



King County

**Planning, Rural Service & Environment
Committee**

**Public Comments received in Council
Chambers on**

December 04, 2018

Dear Council Members

I attended last week's meeting of the King County Council PRE-Committee. I listened while you passed Ordinance 2018-0191 to protect shellfish. I believe you care about the people and natural resources of the County.

Thus, how you can possibly pass ordinance 2018-0241 out of Committee? It goes against everything the people of the County elected you to keep: Growth Management, Local Farm Initiative, EIS requirements, Salmon Recovery Plans, etc. **This Ordinance develops this resource rich valley at an enormous cost to the Sammamish Valley environment, the Sammamish River and fisheries, the natural habitat of the Rural Buffer and the subsequent loss farms and food for 80,000 King County constituents.**

I am a trained hydrologist, environmental scientist and representative for Climate Reality.

My comments are scientific and fact based.

Climate Reality Project and numerous other environmental organizations endorse the Friends of Sammamish Valley.

I have professionally prepared EISs, SEPA Checklists and many other environmental compliance documents over the last 30 years. This Ordinance is based on an improperly scoped marketing study with a total lack of environmental due diligence and understanding of the Sammamish Valley and Sammamish River Ecosystem.

This lack of review of all study components of a SEPA checklist is a huge misstep for the County.

I believe, based on the multiple significant adverse environmental impacts to the Sammamish Valley APD and its Rural Buffer, this zoning change meets the State's threshold of a **determination of significance.**

I believe that if a full EIS had been prepared instead of the flawed marketing study, the ordinance would not have been written.

For example, changing the Rural Buffer from natural pervious habitat to impervious urban use, changes both the surface water and groundwater hydrology causing erosive flooding of toxic surface water onto and groundwater swamping of valley farms and the Sammamish River, which hosts both endangered Chinook Salmon runs and feeding American Eagles.

Please keep true to what the people elected you to represent, NOT developers taking away or healthy natural Rural Buffer habitat, and the farms that feed 80,000 people.

DO NOT pass this Ordinance Out of Committee

*Nobody is trying to shut down wineries. Simply asking the
Barbara Lau, MA, MBA *Producers to comply w/their licenses as
issue.**

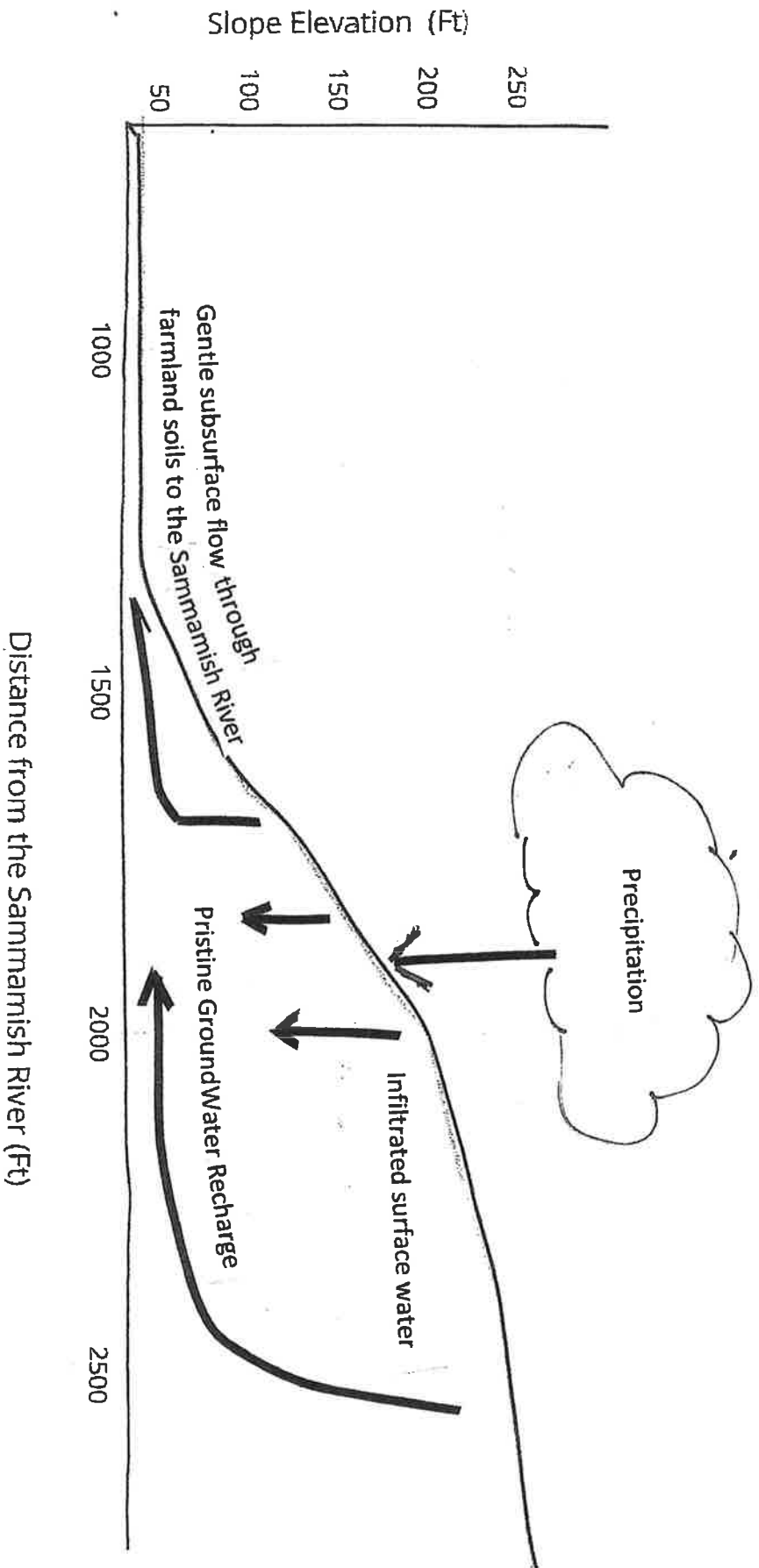
Rural Buffer Slope Topography and Hydrology



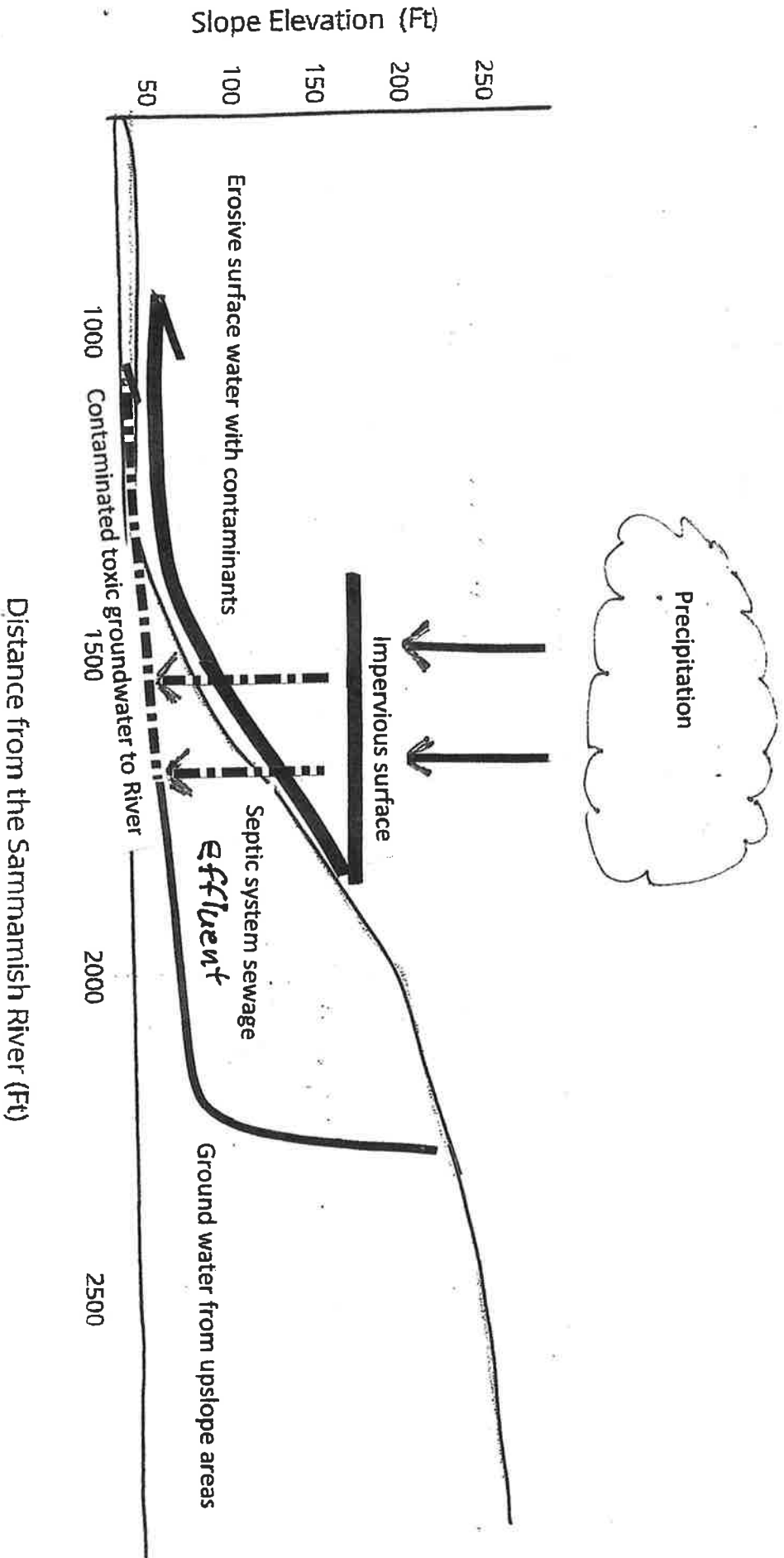
A to A' Sammamish Valley Slope

Rural Buffer Slope Topography and Hydrology

Pre-Development Rural Buffer Hydrology



A to A' Sammamish Valley Slope Post-Development Rural Buffer Hydrology



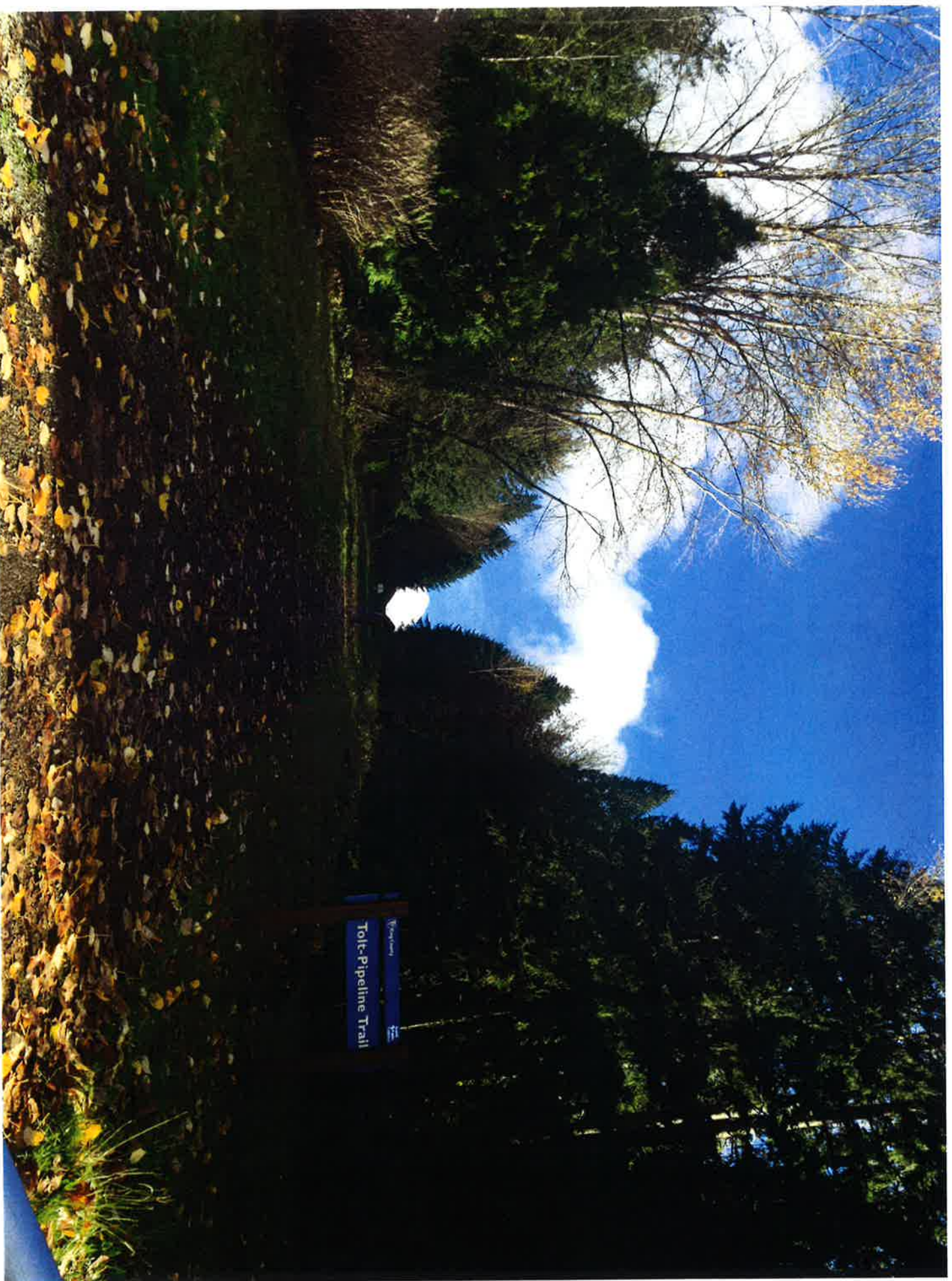
Farms and creeks, leading to the river, become contaminated!





Violators create impervious surfaces & toxics flow to farms

Undisturbed Stable Rural Buffer Slopes





Water flows to the Valley & into the Sammamish River

WINERY STUDY PROPOSED ORDINANCE (the "Proposed Ordinance"):

- 1) Personal Background.
- 2) Brief History.
- 3) Winery Industry
- 4) Concerns re Ordinance.
- 5) Need for Ordinance.

Personal Background –

My name is Attila Kovacs-Szabo, I am the owner of Trouvaille Winery, located in the Woodinville area, in unincorporated King County (the "County") for over a dozen years. I have also worked in the legal community for over 30 years, recently at a law firm representing wineries, breweries, distilleries and other businesses related to liquor and alcohol related issues and concerns with the WA State Liquor and Cannabis Board ("WALCB"), as well as other agencies and businesses. Additionally, I have served on the Board for The Root Connection for a number of years, which is a community supported farm, located in the Sammamish Valley. Last, I am a resident in the County, living just above the Sammamish Valley on Hollywood Hill. That noted, my professional and the other aforementioned experience provide me with a broad expertise with respect to each of the key areas covered by the Proposed Ordinance, and prompts me to provide both comment on, and add my expertise and unique perspective on the Ordinance before the King County Council (the "Council").

Brief History –

The Proposed Ordinance has come about as the result of 7 businesses, located in the Sammamish Valley, that have violated and continue to violate the King County laws/regulations (the "Violators"), prompting numerous complaints to the County from residents, groups and organizations over the years. As opposed to enforcing its own regulations, the County instead chose not to do so against the Violators. Instead the County sent out a settlement agreement ("Settlement") to all alcohol businesses, regardless of whether such business was in violation of any County laws/regulations, proposing a freeze of any enforcement action, with the businesses, providing they agreed not to change or alter their business during the moratorium. The County subsequently initiated the multi-year Sammamish Valley Wine Study, which ultimately is what led the Proposed Ordinance before the Council at this time.

Winery Industry –

The Woodinville area currently includes well over 130 wineries, breweries and distilleries, operating in accordance with the laws/regulations, of which 7 are the subject of this Proposed Ordinance. None of the legally operating 130 wineries, breweries and distilleries operating in the Woodinville area have asked for this Proposed Ordinance, spoken out in support of it or, have asked for assistance from the County, by way of this Proposed Ordinance. The fact that no one in the winery industry as a whole, other than the Violators, have come forward to support this Proposed Ordinance, should speak volumes to the Council.

Concerns re Ordinance –

As noted herein, this ordinance is purported to address an issue that simply does not exist. The Proposed Ordinance instead benefits the Violators, to the detriment of both the legally operating businesses as well as the thousands of residents (your constituents) of the County. As the violators pay lower costs, overhead and

fees than legally operating businesses in the area, they have reaped the benefits for years, and continue to do so. Additionally, their operations have and continue to degrade the community in which they operate.

The reasoning put forth by the County for not enforcing its laws/regulations, is the County does not want to put the Violators out of business, which is false. None of the Violators have their primary business located in the areas that are the subject of the complaints against them, instead operating a secondary or even third level tasting facility in these locations. Simply put, none will go out of business by requiring them to comply with the existing laws/regulations that all other such businesses currently comply with. A straightforward filing with the WALCB would provide each one the ability to move their operation a short distance, to an area that is legal to operate in, within a matter of a couple of months.

Additionally, a number of the Violators, having signed the Settlement, have subsequently violated, and continue to violate that very Settlement, as documented by numerous subsequent complaints filed with the County flagging such new and additional violations of the very Settlement the County provided and entered in to with each of the Violators. Despite that, no additional action has been taken against any of those Violators.

It's been noted the County has allocated an additional headcount to serve to enforce its laws/regulations, however, the County currently has enforcement officers, that it has simply chosen not to use for this issue, either when these issues were first flagged years ago or at any point thereafter, for the subsequent violations flagged for the County with numerous subsequently filed complaints. This issue does not require an additional headcount, simply the will and determination to enforce, which the County has chosen not to do against the Violators. Interestingly enough, and to underscore this point, the County has been actively contacting the farmers in the same area during this same time period, to issue violations notices for a variety of issues, which it continues to do to this date. This is being interpreted by the farmers, to be a form of intimidation, discourage them from coming forward to speak out against this issue. It does pose the question, why is the County unable and unwilling to do the same for parties where your constituents have filed complaints requesting enforcement and known violations exist and persist to this day? For the County to state it's not enforcing because of the Settlement is again false, as those Settlements have been null and voided by the continued violations by a number of those Violators. And, more importantly, who is behind the selective tactic of enforcement and intimidation and why? These are red flags that need to be looked into and addressed.

As another significant concern, the Proposed Ordinance would among many other things, allow for development in upland (rural) areas adjacent to the farmlands in the Sammamish Valley. This is the property on the other side of Highway 202 (Woodinville-Redmond Road). Although appearing innocuous from a damage perspective directly to farmlands across the road, any such development would include the addition of structures to the properties, as well as parking areas, whether impervious or not, on the upland (rural) properties. The structures and parking would entail and involve the compacting of the underlying soil, directly leading to run-off, previous being absorbed by those lands, instead shifting that to the farmland downstream from those properties, the protected farmlands. The run-off creates serious problems and issues, both in terms of additional water flowing to the farmlands, making the window of time for planting and cultivation even more restrictive, as well as adding chemicals, pesticides and other waste from vehicles to the farmlands, some of which is being organically farmed. Such organic farming would no longer be possible, thereby destroying those farms. With respect the environmental impact, there has been no reference or record provided or discussed to date to reflect a required SEPA analysis was done and has been utilized with respect to the Proposed Ordinance. Additionally, protection of upland (rural) property is an issue previous addressed and litigated under the GMA. To note, the County was involved in that prior

litigation, which went before the Washington Supreme Court, a case the County lost, that ruling clearly stated, the protection of the farmlands is an absolute mandate, of which the buffer lands (rural/upland) properties are a part of the GMA, in providing that mandated protection. This Proposed Ordinance will violate the previous Supreme Court ruling and, will expose the County to litigation.

Need for Ordinance –

As previously reflected herein, there has been no request by the wine industry, the group purported to be the beneficiaries of this Proposed Ordinance, to create this Proposed Ordinance. There are certainly issues in the Sammamish Valley that require addressing, however, this Proposed Ordinance does not touch on those issues.

What this Proposed Ordinance does in fact do, is loosen existing protections, to the benefit of the Violators and the detriment of the legally operating businesses, as well as the thousands of residents living in the communities around the area, our environment and community as a whole.

This Proposed Ordinance is flawed on multiple levels and, it would be irresponsible for the Council to vote to move this Proposed Ordinance forward, if voted on and passed, will certainly lead to costly litigation that will require each of your thousands of constituents to cover many tens, if not hundreds of thousands of dollars in legal costs in defending something that has previously been litigated by the County and lost. Should the Council vote to support this Proposed Ordinance, the damage cannot be undone and the fallout from this, for the Council, will last for many years, if not decades to come and have a huge negative impact to all of the County's current and future residents.

As a supporter of the organization Friends of the Sammamish Valley ("FoSV"), backed by many hundreds of residents, organizations, wineries and businesses throughout the Sammamish Valley and beyond, I urge you to review FoSV's materials to get a clear picture of the complex issues surrounding the Proposed Ordinance. Thank you for your attention to this critical matter.

