

Public Comments on Proposed Ordinance 2018-0241

Winery/Brewery/Distillery Code Update

Received through March 8, 2019

Auzins, Erin

From: Linda Gray <lgn899a@gmail.com>
Sent: Wednesday, January 9, 2019 2:53 PM
To: Auzins, Erin
Subject: King County's official record for KC Ordinance #2018-0241.

Dear Erin Auzins - this email is to request you please enter the comments I sent to the KC Council below into the official record for King County Ordinance #2018-0241. Please confirm you have completed my request with an email response to me. Thank you.

Sincerely,
Linda Gray
22619=78th Ave SE,
Woodinville, Wa 98072

From: Linda Gray [mailto:lgn899a@gmail.com]
Sent: Sunday, December 02, 2018 2:49 PM
To: Balducci, Claudia <Claudia.Balducci@kingcounty.gov>
Subject: Please amend the Sammamish Valley Beverage Ordinance

Dear Councilmember Balducci,

Hello,

As a member of the Sammamish Valley community, I am asking you to please support the amendment from Friends of Sammamish Valley for proposed King County Ordinance #2018-0241, responding to the King County Sammamish Valley Wine and Beverage Study. Seven illegally operating business cannot be allowed to dictate what happens in this valley. It flies in the face of the Growth Management Act and King County's Comprehensive plan. This is also not fair to more than 100 businesses which operate according to required regulations, permits and code.

To address this, Friends of Sammamish Valley has drafted an amendment that would strengthen regulations for beverage industries in a way that aligns with urban growth management and properly balances with the surrounding rural and agricultural areas. The amendment would modify the proposed ordinance in the following ways:

- > Removing the Demonstration Project Overlays A and B from the Sammamish Valley as these overlays threaten rural and agricultural areas by permanently allowing urban area commercial and retail businesses such as bars and event centers to operate in these protected areas.
- > Improving certain provisions of the ordinance by closing loopholes that would allow drinking establishments and event centers to function as wineries even when little or no product is produced on-site.
- > Providing a 12-month grace period to allow the illegally operating tasting rooms, retail sales outlets, and event centers to move to a new legal location.

More background can be found on the proposed amendment in the Friends of Sammamish Valley's Rationale for Beverage Ordinance Changes.

Please support the Friends of Sammamish Valley's amendment to King County Ordinance #2018-0241.

Sincerely,
Linda Gray
22629-78th Ave SE
Woodinville, WA 98072

Auzins, Erin

From: Sara Suter <sfsuter@comcast.net>
Sent: Thursday, January 10, 2019 8:54 PM
To: Auzins, Erin; Communications, Comments
Subject: Please

...protect rural Sammamish Valley from commercialization. There are now so few untouched areas like this in King Co. We had hoped version 2 of the letter would be adopted.

Thank you,

Sara and Christoph Suter
16316 170th Ave NE
Woodinville, 98072

Sent from my iPhone

Auzins, Erin

From: Wendy Wartes <kheeta2@comcast.net>
Sent: Saturday, January 12, 2019 6:22 PM
To: Auzins, Erin
Subject: UGB

I'm writing to voice opposition to allowing expanded uses in the valley between Redmond and Woodinville. I've been a resident of Woodinville for 42 years and a celebrant of the restrictions put in place. I see no reason to bring uses to this area that are contrary to the intent to encourage farming. The roads are not suitable for drunken revelers and noise is bleeding all the way up to Hollywood Hill. Rewarding those who break the law is not a good look going forward.

Wendy Wartes
Kheeta2@comcast.net

Auzins, Erin

From: Linda Fava <LindaF@ci.woodinville.wa.us>
Sent: Thursday, January 17, 2019 3:02 PM
To: Dembowski, Rod; Gossett, Larry; Lambert, Kathy; Kohl-Welles, Jeanne; Upthegrove, Dave; Balducci, Claudia; von Reichbauer, Pete; McDermott, Joe; Dunn, Reagan
Cc: Pedroza, Melani; Alex Herzog; Jeff Ganson; Huston, Jennifer; calli.knight@kingcounty.gov; Wolf, Karen; Chan, Jim; Auzins, Erin
Subject: Ordinance 2018-0241
Attachments: Letter to King County Council - Ordinance 2018-0241.pdf

Honorable King County Councilmembers –

The City of Woodinville submits the attached letter pursuant to Ordinance 2018-0241, and asks that you consider the merits of our response. Thank you.

Linda Fava | Exec. Asst./Dep. City Clerk/HR | [City of Woodinville](#)
D (425) 877-2265 | **e:** lindaf@ci.woodinville.wa.us

Woodinville City Hall, 17301 133rd Ave NE, Woodinville WA 98072
Please note that this email is considered public record and may be subject to public disclosure.

January 16, 2019

King County Council
Planning, Rural Services, and Environment Committee
516 3rd Avenue, Room 1200
Seattle, WA 98104



*"Citizens, business and local government;
a community commitment to our future."*

Councilmembers:

Thank you for working to clarify and strengthen the enforceability of King County code as it applies to the adult beverage industry. The City of Woodinville asks that the County Council consider the points that follow as Ordinance 2018-0241 works its way through the PRE Committee and to the full Council.

Overall, Woodinville encourages the County Council to pay close attention to the unintended consequences of any policy changes that will affect the Sammamish Valley if the ordinance and enforcement are not strengthened. Woodinville's specific recommendations, made with these considerations in mind, are added to this letter as Attachment A. Some of the principles that guide our recommendations include:

Locate Urban Activities in Urban Areas. Large-scale gatherings generate impacts that quickly overtax rural infrastructure. To avoid these unnecessary challenges, activities and facilities which generate large traffic or parking activity should be located in areas within the Urban Growth Boundary (UGB).

