces
- Establishing a new "remote tasting room" use to mirror state licensing in the CB and RB zones, including within the CB zone of the Vashon and Fall City Rural Towns.
- Establishing a 3-year demonstration project to test whether remote tasting rooms could be an allowed use in the Rural Area zone.
- Prohibiting WBDs and remote tasting rooms as home occupations and home industries.
- Modifying temporary use permits (TUP) for WBD-related events, with stricter limits

in the A and RA zone than for other zones, such as limiting events for breweries and distilleries to 2 per month (A zone) or 24 per year (RA) zone, and setting a maximum guest size that did not exist previously. Adding triggers for Permitting to easily identify when a TUP is required. Establishing an exemption from TUP requirements for certain existing WBDs in the RA zone including those that had at least 8 acres in lot size and had access to a principal arterial or state highway, and where the County did not object to issuance of the state liquor license.

- Increasing citation penalties for code violations by WBDs and remote tasting rooms.

Litigation on Ordinance 19030. Ordinance 19030 was challenged on SEPA and GMA grounds by petitioners that included Friends of Sammamish Valley, Futurewise, and other farming interests (FOSV, et al.) to the Central Puget Sound Growth Management Hearings Board (Board). On January 3, 2022, the Growth Management Hearing's Board issued its Final Decision and Order for Case No. 20-3-0004c (Board's January 2022 Order), which granted the petitioners' appeal and invalidated Ordinance 19030 Sections 12 through 30, and map amendments 1 and 2, which were Attachments A and B to Ordinance 19030. These sections included definitions, zoning conditions, parking requirements, temporary use permit clarifications, home occupation and home industry limitations, and a demonstration project. The Board's January 2022 order also remanded Ordinance 19030 to the County. The Board named thirteen issues that led to the invalidity order, including issues with the April 2019 SEPA checklist, insufficient protection of agricultural lands, noncompliance with the County's Comprehensive Plan policies, and incompatibility of remote tasting room demonstration project overlay A.

After a lengthy litigation process, on September 19, 2024, the Washington State Supreme Court published an opinion reinstating the Board's January 2022 Order. The County is required to comply with this Order.

The Board held a status conference on November 25, 2024, and subsequently issued a schedule with a June 23, 2025, compliance deadline.

Hearing Examiner Opinion. While the Board did not invalidate the adult beverage business license requirement, and there has been no court decision on this issue, the King County Hearing Examiner considered several preemption-based challenges to the licensing provisions. Although the Hearing Examiner determined that he was unable to resolve the core constitutional issues because it was beyond his jurisdiction, he engaged in a lengthy analysis of applicable authorities. The Hearing Examiner concluded that a local license for alcohol-related sales, distribution and premises "...sounds like the local power the State explicitly withdrew in RCW 66.08.120."

ANALYSIS

Proposed Ordinance 2024-0387 Summary. Proposed Ordinance 2024-0387 would make substantive changes to the regulations for wineries, breweries, distilleries (WBDs), and remote tasting rooms, including:

- Repealing the requirement for an adult beverage business license.

- Modifying the definition of winery, brewery, and distillery to match those in state law.
- Allowing a remote tasting room in the CB and RB zone, with a development condition setting a maximum parking ratio of 1 space per 50 sf of tasting and retail area.
- Prohibiting WBDs in the A and RA zones.
- Allowing a WBD in the NB and CB zones, as a Permitted use, with a development condition:
 - Limiting the size to 3,500 sf, or in an historic building to 5,000 sf;
 - Setting a 75' setback on interior lot lines from the RA, UR, and R zones;
 - Allowing on-site tasting and retail sales, consistent with state law;
 - Setting a maximum parking ratio of 1 space per 50 sf of tasting and retail area; and
 - Allowing events with a Temporary Use Permit (TUP).
- Allowing a WBD in the NB and CB zones, with a Conditional Use Permit (CUP), with a development condition:
 - Allowing on-site tasting and retail sales, consistent with state law;
 - Setting a 75' setback on interior lot lines from the RA, UR, and R zones;
 - Setting a maximum parking ratio of 1 space per 50 sf of tasting and retail area, or as set by the CUP; and
 - Allowing events with a TUP.
- Allowing a WBD in the RB zone, as a Permitted use, with a development condition:
 - Allowing on-site tasting and retail sales, consistent with state law;
 - Setting a 75' setback on interior lot lines from the RA, UR, and R zones;
 - Setting a maximum parking ratio of 1 space per 50 sf of tasting and retail area; and
 - Allowing events with a TUP.
- Allowing a WBD in the I zone, as a Permitted use, with a development condition:
 - Prohibiting wineries and remote tasting rooms for wineries;
 - Allowing on-site tasting and retail sales, consistent with state law;
 - Setting a 75' setback on interior lot lines from the RA, UR, and R zones;
 - Setting a maximum parking ratio of 1 space per 50 sf of tasting and retail area; and
 - Allowing events with a TUP.
- Prohibiting WBDs and remote tasting rooms as home occupations and home industries.
- Temporary Use Permit changes include:
 - Removes the triggers for when an event at a WBD or remote tasting rooms require a TUP;
 - Removes an exemption from TUP requirements for certain WBDs in the RA zone; and
 - Removes duration, frequency, and maximum attendee requirements for WBD uses in the A and RA zones. Returns to prior condition for temporary uses at wineries in the A and RA zone, limiting them to two per month and requiring all parking to be accommodated on-site.