Attila Kovacs-Szabo

Dear Chair Lambert and members of the Planning, Rural Service and Environment Committee

My name is Mike Stevens, and I am before you today as the Board President of the Washington Wine Institute testifying on the winery/brewery/distillery ordinance 2018-0241.

The WA Wine Institute is the statewide nonprofit trade association for the Washington wine industry. We have close to 200 members and represent 98% of all wine produced in the state.

The ordinance before you today will impact several of our members, so it's important to WWI that we try to work with you as elected local government leaders and the local winery group that has formed to be the voice for the industry in these discussions.

We have a lot of experience finding solutions in Olympia with our state level lobbying work, and we are here to let you know that we are prepared to be a resource whenever needed.

I am writing you specifically about one provision within the ordinance is that has many of our members very concerned for good reason. This provision is that all wine available for consumers to taste at a winery must be produced onsite.

The Washington Wine Institute and our Executive Director Josh McDonald sent you written comments via email last week detailing why this provision is so harmful if not fixed. Very briefly, a few important reasons include that most of our wine is made in Eastern Washington, and many wineries in King County have a portion of their wine made at a location that is not their main winery facility. This practice of having wine made at a separate facility is very common in our industry and used for many reasons including space constraints and accessibility to our vineyards. Wine is very much an agricultural product; what is often times not fully understood is the diversity of ways our industry functions when it comes to the process of vine-to-bottle.

We respectfully ask that you remove this language in the current ordinance or modify to allow for a winery's wine made both onsite AND offsite be allowed to be poured and tasted in the winery.

Wineries throughout King County are positive, community-based businesses that bring value and life to where they are located. We are very proud of that fact, and we believe that King County elected officials also feel this way. We appreciate your willingness over the past several years to work with our industry towards a set of regulations on unincorporated King County that works for impacted wineries and the county. Please continue this collaboration and help us by removing this provision of the ordinance prior to passage out of committee.

Thank you for your time and attention.

Kind Regards

Mike Stevens
Board President
Washington Wine Institute





birding
conservation
education

December 3, 2018

King County Executive Council
401 Fifth Avenue
Suite 800
Seattle, WA 98104

Re: King County Ordinance #2018-0241

Ladies and Gentlemen:

Because of the impact to wildlife habitat, Eastside Audubon (EAS) strongly opposes policy changes that will allow urban-like activities including - wine tasting events - in the rural areas. EAS supports current regulations that allow wine tasting as an ancillary activity to wine production. But wine tasting as a stand-alone activity - along with other large receptions - have no connection to agricultural activities, are urban in nature and should not be allowed in the rural areas.

EAS has historically supported urban development and urban activities inside the Urban Growth Area, and have long supported the protection of rural lands and resource lands that have been protected farmlands. Rural lands have become refuge for birds and wildlife. I point to the results of our field survey done in the Woodinville area of the Sammamish River Valley from December 2016 to November 2017 in which 100 bird species were observed (see attached summary).

Wine tasting and large receptions can take place in any urban setting where infrastructure already exists. These types of activities have no connection to rural or agricultural lands. These activities impact the rural areas with concentrations of people, cars and traffic and are best suited elsewhere. Please vote to keep and enforce existing regulations.

Sincerely,

Tim McGruder
Conservation Chair

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eastsideaudubon.org



Summary

Valued Rural Area Breweries in Unincorporated King County

Collaboration between Four Horsemen Brewery and Lumber House Brewery

This all began when the county started interpreting zoning codes to not allow Home Occupation and Home Industries within RA zoned Properties. It has destroyed many businesses and forced many to close who will not be at this Council Meeting today. We first received violation notices because of unverified complaints or complaints that were over exaggerated. Taking necessary steps to becoming compliant, we were told home occupations were not allowed to make beer or have tasting areas. We tried to explain how we are allowed to have a brewery since the Home Occupation code states that it is allowed if production is on-site. DPER said it is not allowed and we did not agree. We were labeled as Illegal when DPER stood behind its interpretation. A year later after collaborating with others who were affected, we got an official statement in written format that we could then appeal to the hearings examiner. We tried for a year to explain to DPER how they were misinterpreting the code and offered to help explain. Now the Hearing Examiner has explained it for us with an official report. We explained our case using common sense and definitions used by state law and the federal government. Without any legal consult or attorney, we proved Tasting is allowed as a home based business. DPER had been blocking us from being compliant, when all we needed to do was file for a simple change of use permit for an already built construction (ABC) building permit. Now they must allow acceptance of our permits. We did not fold even though the county tried to break us. We did not give up when we were told we were Illegal. We are dedicated to our craft!

We have compiled a list of documents so you can see how we should be valued and encouraged to exist. We are family friendly craft brewing businesses. We should be encouraged to exist without such crazy restrictions based on false testimony backed by misinformed groups.

We ask that you help make the codes better, not crippling. The rural area can't afford any more restrictions regarding sales. We need tax dollars to fund our roads and eventually fund more local services, like busses. Please consider adopting the following requests;

1. Take the time to make the best changes possible with this ordinance. We need to do it right the first time, with intentions of improving our rural economy and Washington State agriculture. We use our spent grains as chicken feed, and when we have alot we have a list of farmers to contact so they can pick it up (for free) and feed their animals. They are very thankful we look after them.
2. Design Home Occupations and Home Industries so we can be successful, now, and in the future. (Let our community be able to be employed in the rural area instead of commuting 1.5 hours downtown)
3. Don't restrict on-site parking for customers (Parking is already limited from the amount of impervious surface allowed per parcel in RA Zones).

4. Allow businesses to exist without requiring such burdensome requirements for access to larger arterials. (This is the rural area. We kind of like our gravel driveways without asphalt)
5. Don't base minimum parcel size on old codes. Look at our proposed ordinance and consider changing minimum lot sizes for manufacturing in conjunction with tasting rooms. (reference Brewers Association: *BEER BRINGS PEOPLE TOGETHER: BUILDING A COMMUNITY LOCALLY AND NATIONALLY*).
6. Don't require a CUP for anything below a Facility III. The cost of a CUP is a crazy expensive process (\$150,000+). Consider our ordinance to not grouping all manufacturing types together since they all have different necessities to be successful businesses. A one size fits all mentality only works with comfy house slippers.
7. A study done in a valley that has a 139 acre APD should not speak for all of the 1,072,461 acres left in the unincorporated area of King County.
8. Allow the TUP process to continue like it is intended. It already gives neighbors the opportunity to voice their opinions when an application for one is submitted to DPER. Neighbors must be sent notice of a TUP application and it is required that at least 20 surrounding neighbors be notified. This is plenty of opportunity to speak up with any concerns.
9. Use studies to overcome unverified claims. In section A10, a sheriff of San Diego did a study and found that manufacturing breweries and wineries lower crime rate. The family friendly environment deters undesirable customers while also establishing a norm for behavior within the community. There will be more studies we could supply after we attend the Craft Brewers Conference in April 2019.
10. Please take time to read through our documents. We spent a lot of time on this in an effort to show how much we care about our Communities, Washington State Farmers, Families, Rural Areas, and improving the county as a whole.

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October 3, 2018

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**

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REPORT AND DECISION

SUBJECT: Department of Permitting and Environmental Review file no. **PREA170313**

FOUR HORSEMEN BREWERY

Preliminary Determination Appeal

Location: 30221 148th Avenue SE, Kent

Appellants: **Donna Hinds-Scarimbolo, Dane Scarimbolo, and Dominique and Justin Torgerson**
30221 148th Avenue SE
Kent, WA 98042
Telephone: (253) 332-2829
Email: dane_scarimbolo@hotmail.com

King County: Department of Permitting and Environmental Review
represented by **Jake Tracy**
35030 SE Douglas Street Suite 210
Snoqualmie, WA 98065
Telephone: (206) 263-0875
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SUMMARY OF RECOMMENDATIONS/DECISION:

Department's Preliminary Recommendation:	Deny appeal
Department's Final Recommendation:	Deny appeal
Examiner's Decision:	Grant appeal in part; deny appeal in part

EXAMINER PROCEEDINGS:

Hearing Opened:	September 6, 2018
Hearing Closed:	September 19, 2018

Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the Hearing Examiner’s Office.

After hearing the witnesses’ testimony and observing their demeanor, studying the exhibits admitted into evidence, and considering the parties’ arguments and the relevant law, the examiner hereby makes the following findings, conclusions, and decision.

FINDINGS AND CONCLUSIONS:

Overview

1. The operators of the Four Horsemen Brewery (Appellants) challenge a preliminary determination by the Department of Permitting and Environmental Review (DPER) that no tasting areas—no matter how limited in scope—are allowed in connection with a home occupation brewery. Although DPER is correct that the tasting area Appellants sought to operate exceeded the limited-scale uses allowed for a home occupation, DPER is incorrect that current law categorically prohibits all such home occupation tasting areas. Accordingly we grant, in part, Appellants’ petition.

Background

2. Appellants, the four brewery operators, live in the residence on the subject property. They installed a brewery and tasting areas without the necessary permits. Code Enforcement received a complaint and began administrative proceedings. In response, Appellants began the permitting process. DPER informed them that while their brewery operations were likely legalizeable through the permit process, on-site home occupation tasting areas were prohibited, county-wide.
3. When, at or after a pre-application conference, DPER issues a preliminary determination that a proposed development is not permissible, an applicant has the option to appeal that determination to us. KCC 20.20.030.D. Appellants filed a timely challenge, and we went to hearing on September 6. We announced at the close of that hearing that we would hold the record open until September 19, to allow the parties to submit additional argument. With the record now closed, we turn to our analysis.

Analysis

4. The distinction between the way courts treat “facial” challenges versus “as-applied” challenges provides a useful framework for our analysis. Because DPER has adopted a blanket (facial) position “that it is not possible to condition a tasting room to be a limited use, subordinate and incidental to a residence,” Ex. A16 at 002, we must reject DPER’s position “unless there exists no set of circumstances in which” a tasting area can meet the home occupation standards. *Cf. Tunstall ex rel. Tunstall v. Bergeson*, 141 Wn.2d 201, 221, 5 P.3d 691 (2000). This also means that we devote less space to making detailed factual findings than we would if, for example, DPER had determined that while tasting areas were generally amenable to home occupation status, *specific* attributes of Appellants’ operations went too far.

5. The current zoning code allows commercial breweries—along with any state-allowed tasting area for products produced on site—on Rural Area (RA) zoned properties. KCC 21A.08.080.B.3.g. However, such activities are only allowed on parcels of at least 4.5 acres. *Id.* at c. Appellants' property is approximately half the required size.
6. Home occupations and home industries do offer a “catch all” avenue for legalization. Certain uses, prohibited as the primary use of a residential property, may nonetheless be conducted by a resident(s) if certain criteria are met. DPER agrees that a brewery itself, if sufficiently limited, is amenable to home occupation treatment. Our question is whether DPER is correct that no tasting areas, no matter how limited, can be allowed as part of a home occupation brewery.
7. We render our decision in the shadow of pending code changes that would overhaul the standards for adult beverage businesses (including both breweries and tasting areas) and would exclude breweries and tasting areas from being eligible for home occupation status. Prop. Ord. 2018-0241. Yet a proposal is not a law, we decide cases based on the actual law, not on the law as it may become.
8. We start with the low-hanging fruit, before turning to the more involved analysis.
9. Appellants make multiple references to the comprehensive plan (Comp Plan). A county's comprehensive plan is a “guide” and “blueprint”; it is typically not appropriate for making specific land use decisions. *Citizens for Mount Vernon v. City of Mount Vernon*, 133 Wn.2d 861, 873–74, 947 P.2d 1208 (1997). The Comp Plan would be relevant in our consideration of a home *industry*, because a home industry here would require a conditional use permit, and the code controlling the conditional use analysis explicitly requires inquiry into whether a proposed use conflicts with the Comp Plan. KCC 21A.44.040.G. But today's case is about whether a tasting room is permissible as a home *occupation* under the current wording of KCC 21A.30.085, which does not incorporate any Comp Plan component. The Comp Plan may provide fodder for how Appellants' lobby Council to shape the proposed ordinance, but it does not impact our decision.¹
10. Appellants next assert that they should be allowed a tasting room because the Washington State Liquor and Cannabis Board (Board) permits this without requiring an additional tasting room or retail license (on top of a brewery license), and so Appellants should be allowed to exercise these state-granted “privileges.” WAC 314-20-015(1) (“A licensed brewer may sell: (a) Beer of its own production at retail on the brewery premises”); Ex. A16-002. That the Board may authorize something as a matter of state *licensing* law does not mean that the County allows (or has to allow) it as a matter of local *zoning* law.

¹ Even if the Comp Plan were relevant, Appellants' citation to ED-602.g would be unavailing. That subsection states that the County will “explore opportunities to support agricultural tourism and value-added program(s) related to the production of ... specialty beverages (including beer, distilled beverages, and wine) in the county.” The pending ordinance is the result of that exploration, via a King County Sammamish Valley Wine and Beverage Study released in September 2016. Prop. Ord. 208-0241. If Appellants do not like that result, they can lobby for an amendment to the legislation. But ED-602.g did not promise any specific result, only an exploration.

11. In the words of our most recent appellate decision interpreting the analogous question of whether a county must sanction marijuana businesses the Board accepts, “the fact that an activity can be licensed under state law does not mean that the activity must be allowed under local law.” *Emerald Enterprises, LLC v. Clark County*, 2 Wn. App. 2d 794, 805, 413 P.3d 92 (2018). The Board’s powers are “distinct from the County’s zoning authority,” and a Board license is “an additional requirement for opening a new business.” *Id.* at 817, 806. We assume, for purposes of our discussion, that the Board would license any of the alternatives in today’s discussion. Our question is what KCC Title 21A allows.
12. DPER argues that, if we decide that a tasting area can be allowed, DPER should have the discretion to decide whether that proposal should fit under the home occupation or home industry rubric. Ex. A16 at 004. DPER can *suggest* an appropriate avenue for legalizing something, and often DPER helpfully does just that. But where a party applies for X, DPER (and we) must analyze X. A home industry might be a viable alternative, if we decide that tasting cannot occur—in any form—in conjunction with a home occupation brewery. But DPER (and we) have to analyze the question actually asked. And here that involves a proposal for a brewery/tasting area as a home occupation, not as a home industry.
13. Our final preliminary point recognizes that DPER has been consistent in interpreting the code as barring tasting areas as a component of a home occupation brewery; its position here is not one crafted for an adversarial proceeding. Ex. D5. That would be important if we were determining whether (and how much) to grant DPER deference, given that courts accord more weight to agency interpretations that are consistent with that agency’s prior administrative practice. *Skamania County v. Columbia River Gorge Com’n*, 144 Wn.2d 30, 43, 26 P.3d 241 (2001). But it is the examiner, not the agency, who gets any deference in today’s case. *Durland v. San Juan County*, 174 Wn. App. 1, 11, 298 P.3d 757 (2012). Our rules reflect this: barring some special directive to the contrary, the examiner does not grant substantial weight or otherwise accord deference to agency determinations. Exam. R. XV.F.3.
14. Turning to the crux of the matter, DPER initially argues that—in addition to the specific, occupational requirements of KCC 21A.30.085—a would-be home occupier also has to meet the limitations coming directly from KCC chapter 21A.06’s definitions, including “a limited-scale service or fabrication activity...subordinate to the primary use of the site as a residence” and being “[c]ustomarily associated with a principal use” and “[s]ubordinate and incidental to the principal use.” KCC 21A.06.610, .013.
15. However, then DPER essentially reverses course and asserts that these definitional limits are actually no limits at all, and that if we allow any type of tasting area, all hell would break loose. *E.g.*, Ex. D1 at 005 (asserting that nothing would “prevent four fifteen-person conversion vans from arriving on site each hour, on the hour...and would not prevent the owners from using shuttle buses to ferry large groups of customers to the site”). Appellants unwittingly support DPER’s argument, alleging that without a precise definition DPER is barred from establishing guidelines for what can be considered subordinate or limited-scale. Ex. A16 at 001. This adds fuel to DPER’s claim that if we overturn its blanket interpretation that a tasting area is never allowed as a home

- occupation, DPER can set no limits, Exhibit A16-001, and the sky (truly) would be falling.
16. The answer is that DPER's first point is correct, rendering the second point moot.
 17. We were initially skeptical that a general definition would add any limitations on top of those specifically enumerated in the operative section, KCC 21A.30.085. That is, as long as one meets KCC 21A.30.085's checklist, anything that does not violate one of those specific restrictions is legal. Yet after more contemplation, we agree with DPER that KCC chapter 21A.06 adds operative restrictions. Because KCC 21A.30.085 starts off (underscore added) by noting that residents "may conduct one or more home occupations as accessory activities, under the following provisions," the limitations included in the definitions of "home occupation" and "accessory activity" are explicitly incorporated into .085.
 18. The statutory interpretation principle that a "general statutory provision normally yields to a more specific statutory provision," *Western Plaza, LLC v. Tison*, 184 Wn.2d 702, 712, 364 P.3d 76 (2015), still applies. So, for example, in answering the question of how many employees could work in the business or how long operating hours can be, and still qualify as "limited-scale" and "accessory" to a residential use, we would look solely to KCC 21A.30.085's detailed answers, and not to KCC 21A.06.013's and .610's general principles. But the definitions remain functional.
 19. Turning to those definitions, DPER argues that Appellants' tasting area would be a "sales-based" business and thus not allowed, given KCC 21A.06.610's definition of home occupations as limited-scale service or fabrication activities. Ex. D1 at 004. DPER's argument is accurate for home occupations in the Urban Residential (R) and Urban Reserve (UR) zones, where sales are limited to mail order, electronic, and sales to patrons who receive services onsite. KCC 21A.30.080.G. However the code applicable to Rural Area (RA) home occupations explicitly adds to this list sales of "[i]tems grown, produced or fabricated on-site." KCC 21A.30.080.K. That specific allowance trumps the general prohibition. Appellants produce their beer on their RA-zoned site, and provided they sell only what they produce on site, this particular component creates no prohibition.
 20. Whether Appellants' specific activities actually qualify as "limited-scale" is discussed below. But DPER argues that that there are certain activities that simply cannot be considered "limited-scale," even if an applicant could demonstrate compliance with all the requirements of KCC 21A.30.085. That is correct, insofar as subsection J lists several uses the Council has determined "by the nature of their operation or investment, tend to increase beyond the limits permitted for home occupations" and therefore "shall not be permitted as home occupations." On that list are lodgings, dry cleaning, and certain automotive services, automotive wrecking services and tow-in parking lots. Most recently, the Council added marijuana-related businesses to the list. Ord. 17710 at § 11 (2013). The Council appears poised to do this again for breweries/tasting rooms in the proposed ordinance 2018-0241.

21. DPER offers sound arguments for why, by the nature of its operations, a tasting room tends to increase beyond the limits permitted for home occupations and therefore *should* be prohibited from being part of a home occupation. Given the current legislation, Council might go there. But neither DPER nor we have the authority to constructively amend KCC 21A.30.085.J and insert alcohol-related businesses after marijuana-related businesses on the list of prohibited home occupations. We do not get to “add words where the legislature has chosen not to include them.” *Nelson v. Department of Labor & Industries*, 198 Wn. App. 101, 110, 392 P.3d 1138 (2017).
22. In addition to the massive-scale crowds DPER claims could follow our unfavorable decision, DPER argues that while commercial breweries are limited to a combined brewery/tasting area of 3,500 square feet, nothing would prevent Appellants from constructing over 3,500 square feet of brewery/tasting in connection to a home occupation business. Ex. D1 at 006. However, a square footage that exceeded (or even approached) the maximum square footage of a full-scale (as the primary use of a property) would not qualify as a “limited-scale” endeavor (as an accessory use of a residential property).
23. As discussed above, either the KCC 21A.06.013 and .610 definitions act as an actual check, or they do not. If they do not, then Appellants can do whatever they want so long as they meet all the enumerated parts of KCC 21A.30.085. Because we conclude that these definitions are operative, they are checks on the extreme examples DPER presents. And to the extent DPER has experience that such checks are insufficient for keeping particular subcategories of home occupations from expanding inappropriately or creating undue neighborhood controversy, it should (as it is done here) propose adding these to KCC 21A.30.085.J’s and .080.E’s lists of uses ineligible for home occupation treatment.
24. In addition to the “limited-scale” check from KCC 21A.06.610 discussed above, .013.C requires that an accessory use be “subordinate and incidental to the principal use.” A large-scale tasting area would not be subordinate (having a lower or less important position) and incidental (accompanying but not a major part of) to the principal use of the property as a residence. In general, the examples DPER presents for how large Appellants’ business could grow sound less like a commercial use subordinate and incidental to a residential use, and more like a primary commercial use with some subordinate and incidental on-site housing for employees. That the latter would be disallowed does not mean that no tasting area could be permissible.²
25. DPER argues that because fully-outdoor tasting operations would not necessarily require a permit from DPER, DPER would not necessarily have any mechanism to ensure that businesses are subordinate and incidental to the primary residential use. Ex. A16 at 004. The same could be said for a whole host of home occupations, beyond adult beverages,

² DPER points to KCC 21A.06.013.A’s requirement that an accessory use be “[c]ustomarily associated with a principal use.” DPER is correct that allowing customers to purchase and consume beverages on site is not customarily associated with a residence. But neither is brewing beer for sale on site, a use DPER agrees can (if property limited) qualify as a legal home occupation. We can think of a host of other home occupation businesses that are not “customarily associated” with a residential use. This general requirement would, if broadly interpreted, completely swamp KCC 21A.30.080 and .085.

that are not on KCC 21A.30.080.E's and 085.J's prohibited lists. More importantly, the Code Enforcement program is DPER's existing mechanism for ensuring that, even where a permit is not required, a use does not violate the code's limits. In fact, DPER actually has an open (but stayed) enforcement case on the subject property.