Foster Responsible Business Practices. With around 130 wineries, breweries, distilleries, and remote tasting rooms operating legally in Woodinville, and more in Kirkland and Redmond, cities have worked conscientiously with the adult beverage industry to foster commercial areas that are attractive to and accommodating of the industry and their customers. These businesses, in turn, have spent the extra time and expense to get permits and adhere to codes. All of these businesses are put at a competitive disadvantage by any business operating out of compliance and who take advantage of a lack of enforcement.

Do No Harm to Farms. Sammamish Valley agriculture is itself a significant tourist draw and, as importantly, the ambiance it creates is critical to the tourism-dependent businesses that have chosen to locate in the area. Recognizing the value of the Valley, the King County Council designated the Sammamish River Valley as an Agricultural Production District and made it eligible for Farmland Preservation Project funds. The protection that this designation affords is well deserved because of the Valley's fertile soils, high productivity, diverse sustainability programs, and award-winning farmers. However, the City is concerned that this designation and its regulations may not be enough to protect the Valley.

Create Clear Code. Woodinville believes that one of the primary goals of the beverage ordinance should be to add clarity to regulations and facilitate enforceability. It should also provide incentives for compliance.

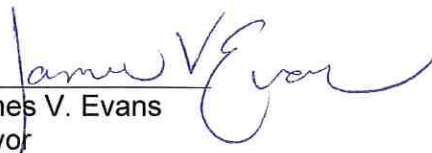
Enforce the code. Woodinville asks that the King County Council provide the necessary resources for any and all regulations to be enforced, including sufficient

funding for a full-time enforcement officer for the ordinance. We support the budget proviso and study by DPER, but are concerned about the possibility of delays associated with a study. The City asks that enforcement be funded and begin as soon as the ordinance is passed.

The City hopes the County Council will take the above principles into consideration as legislation is refined. In Attachment A, the City asks the County to further consider and incorporate several modifications to provisions in the Executive's proposed legislative package, Technical Striker S1, and PRE Committee Chair Lambert's conceptual striker. The result will be an even more successful wine industry and will increase the chances of a healthy agricultural industry in the Sammamish Valley and surrounding area.

Thank you very much for your consideration. The City looks forward to continuing its partnership with King County in developing solutions on this issue.

Sincerely,


James V. Evans
Mayor

Enc:

Attachment A: City of Woodinville Response to Proposed Ordinance 2018-0241 and Technical Striker S1, and PRE Committee Chair Lambert's conceptual striker
Attachment B: City of Woodinville Resolution No. 532, Supporting Enforcement of King County Zoning Codes; Supporting Increased Protections of Agricultural and Rural Lands In and Surrounding the Sammamish River Valley; Supporting Transit Improvements in the Sammamish Valley and City of Woodinville
Attachment C: City of Woodinville October 17, 2018 letter to the King County Council Regarding Funding for Outreach and Enforcement

cc:

Brandon Buchanan, Woodinville City Manager
Jeff Ganson, City Attorney
Alex Herzog, Intergovernmental Affairs
Jenny Huston, Government Relations, Office of King County Executive Dow Constantine
Calli Knight, External Relations, Office of King County Executive Dow Constantine
Karen Wolf, Senior Policy Analyst, Office of Performance, Strategy, and Budget
Jim Chan, Interim Director, Department of Permitting and Environmental Review
Erin Auzins, Principal Legislative Analyst, King County Council Policy Staff

Attachment A

City of Woodinville Response to Proposed Ordinance 2018-0241

This document addresses the Executive's transmission, Technical Striker S1, and PRE Committee Chair's striker. The table below is arranged to roughly match the matrix staff has been using, but our table does add rows for elements that Woodinville recommends adding to the ordinance.

<p>Definition of Event</p> <p>Does not exist in current code (21A.06), Exec's proposal, Technical Striker S1, or Chair Lambert's conceptual striker.</p>	<p>The definition of 'event' should clearly differentiate activities included within normal business operations, activities outside of normal operations, activities that need a special event TUP, and activities and conditions that need a CUP.</p> <p>The definition should reflect the complete list of stakeholders: DPER, passers-by, nearby cities, neighbors, and WBDs that are operating legally, in addition to the WBDs and remote tasting rooms benefitting from this ordinance.</p> <p>A definition that enables viewers to determine an event's occurrence by sight is desirable. For example, an event might be defined to include the presence of temporary tents, portable toilets, stages, temporary bridges, traffic control personnel, and/or a need for additional parking over the permitted number of maximum spaces.</p> <p>In the context of this ordinance, events might be indicated by the sale of tickets, special advertising, invitations or RSVPs, or specified start and end times. Events can be private or public, but are marked by being outside the normal course of business.</p> <p>In the proposed code, an event is implied to begin and end on a single calendar day; this should be made explicit in the County's regulations.</p> <p>Examples of events might include release parties, weddings, family days, wine club parties, and corporate events.</p>
<p>Definition of Winery (21A.06)</p> <p>Current definition: An establishment primarily engaged in one or more of the following:</p>	<ol style="list-style-type: none"> 1. The definition must require all (not just one or some) of the essential steps in manufacturing wine: fermenting, finishing, blending, bottling, aging. 2. The existing definition of winery must be further refined to include definitions of "primary" and "primarily" including the metric – revenues, weight, acreage, square footage, man-hours etc. – by which it is judged. Specifically, there must be a method by which the County will determine an