- Repeals remote tasting room demonstration project, removes the zoning condition from impacted parcels, and removes a reference in the Retail Land Uses permitted use table.
- Repeals the efficacy report required by Ordinance 19030.
- Adds an effective date that is 61 days after notice of adoption, or 31 days after the final decision is issued by the Board, if an appeal is filed.

SEPA Review. Proposed Ordinance 2024-0387 is subject to nonproject SEPA review. Council staff continue to work with the SEPA Responsible Official on the necessary SEPA review for this Proposed Ordinance. SEPA review is expected to be completed prior to the public hearing for this Proposed Ordinance.

Impacts to Existing Businesses. Councilmembers have expressed interest in how this Proposed Ordinance would impact existing businesses. While Proposed Ordinance 2024-0387 is prospective and would prohibit any new WBD or remote tasting room in the A or RA zones, there are existing businesses in those zones that this Proposed Ordinance may impact.

There are 47 known WBDs⁶ (those that have a state liquor license) in the A and RA zones in unincorporated King County. Of those, 9 have applied for a state liquor license since 2020 – the County objected to issuance of those licenses, as there was a moratorium in place that prevented establishment of new WBDs. Permitting also reports that they have communicated to these businesses that operating would create an enforcement risk; it is not known if each one is currently operating at locations in unincorporated King County.

Table 1 shows the breakdown of those existing businesses by Community Service Area.

Table 1. Existing WBD Businesses

Community Service Area	Number of WBDs
Greater Maple Valley/Cedar River	A zones: 0 RA zones: 2
SE King County	A zones: 1 RA zones: 3
Bear Creek/Sammamish	A zones: 0 RA zones: 16 ⁷
Four Creeks/Tiger Mountain Area	A zones: 0 RA zones: 3
Greater Maple Valley/Cedar River Area	A zones: 0 RA zones: 4
Snoqualmie Valley/NE King County Area	A zones: 1 RA zones: 7
Vashon-Maury Island Area	A zones: 0 RA zones: 10
Total	A zones: 2 RA zones: 45

⁶ There are an additional 25 WBDs that were open when Ordinance 19030 was under consideration, that are now closed or have moved.

⁷ Six of these are within the remote tasting room demonstration project area.

If Proposed Ordinance 2024-0387 is adopted, these businesses (plus any others unknown to the County) will either need to prove conformance with the code in place when they were established (either as a permitted use or as a home occupation), modify their operations to conform, or close their current location.

For the 9 WBDs that applied for state liquor licenses starting in 2020, if they are operating, they will likely need to close their current location, as they will not have any nonconforming rights under the County's code. This is also true for any WBD that were licensed by the state as remote tasting rooms in the A and RA zones.

For the other businesses, the impacts of this Proposed Ordinance are unknown. Code enforcement will be site-specific and based on several factors, including:

- When the liquor license was issued by the state and whether the County objected to its issuance;
- Whether there are any facts or evidence that indicate the business was legally established, such interaction with government agencies;
- Whether the business can prove the development conditions for a Permitted use were met (minimum lot size, product content, setbacks, etc.); and/or
- Whether the business met the requirements for a home occupation.

It could be that many existing WBD businesses have a legal nonconformance, as many of them, across the County, have been in place for decades. It could also be that many existing WBD businesses have a legal nonconformance for part of their operations, but not other parts (for example, a nonconformance for the production spaces and a small tasting room, but not for an expanded tasting room that draws a lot of vehicle traffic.) In this second case, a WBD may not be required to close, but to scale back their operations.

Schedule. The published schedule for review of this ordinance is included in Table 2.

Table 2. Council Review Schedule

Action	Date
Requests for striking amendment due to Chair's office	February 7, 2025
Direction for striking amendment due	February 18, 2025
Striking amendment released	February 20, 2025
Direction for line amendments due	February 21, 2025
Committee of the Whole action	February 25, 2025
Direction for amendment concepts for the public hearing	February 28, 2025
Public hearing notice issued	March 7, 2025
Direction for striking amendment due	April 1, 2025
Striking amendment released	April 3, 2025
Direction for line amendments due	April 4, 2025
Council hearing/action	April 8, 2025
Post-adoption notice issued (with expedited signatures)	April 18, 2025
Effective date (if no appeal)	June 18, 2025

Ordinance 19865, was adopted by the Council on November 26, 2024, and extended an existing moratorium on WBD uses through June 23, 2025. To avoid extending the moratorium, Council would need to act on Proposed Ordinance 2024-0387 no later than April 22, 2025.

AMENDMENTS

Striking Amendment S1 would make substantive and technical changes to the Proposed Ordinance. Changes include:

- Modifying the definition of remote tasting room to reflect changes made in state law that allow for remote tasting rooms for distilleries.
- Engrossing the changes made in other adopted Ordinances.

Title Amendment T1 is also included in the packet; it would conform the title to the changes made in Striking Amendment S1.