26. That does not mean that the already over-stretched Code Enforcement program provides an ideal review mechanism going forward. Proposed ordinance 2018-0241 provides regulatory and licensing for small-scale and very small-scale production facilities—including extensive provisions regarding tasting areas. Without offering any commentary on those *specific* provisions, it makes sense to handle small/limited-scale adult beverage operations via some system of reviewable permits and licenses, instead of relying on a catch-all provision for limited-scale uses often reviewable only after neighborhood tensions boil over to the point a complaint is lodged. Yet that does not give us the leeway to interpret the current code to have already accomplished this. Instead, our role is to interpret the codes “as they are written, and not as we would like them to be written.” *Brown v. State*, 155 Wn.2d 254, 268, 119 P.3d 341 (2005) (citations omitted).
27. DPER is correct that Appellants' initial tasting room plans went far beyond a limited-scale service activity subordinate to the primary use of the site as a residence, and also violated some specific prohibitions, such as KCC 21A.30.085.I's hours of operations. Appellants advertised that their location would be “great for big gatherings” and “could fit over 80 vehicles.” Ex. D7. That is way beyond a limited-scale home occupation. Viewing the aerial map with significant outdoor seating, DPER analogizing Appellants' past operational capacity to a “beer garden” seems accurate. Ex. D4. Even under Appellants' somewhat scaled-back scenario, they testified that they still have seating for 28 patrons at any given time. This would far exceed the number of customers one would expect from the four allowable, additional vehicles referenced in KCC 21A.30.085.H.3.³ Appellants did not challenge DPER's assertion that the square footage Appellants devoted to tasting and customer parking combined are larger than the house itself.⁴
28. But that is not our basic question. Instead, we are reviewing DPER's determination that tasting rooms adjacent to a home occupation brewery are simply not allowed as home occupations, *period*, essentially adding tasting areas to KCC 21A.30.085.J's list of uses prohibited from achieving home occupation status. As noted above, we must reject DPER's position unless there are no set of circumstances in which a tasting area can meet the home occupation standards. We can certainly envision such circumstances—a home occupation brewery with capacity for only a few carloads of customers to come, purchase and consume samples, and then purchase growlers to take off-site—that could meet this. To this extent, we grant Appellants' challenge.

³ Even assuming that vehicles bringing customers to the site would have more than the American average of 1.2 to 1.3 people-per-vehicle, <http://overflow.solutions/demographic-data/how-many-people-are-there-per-automobile-in-the-us/>, accommodations for 28 customers anticipates far more than four additional vehicles on site at any one time.

⁴ Although there was no testimony on how much total outdoor area was devoted to the business, a quick eyeball of the maps appears to show this in excess of the 998 square feet allowed for a property of the subject parcel's size. KCC 21A.30.085.C.2.

29. We deny Appellants’ challenge in that they will need to significantly scale back. Looking forward, DPER raises some good points, such as how Appellants—situated in proximity to Pacific Raceways—can structure operations so that they do not increase the average vehicular traffic by more than four additional vehicles at any given time. KCC 21A.30.085.H.3. But those are “as-applied” issues specific to Appellants’ actual operations, reviewable through either the building permit or Code Enforcement review processes, and ultimately via an appeal to the Examiner. They do not create a “facial” bar to every home occupation tasting area in King County.
30. Finally, a word about vested rights. DPER states that because its *interpretation* of the code (as creating a blanket bar to tasting areas as home occupations) was in place prior to Appellants’ operations starting up, Appellants are not vested. Ex. A16 at 001. Vesting relates to the right to have a proposal processed under “regulations” in effect at the time an application is submitted. *See Snohomish County v. Pollution Control Hearings Board*, 187 Wn. 2d 346, 358, 386 P.3d 1064 (2016). While our code is more generous (to developers) than state law in terms of what applications are covered by the doctrine, our local vesting statute still pegs the analysis to the “land use control ordinances.” KCC 20.20.070.A. An agency interpretation of an ordinance, even if correct, is not an actual ordinance. In any event, DPER’s interpretation (that KCC 21A.30.085 bars every on-site tasting area for products brewed on site) is incorrect.
31. In our prehearing order, we referenced the pending code change that would make a brewery/tasting room like Appellants’ illegal. We observed that it would waste everyone’s time for Appellants to rush submit a second application for DPER to review and (given its consistent legal position) deny, for Appellants to file a second appeal, and for us to start processing a second appeal, solely to protect against the scenario that in between then and the time we issued today’s decision, the code would change. We noted that we would consider Appellants’ tasting room “vested” to today’s code, if we require them to re-apply.
32. The code still has not changed, so there is no need to look backwards. Quite apart from whether a tasting area is allowed, we were slightly surprised to see that the plans did not seem to include any reference to a tasting area, such as where on the site map such tasting would occur.⁵ That could be problematic for Appellants. Vesting does not apply to “potential, but unexpressed, use[s] the owner desires.” *Alliance Inv. Group of Ellensburg, LLC v. City of Ellensburg*, 189 Wn. App. 763, 772, 358 P.3d 1227 (2015) (*interpreting Noble Manor Co. v. Pierce County*, 133 Wn.2d 269, 943 P.2d 1378 (1997)). To be protected, Appellants should lay out a specific tasting area(s) in their next submittal.
33. As to that next submittal, both DPER’s and Appellants’ post-hearing briefs discuss what type of occupancy (B versus F) applies. DPER acknowledged an earlier mistake. Ex. A16-003. Appellants seem to treat DPER’s initial categorization as binding. Ex. A16-003. That would likely be true if DPER had issued an actual permit and later (after the appeal window closed) tried to rescind that permit. *Cf. Chelan County v. Nykerezim*, 146 Wn.2d 904,

⁵ We understood Appellants’ contention that their state license entitled them to have a tasting room as part of brewery operations, but we did not understand that tasting areas would not even be shown on a site map (the same way, for example, that something like a driveway would).

926, 932, 52 P.3d 1 (2002). *Contra City of Mercer Island v. Steinmann*, 9 Wn. App. 479, 481-83, 513 P.2d 80 (1973). But that is not our scenario.

34. DPER's argument that it reviews a tasting area (where the public gathers) under different standards than a manufacturing area makes some logical sense, but we do not decide the correct coding. DPER should process the application correctly, consistent with today's decision. And if DPER initially mis-categorized the project, and if it performed work it would not have under the proper categorization, then those hours should be credited to Appellants' account. But a mistake in DPER's initial analysis does not entitle Appellants to have their application continue to be processed incorrectly.
35. If—either during DPER's processing of Appellants' revised application or thereafter—the code changes to outlaw the type of activities Appellants want to conduct, that change would not make Appellants' use illegal, only a legal nonconforming use. On the negative side, legal nonconforming use status comes with some restrictions, such as allowable modifications and expansions. KCC 21A.32.020–.085. On the positive side, Appellants would enjoy decreased competition, as no similarly situated, would-be rival business could subsequently open up. Regardless, a code change would not retroactively outlaw Appellants' operations, so long as Appellants' have resubmitted something showing a limited-scale brewery/tasting area subordinate and incidental to the principal use of the property as a residence and meeting the other requirements of KCC 21A.30.085, prior to the code change becoming effective.

DECISION:

1. Appellants' appeal is DENIED, in the sense that Appellants' tasting room activities exceed that allowed under the home occupancy requirements.
2. Appellants' appeal is GRANTED, in that DPER's interpretation that the current code bars tasting areas for home occupancy breweries, across the board, is incorrect.

ORDERED October 3, 2018.



David Spohr
Hearing Examiner

NOTICE OF RIGHT TO APPEAL

King County Code 20.22.040 directs the Examiner to make the County's final decision for this type of case. This decision shall be final and conclusive unless proceedings for review of the decision are timely and properly commenced in superior court. Appeals are governed by the Land Use Petition Act, Chapter 36.70C RCW.

MINUTES OF THE SEPTEMBER 6, 2018, HEARING IN THE APPEAL OF FOUR HORSEMEN BREWERY, DEPARTMENT OF PERMITTING AND ENVIRONMENTAL REVIEW FILE NO. PREA170313

David Spohr was the Hearing Examiner in this matter. Participating in the hearing were Dane Scarimbolo, Jake Tracy, Dominique Torgerson, and Justin Torgerson.

The following exhibits were offered and entered into the record:

Department-offered exhibits:

- | | |
|-----------------|--|
| Exhibit no. D1 | Department of Permitting and Environmental Review staff report to the Hearing Examiner for file no. PREA170313 |
| Exhibit no. D2 | Pre-application preliminary determination, dated June 1, 2018 |
| Exhibit no. D3 | Notice and statement of appeal, received July 2, 2018 |
| Exhibit no. D4 | Aerial map of subject property |
| Exhibit no. D5 | Excerpts of Washington State Liquor and Cannabis Board notice of liquor license applications |
| Exhibit no. D6 | “Four Horsemen Brewery Opens This Weekend” article from Washington Beer Blog, dated August 5, 2016 |
| Exhibit no. D7 | Four Horsemen website |
| Exhibit no. D8 | DPER file no. PREA170313 |
| Exhibit no. D9 | Washington Administrative Code 314-20-015 |
| Exhibit no. D10 | Email from Howard Esping to Sara Smith, dated June 11, 2018 |

Appellant-offered exhibits:

- | | |
|-----------------|---|
| Exhibit no. A1 | Washington State Liquor Control Board notice of liquor license application, dated February 19, 2014; |
| Exhibit no. A2 | Letter from Washington State Liquor and Cannabis Board, dated November 6, 2017; and
Internal DPER emails, dated November 7, 2017 |
| Exhibit no. A3 | Email correspondence between Dominique Torgerson and DPER |
| Exhibit no. A4 | King County Codes |
| Exhibit no. A5 | Revised Codes of Washington |
| Exhibit no. A6 | Traffic counts from 2013 through 2017 |
| Exhibit no. A7 | “100% Made in Washington” article by Larry Clark in Washington State Magazine, dated Fall 2017 |
| Exhibit no. A8 | King County Comprehensive Plan 2017; Occupational Safety and Health Administrative 5813 |
| Exhibit no. A9 | Code enforcement case no. ENFR170930 record details |
| Exhibit no. A10 | Schedule of standard building construction values, dated February 6, 2018 |
| Exhibit no. A11 | Permit no. ADDC180462 summary of charges, dated June 29, 2018 |
| Exhibit no. A12 | KCC 27.10.020 and KCC 27.10.320 |
| Exhibit no. A13 | Discussion of King County Comprehensive Plan |
| Exhibit no. A14 | WAC 314-02-035; RCW 66.40.010, RCW 66.40.020, RCW 66.40.030, RCW 66.40.040, RCW 66.40.100, RCW 66.08.200 |
| Exhibit no. A15 | Appellants’ rebuttal to DPER staff report |

The following exhibit was offered and entered into the record on September 13, 2018:

Department-offered exhibit:

Exhibit no. D11 DPER's response to Appellant's rebuttal

The following exhibit was offered and entered into the record on September 17, 2018:

Appellant-offered exhibit:

Exhibit no. A16 Appellants' reply to DPER's response

DS/ld

October 3, 2018

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**
King County Courthouse
516 Third Avenue Room 1200
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CERTIFICATE OF SERVICE

SUBJECT: Department of Permitting and Environmental Review file no. **PREA170313**

FOUR HORSEMEN BREWERY
Preliminary Determination Appeal

I, Vonetta Mangaoang, certify under penalty of perjury under the laws of the State of Washington that I transmitted the **REPORT AND DECISION** to those listed on the attached page as follows:

- EMAILED to all County staff listed as parties/interested persons and parties with e-mail addresses on record.
- placed with the United States Postal Service, with sufficient postage, as FIRST CLASS MAIL in an envelope addressed to the non-County employee parties/interested persons to addresses on record.

DATED October 3, 2018.

Vonetta Mangaoang

Vonetta Mangaoang
Senior Administrator

**King County Comprehensive Plan
Executive Recommended
Sammamish Agricultural Production District Subarea Plan**

**Department of Development and Environmental Services
September 6, 2005**

Summary

The Central Puget Sound Growth Management Hearings Board has ordered King County to take legislative action to bring the Sammamish Valley Agricultural Production District into compliance with the requirements of the Growth Management Act. Specifically, the Hearings Board ruled that the Growth Management Act prohibits property within the Agricultural Production District (APD) from being designated as both an “agricultural resource area” and as “rural residential.” This decision involves approximately 129 acres designated “rural” within the Sammamish Valley Agricultural Production District. The Hearings Board directed King County to correct the improper “dual designation” by November 10, 2005.

The complete Hearings Board decision can be read at this Web site:

<http://www.gmhb.wa.gov/central/decisions/2005/04324KeeslingFDO20050531.pdf>

In response to this ruling, King County is considering two alternatives described in detail later in this report: (1) to remove rural land developed with non-agricultural structures from the APD, or (2) to redesignate rural land in the APD to agriculture. The scope of this effort is limited to - those properties directly affected by the Hearings Board ruling: the 129 acres within the Sammamish Valley APD with the “dual designation” of Agriculture and Rural Residential.

Applicable King County Comprehensive Plan Text and Policies:

Agricultural lands and farming provide many benefits to the citizens of King County including scenic open space, a connection to our cultural heritage, fresh local foods, and a diverse economy. To meet the Growth Management Act requirement to maintain and enhance agriculture, a variety of methods and programs continue to be necessary. King County Comprehensive Plan policies call for King County to:

- Protect productive farmland by designation and zoning
- Limit development to uses that are necessary to support commercial agriculture
- Prevent or minimize land use conflicts between farming operations and adjacent land uses;

- Allow necessary infrastructure (markets, water, affordable housing, supply stores, technical services, tax incentives) that supports commercial agriculture; and
- Encourage farming practices that conserve soils and protect water quality, fisheries and wildlife.

The specific King County Comprehensive Planning Policies at issue are:

- R-536** Agricultural Production Districts are blocks of contiguous farmlands where agriculture is supported through the protection of agricultural soils and related support services and activities. Roads and natural features are appropriate boundaries for Agricultural Production Districts to reduce the possibility of conflicts with adjacent land uses.
- R- 538** All parcels within the boundaries of an APD should be zoned Agricultural, either A-10 or A-35. If small parcels in the APD are not zoned for Agriculture, permitted nonresidential uses must not conflict with agricultural uses in the APD.
- R-544** King County commits to preserve Agricultural Production District parcels in or near the Urban Growth Area because of their high production capabilities, their proximity to markets, and their value as open space.
- R-548** Lands can be removed from the Agricultural Production Districts only when it can be demonstrated that:
- a. Removal of the land will not diminish the productivity of prime agricultural soils or the effectiveness of farming within the local APD boundaries; and
 - b. The land is determined to be no longer suitable for agricultural purposes.

In addition to meeting these two tests, removal of the land from the APD may only occur if it is mitigated through the addition of agricultural land abutting the same APD of equal acreage and of equal or greater soils and agriculture value.

Alternatives Considered:

Alternative One – Remove Land Developed With Non-Agricultural Uses from the APD

This alternative eliminates the “dual designation” (land within the APD that has been designated Rural and zoned RA-2.5, RA-5, or RA-10) by removing from the APD land designated Rural that has been developed with permanent non-agricultural structures. Land removed from the APD would retain the existing rural land use designation and zoning.

Land not developed with permanent, non-agricultural structures would remain within the APD. To comply with the Growth Management Hearings Board ruling, land remaining in the APD would also be redesignated from Rural to Agricultural and rezoned from RA-2.5, RA-5, or RA-10 to A-10. Please see the attached maps to see how this alternative would affect specific parcels within the APD.

This option requires two King County Comprehensive Plan policies – R-538 and R-548 – be amended. A proposed new policy – R-548a (below) – is necessary. The reference in policy R-

538 to “parcels not zoned for agriculture” is the policy rejected by the Hearings Board and must be deleted.

R- 538 All parcels within the boundaries of an APD shall be zoned Agricultural, either A-10 or A-35. ~~If small parcels in the APD are not zoned for Agriculture, permitted nonresidential uses must not conflict with agricultural uses in the APD.~~

R-548 Lands can be removed from the Agricultural Production Districts, except as provided in Policy 548a, only when it can be demonstrated that:

- Removal of the land will not diminish the productivity of prime agricultural soils or the effectiveness of farming within the local APD boundaries; and
- The land is determined to be no longer suitable for agricultural purposes.

In addition to meeting these two tests, removal of the land from the APD may only occur if it is mitigated through the addition of agricultural land abutting the same APD of equal acreage and of equal or greater soils and agriculture value.

R-548a Land that is zoned rural and has permanent non-agricultural structures can be removed from the Sammamish Agricultural Production District only when a subarea plan demonstrates that removal of the land will not diminish the productivity of prime agricultural soils or the effectiveness of farming within the APD. Land to be removed from the APD shall retain rural zoning and shall not be rezoned to urban zoning. The removal of land zoned rural from the Sammamish APD shall not be contingent on the addition of land to the APD.

Alternative Two – Designate All Land Within the APD as Agriculture

This alternative eliminates the “dual designation” (land within the APD that has been designated Rural and zoned RA-2.5, RA-5, or RA-10) by designating all of the approximately 129 acres of Rural land within the APD as Agriculture, and rezoning this land A-10.

This option requires King County Comprehensive Plan policy R-548 to be amended. The reference in this policy to “parcels in the APD not zoned for agriculture” is the policy rejected by the Hearings Board and must be deleted. Therefore this reference would be deleted and replaced with new language that acknowledges that there are existing non-agricultural uses in the APD that will continue as nonconforming uses. Please see the attached maps to see how this alternative would affect specific parcels within the APD.

R- 538 All parcels within the boundaries of an APD shall be zoned Agricultural, either A-10 or A-35. ~~If small parcels in the APD are not zoned for Agriculture, permitted nonresidential uses must not conflict with agricultural uses in the APD.~~ Existing non-agricultural land uses within an APD are considered nonconforming uses as defined by KCC 21A.06.800.

Public Meeting:

A public meeting was conducted at the Redmond Regional Library on Wednesday, July 27, 2005. About 300 notices for this meeting were sent to property owners within the APD, property owners within 500 feet of parcels that may be redesignated in either of the alternatives considered, nearby cities, the Agriculture Commission, Friends of the Woodinville Farmers Market, and the Hollywood Hills Homeowners Association. About 35 people attended this meeting and most of the attendees voiced their opinions about the alternatives under consideration. A transcript of this meeting will be transmitted to the King County Council with this report and recommendation.

Agriculture Commission

The Agriculture Commission considered this issue at their August 11, 2005, meeting, which was attended by approximately 12 citizens. The Agriculture Commission decided to support alternative two – designating and zoning all of the land in the APD for agriculture - by a vote of four in favor, one opposed, and two abstentions.

Analysis and Conclusions:

Policy R-536 recognizes that roads and natural features are appropriate boundaries for Agricultural Production Districts (APD's) so that conflicts with adjacent properties are reduced. In the Sammamish Valley APD, agricultural uses have existed adjacent to nonagricultural land uses within the APD for many years. The nonagricultural land uses within the APD include a church, Montessori school, athletic club, golf driving range, and other small businesses. These nonagricultural uses are designated Rural on the land use map and have Rural zoning; but they are located within the APD – thus the “dual designation” pointed out by the Growth Management Hearings Board

King County Comprehensive Plan (KCCP) policy R-538 calls for areas within an APD to be zoned for Agricultural use, either A-10 or A-35. However, this policy acknowledges that there may be small parcels located within an APD that are not zoned for Agricultural use, so long as permitted uses on these parcels do not conflict with agriculture. This policy acknowledgement of parcels within the APD that are not designated or zoned for Agriculture is not consistent with the Hearings Board ruling. Therefore Policy R-538 must be amended to comply with the Hearings Board ruling.

As stated above, existing nonagricultural uses have been in place for years within the APD and do not appear to have adversely affected agriculture within the APD.

Several property owners of land in the northeast corner of the APD filed docket requests as part of the 2004 Update of the King County Comprehensive Plan for an Urban designation for land within this APD. Removing land from the APD and granting the requested Urban land use designation would adversely impact agriculture by permitting Urban land uses to become adjacent to APD properties and by bringing pressure to bear on other nearby properties for similar development.

King County Comprehensive Plan Policy R-548 specifies two tests that must be met to remove land from an APD:

- a. Removal of the land will not diminish the productivity of prime agricultural soils or the effectiveness of farming within the local APD boundaries; and
- b. The land is determined to be no longer suitable for agricultural purposes.

This policy also states: “In addition to meeting these two tests, removal of the land from the APD may only occur if it is mitigated through the addition of agricultural land abutting the same APD of equal acreage and of equal or greater soils and agriculture value.”