<p>A. Growing grapes or fruit and manufacturing wine, cider or brandies;</p> <p>B. Manufacturing wine, cider, or brandies from grapes and other fruits grown elsewhere; and</p> <p>C. Blending wines, cider or brandies.</p>	<p>establishment's "primary" activity as compared to other activities.</p> <p>Woodinville recommends the Council ensures that "manufacturing" means that all of the activities required to process whole grapes or other unprocessed fruit into wine, cider or brandy take place on the site, including fermentation and barrel or tank aging.</p>
<p>Definition of WBD I New</p>	<p>Woodinville supports definition in Technical Striker S1: Winery, brewery, distillery facility I: A very small-scale production facility licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits and where on-site product tasting or retail sale of merchandise does not occur.</p>
<p>Definition of WBD II New</p>	<p>For RA Zones, Woodinville supports definition in Technical Striker S1.</p> <p>For A Zones, Woodinville supports the following definition: Winery, brewery, distillery facility II: A winery, brewery, or distillery as those terms are defined by KCC 21A.06, that meets the size limitations of the zoning district in which it is located for a winery, brewery, distillery facility II, licensed by the State of Washington to produce adult beverages such as wine, cider, beer or distilled spirits. A Winery, brewery, distillery facility II may include on-site tasting and sales of products produced on-site only.</p>
<p>Definition of WBD III New</p>	<p>For RA Zones, Woodinville supports definition in Technical Striker S1.</p> <p>For A Zones, Woodinville supports the following definition: Winery, brewery, distillery facility III: A winery, brewery, or distillery as those terms are defined by KCC 21A.06, that meets the size limitations of the zoning district in which it is located for a winery, brewery, distillery facility III, licensed by the State of Washington to produce adult beverages such as wine, cider, beer or distilled spirits. A winery, brewery, distillery facility III may include on-site tasting and sales of products produced on-site only.</p>
<p>Minimum lot size (Various sections of Exec's proposal; 21A.08.080.)</p> <p>Current minimum is 4.5 acres for permitted uses, 10 acres for conditional uses, in both RA and A zones.</p>	<p>Woodinville supports the current minimum of 4.5 acres with added conditional uses if the parcel size is at least 10 acres.</p>

<p>Amplified Sound</p>	<p>Woodinville strongly recommends that the County prohibit amplified sound outdoors for all WBDs outside the Urban Growth Boundary. We believe that amplified outdoor sound is not consistent with rural character.</p>
<p>Tasting hours: (Section 16 of Exec's proposal; 21A.08.080.)</p> <p>Executive's original proposal: Mon-Thur 11am-5pm Fri-Sun 11am-7pm</p> <p>Technical Striker S1 contains tasting hours: Mon-Thur 11am-7pm Fri-Sun 11am-9pm</p>	<p>Allowing tastings during evening commute hours would create impacts from the 19 business driveways on Woodinville-Redmond Road, increasing congestion by adding traffic and turns on the existing two-lane road.</p> <p>Woodinville supports the hours in the Executive's original transmittal: Mon-Thurs 11am-5pm Fri-Sun 11am-7pm</p>
<p>Sales (Section 16 of Exec's proposal; 21A.08.080.)</p> <p>WBD I sales not allowed; WB II and III sales permitted.</p>	<p>Woodinville recommends that WBDs in A Zones be allowed to sell only products produced on-site. We note that this is consistent with the Growth Management Act's requirement that facilities on Agricultural land be directly in support of products grown on the site.</p>
<p>Events; Temporary Use Permit Requirements (Section 21 of Exec's proposal; 21A.32.120 of KCC)</p> <p>Requirements for WBD II and III in Agricultural zones: events limited to 2 per month and all parking must be accommodated on site or through a plan approved by the director</p> <p>Requirements for WBD II and III in Rural Area zones: events limited to 24 within a one-year period and all parking must be accommodated on site or through a plan approved by the director.</p> <p>Requirements for WBD II in Agricultural and Rural Area zones, consider building occupancy limits and parking</p>	<p>As noted above, Woodinville requests a clear, relevant, and enforceable definition of "event."</p> <p>Further, we urge the County Council to consider whether and how events are in alignment with rural character.</p> <p>The City also has concerns about provisions in the draft language of the legislation that could make large hardscaped parking areas, needed mostly for events, a permanent entitlement by way of a conditional use permit.</p> <p>Also of concern is the most recent iteration of Overlay B which proposes lifting all limits on size and frequency of events.</p> <p>Woodinville's specific limits in the table below maintains the character of businesses and atmosphere of the Valley and the UGB. The City asks the County to consider the number of events and their size in a way that still honors the area's rural or agricultural setting while maintaining alignment with neighboring properties and uses. Businesses hosting frequent and large-scale events will likely be better served within the UGB where the character and many types of infrastructure already exist to support such activities.</p> <p>As such, Woodinville supports the following limits that maintain the Valley and surrounding and its character:</p>

limitations during permit review, shall condition the number of guests and shall not be more than 125 guests.

WBD I in RA Zones	Not allowed if event requires TUP	Not allowed if event requires TUP
WBD II in RA Zones	6/year, limited to weekends and holidays	60
WBD III in RA Zones	6/year, limited to weekends and holidays	60
WBD II in A Zones	2/year, limited to weekends and holidays	60
WBD III in A Zones	2/year, limited to weekends and holidays	60
WBD in Overlay B (if implemented)	6/year, limited to weekends and holidays	60

Woodinville requests that events be limited to weekends and holidays to mitigate likely traffic impacts that may cause significant travel disruptions for commuters and local businesses.

Water supply
(Section 16 of Exec's proposal; 21A.08.080.)

For the most part, WBDs and tasting rooms must connect to public water supply but are not prohibited from using well water.

Farms cannot survive without the irrigation water that they have the senior right to.

Woodinville recommends WBDs be required to use public utility water, and only public utility water, in their commercial operations.

Product Content
(Manufacturing Table - Agriculture Zones - Production Facilities; Section 16 of Exec's proposal; 21A.08.080.various KCC)

Exec's Requirements for Winery, Brewery, Distillery II and III in Agricultural zone: 60% of product to be processed must be grown on

For RA zones, Woodinville supports lifting on-site growing requirements.

For A Zones, Woodinville recommends that only products produced on site should be allowed for sale. We note that this is consistent with the Growth Management Act's requirement that facilities on Agricultural land be directly in support of products grown on the site.

<p>site. In RA zone, remove production requirements</p>	
<p>Adult beverage Production/Facility Location (Section 16 of Exec's proposal; 21A.08.080.)</p> <p>All types of WBDs require production.</p> <p>WBD I requires production, and does not allow tasting or sales</p> <p>WBD II and III require production and allow tasting</p> <p>Remote tasting rooms allow tasting and do not allow production</p>	<p>Woodinville supports closing loopholes in the definition of winery. We recommend a similar change to production requirements: Require all essential production steps in WBDs and prohibit production in remote tasting rooms.</p> <p>In A Zones, Woodinville supports allowing WBDs to locate on the portion of the property "least suitable" for agricultural production purposes, as opposed to "unsuitable" in other drafts.</p>
<p>Parking Parking proposals vary, but the highest-impact proposals allow 1 per 50 sf of tasting plus retail space, and possibly even more via CUP.</p>	<p>Woodinville supports limiting parking to one space per 300 square feet. We consider this to be appropriate because it is consistent with other types of businesses in RA and A Zones, minimizes hardscaping in the SO-120 agricultural buffer overlay, and allows sufficient space for customers.</p> <p>Woodinville does not support the proposal of allowing a parking plan for WBD IIIs via CUP, because of the irrevocable nature of CUPs. We consider this a guarantee of hardscaping uphill of farmland, with the result of stormwater pollution of agricultural resource land. More generally, the City suggests that the Council consider limiting parking facilities on the basis that these types of facilities are not in alignment with character and purpose of rural and agricultural areas.</p>
<p>Citation/Fines (Section 24 of Exec's proposal; 23.32.010 KCC)</p> <p>1st violation –\$100</p> <p>2nd violation in past 12 months - \$250</p> <p>3rd violation or more in past 12 months - double the rate of the previous penalty</p>	<p>Unpermitted activity in the Valley is problematic. We hope that the ordinance will result in an end to unpermitted activities, and we believe that citations and fines are a vital part of the solution. However, current fines are inadequate to achieve this goal.</p> <p>We believe King County's goal should be to provide a meaningful disincentive to businesses contemplating unpermitted activities.</p> <p>Woodinville supports a fine structure that progresses fairly steeply to fines in the tens of thousands of dollars. We believe that the fines should be meaningfully larger than any</p>

<p>zoning code violations including but not limited to unapproved events – 1st violation - \$500</p> <p>Subsequent: \$1000</p> <p>PRE Chair's conceptual striker: The fine structure is more gradual than the Exec's, and like the Exec's fines only events</p>	<p>potential revenue, and, should include mechanisms that ensure repetitive violations will put the violator out-of-business. Once rules are established (whatever they may be), Woodinville believes that all stakeholders should abide by those rules.</p> <p>Woodinville recommends three kinds of changes to the fine structure.</p> <p>First, we suggest that the scope of citations should be expanded to include not only events, but also other activities that are damaging to the land or neighborhood, such as parking in unsuitable locations, improper use of water, improper hours of operation, use of amplified sound outdoors, improper hardscaping, etc.</p> <p>Second, Woodinville recommends a citation structure that scales fines based on the magnitude of the infraction. For example, fines might be based on parameters that vary with the size of the event such as the number of cars, number of guests or tickets, revenues in terms of admission fees and sales, number of vehicles, parking stalls, or facilities on site (i.e. portable toilets, stages, temporary tents, etc.).</p> <p>Third, Woodinville recommends fines that provide incentives for compliance.</p>
<p>Overlays A and B</p>	<p>Woodinville's concerns are grounded in the history of the Sammamish Valley. The current Agricultural Production District is what is left after incorporations and annexations by Redmond, Kirkland, and Woodinville; and rezoning from Agricultural to Rural by the courts. In other words, the extent of Sammamish Valley farmland is already greatly diminished.</p> <p>The City is concerned that the proposed overlays are likely to create even greater pressure for permitted use revisions that would expand the uses, facility sizes, and density in areas that are not able to handle them. The City asks the County to consider greater preservation of Sammamish Valley agricultural land as the primary objective of any revisions to the code.</p> <p>If the County Council decides to proceed with use of overlays, we would recommend a more cautious approach, establishing overlays only on lands not protected by other overlays such as the SO-120 Agricultural Buffer that is intended to protect farmland in Agricultural Production Districts.</p>
<p>Grandfathering (Sections 22 and 23 of Exec's proposal; 21A.55 of KCC)</p>	<p>Woodinville objects to the provisions in the Executive's proposal and Technical Striker S1 that grandfather businesses accepted into the demonstration projects, even if the demonstrations are cancelled and the overlays removed.</p>

<p>Exec's proposal, Technical Striker S1, and PRE Chair's conceptual striker grandfather businesses participating in the demonstrations even if the demonstrations are cancelled and the overlays removed.</p>	
<p>Conditional Use Permits Various new privileges allowed via Conditional Use Permit (CUP)</p>	<p>For the CUP provisions in the draft ordinance, Woodinville has serious concerns about privileges that would be granted, and then be irrevocable no matter how harmful to local stakeholders such as farmers, other businesses, neighbors, and commuters.</p>

Attachment B

RESOLUTION NO. 532

A RESOLUTION OF THE WOODINVILLE CITY COUNCIL SUPPORTING ENFORCEMENT OF KING COUNTY ZONING CODES; SUPPORTING INCREASED PROTECTIONS OF AGRICULTURAL AND RURAL LANDS IN AND SURROUNDING THE SAMMAMISH RIVER VALLEY; SUPPORTING TRANSIT IMPROVEMENTS IN THE SAMMAMISH VALLEY AND CITY OF WOODINVILLE; AND REPEALING RESOLUTION NO. 483.