Removal of land from the Sammamish Valley APD is inconsistent with the requirements of policy R-548. A new policy R-548a and an amendment to policy R-548 would be necessary to authorize removal of land from this APD without replacing the land to be removed from the APD. This removal of land from the APD and retention of the Rural land use designation and zoning designation will not diminish the productivity of prime agricultural soils or the effectiveness of farming within the APD.

Executive Staff Recommendation:

Modify the boundaries of the 1,132 acre Sammamish Valley APD by removing from the APD the Rural designated land that is developed with permanent non-agricultural structures. 33.1 acres of rural land within the APD are developed with permanent nonagricultural structures.

To allow removal of land from the APD without replacement land, Policy R-548 must be amended as follows and a new policy 548a is needed:

- R-548** Lands can be removed from the Agricultural Production Districts, except as provided in Policy 548a, only when it can be demonstrated that:
- a. Removal of the land will not diminish the productivity of prime agricultural soils or the effectiveness of farming within the local APD boundaries; and
 - b. The land is determined to be no longer suitable for agricultural purposes.

In addition to meeting these two tests, removal of the land from the APD may only occur if it is mitigated through the addition of agricultural land abutting the same APD of equal acreage and of equal or greater soils and agriculture value.

- R-548a** Land that is zoned rural and has permanent non-agricultural structures can be removed from the Sammamish Agricultural Production District only when a subarea plan demonstrates that removal of the land will not diminish the productivity of prime agricultural soils or the effectiveness of farming within the APD. Land to be removed from the APD shall retain rural zoning and shall not be rezoned to urban zoning. The removal of land zoned rural from the Sammamish APD shall not be contingent on the addition of land to the APD.

Retain the Rural land use and zoning designations for the parcels removed from the APD. Designate all parcels remaining in the APD Agriculture, and zone them A-10. There are 96 acres

of land out of the 129 acres addressed by this subarea plan that are proposed to remain in the APD and be rezoned from Rural to Agriculture.

To minimize the amount of land removed from the APD, five parcels under the same ownership are proposed for split zoning. This means that consistent with proposed policy R-548a, 22.1 acres of the Dahl ownership are proposed to be removed from the APD and would retain the existing Rural zoning. The remaining 39.6 acres of this ownership are proposed to remain in the APD and be rezoned from Rural to Agriculture.

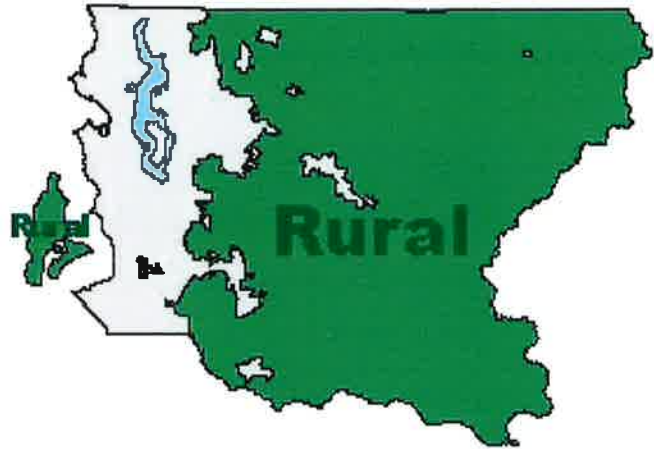
Amend King County Comprehensive Plan Policy R-538 as follows:

R- 538 All parcels within the boundaries of an APD shall be zoned Agricultural, either A-10 or A-35. ~~If small parcels in the APD are not zoned for Agriculture, permitted nonresidential uses must not conflict with agricultural uses in the APD.~~

RURAL

Unincorporated King County

Rural unincorporated King County covers central and eastern King County and Vashon Island – areas outside the Urban Growth Boundary. These areas are designated Rural, Agricultural or Forest Resource by the King County Comprehensive Plan. Uses include forest, farmland, woodlands and low-density residential. Urban services such as sewer service are not provided in Rural areas. Rural and Resource areas, which cannot be annexed into a city, cover the majority of King County's land area but contain less than one-tenth of the County's population. Rural unincorporated King County has grown very slowly since Growth Management took effect in the mid-1990s: less than five percent of countywide new residential construction and population growth occur in these areas.



QUICK FACTS

Land Area: 1,072,600 Acres or 1,676 Square Miles

King County Council Districts: parts of 4 Districts

School Districts: 11 Districts

Water Districts: 13 Districts

Sewer Districts: 3 Districts

Fire Districts: 16 Districts

TAX INFO

2008 Assessed Valuation: \$22,999 million
 '08 Uninc. Area Levy (\$1,605 per 1000): \$36,916,004

2007 Real Estate Sales: \$1,292 million
 Local Option REET Revenue (0.5%): \$6,437,583

2007 Taxable Retail Sales: \$704 million
 Local Option Sales Tax Rev (0.85% of 1%): \$5,925,491

EMPLOYMENT

Number of Business Units: 2,271

Year 2006 Total Jobs: 19,300

Manufacturing:	770
Wholesale/Utilities:	1,850
Retail:	1,250
Finance/Services:	6,170
Government/Education:	4,140
AFFM/Construction:	5,120

Source: WA Employment Security Dept, 2006

INCOME

Median Household Income: \$73,400

Number of Households: 46,900

Households by Income Category:

0 – 80%	10,800	(23%)
80 – 140%	13,400	(29%)
140%+	22,700	(48%)

Source: 2000 US Census

DEMOGRAPHICS

2000 Census Population: 135,000
2008 Population: 144,000
Pop. Per Sq. Mile: 86

Median Age: 38.2

Age Structure:

17 and under	39,300	29%
18 – 64	86,350	64%
65 and over	9,350	7%

Race Categories:

Non-hispanic White:	122,500	(91%)
Black or African Am.:	800	(0.6%)
Asian and Pacific Is:	3,200	(2.4%)
Native Am. and other:	1,800	(1.3%)
Hispanic or Latino:	3,700	(2.7%)
Two or more race:	3,000	(2.2%)

HOUSING

Total Housing Units: 49,500

Single Family:	43,900
Multifamily:	1,500
Mobile Homes:	4,100

Percent Homeowners: 88%

Average Household Size: 2.89

Median House Value: \$320,000

Median 2 Bedroom Rental: \$750

Source: 2000 US Census

DEVELOPMENT ACTIVITY

2007 New Residential Units: 411

Single Family:	401
Multifamily:	5 / 10

2007 Formal Plats/Lots:

Applications:	74 lots in 2 plats
Recordings:	6 lots in 1 plat

2007 Residential Land Capacity:

In Acres:	n a
In Units:	13,000

2015 Unincorporated Area Sales Tax as a Percent of Total (1.0% tax rate versus 0.15%)

County	Unincorporated Counties Retail Sales %	Unincorporated Population #	Incorporated Cities Retail Sales	County	Tax Base in Unincorporated Area
Kitsap	45.1%	176,290	54.9%	Kitsap	45.10%
Clark	28.6%	207,710	71.4%	Clark	28.60%
Snohomish	21.2%	330,260	78.8%	Snohomish	21.20%
Pierce	18.2%	400,000	81.8%	Pierce	18.20%
Whatcom	17.1%	92,000	82.9%	Whatcom	17.10%
Yakima	15.1%	85,000	84.9%	Yakima	15.10%
Thurston	15.0%	252,000	85.0%	Thurston	15.00%
Skagit	14.0%	49,000	86.0%	Skagit	14.00%
Benton	13.7%	35,000	86.3%	Benton	13.70%
Spokane	12.6%	135,000	87.4%	Spokane	12.60%
King	3.2%	240,000	96.8%	King	3.20%

No charts after 2015 exists, and no economic studies have been done by the county.

Source : OEFA

King County	County Website Source	County Website Source
	https://www.kingcounty.gov/~/media/dprty/executive/performance-strategy-budget/budget/2017-2018/17-18BudgetBook/AD017-18UKC-Budget-FINAL-080717.ashx?la=en Page 10	https://www.kingcounty.gov/~/media/depts/executive/performance-strategy-budget/budget/2017-2018/17-18BudgetBook/17-18_BudgetExecSummary_FINAL Page 26

KC Combined Retail Sales (2017)	Proposed Future Retail Sales Change in Incorporated Cities	Total Sales taking place in Cities in KC	Cities % Cut	Cities Revenues from retail Tax	County % Cut from Cities	\$ from Cities
\$59,500,000,000.00	96.8%	\$57,596,000,000.00	0.85%	\$489,566,000.00	0.15%	\$86,394,000.00
\$59,500,000,000.00	96.0%	\$57,120,000,000.00	0.85%	\$485,520,000.00	0.15%	\$85,680,000.00
\$59,500,000,000.00	95.0%	\$56,525,000,000.00	0.85%	\$480,462,500.00	0.15%	\$84,787,500.00
\$59,500,000,000.00	94.0%	\$55,930,000,000.00	0.85%	\$475,405,000.00	0.15%	\$83,895,000.00
\$59,500,000,000.00	93.0%	\$55,335,000,000.00	0.85%	\$470,347,500.00	0.15%	\$83,002,500.00
\$59,500,000,000.00	92.0%	\$54,740,000,000.00	0.85%	\$465,290,000.00	0.15%	\$82,110,000.00
\$59,500,000,000.00	91.0%	\$54,145,000,000.00	0.85%	\$460,232,500.00	0.15%	\$81,217,500.00
\$59,500,000,000.00	90.0%	\$53,550,000,000.00	0.85%	\$455,175,000.00	0.15%	\$80,325,000.00
\$59,500,000,000.00	89.0%	\$52,955,000,000.00	0.85%	\$450,117,500.00	0.15%	\$79,432,500.00
\$59,500,000,000.00	88.0%	\$52,360,000,000.00	0.85%	\$445,060,000.00	0.15%	\$78,540,000.00
\$59,500,000,000.00	87.0%	\$51,765,000,000.00	0.85%	\$440,002,500.00	0.15%	\$77,647,500.00
\$59,500,000,000.00	86.0%	\$51,170,000,000.00	0.85%	\$434,945,000.00	0.15%	\$76,755,000.00
\$59,500,000,000.00	80.0%	\$47,600,000,000.00	0.85%	\$404,600,000.00	0.15%	\$71,400,000.00
\$59,500,000,000.00	70.0%	\$41,650,000,000.00	0.85%	\$354,025,000.00	0.15%	\$62,475,000.00
\$59,500,000,000.00	60.0%	\$35,700,000,000.00	0.85%	\$303,450,000.00	0.15%	\$53,550,000.00

KC Combined Retail Sales (2017 data)	Future Change % Retail Sale in UKC area	Total Retail Sales in UKC	County % CUT from sales in UKC	County Revenues from Retail Tax	No Loss of \$ to Subsidize Cities	UKC Sum of \$ from Cities + UKC Retail Sales
\$59,500,000,000.00	3.2%	\$1,904,000,000.00	1.00%	\$19,040,000.00	No % Loss	\$105,434,000.00
\$59,500,000,000.00	4.0%	\$2,380,000,000.00	1.00%	\$23,800,000.00	No % Loss	\$109,480,000.00
\$59,500,000,000.00	5.0%	\$2,975,000,000.00	1.00%	\$29,750,000.00	No % Loss	\$114,537,500.00
\$59,500,000,000.00	6.0%	\$3,570,000,000.00	1.00%	\$35,700,000.00	No % Loss	\$119,595,000.00
\$59,500,000,000.00	7.0%	\$4,165,000,000.00	1.00%	\$41,650,000.00	No % Loss	\$124,652,500.00
\$59,500,000,000.00	8.0%	\$4,760,000,000.00	1.00%	\$47,600,000.00	No % Loss	\$129,710,000.00
\$59,500,000,000.00	9.0%	\$5,355,000,000.00	1.00%	\$53,550,000.00	No % Loss	\$134,767,500.00
\$59,500,000,000.00	10.0%	\$5,950,000,000.00	1.00%	\$59,500,000.00	No % Loss	\$139,825,000.00
\$59,500,000,000.00	11.0%	\$6,545,000,000.00	1.00%	\$65,450,000.00	No % Loss	\$144,882,500.00
\$59,500,000,000.00	12.0%	\$7,140,000,000.00	1.00%	\$71,400,000.00	No % Loss	\$149,940,000.00
\$59,500,000,000.00	13.0%	\$7,735,000,000.00	1.00%	\$77,350,000.00	No % Loss	\$154,997,500.00
\$59,500,000,000.00	14.0%	\$8,330,000,000.00	1.00%	\$83,300,000.00	No % Loss	\$160,055,000.00
\$59,500,000,000.00	20.0%	\$11,900,000,000.00	1.00%	\$119,000,000.00	No % Loss	\$190,400,000.00
\$59,500,000,000.00	30.0%	\$17,850,000,000.00	1.00%	\$178,500,000.00	No % Loss	\$240,975,000.00
\$59,500,000,000.00	40.0%	\$23,800,000,000.00	1.00%	\$238,000,000.00	No % Loss	\$291,550,000.00

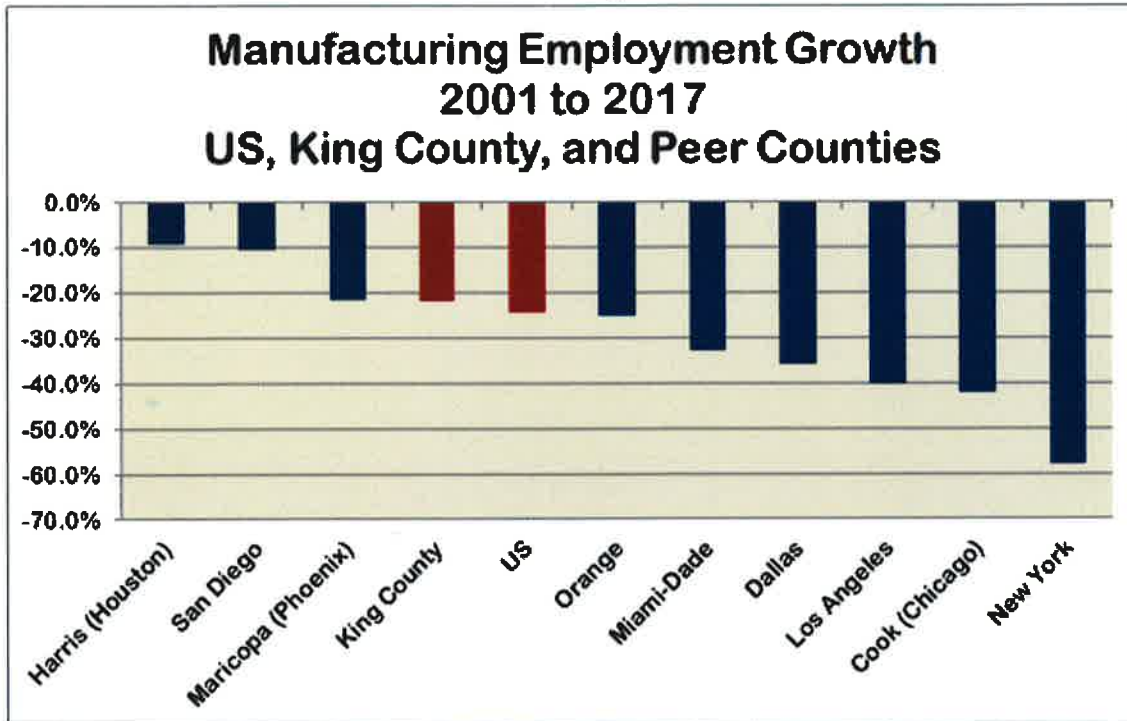
Notes
KC= King County

Currently from 2015 Data

In order for the County to continue providing critical services for its residents, it has to introduce reforms, develop efficiencies through reorganization, promote technology and involve the private sector through innovative partnerships.

- While 12.3% of the population of King County lives in unincorporated areas, only 3.3% of the sales tax base remains as a result of annexations. That means that the sales taxes paid by residents in UKC largely do not benefit the communities in which they live, but rather subsidize the residents of the cities in which the sales tax dollars are spent.

Manufacturing Employment Growth



2016 Comprehensive Plan – updated December 4, 2017

Attachment A to Ordinance 18427, as amended by Ordinance 18623

About King County

Demographics

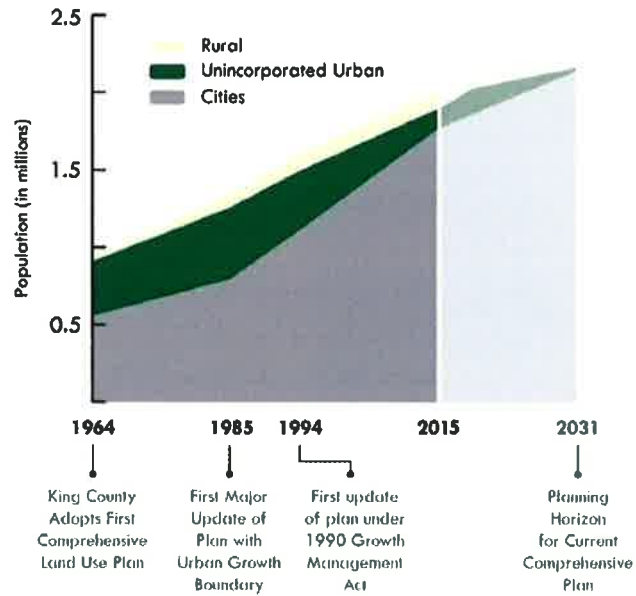
According to most recent available data (2015), King County has an estimated population of **2.05 million people**. Approximately **94%** of King County's residents live in urban areas and **6%** in unincorporated Rural

Areas and Natural Resource Lands.

Over the past 20 years, King County has experienced a substantial 25% growth in its population. By 2031, King County is expected to grow to a population of 2.3 million, adding just over 250,000 residents to its overall population. Based on the Guiding Principles of the Comprehensive Plan,

95% of this growth is targeted to be

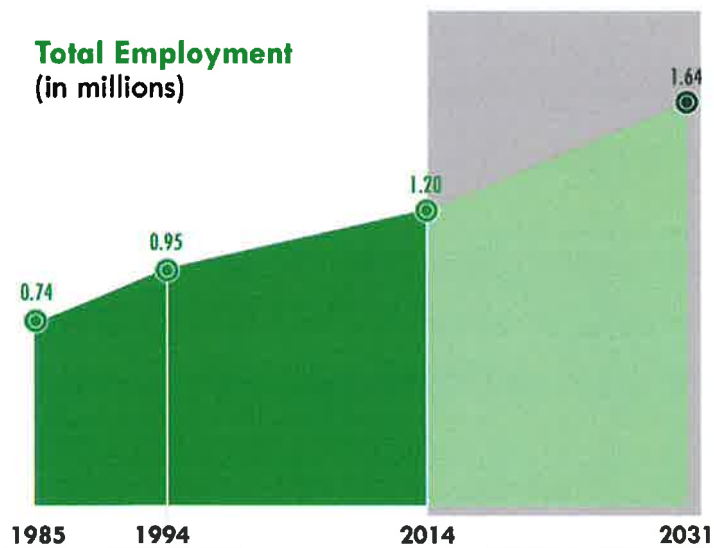
absorbed by cities and 5% in unincorporated King County.



Economy

The substantial population growth that King County has experienced in recent years can largely be attributed to the area's thriving economy, which has fostered a massive influx of individuals adding to the County's overall workforce. King County comprises the majority of the Seattle-Bellevue-Tacoma metropolitan statistical area and consists of approximately 70,000 businesses providing nearly 1.2 million jobs.

The vast majority of King County's workforce is employed in the service sector, such as in the trade-transportation-utilities, professional-businesses services, and education-health services industries. Overall, King County accounts for 50.3% of Washington's total payroll.