WHEREAS, the Woodinville City Council adopted Resolution No. 483 on August 2, 2016 to establish the City's position on the issue of preservation of the agricultural and natural character of the Sammamish Valley; and

WHEREAS, King County has completed an extensive public input and study process and is now considering legislative action to revise County Code addressing land use regulations in the Sammamish Valley; and

WHEREAS, the Woodinville City Council deems it prudent and appropriate to ensure its position on the issue is current; and

WHEREAS, Sammamish River Valley wine tourism relies in part on unobstructed views of working agricultural land to draw wine tourists; and

WHEREAS, agricultural land is a nonrenewable resource; and

WHEREAS, the citizens of King County voted in 1979 to fund a Farmland Preservation Program that includes the Sammamish River Agricultural Production District for the purpose of preserving farmland, agriculture, and open space (see <https://www.kingcounty.gov/depts/dnrp/wlr/sections-programs/rural-regional-services-section/agriculture-program/farmland-preservation-program.aspx>); and

WHEREAS, the average price of high-quality farmland in Washington has increased 25 percent in the last year, and nearly 50 percent in the last four years (*Seattle Times*, "Latest Washington real-estate gold rush: farms," July 20, 2016, <https://www.seattletimes.com/business/real-estate/latest-washington-real-estate-gold-rush-farms/>); and

WHEREAS, Washington has lost more than a million acres of farmland between 1997 and 2012 (https://www.agcensus.usda.gov/Publications/2012/Full_Report/Volume_1,_Chapter_1_State_Level/Washington/st53_1_001_001.pdf); and

WHEREAS, development has already made some Sammamish Valley agricultural acreage too wet to farm (*Attachment 2*); and

WHEREAS, King County has protections such as SO-120 (the Agricultural Production Buffer Special District Overlay, KCC 21A.38.130) to prevent upslope development from harming agricultural land but these protections have proven inadequate (*Attachment 3*); and

WHEREAS, Washington's Growth Management Act Goal 8, RCW 36.70A.020(8), encourages conservation of agricultural lands and discourages incompatible uses (*Attachment 4*); and

WHEREAS, King County's Countywide Planning Policy DP-57 discourages incompatible land uses adjacent to designated Resource Lands including agricultural land (*Attachment 5*); and

WHEREAS, The Washington Supreme Court has held that agricultural land must be protected under the Growth Management Act, *King County v. Central Puget Sound Growth Management Hearings Board*, 142 Wn.2d 543 (2000), recognizing that "allowing incompatible uses nearby impairs the viability of the resource industry" (referring to agriculture), *City of Redmond v. Central Puget Sound Growth Management Hearings Board*, 136 Wn.2d 38 (1998); and

WHEREAS, King County's Countywide Planning Policy DP-50 requires that new nonresidential uses in the Rural Area be limited to uses that are demonstrated to serve the Rural Area (*Attachment 6*); and

WHEREAS, the sprawling style of illegal uses can cause environmental harm to nearby agricultural land, and availability of suitable land inside the Woodinville city limits for such uses mean that expansion of the Urban Growth Boundary in order to accommodate such uses is unnecessary and contrary to the criteria identified in Countywide Planning Policies DP-16 and DP-17 (*Attachment 7*); and

WHEREAS, the Vision Statement in Woodinville's Comprehensive Plan recognizes the economic and cultural importance of healthy farmland and a healthy agricultural industry in the Sammamish Valley (*Attachment 9*); and

WHEREAS, the presence of approximately 100 wineries and tasting rooms, plus numerous breweries, distilleries, and cideries inside the Woodinville city limits demonstrates that wineries and tasting rooms can thrive while complying with GMA-mandated zoning and permitting requirements; and

WHEREAS, parking is insufficient during peak tourism hours in the City's wine districts;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, HEREBY REPEALS RESOLUTION NO. 483 AND RESOLVES AS FOLLOWS:

Section 1. The Woodinville City Council respectfully requests that the King County Council take actions that will ensure enforcement of current code in and around the Sammamish Valley.

The Woodinville City Council respectfully requests that code enforcement shift its standards closer to both the letter and spirit of the codes.

The Woodinville City Council regards code enforcement as a necessity for the continued existence of agriculture in the Sammamish River Valley. We regard any discussion of relaxing code as compounding what is already a very real threat to the continued viability of Sammamish River Valley agriculture.

Section 2. The Woodinville City Council respectfully requests that King County Council not only preserve all Agricultural zoning, but also increase the protections on upslope Rural land, because the current protections have proved inadequate.

Agriculture has value in its own right, as affirmed by King County voters when they approved the Farmland Preservation Program in 1979. It is also the basis for Woodinville wine country tourism: without the country aesthetic that the farmland provides, there is no Woodinville wine country.

Preserving Agricultural zoning is necessary, but not sufficient. Upslope development has already made some Agricultural acreage too wet to farm (*Attachment 2*). This indicates that the existing protections that apply to nearby Rural land, such as SO-120, are insufficient and should be strengthened, broadened in the scope of development and permitted uses covered, and extended to cover more geographic area. Preserving farmland, agriculture, and farmers means that current proposals for Rural land, including retail overlays, relaxed permitted uses, Urban Growth Boundary amendments, rezones, relaxed definitions, relaxed standards, and any other changes that allow urban activities upslope of Agricultural zoning should be rejected by the King County Council on the grounds that they have already harmed, and are likely to further harm, agriculture and farmers in the Sammamish Valley.