COMMUNITY PROFILE 9 - Unincorporated King County King County's unincorporated area is home to about 245,920 residents, nearly as many as the combined populations of Bellevue and Kent, the County's second and third-largest cities. The unincorporated population has decreased over the last two decades as areas incorporated, forming new cities, or were annexed into existing cities. King County is different from the state's other large counties because it has more fully complied with the concepts of the Washington State Growth Management Act (GMA). The GMA calls on counties and cities to collaborate and manage population, housing, and job growth. Adopted by the state legislature in 1990 and 1991, the GMA encourages unincorporated areas within King County's Urban Growth Area to incorporate or annex into cities. State law gives cities and residents of unincorporated areas control over annexation and incorporation decisions. Both processes can be initiated by either the city or residents. King County's unincorporated population represents only 12.5 percent of the total county population. In contrast, the other eight counties with total populations over 200,000 have an average of 45.3 percent of their residents in their unincorporated areas. Challenges Governing Unincorporated King County Unincorporated King County has a fairly large population scattered over a broad, diverse, geographic area with a very limited tax base; a combination which creates significant financial challenges to providing services to residents. King County's success in achieving many of the Growth Management Act goals has come with financial consequences. Through the process of incorporation of new cities and annexations to cities, the Growth Management Act (and other drivers) has reduced unincorporated King County's economic activity which in turn has impacted the County's revenue sources. Looking at the number of jobs located in the unincorporated area over time helps to assess the County's revenue generation patterns and unincorporated King County's economic activity. Jobs can be used as a proxy for economic activity and revenue generation because the number of jobs is strongly correlated with an area's property and sales tax revenue. Incorporations and annexations have reduced the number of jobs in unincorporated King County by shifting them into cities. Since January 1990, 81% of unincorporated King County jobs (159,000) have been transferred due to incorporations and annexations. The largest portion of unincorporated job transfer (113,000 jobs, or 71% of total jobs transferred into cities) was due to new incorporations, as opposed to annexations (46,000 jobs). Further, most of those incorporations occurred before 1996 when the big unincorporated job centers - Federal Way, SeaTac, Burien, and Shoreline - were COMMUNITY PROFILE 10 incorporated as cities. Thus, the pattern of reduced unincorporated tax base was mostly set more than 20 years ago through creation of new cities. If unincorporated King County still had its 1990 boundaries, the unincorporated area today would have 16% of total jobs countywide. Instead, today the unincorporated area has only 3% of total jobs countywide. As a consequence, the sales tax and property tax generating capability of unincorporated King County is severely limited. Future rounds of annexation of King County's remaining urban unincorporated areas will have a smaller impact as only 1% of the total jobs countywide are located in potential annexation areas. The table below shows the percent of 2015 unincorporated area sales tax for a number of counties in the State of Washington. County sales tax rates depend on whether or not the transaction is made in their unincorporated areas; the sales tax rate in unincorporated areas is 1.0% and is significantly lower, 0.15%, in incorporated areas. Over 25 years of incorporations and annexations has resulted in an unincorporated area tax base that is almost entirely residential and agricultural; only a fraction of the tax base is commercial. 2015 Unincorporated Area Sales Tax as a Percent of Total (1.0% tax rate versus 0.15%) County Tax Base in Unincorporated Area Kitsap 45.1% Clark 28.6% Snohomish 21.2% Pierce 18.2% Whatcom 17.1% Yakima 15.1% Thurston 15.0% Skagit 14.0% Benton 13.7% Spokane 12.6% King 3.2%

2015 Unincorporated Area Sales Tax as a Percent of Total (1.0% tax rate versus 0.15%)

County	Tax Base in Unincorporated Area
Kitsap	45.1%
Clark	28.6%
Snohomish	21.2%
Pierce	18.2%
Whatcom	17.1%
Yakima	15.1%
Thurston	15.0%
Skagit	14.0%
Benton	13.7%
Spokane	12.6%
King	3.2%

Source: OEFA The map on the following page titled King County Incorporations and Annexations 1990 – 2016, shows King County’s history of incorporation and annexation beginning in 1990.

R-205 **Uses related to and appropriate for the Rural Area include those relating to agriculture, forestry, mineral extraction, and fisheries, such as the raising of livestock, growing of crops, creating value-added products, and sale of agricultural products; small-scale cottage industries; and recreational and**

small-scale tourism uses that rely on a rural location.

RCW 36.70A.011

Findings—Rural lands.

The legislature finds that this chapter is intended to recognize the importance of rural lands and rural character to Washington's economy, its people, and its environment, while respecting regional differences. Rural lands and rural-based economies enhance the economic desirability of the state, help to preserve traditional economic activities, and contribute to the state's overall quality of life.

The legislature finds that to retain and enhance the job base in rural areas, rural counties must have flexibility to create opportunities for business development. Further, the legislature finds that rural counties must have the flexibility to retain existing businesses and allow them to expand. The legislature recognizes that not all business developments in rural counties require an urban level of services; and that many

businesses in rural areas fit within the definition of rural character identified by the local planning unit.

Finally, the legislature finds that in defining its rural element under RCW 36.70A.070(5), a county should foster land use patterns and develop a local vision of rural character that will: Help preserve rural-based economies and traditional rural lifestyles; encourage the economic prosperity of rural residents; foster opportunities for small-scale, rural-based employment and self-employment; permit the operation of rural-based agricultural, commercial, recreational, and tourist businesses that are consistent with existing and planned land use patterns; be compatible with the use of the land by wildlife and for fish and wildlife habitat; foster the private stewardship of the land and preservation of open space; and enhance the rural sense of community and quality of life.

[2002 c 212 § 1.]

Dear Council Members,

My name is Anthony Walker, and I work for Skagit Valley Malting (**SVM**). I would like give you a quick background, so that you know who is writing this letter. I'm a veteran, retired Central Park, Olympia, WSU firefighter, WSU Graduate, regional sales manager for Cascade Hardwood a local hardwood mill, and regional sales manager for Skagit Valley Malting (SVM). I'm a true "on shore flow" loving Washingtonian. I've committed my life to serving my fellow people, anything Washington State, and that's why I'm writing this letter. SVM has reinvented the wheel on how to malt barley. Up until now, mankind has only figured out how to malt 7 species of barley, and so far, we think we have a machine that can malt the other 3,000. It hasn't always been this great though. In fact, when we originally went to market and we failed. We had the local farmers growing the malt, we were malting our product locally in the Skagit Valley, but we could not sell our malt to the big breweries. They were unwilling to take a chance on us.

It was Dominique and Dane, at Four Horsemen Brewery, and other local breweries that carried us through the hardships to where we are at now. Other small craft breweries, like Lumber House and Four Generals should also be valued for their agricultural support, since they also buy SVM products. The combination of all the small craft breweries is something we truly value. Their support over the past 3 years has changed our future for the best. We saw we had to change our business model, by turning to our local brewers for support, and boy they didn't disappoint. Businesses like Four Horsemen Brewery, Lumber House, and Four Generals are just a few of the craft breweries who helped put us on the map. They bought our product, and soon after, they made epic beer with it. Four Horsemen even won Best Washington Malt Beer in 2016. This helped peak interest with other local brewers in King County and throughout the state. Fast forward a year, and now we can't keep enough malt going through our system. We are expanding as fast as possible as our agriculture business is booming.

Skagit Valley Malting has created a true, money making, job building, famous, and thriving economy here in Washington State. Our local farmers are now more profitable and sustainable. Instead of tilling the barley back into the ground, we pay the farmers for it. SVM malts the barley, brewers (like Four Horsemen, Lumber House, and Four Generals) buy it and brew with it, thus completing the cycle. For folks in my world, that's a frown turned upside down. In the future, the small craft Washington State brewers that use SVM malt will be considered some of the pioneers in the new era of brewing. Four Horsemen, Lumber House, and Four Generals are now some of a few who will use, experiment, and create beer that has never been tasted before. Their small businesses make a huge impact on our agricultural support and sustainability.

Though, in the end, what am I asking? Simply put, we need your support. We are trying to create something revolutionary, and truly only found in Washington State. Our venture at SVM isn't written in stone. Our local farmers are taking risks growing different species of barley, and we need Four Horsemen, Lumber House and their industry peers to take that barley and keep creating amazing new brews. We need them to sell locally and distribute the brew to keep the ball rolling. Four Horsemen, Lumber House, and Four generals are our cornerstone breweries. Our farmers depend on us, and now we depend on these breweries, so we can keep supporting the farmers. There are few breweries with the skill that it takes to take our locally grown malt and make something special out of it. There are few innovators who can see the great possibilities and know how to achieve success through supporting our states' local economy. I only hope that now you feel the same way. We need to support their business models so we can support ours. We need them, the farmers need them, and the breweries need you. Your support is crucial.

Thank you for your support.

Go Army Beat Navy, Support Local, and always Go Cougs!

Anthony Michael Walker.
360-584-3948
www.skagitvalleymalting.com



Four Horsemen Brewery (2015-2018)

Local, Agricultural Support, Small Business, Enhancing Rural Character

Mom and Son



Mom at Farmers market



Brother and Sister



Mom helping pick Hops



Gardening



Mom and Dad



Farmers Market and families in Carnation



Four Horsemen Brewery Roasting
Skagit Valley Malt from WA Farmers



Neighbors and Friends at Four Horsemen Brewery



Agriculture Support

Skagit Valley Malting Tour (2016)

Local Small Business – Four Horsemen Brewery



WE SUPPORT LOCAL

Fall 17

Washington State MAGAZINE

WSU Fall Magazine 2017

BY LARRY CLARK

SHORT SUBSIBING

100% Made in Washington

In the verdant woods outside Covington, Dane Scarimbolo brews local beer.

After participating from Washington State University's viticulture and oenology program, Scarimbolo finished a wine startup would take a lot of money and time. He enjoyed making beer, so he opened Four Horizons Brewery in 2013 with an eye toward an adult, community-minded ethos that could please the beer equivalent of a locavore.

"I was adamant about sourcing everything from Washington," he says. In that spirit, Scarimbolo sells his craft beer at farmers markets in the region, just like farmers offer lettuce, carrots, and berries grown locally. Scarimbolo knows the beekeepers who gather honey, the Yakima farm that grows hops, and the wares that goes into his ale and lagers. He picks blackberries from across the road for his Black Zamberry Lager.

Yet, one local connection was only recently forged. For a long time, brewers couldn't make a truly Washington beer, because they didn't necessarily know where the very heart of their beers—malted grains—was grown, or even the variety of grain.

Since the Sumatras, Egyptians, and Chineses began brewing beer thousands of years ago, the only common ingredients—besides water—were grains that had been steeped, germinated, and dried to produce the malt enzymes needed for fermentation. Brewers make beer and distillers make whiskey from this malt. The Egyptians flavored it with dates, honey, and ginger. Modern beers, of course, flavor primarily with hops.

With over 30,000 varieties of barley, wheat, and other grains worldwide, brewers should be able to explore a multitude of grain flavors, too. However, after Prohibition the consolidation of the beer industry demanded grain consistency at the expense of variety. Maltling companies and growers responded by concentrating on high yield, high protein, and low flavor grain varieties. By the 1960s and 1990s, it left the rapidly expanding craft brewing and distilling industries with few choices.

That all changed in Washington state in the last few years with the rise of a craft malting facility in Skagit Valley and another in Spokane Valley.

They came at the right time. "The craft brewing industry had been relegated to more or less use the same malt that was designed for big brewers," says Charles Pabst, one of the craft beer pioneers in the state.

Charles and Rose Ann Finhel started in the wine business, then imported craft beers before opening Pike Brewing Company in Seattle in 1989.

"When we started, we presumed, since as we were, we should be able to get local malt for our beer. Also, this was not the reality," he says.

It became reality when Wayne Carpenter, a former software executive, took an interest in making grapes around 2000 and founded Skagit Valley Malting. He brought in engineers to build a high-tech malting facility in Burlington for maltsters to transform local barley and wheat.

Turkey Red wheat. The new "colony malt" offers another use for malted grains. They're also more nutritious.

"These landraces have much deeper lignans, and they pull up micronutrients that have interesting nutritional implications for the brewer and the bread," says Ribbed.

Sitting on the table at Palouse Colony, a new fall of Purple Egyptian barley delivers a bright punchiness. The grain is cooked a day purple and goes back to ancient Egypt as a malting variety. Pike Brewing used some of the Purple Egyptian in its Local series, and Spokane area brewers and brewers are discovering the unusual barley.

"That Purple Egyptian is magical," says malster Joel Williamson. "The flavor is fruity. How can fruit flavor come from a barley? Usually that's hops or actual fruit."

Williamson malts Purple Egyptian at Palouse Post in Spokane, along with other landrace grain from the Scherermans. Palouse Post was established in 2006 as part of farmers' cooperative LINC Foods, managed by Williamson and Kerb Kobertze.

The cooperative delivers craft food to universities and other institutions in the area, but Williamson says they wanted some off-season income. He lented in homebrewing ingredients in the craft malting idea. Soon they had a space in a Spokane Valley industrial area where Williamson directs the malting effort. He also helps local maltsters craft malting grain.

He is one of the original LINC farmer owners, but beyond Joseph's Gravity malt Collins, provided enthusiastic support and one of the popular malting grains, Sumatras barley. He also grows WSU-developed Callagran winter wheat, which has proven a popular malt variety.

"Grain growers don't usually know who's using their grain," says Williamson. "There they can say with pride, 'That beer was made with my grain.'"

Palouse Post works with a growing number of brewers and distillers, and several are actively awaiting another of the Scherermans' landrace grains, Scots Birt. The legendary barley was possibly Scottish brewers and distillers for its high levels of fermentable sugars. It is celebrated on the Orkney Islands, perhaps back to Neolithic times.

The maltster and Palouse Heritage Grain had a seven-year Purple Egyptian collaboration with Bull-After Brewery in Spokane in the spring. Events like this can raise awareness, says Williamson. "The local movement that drives the food side of our business is the local movement that will drive the malt side of the business. It's just a little further behind," says Dan Scherermans.

Williamson, Pabst, and the Scherermans all note that craft malting is a return to the past. Just as there used to be flour mills in every small town, there used to be multiple maltsters in Spokane, Collins, and throughout Washington, often connected to different brewers, to pre-Prohibition years.

The grains in these older malts have brought variety to brewers and distillers back then, and the new ones, sourced from local farmers, will bring distinct flavors to the industry today.

"Craft beer has a whole other age of exploration to go through," says Williamson. "It's not about the wine situation of beer. There's more creativity to come." *

Pabst notes the similarity to wine in the state, which started with just a few grape varieties and now has over 150 agricultural and historic varieties. For grains, he says, "we sacrifice a little of the yield per acre for flavor just as they have in the wine industry."

Back in Covington, Scarimbolo and his business manager and sister Dominique Thompson, '88 don't mind staying small, if it means staying local and sustainable. At the brewery, Scarimbolo grows 10 hops varieties, two space grains for children, and recirculates water for cooling. Using 1,000 meters, he makes rich chocolate malt for his award-winning Black Piglet Stout. Mostly, says Scarimbolo, he doesn't want to be just another brewery.

"Where I'm at, there's not another brewery for seven or eight miles. There's a brewery every quarter mile in Seattle," he says.



The Palouse River cuts through the hills between the small towns of Endicott and St. John, in a valley where old grains and flourish. With names like Purple Egyptian and Scots Bere, the barleys and wheats on Palouse Colony Farm look and taste unlike any other grains.

Dan and Richard Scherermans' German ancestors settled on this land in the late 1800s and applied their Old World agrarian knowledge, first learned in the Russian Volga region, to their new home on the Columbia Plateau. In 2015, the Scherermans and the Ochs family re-established the historical seed heritage grain, grown sustainably with three-year crop rotations.

Called "landrace" types, the Scherermans grow and sell ancient prehybridized wheat, barley, oats, rye, and other grains through Palouse Heritage Grains. For example, says Richard 73, they re-established the first wheat ever grown in the Northwest, Hobson's Bay Wilds. A history buff who has written extensively about the state's agricultural past, Richard is an education professor at Seattle Pacific University.

His brother Dan manages the Palouse Colony Farm's 30 acres. (We're the smallest farm in Willamette County, jokes Dan.) They credit WSU grain researchers Steve Lyon and Stephen Jones with helping track down and promote the landrace varieties. Leading a resurgence in breadmaking, the WSU professors tap into the complex flavors induced in the landrace grains like Lammusa and

Now, in a warehouse just up the street from the WSU Broad Lab and Skagit County Extension, three huge stainless steel drums that resemble semitruck trailers spin slowly as they germinate and kiln barley and other grains from local farmers. Using smart sensors and automation in the energy- and water-efficient facility, the machines produce 20,000-pound batches. A smaller, 400-pound tending machine runs experimental batches. The whole place smells like warm cereal.

Key to the operation, though, were partnerships with growers like Krug Kautzen '85, says Adam Eyr, a manager at Skagit Valley Malting. While Skagit Valley is known more for vegetables and flowers, farmers plant barley and wheat in rotation with primary crops.



"At first, there was a lot of skepticism about these grains, how our location and varieties," says Eyr. "Were they capable of being malted? Would they be successful brewing malts?"

Eyr says they proved that they could not only malt these grains, but that they have unique flavors and nuances. "With just a little difference in time, temperature, and moisture, you get light versus honey to darker with some rich and purple notes, to even darker with toasty, chocolatey flavor," he says, inhaling deeply from the samples at the facility.

Another future flagship barley for them could be NZ151. Developed at WSU, it failed over on the east side of the state, but found its home in the maritime climate of Skagit Valley.

Skagit Valley Malting works with around 50 breweries and 8 distillers, says Eyr, all looking to test these new flavors. "Without blending, we can call out a variety from a specific year from a specific farmer."

One of the first consumers was Pike Brewing. Then Local series first featured Skagit Valley Alba, a pale ale with a base malt of Alba barley grown by Kautzen Farms, a sixth-generation enterprise near Burlington. The Kautzens, including Krug's son Tyler '13, Krug Graduate '11, and several other WSU alumni, primarily grow potatoes.

They gain economically from selling their cover crop to Skagit Valley Malting, but they also see and taste a delicious result.

"I don't want to understate the pride of place," says Pabst. "When Dave Hoffman, Krug Kautzen, or John Footen (7-0 drink a Pike Local, they're points)."

Families at Four Horsemen Brewery



Enhancing the
Local Rural
Character one
Family at a time.

WA BEER AWARDS

Best WA Malt Beer -
Sponsor - Skagit
Valley Malting



Best WA malt beer
Award (2016)
Sponsored by -
Skagit Valley Malting



Burien Farmers Market



Mom and Son at Farmers Market



Wife and Husband at Farmers
Market



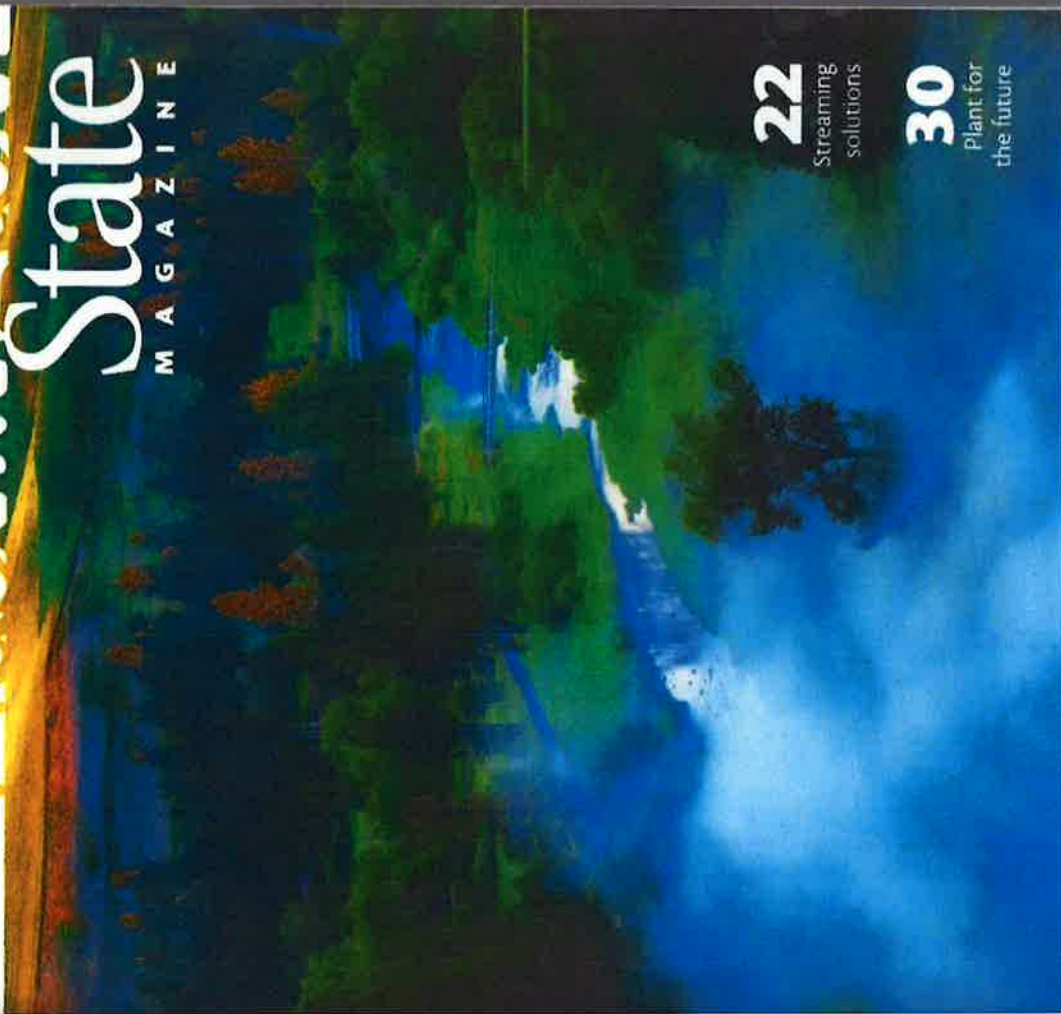
Fall17
vol16no4

Washington State

M A G A Z I N E

22
Streaming
solutions

30
Plant for
the future



BY LARRY CLARK

SHORT *Subtext*

100% Made in Washington

In the verdant woods outside Covington, Dane Scrimbolo brews local beer.

After graduating from Washington State University's viticulture and enology program, Scrimbolo '10 realized a wine startup would take a lot of money and time. He enjoyed making beer, so he opened Four Horsemen Brewery in 2015 with an eye toward an older, community-minded ethos that could please the beer equivalent of a locovore.