Section 3. The Woodinville City Council respectfully requests that the King County Council preserve views of working agricultural land from the roadways in the Sammamish River Valley.

Unobstructed views of productive farmland are essential to the ability of the Sammamish Valley to draw tourists; places like Seattle already have numerous production wineries much closer to the homes or lodgings of wine tourists. Therefore, developing the parcels along the roadside between Woodinville and Redmond not only damages the feasibility of using the land for agricultural uses by increasing runoff, but also erases tourism value of the Sammamish River Valley by obscuring the views that attract tourists.

Section 4. The Woodinville City Council respectfully requests that the King County Council set a higher bar for initiating consideration of relaxation of existing protections for the Sammamish River Valley every four years, as even such studies destabilize agricultural land prices, thereby jeopardizing agriculture in the Valley (*Attachment 1*).

Section 5. The Woodinville City Council commits to continuing to make Woodinville a hospitable host for manufacturing and sale of alcoholic beverages.

The City of Woodinville hosts approximately 100 wineries, breweries, distilleries, and tasting rooms inside its city limits – a strong indication that its land use codes are a good fit for the industry. The City is currently reviewing its zoning code, permitted uses, and permitting processes to identify opportunities for making the area inside the city limits (inside the Urban Growth Boundary) even more inviting to the wine and beverage industries.

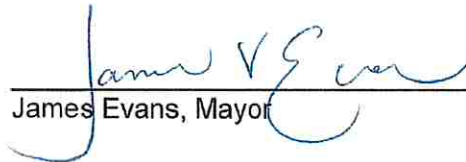
The overwhelming majority of the wineries and tasting rooms in Woodinville wine country operate successfully within the Woodinville city limits. With nearly 190 acres of vacant and redevelopable commercial land inside the city limits, there is ample space for every winery in the state of Washington to have a tasting room inside the Woodinville city limits (*Attachment 8*).

The commercial or industrial-scale manufacture and sale of wine, as with any other product being manufactured and sold at such a scale and at a location other than where the raw materials are grown, are fundamentally urban activities. The fact that so many wineries are conducting these urban activities successfully in Woodinville is proof that the industry can not only survive, but thrive in an urban setting.

Section 6. The Woodinville City Council respectfully requests that the King County Council explore ways to provide public transit and alleviate parking shortages in Woodinville's wine districts.

No public transit serves Woodinville's wine districts. This forces tourists to visit by private vehicles, causing even more demand for parking than most commercial districts experience. Woodinville receives many requests by tourist-oriented business owners for transit service. We are grateful for Metro's current Alternative Services study. We ask that the King County Council also consider adding fixed-route service serving Woodinville's Park & Ride and covering Woodinville's downtown, Hollywood, West Valley, and North Industrial wine districts. This fixed route service would complement King County's ongoing efforts to better utilize existing park & ride facilities by transporting tourists, local employees, citizens, and transit-dependent individuals from available remote parking to their destinations throughout the City.

RESOLVED this 15th day of January 2019.


James Evans, Mayor

ATTEST/AUTHENTICATED:


Katie Hanke, City Clerk

Passed by the City Council: 01-15-2019
Resolution No. 532

Summary of Available/Recently Sold Property
In Woodinville Wine Country

Current Owner	Property Address	Parcel Number	Acres	Assessor's Appraised Value	Asking Price	Asking Price Differential	Listing Price Source	Sale Price
Walker	13229 Woodinville Redmond Rd NE	2326059024	4.00	\$557,000	\$10,000,000	1695.33%	Annie McKenzie-Mutch (Agent)	
Carlson	15132 148 th Ave NE	3407700011	4.15	\$371,000	\$2,600,000	600.81%	Windemere Real Estate	
Brown	16725 140 th Ave NE	1026059031	7.98	\$715,000	\$3,000,000	319.58%	North Pacific Properties	\$1,850,000
Zante	13425 NE 171 st St	1026059030	14.90	\$1,022,000	\$7,000,000	684.93%	Zante family comments to Woodinville Planning Commission	
Leone	14701 148 th Ave NE	1526059051	1.48	\$445,000				\$995,000

Comment originally submitted to the King County Council for the 2012 Comprehensive Plan update:

THE ROOT CONNECTION CSA

13607 Woodinville-Redmond Rd NE

PO Box 267

Woodinville Wa 98072

rootconnection.net

December 18, 2011

Re: Proposal to move the Urban Growth Boundary in the Sammamish Valley

I have been a farmer and farm manager in the Sammamish Valley for over 26 years. There are specific reasons why I am opposed to moving of the UGB, which I will address here.

Any change in density of lands surrounding farmlands to farms has an immediate and detrimental effect on farming production:

A number of years ago, new houses were built on the hill directly across from the Root Connection property, along with a new road leading up to those houses. The buildings, roads and driveways have been the direct cause of an extreme increase in runoff from the hill, which flows via piping underneath the Wood-Red Rd. and empties directly onto our farmland. This has resulted in appx. one-fourth of our acreage now being too wet to farm. ***Since our average annual production of vegetables on this farm is 11,250 lbs per acre, this means that 45,000 lbs (22.5 tons) of much needed food production has been lost – forever.***

Since the land this farm is on is in the Farmland Preservation Program, this loss is not only the farmer's loss, but a loss to all the citizens of King County who voted to tax themselves so that food could be produced here.