"I was adamant about sourcing everything from Washington," he says. In that spirit, Scrimbolo sells his craft beer at farmers markets in the region, just like farmers offer lettuce, carrots, and berries grown locally. Scrimbolo knows the beekeepers who gather honey, the Yakima farm that grows hops, and the water that goes into his ales and lagers. He picks blackberries from across the road for his Black Zomberry Lager.

Yet, one local connection was only recently forged. For a long time, brewers couldn't make a truly Washington beer, because they didn't necessarily know where the very heart of their brews—malted grains—was grown, or even the variety of grain.

Since the Sumerians, Egyptians, and Chinese began brewing beer thousands of years ago, the only common ingredients—besides water—were grains that had been steeped, germinated, and dried to produce the malt enzymes needed for fermentation. Brewers make beer and distillers make whiskey from this malt. The Egyptians flavored it with dates, honey, and ginger. Modern beer, of course, flavors primarily with hops.

With over 30,000 varieties of barley, wheat, and other grains worldwide, brewers should be able to explore a multitude of grain flavors, too. However, after Prohibition the consolidation of the beer industry demanded grain consistency at the expense of variety. Maltng companies and growers responded by concentrating on high yield, high protein, and low flavor grain varieties. By the 1980s and 1990s, it left the rapidly expanding craft brewing and distilling industries with few choices.

That all changed in Washington state in the last few years with the rise of a craft maltng facility in Skagit Valley and another in Spokane Valley.

They came at the right time. "The craft brewing industry had been relegated to more or less use the same malt that was designed for big brewers," says Charles Finkel, one of the craft brew pioneers in the state.

Charles and Rose Ann Finkel started in the wine business, then imported craft beers before opening Pike Brewing Company in Seattle in 1988.

"When we started, we presumed, naive as we were, we should be able to get local malt for our beer. Alas, that was not the reality," he says.

It became reality when Wayne Carpenter, a former software executive, took an interest in maltng grains around 2010 and founded Skagit Valley Maltng. He brought in engineers to build a high-tech maltng facility in Burlington for malibers to transform local barley and wheat.

Now, in a warehouse just up the street from the WSU Bread Lab and Skagit County Extension, three huge stainless steel drums that resemble semitruck trailers spin slowly as they germinate and kiln barley and other grains from local farmers. Using smart sensors and automation in the energy- and water-efficient facility, the machines produce 20,000-pound batches. A smaller 400-pound maltng machine runs experimental batches. The whole place smells like warm cereal.

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They gain economically from selling their cover crop to Skagit Valley Maltng, but they also see and taste a delicious result.

"I don't want to underestimate the pride of place," says Finkel. "When Dave Hedlin, Craig Knutzen, or John Roosen (74) drink a Pike Local, they're proud."

Finked notes the similarity to wine in the state, which started with just a few grape varieties and now has over 150 specialized and intense varieties. For grains, he says, "we sacrifice a little of the yield per acre for flavor just as they have in the wine industry."

Back in Corvallis, Scrimbolo and his business manager and sister Dominique Tongerson '08 don't mind staying small, if it means staying local and sustainable. At the brewery, Scrimbolo grows 10 hops varieties, uses spent grains for chickens, and recirculates water for cooling. Using a DIY masher, he makes rich chocolate malt for his award-winning Black Plague Stout. Monthly, says Scrimbolo, he doesn't want to be just another brewery.

"Where I'm at, there's not another brewery for seven or eight miles. There's a brewery every quarter mile in Seattle," he says.



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Don and Richard Scheuermann's German ancestors settled on this land in the late 1880s and applied their Old World agrarian knowledge, first learned in the Russian Volga region, to their new home on the Columbia Plateau. In 2015, the Scheuermanns and the Orchs family re-established the homestead with heritage grains, grown sustainably with three-year crop rotations.

Called "landrace" crops, the Scheuermanns grow and sell ancient prehybridized wheat, barley, oats, rye, and other grains through Palouse Heritage Grains. For example, says Richard '73, they re-established the first wheat ever grown in the Northwest, Hudson's Bay White. A history buff who has written extensively about the state's agricultural past, Richard is an education professor at Seattle Pacific University.

His brother Don manages the Palouse Colony Farm's 30 acres. (We're the smallest farm in Whitman County, jokes Don.) They credit WSU grain researchers Steve Lyon and Stephen Jones with helping track down and promote the landrace varieties. Leading a renaissance in breadmaking, the WSU professors tap into the complex flavors infused in the landrace grains like Lammont and

Turkey Red wheat. The new "culinary malts" offer another use for malted grains. They're also more nutritious.

"These landraces have much deeper lipnotes, and they pull up micronutrients that have interesting nutritional implications for the brews and the breads," says Richard.

Sitting on the table at Palouse Colony, a vase full of Purple Egyptian barley delivers a vibrant punctuation. The grain is indeed a deep purple and goes back to ancient Egypt as a malting variety.

Pike Brewing used some of the Purple Egyptian in its Locale series, and Spokane area bakers and brewers are discovering the unusual barley.

"That Purple Egyptian is magical," says maltster Jod Williamson. "The flavor is fruity. How can fruit flavor come from a barley? Usually that's hops or actual fruit."

Williamson makes Purple Egyptian at Palouse First in Spokane, along with other landrace grains from the Scheuermanns. Palouse First was established in 2016 as part of farmers cooperative LINC Foods, managed by Williamson and Beth Robinson.

The cooperative delivers local food to universities and other institutions in the area, but Williamson says they wanted some off-season income. His interest in homebrewing inspired the craft malting idea. Soon they had a space in a Spokane Valley industrial area where Williamson directs the malting effort. He also helps lead a national craft malting guild.

He's one of the original LINC Farmers owners. Bill Meyer of Joseph's Granary near Colfax, provided enthusiastic support and one of the popular malting grains, Baroness barley. He also grows WSU-developed Cashup winter white wheat, which has proven a popular malt variety.

"Grain growers don't usually know who's using their grain," says Williamson. "Here they can say with pride, 'That beer was made with my grain.'"

Palouse First works with a growing number of brewers and distillers, and several are anxiously awaiting another of the Scheuermanns' landrace grains, Scots Bere. The legendary barley was prized by Scottish brewers and distillers for its high levels of fermentable sugars. It is cultivated on the Orkney Islands, perhaps back to Neolithic times.

The maltster and Palouse Heritage Grains had a seven-week Purple Egyptian collaboration with Bellwether Brewery in Spokane in the spring. Events like this can raise awareness, says Williamson.

The local movement that drives the food side of our business is the same movement that will drive the malt side of the business. It's just a little further behind," says Don Scheuermann.

Williamson, Finkel, and the Scheuermanns all note that craft malting is a return to the past. Just as there used to be flour mills in every small town, there used to be multiple maltsters in Spokane, Colfax, and throughout Washington, often connected to different breweries, in pre-Prohibition years.

The grains to those older malthouses brought variety to breweries and distilleries back then, and the new malts, sourced from local farmers, will bring distinct flavors to the industry today.

"Craft beer has a whole other age of exploration to go through," says Williamson. "I'm excited about the wine-ification of beer. There's more creativity to come." *

Marketing your Brewery.

- How to approach Skeptical Bodies of Government.
- Supporting Local Communities, Rural Areas and Cities.

CBC May 2018 Nashville TN

By Julie Wartell – San Diego Sheriffs Department

BACKGROUND



Beer has been brewed for thousands of years



Crime has occurred for at least that long



I started mapping crime in 1992 (coincidentally the same year I started drinking craft beer)



A friend and I founded PubQuest – to map breweries – in 2005

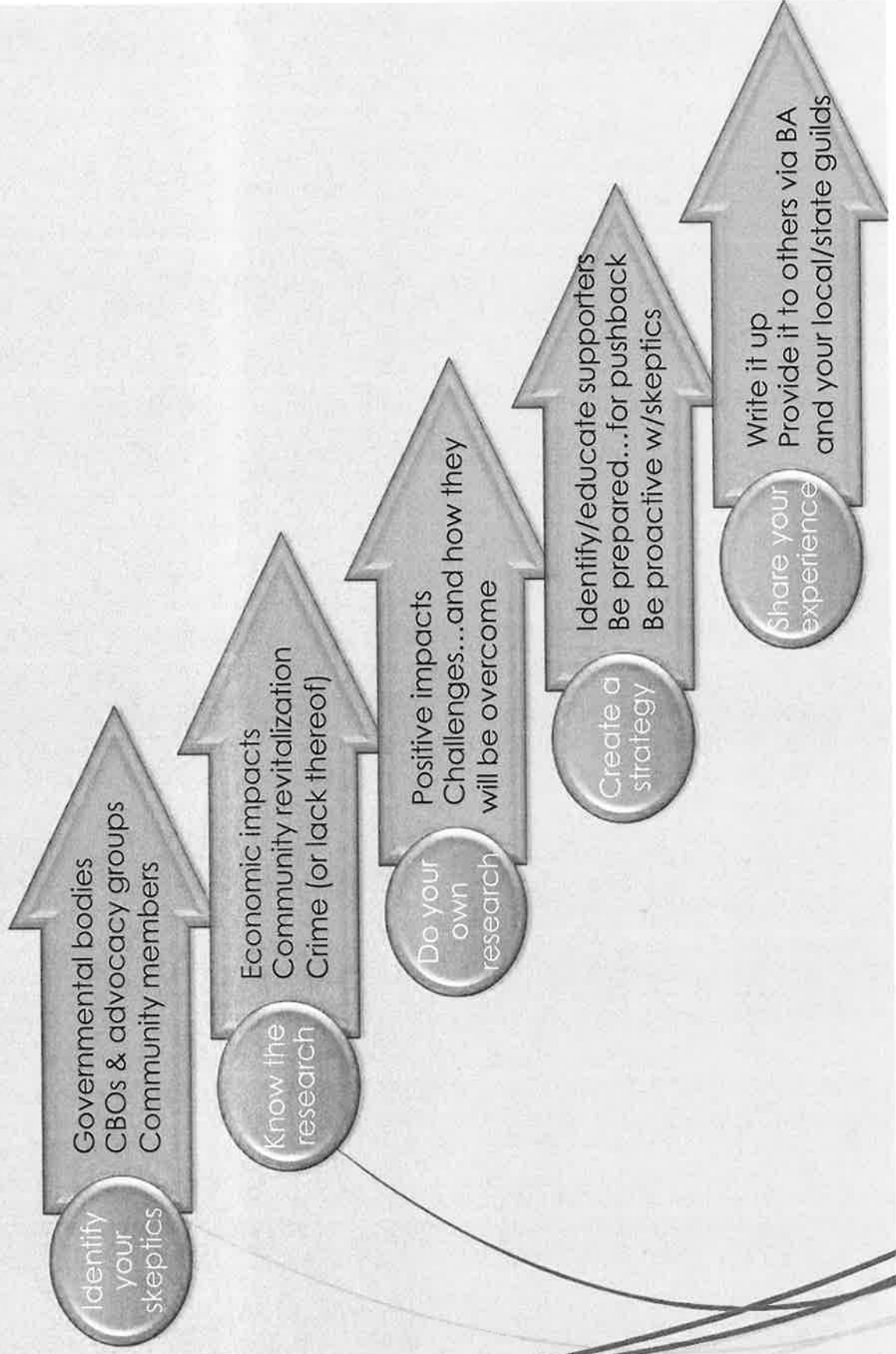


I started thinking about crime and breweries a few years ago (not sure if I was at a brewery or a crime scene when this thought initially occurred)



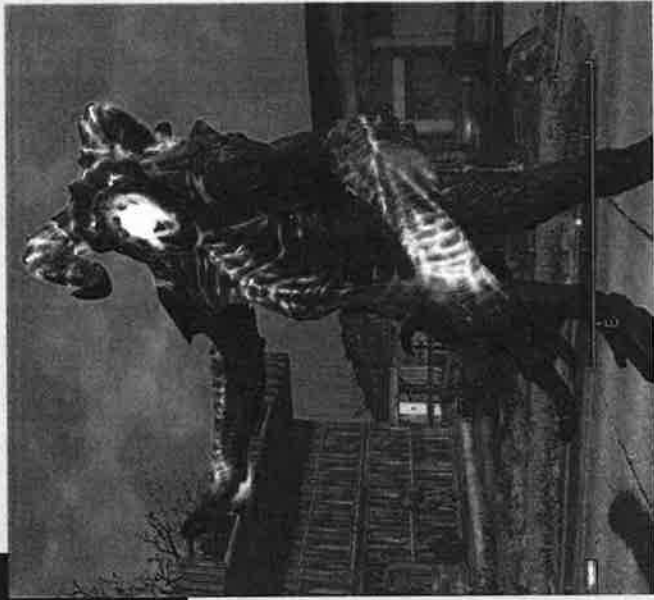
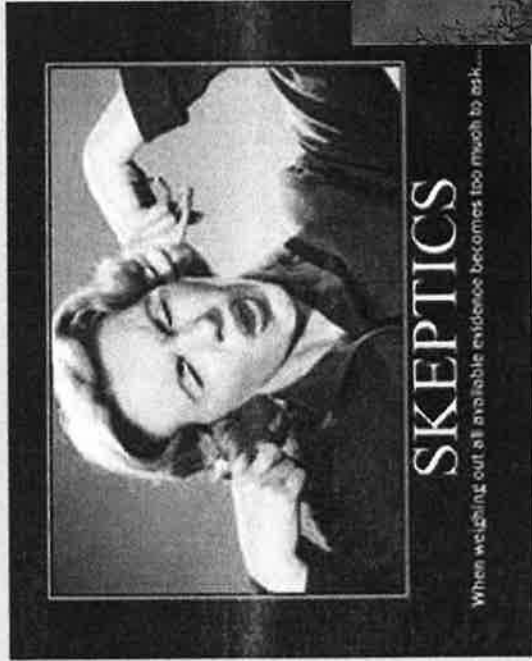
I started teaching “Craft Breweries and the Urban Economy” at UC-San Diego in 2016

Session Overview: Successfully overcoming skeptics



Identify
your
skeptics

Who are these skeptics??



What does the research say about breweries?

Data Shows positives;

- Economic Development
- Community Development
- Decreases Crime
- Academic
- Journalistic
- Hot off the press survey

Know the
research



Breweries & Neighborhoods

- Breweries have positive effect on neighborhoods (economically and bringing a sense of community to depressed and abandoned areas)
 - Tremblay & Tremblay (2005, 2011)
 - Schnell & Reese (2014)
 - Mathews & Picton (2014)
 - Barajas, Boeing & Wartell (2017)
 - Reid, Neil and Jay Gatrell (2017)

Economic Impact

- ▶ 5200+ U.S. breweries, w/year over-year double-digit % growth. Craft beer industry provides 129,000 local jobs at breweries/brewpubs and economic impact of nearly \$56 billion (Brewers Assoc. 2017).
- ▶ “Breweries are the Mark of a Thriving Community.” *All About Beer Magazine* (Alworth, J. 2016)
- ▶ “Beer is Saving Neighborhoods Across America.” *Business Insider* (Arbel, T. 2013)
- ▶ “Economic Impact of Beer Tourism in Kent County (Giedeman, D. 2015)
- ▶ Maryland Craft Beer: A World Without Limits (Office of the Comptroller of Maryland 2017)

Community Development

- ▶ “Reason No. 500 why craft beer is great: Reuse of Old Buildings.” *Craft Brewing Business* (Crowell, C. 2015)
- ▶ “How Buffalo’s New Beer Scene Emerged From Abandoned Buildings.” (Flynn, S. 2016)
- ▶ “Brewpubs can be essential for community development.” *BDN Maine* (Mattson, K. 2016)
- ▶ “A Neighborhood Transformed by Craft Beer.” *Modern Cities* (Modern Cities 2016)
- ▶ “The Revival of Craft Beer in Urban Areas.” *The ProtoCity.com* (Renooy, S. 2014)

“You’re in one of the most beautiful cities in the country, with palm trees and rolling hills and the ocean, and then you just get miles upon miles of boring, drab office parks,” says O’Leary. “But they seem to give some vibrancy to these places.” - [http://allaboutbeer.com/breweries-flourish-in-](http://allaboutbeer.com/breweries-flourish-in-industrial-parks/)

industrial-parks/



Economic/Community Benefits

- ▶ High Multiplier Effect
- ▶ Job Creation
- ▶ Workforce Development
- ▶ Commercial and Financial Investment
- ▶ Construction Activity
- ▶ Higher Commercial Leases & Real Estate Valuations
- ▶ Sales Tax Revenue & Property Tax Assessments
- ▶ Regional Marketing
- ▶ Tourism
- ▶ Entrepreneurism
- ▶ Adaptive Re-use

San Diego Brewing Industry workforce



- Employers include more than brewers & brewpubs
- Regional brewery wages are among the highest in the nation
- Fewer than 20% of industry jobs require a Bachelor's or advanced degree
- San Diego's workforce training and education programs are top-tier

Quotes from cities big & small

- “Beuel’s impetus for starting the brewery wasn’t so much because of a passion for craft beer as it was to help revitalize downtown Canton.” http://www.cleveland.com/drinks/index.ssf/2016/03/canton_brewing_co_using_craft.html
- One big supporter of the model is Missoula’s mayor, John Engen, who touts the role of taprooms as the kinds of “third places” that can build community. “You put in a brewery and a tasting room, and soon you have a neighborhood.” <https://www.citylab.com/life/2017/08/missoula-taps-the-power-of-beer/535800/>
- “With close to 300K people, our residents should not have to leave the city to enjoy a craft beer or visit a brewery. We intend to continue to foster a positive relationship with our craft beer businesses to assist them in any way we can...” *Scott Donaghe, Principal Planner for the City of Chula Vista* <https://craftbeertasters.wordpress.com/2016/03/09/south-bay-craft-beer-business-guild/>
- Regarding National City Council voting to allow small breweries and tasting rooms in industrial and mixed-use zones (w/o CUP) ...
 - A “huge victory for National City and the South Bay craft beer movement.” *National City Councilwoman Alejandra Sotelo-Solis*
 - “It’s not just a matter of building a sector of the economy that can really help the city, it’s a matter of continuing to build a city that attracts the creative energy and optimism of young professionals and lets them know they have an important stake in the city’s future.” *Jacqueline Reynoso, CEO of the National City Chamber of Commerce* <http://www.sandiegouniontribune.com/communities/south->



Economic Impact – Tourism

Brewers Assoc. Survey (Sep 2017): Did your brewery visit (in last 3 mo.) replace a visit to a bar or other on-premise establishment?

	1447	461	559	427
Age	Total	21-34	35-54	55+
No, visiting a brewery was a different type of occasion where I wouldn't have gone to a bar (family outing, etc.)	40%	34%	38%	47%
Yes, I chose to visit a brewery instead of a traditional bar/on-premise drinking establishment	30%	33%	30%	25%
No, visiting a brewery was in addition to my typical bar/on-premise occasions	24%	25%	24%	22%
Yes, though I would generally be reducing my bar occasions, regardless of whether I was visiting breweries or not	7%	8%	8%	6%

Crime

Know the
research

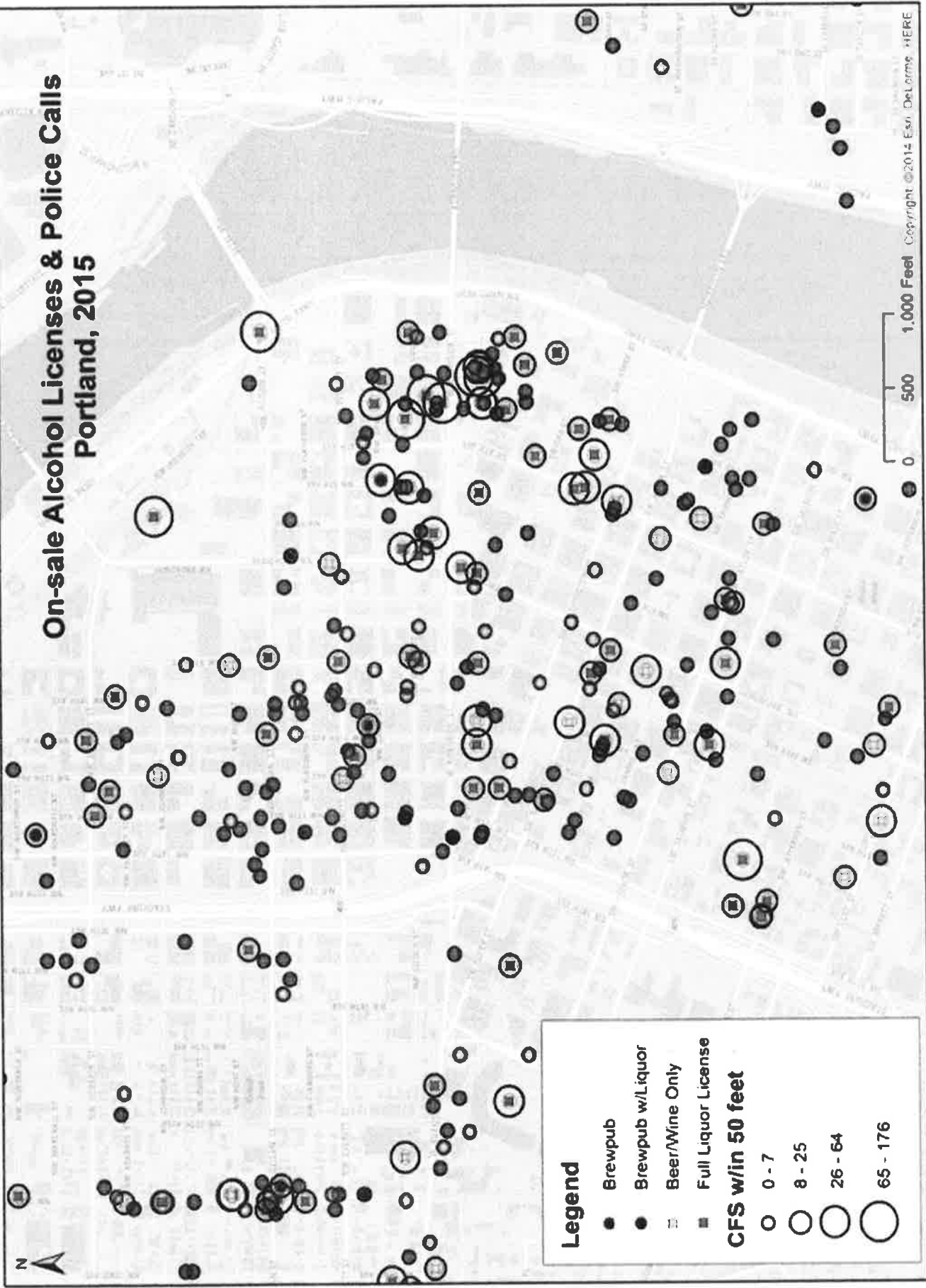
- Prior research (as well as common thinking) on alcohol and specifically “bars” as contributing to crime
 - Groff (2011)
 - Groff & Lockwood (2014)
 - Scott & Dedel (2006)
 - Ratcliffe (2012)
 - Speer et al. (1998)
 - Lipton et al. (2013)
- Somewhat related... Papachristos et al. (2011) showed that an increase in independent coffee shops was related to a decrease in crime



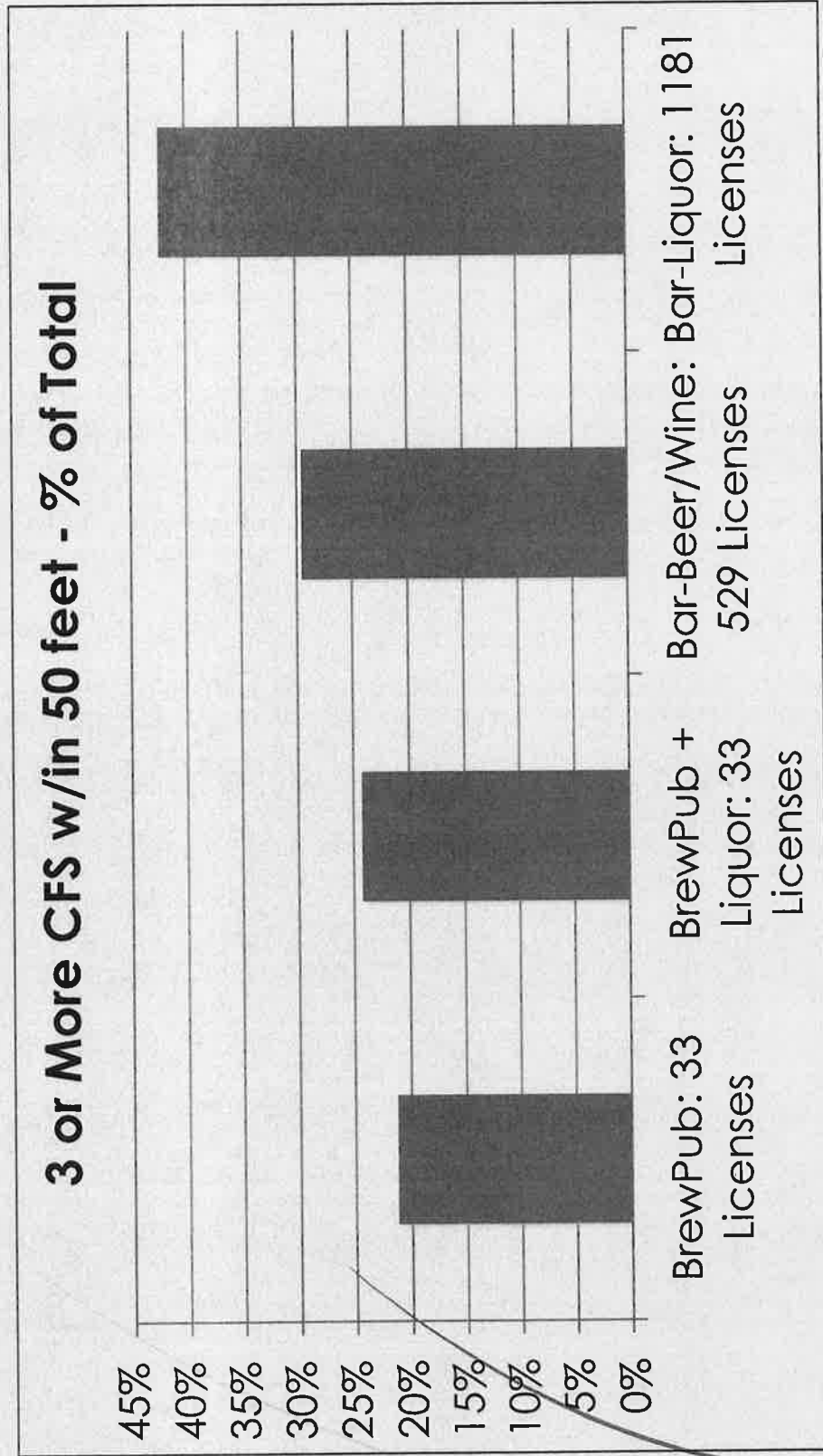
Crime & Craft Breweries: Not All Alcohol Establishments are Created Equally

- Portland (OR)
- Hypothesis: Craft breweries and brewpubs create less crime and disorder than non-brewery alcohol establishments
- Methodology
 - Data sets: On-site alcohol license locations for the city of Portland (OLCC, 2015); Calls for Service locations for the city of Portland for 2015 (Portland Police Bureau, 2016)
 - Selected call types that may be related to an alcohol location
 - Analysis of above calls within 50 feet of every location.

On-sale Alcohol Licenses & Police Calls Portland, 2015



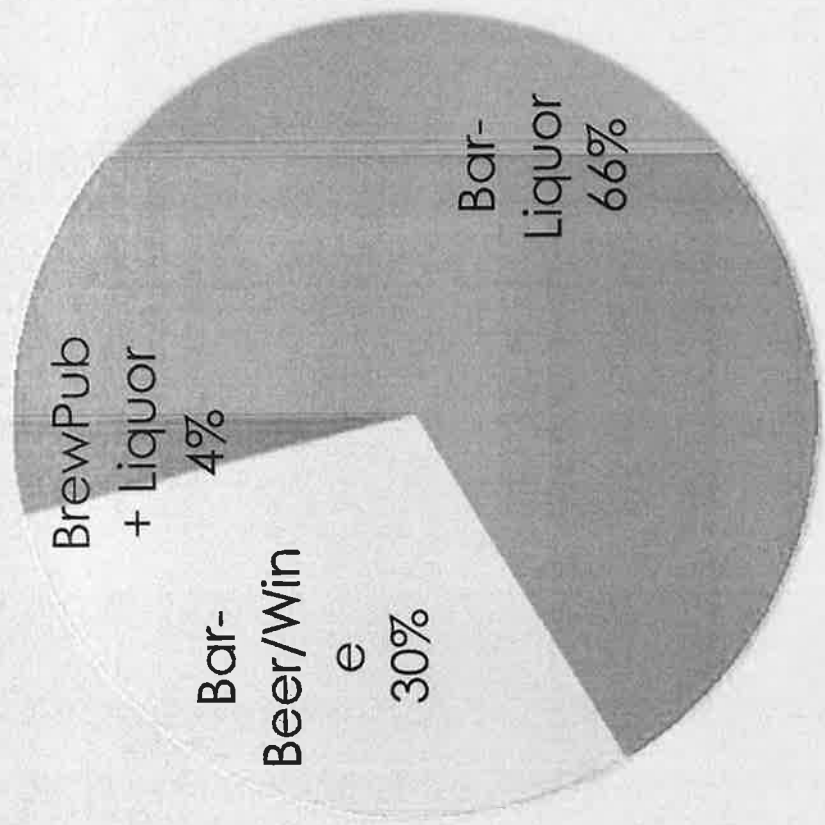
Calls by License Type



Calls by License Type

	Average # of Calls within 50 feet
BrewPub	1.7
BrewPub + Liquor	4.8
Bar-Beer/Wine	4.1
Bar-Liquor	5.5
Overall	5.0

Top 101 CFS Locations



101 locations had >=22 CFS. Brewpubs accounted for 0, highest BrewPub+Liquor was 37th



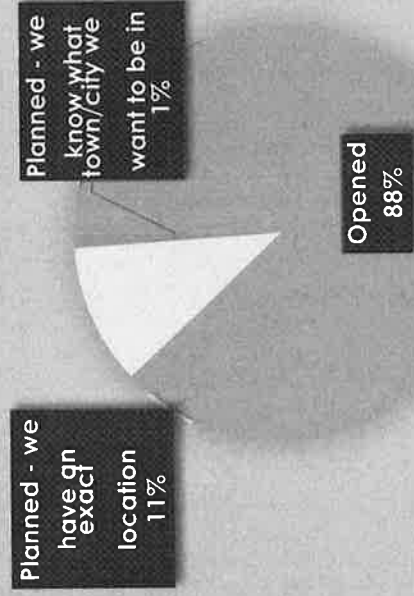
Other ideas for looking at crime...

- ▶ Shifting from total crimes (UCR) per Census Tract to specific locations & surrounding area
- ▶ Looking at locations/small areas before and after breweries moved in
 - ▶ Vista study
- ▶ "Last Drink Survey"
 - ▶ Ventura County – brewery (1) or brewpub (4) only mentioned 5 times of the 733 surveys

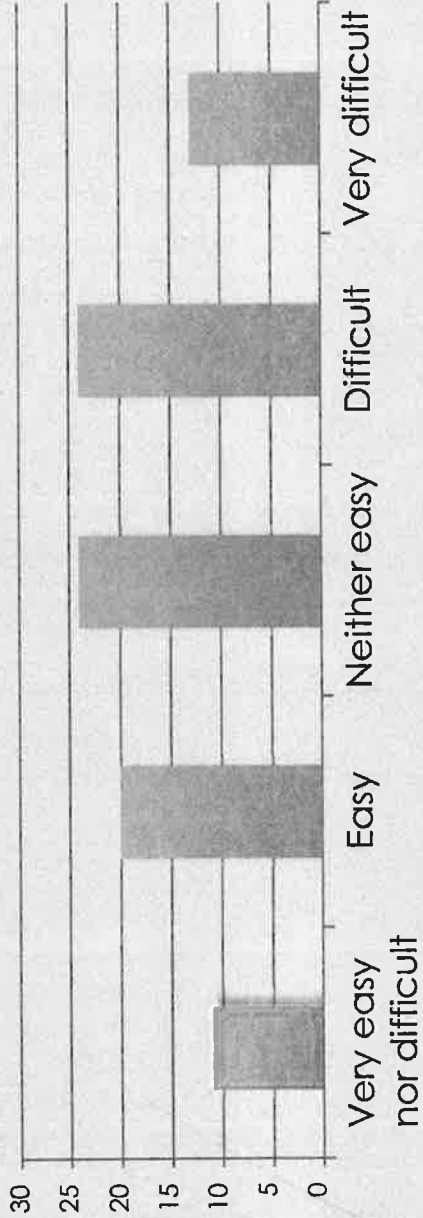
Survey of Breweries

- Posted on BA Forum (Breweries in Planning)
- Direct emails to breweries
- March 30 – April 24, 92 responses
- <https://www.surveymonkey.com/r/6TN2VV7>

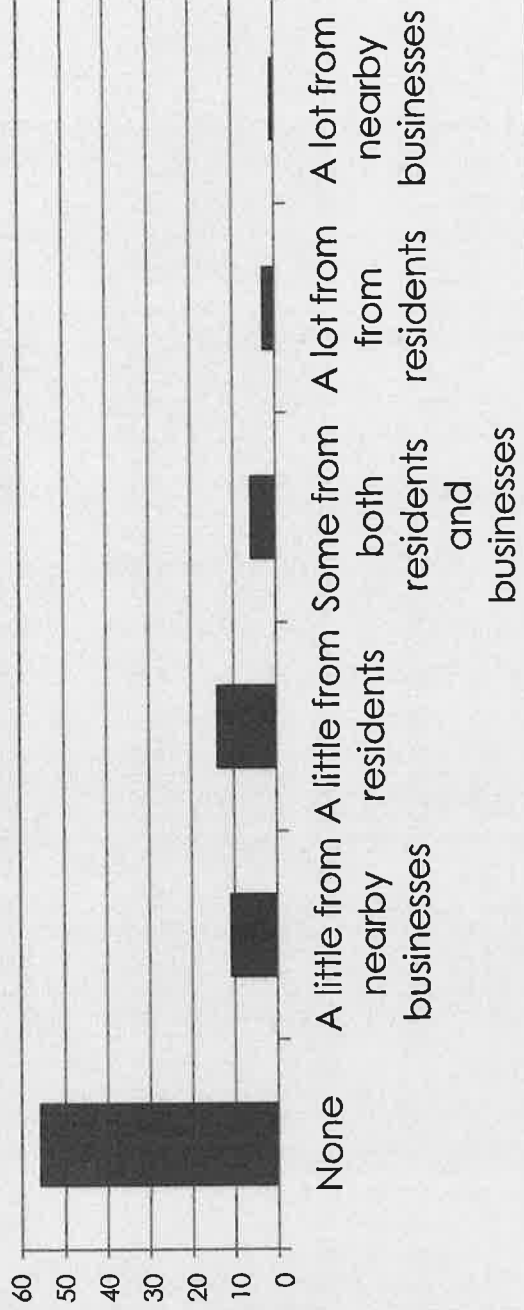
Brewery Status



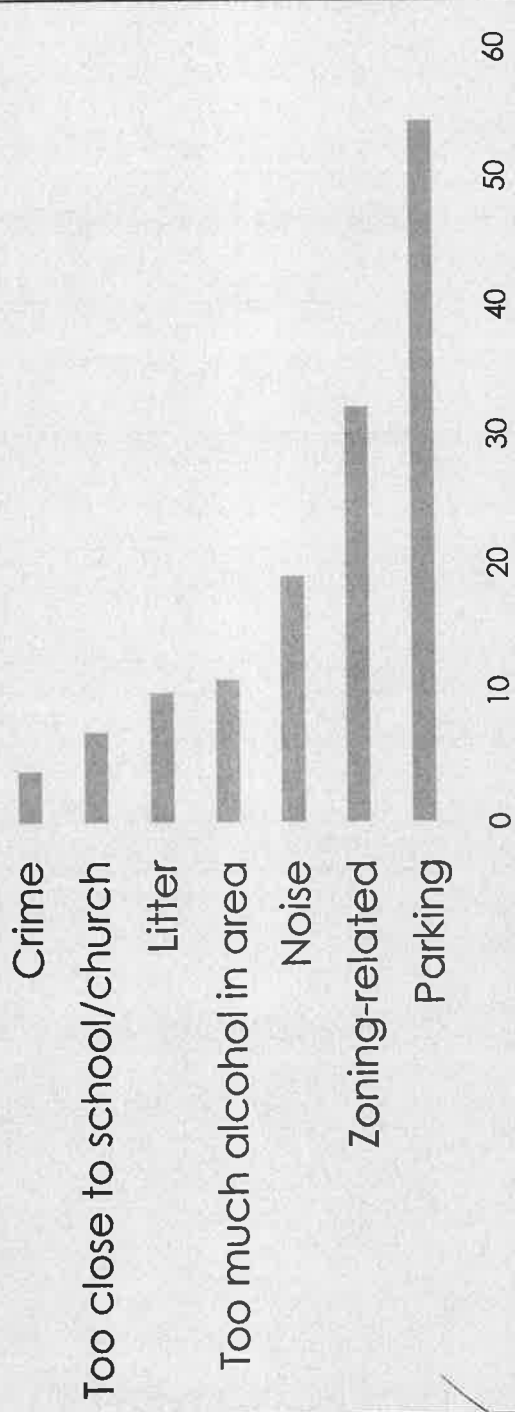
How has the process been in terms of working with the government?



Pushback from the community?



What have the challenges been?



Other Challenges

- Codes/regulations (health, environment, building) (5)
- Waste/Water (3)
- Lack of local financial/development support (2)
- Odor (2)
- Perception of safety due to homeless nearby (2)

Do your
own
research

City of Vista: Growth on Tap – Fostering the creation of a craft brew industry

- Attraction: Helping to create the craft brewing cluster
 - Understanding their unique needs and planning for them. Clearing the way.
 - City Planning, utilities, sewer, water, ABC, Fed Brewers Permit
 - Zoning and Building Departments
 - Conditional use permit or use by right? Meetings with brewers
 - Building department review
- Retention & Expansion: Fostering the craft brewing cluster
 - Food truck leniency
 - Clarity in zoning
 - Helped the industry to understand codes/regs
 - County catering ordinance
 - Restaurants at Business Park Breweries

“Mother Earth has brought people from other cities on a daily basis. This is what we have been needing for a long time.”

Vista Village Business Association





State of Vermont: Brewery Day

- Agency of Commerce & Community Development
- Department of Economic Development
- Department of Environmental Conservation
- Liquor Control Board
- Department of Health & Safety
- Agency of Agriculture, Food & Markets

We are here to help you succeed...

- Grant, Loan and Incentive Programs
- Advice from like experiences
- Referrals to experts, including partner organizations

Permitting
Sustainability
Health & Safety

[http://dec.vermont.gov/sites/dec/files/Brewery%20Day%20Slide%20De](http://dec.vermont.gov/sites/dec/files/Brewery%20Day%20Slide%20Deck%202018.pdf)

What are breweries doing to overcome these challenges?

- ❖ Work closely with city officials
- ❖ Proactively reach out to neighbors, community leaders, associations
- ❖ Use facts and real examples from other communities
- ❖ Be transparent/open
- ❖ Give back to the community (charities, events, litter pick up days)
- ❖ Encourage biking/walking/public transportation
- ❖ Be responsible

Hops & Grain, Austin TX

Create a
strategy

we are a part of our

COMMUNITY

Community involvement should be at the heart of any small business. At Hops & Grain we are committed to being a good neighbor, not only to our planet but also to our neighborhood community. At both of our breweries we connect with other local businesses and non-profits to bring attention to what makes central Texas great, the creative men and women that live and work here! Each year our staff volunteers their time to work with our non-profit partners. In addition we donate our space and our product to help bring awareness to the great work that these partners are doing. After all, beer tends to bring out a crowd!

<http://www.hopsandgrain.com/>

City of Vista & San Diego Sheriff: Crime Prevention Partners

- ▶ City employee liaison with SDO and ABC
- ▶ Pilot program with Vista Brewers Guild
 - ▶ Tracking DUIs and certain Calls for Service
 - ▶ Public nuisance, trash, urinating in public, noise, parking, fighting, etc.
 - ▶ Breweries also verify only licensed vendors on-site
 - ▶ Monthly list of “infractions” and offending breweries
 - ▶ Distributed to owners monthly and discussed quarterly at Guild meetings
- ▶ Breweries encouraged to keep logs and proactively inform City of incidents
- ▶ Breweries to respond in writing to reports of incidents with details and how modifying for prevention



How are breweries applying situational crime prevention?

7. Do you allow busses or large groups at The Side Project Cellar?
The Side Project Cellar is a very small & cozy space, so we do not allow busses and do not recommend groups larger than 10 people.

From the Insight Brewing Inspector's Report (within the Plan): "Because this warehouse has been vacant for several years, Insight feels their presence at this location will help deter criminal activity."