Similar problems have occurred at another property I manage, a 47 acre piece on the corner of the Wood-Red Rd. and NE 124th St. (commonly referred to as the "South 47"). Citizens formed an LLC to purchase this property, which was then put into the Farmland Preservation Program. The motivation was to make sure this property would always be farmed. **Unfortunately, due to increased building and commercial activities surrounding this farm, 9 acres are now too wet to farm, and drainage of the whole parcel has been affected.**

When will we stop using the lands that are needed to feed our population as a dumping ground for water run-off and the resulting contamination that results? Moving the UGB will destroy the surrounding farmlands, and it will not take long. We cannot keep nipping at the ends of the valley and expect the middle to survive. A healthy ecosystem has to maintain a certain size in order to function. Some of these properties considered in this ill-advised plan have wetlands or are adjacent to wetlands. I'm sure that proposals for dealing with that would be to push that water and runoff from increased building and pavement onto the neighboring farms, which would then cause flooding and pollution. Anyone who says this won't happen is not a farmer and really doesn't know what they are talking about. This would also leave the door open for these properties to be annexed to Woodinville, and we can see how well that worked out for the farmlands that used to exist in the valley.

Yes, yes, most folks who are wary of encroachment on farmland areas would bemoan the loss of "open space", "quality of life", "rural atmosphere", etc. And while these reasons are important for citizens who live in the area, as well as businesses such as some wineries and restaurants that depend on a somewhat picturesque landscape, the most important reason of all is to protect our food security in local food production. (As in "Agricultural Production District".)

If we can stop infringing on the APD, we will be able to protect the lands that remain. ***There is enough farmland available in the Sammamish Valley to produce over 12 million pounds of vegetables annually, enough to provide more than 80,000 people with 150 lbs each year.*** We just need some patience. We almost lost all our farmers 30 years ago, and it's taken that long for new farmers to make some of these lands productive again. It may take another 30 years before the majority of the parcels are actively farmed. Do we have to go the way of all those other valleys where the farmlands have been destroyed? That's how it happens – little by little – can we have the wisdom to learn from the past and be different?

Respectfully,

Claire Thomas
President, Roots of Our Times Cooperative

King County agricultural buffer

SO-120: Agricultural Production Buffer SDO

Summary

An agricultural production buffer special district overlay provides a buffer between agricultural and upslope residential land uses.

Story

Amended by Ord. 15028, 10/11/2004 (Map)

Amended by Ord. 15032, 10/11/2004 (Language)

Amended by Ord. 15326, 11/25/2005 (Map)

Description

Agricultural Production Buffer SDO

Development Condition Text

21A.38.130 Special district overlay - agricultural production buffer.

A. The purpose of the agricultural production buffer special district overlay is to provide a buffer between agricultural and upslope residential land uses. An agricultural production buffer special district overlay shall only be established in areas adjacent to an agricultural production district and zoned RA.

B. The following development standard shall apply to residential subdivisions locating in an agricultural production buffer special district overlay: Lots shall be clustered in accordance with K.C.C. 21A.14.040 and at least seventy-five percent of a site shall remain as open space, unless greater lot area is required by the Seattle-King County department of public health. (Ord. 15032 § 50, 2004; Ord. 12823 § 8, 1997).

https://www.kingcounty.gov/council/legislation/kc_code/24_30_Title_21A.aspx

Washington Growth Management Act

RCW 36.70A.020

Planning goals.

The following goals are adopted to guide the development and adoption of comprehensive plans and development regulations of those counties and cities that are required or choose to plan under RCW [36.70A.040](#). The following goals are not listed in order of priority and shall be used exclusively for the purpose of guiding the development of comprehensive plans and development regulations:

...

(8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.

King County Countywide Planning Policies

DP-57 Discourage incompatible land uses adjacent to designated Resource Lands to prevent interference with their continued use for the production of agricultural, mining, or forest products.

King County Countywide Planning Policies

DP-50 Except as provided in Appendix 5 (March 31, 2012 School Siting Task Force Report), limit new nonresidential uses located in the Rural Area to those that are demonstrated to serve the Rural Area, unless the use is dependent upon a rural location. Such uses shall be of a size, scale, and nature that is consistent with rural character.

King County Countywide Planning Policies

DP-16 Allow expansion of the Urban Growth Area only if at least one of the following criteria is met:

- a) A countywide analysis determines that the current Urban Growth Area is insufficient in size and additional land is needed to accommodate the housing and employment growth targets, including institutional and other non-residential uses, and there are no other reasonable measures, such as increasing density or rezoning existing urban land, that would avoid the need to expand the Urban Growth Area; or
- b) A proposed expansion of the Urban Growth Area is accompanied by dedication of permanent open space to the King County Open Space System, where the acreage of the proposed open space
 - 1) is at least four times the acreage of the land added to the Urban Growth Area;
 - 2) is contiguous with the Urban Growth Area with at least a portion of the dedicated open space surrounding the proposed Urban Growth Area expansion; and
 - 3) Preserves high quality habitat, critical areas, or unique features that contribute to the band of permanent open space along the edge of the Urban Growth Area; or
- c) The area is currently a King County park being transferred to a city to be maintained as a park in perpetuity or is park land that has been owned by a city since 1994 and is less than thirty acres in size.

DP-17 If expansion of the Urban Growth Area is warranted based on the criteria in DP-16(a) or DP-16(b), add land to the Urban Growth Area only if it meets all of the following criteria:

- a) Is adjacent to the existing Urban Growth Area;
- b) For expansions based on DP-16(a) only, is no larger than necessary to promote compact development that accommodates anticipated growth needs;
- c) Can be efficiently provided with urban services and does not require supportive facilities located in the Rural Area;
- d) Follows topographical features that form natural boundaries, such as rivers and ridge lines and does not extend beyond natural boundaries, such as watersheds, that impede the provision of urban services;
- e) Is not currently designated as Resource Land;
- f) Is sufficiently free of environmental constraints to be able to support urban development without significant adverse environmental impacts, unless the area is designated as an Urban Separator by interlocal agreement between King County and the annexing city; and
- g) Is subject to an agreement between King County and the city or town adjacent to the area that the area will be added to the city's Potential Annexation Area. Upon ratification of the amendment, the Countywide Planning Policies will reflect both the Urban Growth Area change and Potential Annexation Area Change.

Woodinville Buildable Lands Inventory

WOODINVILLE COMPREHENSIVE PLAN UPDATE | EXISTING CONDITIONS INVENTORY

Exhibit 2.4-17
Commercial Buildable Land by Zone, 2014 Analysis

Zone	Gross Acres		Net Acres	
	Vacant	Redevelopable	Vacant	Redevelopable
CBD	6.9	120.2	2.8	68.8
GB	16.3	38.9	7.9	23.9
NB	0.2	1.0	0.1	0.8
O	0.5	0.0	0.5	0.0
R-48/O	0.0	0.0	0.0	0.0
TBD	2.0	1.6	0.4	0.6
I	39.0	51.7	25.2	37.7
Total	64.9	213.4	36.8	131.8

Source: City of Woodinville, 2013; BERK, 2014

Net buildable acres represent the amount of land available for actual development after critical areas, market factors, right-of-way needs, and other factors are considered. Applying these factors nets the City 36.8 acres of vacant buildable land and 131.8 acres of buildable land in its commercial and industrial zones. Net buildable acres are used to determine the amount of additional building square feet and employment capacity a parcel can support given the current zoning.

Note #1: On December 31, 2015, a Development Agreement in Woodinville's Tourist Business District lapsed. This adds roughly 20 acres to the vacant land area in the Tourist Business District, for a total of 22 vacant acres in the heart of the Sammamish River Valley.

Note #2: Removing the acres unavailable for wineries or tasting rooms (NB, O, & R-48/O districts) and adding the 22 vacant acres described in Note #1, the total vacant and developable land for these type of uses within Woodinville City Limits is approximately 187.3 acres.

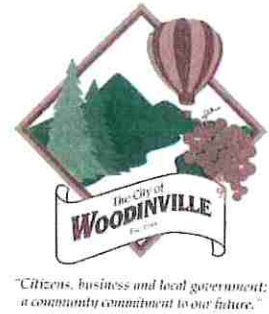
Woodinville Comprehensive Plan, Vision Statement

In the year 2035, Woodinville is a safe, welcoming, family-friendly, and diverse community that supports a successful balance of neighborhoods, parks and recreation, businesses, and tourism. We have preserved our Northwest woodland character, our open space, and our clean environment. Woodinville is a vibrant community in which to live, work, play, and visit. We have cultivated a compact, inviting downtown in which locally owned businesses can successfully establish and thrive. We have enhanced our ability to move about the community by all modes of travel. We have strengthened the agricultural and wine industries in Woodinville, the Sammamish Valley, and throughout the state by transforming locally sourced food, libations, and hospitality into an internationally renowned tourism experience.

Attachment C

October 17, 2018

King County Council
516 Third Avenue, Room 1200
Seattle, WA 98104



Dear King County Council:

As you deliberate on the many details of the County's 2019-2020 Proposed Budget and work toward adoption in the coming weeks, the City of Woodinville hopes that you will consider the recommendations and thoughts below with regard to programs and related policies not yet adopted. One such priority issue is of great shared interest: fully and meaningfully addressing non-compliant, and in some cases scofflaw, businesses which potentially undercut the viability of the adult beverage industry.

With regard to proposed Ordinance 2018-0241 (aka "Adult Beverage Ordinance" or "Winery Legislation") \$50,000 has been proposed in the 2019-2020 omnibus budget ([page 505 of the draft budget book](#)) that would fund a six-month outreach effort to existing businesses and provide technical assistance to wineries, breweries, and distilleries to obtain compliance with County zoning codes and become eligible for business licenses throughout the permitting process. We believe this \$50,000 is insufficient to successfully implement Ordinance 2018-0241 and will undercut any chance of the legislation realizing its purpose.

The City requests that the County expand the scope of this outreach effort and its funding. Specifically, the County should consider fully implementing all enforcement provisions as detailed in the final adopted form of Ordinance 2018-0241 – from citation through revocation of business licenses for businesses that choose not to comply. Woodinville also requests the County increase the budget to cover a full-time enforcement officer for the three-year duration of the pilot programs in Overlay A and B. Outreach and enforcement will likely require the County's careful attention throughout the jurisdiction. Increasing the budget for enforcement will allow the County to conduct meaningful outreach and fully enforce these new regulations countywide. Consistent enforcement of the new regulations throughout the duration of the pilot program period will improve adherence and have the effect of creating a more level playing field that will allow existing legal businesses, as well as those participating in the pilot programs, to thrive.

While the City recognizes this request is significant, we believe that fully implementing and funding outreach and enforcement is critical to ensuring the new adult beverage regulations are successfully implemented and adhered to. The County Council's PRE Committee members, Woodinville City Council members, and neighborhood groups have repeatedly discussed the importance of enforcement, and the consequences of the lack of enforcement. As the County

Council is aware, affected employers, employees, residents, and visitors all have much at stake and thus smooth implementation of the new regulations is crucial.

Thank you, again, for considering the City of Woodinville's comments on these issues. We look forward to continuing our partnership with the County on this effort.

Sincerely,

CITY OF WOODINVILLE

James Evans
Mayor

A handwritten signature in black ink, appearing to read 'James Evans', written over the printed name.

cc: Jim Chan
Jenny Huston