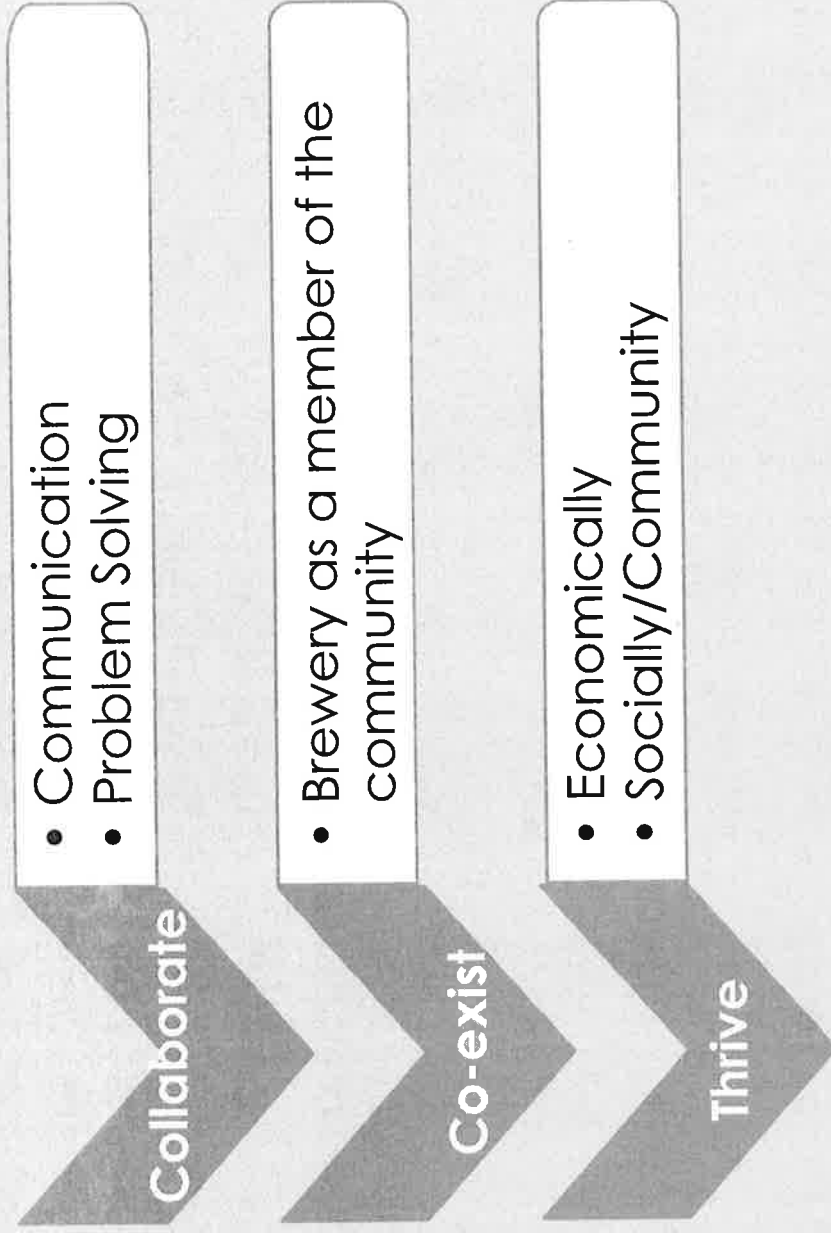
Higher alcohol beer served in smaller portions

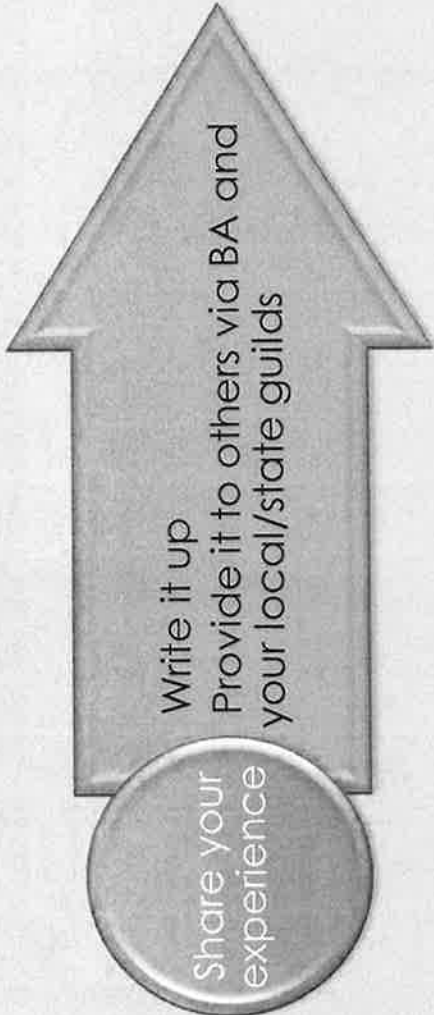


Page 14
CUP2015-00008—Broken Cauldron Brewery
CONDITIONS OF APPROVAL (CONT.)
Police
1. CPTED. The Orlando Police Department has reviewed the plans for Broken Cauldron Brewery located at 1016 W. Church St., utilizing CPTED (Crime Prevention Through Environmental Design) principles. CPTED emphasizes the proper design and effective use of a created environment to reduce crime and enhance the quality of life. There are four overlapping strategies in CPTED that apply to any development: Natural Surveillance, Natural Access Control, Territorial Reinforcement and Target Hardening.

Welcome families and dogs
Keep place well-lit
Regulars have their own mugs
Owners/Brewers often on-site
Limit the amount of people allowed (smaller #s in brewery tasting rooms than bars)
Don't serve shitty beer
No competitive drinking games
2 pint beer limits

Where do we go from here?





Write it up
Provide it to others via BA and
your local/state guilds

Share your
experience

U.S. and Canada Brewery Locations

**CHEERS & THANK YOU.
QUESTIONS, COMMENTS, IDEAS?**

Legend
per State/Province

TOTAL

10

BREWHOUSE

BREW/PUB

BREWERY

Julie Wartell

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22 November 2018

Councilperson Kathy Lambert
516 Third Ave. Room 1200
Seattle, WA 98104

Dear Councilperson Lambert:

The King-Pierce Board of Directors opposes “Proposed Ordinance 2018-0241”. The proposed ordinance, if enacted, would serve to put many of the small and family-operated wineries, breweries and distilleries in rural King County out of business.

The King-Pierce Farm Bureau supports the growth of a robust agricultural climate in the rural areas of King County. Restrictive, expensive and overly-broad ordinance requirements would force these operations out of the agricultural communities that they both serve and benefit.

Respectfully Yours,

Rosella Mosby
President, King-Pierce Farm Bureau

cc: Dow Constantine, King County Executive
Tom Davis, Washington Farm Bureau

Dear Council Members,

Few years ago, I noticed some movement taking place across the gravel road in my neighbor's yard. I have never talked to any one of them before, never found a need in all honesty. I just kept to myself and kept on going with my busy life. I kept seeing work being done, landscaping being installed, odd equipment put into place, and it got me thinking that my neighbors must be cooking meth!

Obviously that wasn't the case but a small and ignorant part of me kind of believed it. If I was a different person, I might have allowed my own fears and insecurities drive my emotional state and actions to become tainted, but instead I poked my head over my fence one day, screamed and waved for them to come join me for a bon fire and learned what it was they were really up to.

It turned out that all those nights while I was going to bed, seeing a light coming from their direction was them brewing beer all through the night so they can get ready to unveil this little beauty to the world. Since that day, I have kept a close eye and built a relationship with them all because they decided to take a chance, and follow their passions. It has an astounding effect on the people around you. Having a person so dedicated, so passionate, so willing to put in all the work required to bring forth a dream that would bury so many others, living right next to you, shining bright and leading not by authority, but by example. Having these people live on the other side of my fence, lights a fire under your tush.

Slowly but surely, their doors open and people start coming in.

At first, my fears were buzzing through a little bit. "Maybe I don't want a bar right next to my house. I remember when I would go out drinking, trouble was always right around the corner" and I didn't want that. I didn't want a bunch of freshly 21 year olds slithering through my neighborhood, littering, yelling, and fighting! But again, my fears were so misplaced in ignorance that I felt incredibly embarrassed when I got to see the environment they created! Their vision wasn't a bar for young hoodlums. Their vision was something beautiful.

It is a place where people come to have meaningful conversations. A place where friends would meet each other and greet one another with a warm embrace. A place where lawn games are set out and kids are encouraged to spend time with their parents, having fun, connecting, growing, making memories, strengthening family bonds. A place where you come by yourself to enjoy a quiet beer, and leave with a new group of friends. It was a heart of a caring, environmentally and love conscious community that included everyone to stop by and feel welcomed. They created a home for those that have forgotten what "home" felt like.

Every time I came by, I grew closer to the seemingly magical people that ran this brewery. Not only that, but closer and closer to the community I was a part of for so many years yet never found a reason to connect. They provided the reason and tore down any obstacle that I could come up with.

From living in a secluded island we call our home, to being exposed to a couple young entrepreneurs that actually believed that they can create their dreams, and slowly, because of their audacity and hard work, they achieved something magical for us all.

I am forever grateful to these fine people for everything they do. They have the hearts of lions, intentions made of pure gold, morals of saints and having them, not only in my community, but in the world, is an enormous blessing.

A quote comes to mind by Margaret Mead

"Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has."

These are these citizens, and I hope that anyone who has ever wanted to make an impact in this world would get a chance to be on their side and help them move mountains so we can all move closer to a life that we all deserve.

I support having Four Horsemen Brewery in our neighborhood. I've even met the owners of Lumber House Brewery and love their goals. They both add value to the community, add value to the rural character, and are a safe family environments we all enjoy. I hope you support their changes to the ordinance so they can be successful and grow. Craft breweries in the rural area add value to our lives we don't realize. We should encourage them to exist and ensure they can be successful.

With warmest regards,

A loving neighbor

Andrey (Psyche) Pavlenko

30245 148th Ave SE
Kent, WA 98042

**PROPOSED ORDINANCE 2018-0241 – WINERY/BREWERY/DISTILLERY CODE UPDATE
DECISION MATRIX FOR PRE CHAIR LAMBERT**

#	Proposed Change	Council Staff Comments	Chair's Direction	FoSV
1	<p>Sections 3 through 9 add a new chapter in Title 6 – business licenses</p> <p>This adds a new requirement to get a business license for wineries, breweries, and distilleries, and remote tasting rooms.</p> <p>The business license fee would be \$100 for initial and renewal of licenses.</p>	<p>1. It is a policy choice whether to require a business license for these uses.</p> <p>2. Executive staff expect this fee to generate up to \$6000 annually. DPER staff state that business license reviews do not include an in depth review, and are used for tracking purposes. In depth review, for compliance with development regulations is done as part of construction permit and land use applications.</p>	<p>6/28 – consider other methods: 1 time registration, once every 5 years. Asked for follow up from staff: what do other licenses require?</p> <p>7/3 Council staff: most licenses require a fee every year. Some licenses require renewals more frequently than once a year (close out sales). Shooting ranges are every 5 years.</p> <p><i>Need further direction from CW Lambert.</i></p>	<p>Support requirement for annual licenses. Revenue should go to enforcement.</p> <p>Violates</p> <p>RCW 66.08.120</p>
1)	<p>Tracking not needed, DPER already receives notice of liquor license application, which already has location specifics of EXACTLY where the business will be operating, as required by LCB and TTB. This is DPER over-reach because they fail to do their jobs upon initial application, and now are punishing businesses for their failure. King County also is not legally allowed to license the sale of alcohol per <u>RCW 66.08.120, Preemption of Field by State-Exception.</u></p>			
2	<p>Section 10: Repeals existing definition of winery:</p> <p>An establishment primarily engaged in one or more of the following:</p> <ul style="list-style-type: none"> A. Growing grapes or fruit and manufacturing wine, cider or brandies; B. Manufacturing wine, cider, or brandies from grapes and other fruits grown elsewhere; and C. Blending wines, cider or brandies. 	<p>No issues identified. This definition is replaced by the new definitions for WBD I, II, III.</p>	<p>6/28 – ok with change.</p>	<p>Repeal of existing definition is acceptable. Real issue is adequacy of new definitions.</p>

2) Should leave definition of winery as is, and add definition of brewery and distillery, rather than lumping all definitions all together. The State clearly defines each one, why doesn't King County?

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DECISION MATRIX FOR PRE CHAIR LAMBERT**

#	Proposed Change	Council Staff Comments	Chair's Direction	FoSV
quq	<p>Section 11: Adds a definition for adult beverage business:</p> <p>An adult beverage business means a winery, brewery, distillery or cidery, and remote tasting rooms for any of those businesses.</p>	<p>No issues identified.</p>	<p>6/28 – ok with change.</p>	<p>Definition of adult beverage business is needed for the licensing requirement. This is acceptable.</p>

3) Better to define winery, brewery, distillery separately. We have separate licenses per the State, so we should have our own definitions.

4	<p>Section 12: Adds a definition for remote tasting room:</p> <p>A small facility approved by the Washington state Liquor and Cannabis Board as a remote tasting room for a licensed winery, brewery or distillery that is operating at a location other than the licensed winery, brewery or distillery production facility, for the purpose of the retail sale and sampling of the licensed product.</p>	<p>1. The LCB does not use the term "remote tasting room". Instead, the term is "Tasting Room – Additional Location". Executive staff agree that the LCB term should be used.</p> <p>2. This license is only allowed for in-state wineries. Out-of-state wineries will not be allowed to operate a remote tasting room within the Overlay A area demonstration project.</p> <p>3. In addition, this allowance for a tasting room by the LCB is only allowed for wineries. Breweries and distilleries do not have a comparable state license, and would not be able to locate in the Overlay A demonstration project.</p>	<p>6/28 – revise the language so that breweries and distilleries can participate in the demonstration project.</p>	<p>KCC 21A.55 defines the scope of the Council's authority to establish "demonstration projects". Allowing tasting rooms in zones where they are not allowed by the current code is outside of the scope of the council's authority under KCC 21A.55.</p> <p>The definition should include the size limitation; A small facility with total space devoted to tasting and retail activity not to exceed one thousand square feet of gross floor area, that is approved by the Washington state Liquor and Cannabis Board as a remote tasting room for a licensed winery, brewery or distillery that is operating at a location other than the licensed winery, brewery or distillery production facility, for the purpose of the retail sale and sampling of the licensed product.</p>
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4) Ok with adding a definition of remote tasting room as long as it conforms to the definition of what is actually known as "additional location" for winery businesses. Agree with Chair's direction, that if the overlay areas are going to be able to have winery retail locations, Breweries and distilleries should be able to have the same options as we are all manufacturers of agricultural products, and should not be treated as better than/worse than any of these other businesses.

**PROPOSED ORDINANCE 2018-0241 – WINERY/BREWERY/DISTILLERY CODE UPDATE
DECISION MATRIX FOR PRE CHAIR LAMBERT**

#	Proposed Change	Council Staff Comments	Chair's Direction	FoSV
	<p>Section 13: Adds a definition for winery, brewery, distillery facility I:</p> <p>A very small establishment licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits and where on-site product tasting or retail sale of merchandise does not occur.</p>	<p>1. The Council may want to consider whether using "very small", "small" or no qualifier is sufficient in the definitions. The parameters separating the three WBD facilities are in the development conditions in the permitted uses section. Another option would be to call out the maximum square footage in the definition, if the Council wants to be more specific.</p>	<p>6/28 – add the size qualifiers</p>	<p>Proposed definition: A winery, brewery or distillery as those terms are defined by KCC 21A.06, with gross floor area devoted to processing not to exceed one thousand five hundred square, licensed by the State of Washington to produce adult beverages such as wine, cider, beer or distilled spirits and where on-site product tasting or retail sale of merchandise does not occur.</p>

WBD I needs to be removed as there is no purpose of starting a business if you can't sell your product. Size qualifiers need to be added as definitions are currently vague and will be greatly abused by DPER.

**PROPOSED ORDINANCE 2018-0241 – WINERY/BREWERY/DISTILLERY CODE UPDATE
DECISION MATRIX FOR PRE CHAIR LAMBERT**

#	Proposed Change	Council Staff Comments	Chair's Direction	FOSV
5	<p>Section 14: Adds a definition for winery, brewery, distillery facility II:</p> <p>A small scale production facility licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits and that includes an adult beverage production use such as crushing, fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility II may include additional product-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law, on-site product tasting and sales as authorized by state law, and sales of merchandise related to products available for tasting as authorized by state law.</p>	<p>Same issue as above on size qualifier.</p>	<p>6/28 – add the size qualifiers</p>	<p>Proposed definition: 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>

Size qualifiers need to be added as definition for WBD II is very vague, and again will be abused/wrongfully and purposefully interpreted by DPER.

**PROPOSED ORDINANCE 2018-0241 – WINERY/BREWERY/DISTILLERY CODE UPDATE
DECISION MATRIX FOR PRE CHAIR LAMBERT**

#	Proposed Change	Council Staff Comments	Chair's Direction	FoSV
6	<p>Section 15: Adds a definition for winery, brewery, distillery facility III:</p> <p>An establishment licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits and that includes an adult beverage production use such as crushing, fermentation, barrel or tank aging, and finishing. A winery, brewery, distillery facility III may include additional product-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law, on-site product tasting as authorized by state law, and sales of merchandise related to products available as authorized by state law.</p>	<p>Same issue as above on size qualifier.</p>	<p>6/28 – add the size qualifiers (Erin's note – this may not make sense for II)</p>	<p>Proposed definition: 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 III may include on-site tasting and sales of products produced on-site only</p>

Yes on size qualifiers, but needs to be defined to allow for adequate growth as this will be the largest size allowed. We should be able to have adequate building sizes if you meet certain set property parcel size requirements and are able to be within impervious surface requirements and all agricultural zoning requirements with respect to buildings.

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DECISION MATRIX FOR PRE CHAIR LAMBERT**

#	Proposed Change	Council Staff Comments	Chair's Direction	FoSV
7	<p>Section 17: Modifies parking requirements:</p> <p>Requires for WBD II facilities, 0.9 per 1,000 square feet plus 1 per 300 square feet of tasting area (existing code is 1 per 50 square feet of tasting area).</p> <p>Does not specify parking requirements for other WBD facilities.</p>	<p>1. This change would reduce the number of parking spaces required, and therefore the maximum number of parking spaces allowed, for WBD III facilities.</p>	<p>6/28 – keep existing ratio for tasting. Add language to the demonstration projects to evaluate parking needs/impacts.</p>	<p>Support Proposed Ordinance provisions on parking.</p>
<p>There should be NO maximum parking spaces. If you can conform to impervious surface requirements and surface water management regulations, then what exactly is the issue? Businesses should be able to reasonably accommodate customers on their property with sufficient and <u>REASONABLE</u> parking allowances.</p>				
8	<p>Section 18: Modifies home occupation requirements (R, UR, NB, CB and RB zones):</p> <p>Prohibits all WBD facilities and remote tasting rooms.</p>	<p>This is a policy choice for the Council.</p>	<p>6/28 – ok with change</p>	<p>Support proposed ordinance.</p>
<p>If business can work within Home Occupation requirements, why restrict it? This is pure targeted discrimination on Adult Beverage Businesses and if our rural businesses are forced to move into the urban areas, it will only add to the already huge traffic problem that the county has done little to nothing to actually fix.</p>				
9	<p>Section 19: Modifies home occupation requirements (A, F and RA zones):</p> <p>Prohibits all WBD facilities and remote tasting rooms.</p>	<p>This is a policy choice for the Council.</p>	<p>6/28 – ok with change</p>	<p>Support proposed ordinance.</p>
<p>Again...if business can work within Home Occupation requirements for this zone, why restrict it? This again is discrimination on our businesses and if our rural businesses are forced to move into the urban areas, it will only add to the already huge traffic problem that the county has done little to nothing to actually fix.</p>				

<p>10</p>	<p>Section 20: Modifies home industry requirements: Prohibits all WBD facilities and remote tasting rooms.</p>	<p>This is a policy choice for the Council.</p>	<p>6/28 – allow WBD as a home industry. (see modified conditions in HIP section).</p>	<p>Support proposed ordinance.</p>
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We support the Chair's direction to allow WBD's as Home Industry as they can completely conform to be compliant within Home Industry standards. But we do also ask that the Chair consider modifying the permitting process for Home Industry as the CUP process is COMPLETELY BROKEN, and is UNREASONABLY COST PROHISITIVE.

**PROPOSED ORDINANCE 2018-0241 – WINERY/BREWERY/DISTILLERY CODE UPDATE
DECISION MATRIX FOR PRE CHAIR LAMBERT**

#	Proposed Change	Council Staff Comments	Chair's Direction	FoS/V
11	<p>Section 21. Modifies temporary use permit requirements.</p> <p>For WBD II and III in A zones, events limited to 2 per month and all parking must be accommodated on site or through a plan approved by the director.</p> <p>For WBD II and III in RA zones, events limited to 24 within a one-year period and all parking must be accommodated on site or through a plan approved by the director.</p> <p>For WBD II in A and RA zones, consider building occupancy limits and parking limitations during permit review, shall condition the number of guests and shall not be more than 125 guests.</p> <p>For WBD III in A and RA zones, consider building occupancy limits and parking limitations during permit review, shall condition the number of guests and shall not be more than 250 guests.</p>	<p>1. Executive staff continue to work on a definition of a "special event". In practice, it will need to be based on criteria that an inspector could easily see if they visit the site. Initial thoughts include: any tents, portable toilets, stages on-site, and need for additional parking over the permitted number of maximum spaces. The Council may want to consider whether the criteria for what is included within normal business operations as a WBD, and what is outside of the normal operations that needs a special event TUP. Executive staff indicate that closing during allowed tasting hours for a private event would not trigger a TUP unless it meets the criteria above, although that is not clearly stated in the PO.</p> <p>2. For some allowances, the number of events is specified, and for others, the number of days events are allowed is specified? When the number of days is specified, more than one event would be allowed.</p>	<p>6/28 -</p> <ul style="list-style-type: none"> • add language that specifies when a TUP is required. Include building occupancy, portable toilets and additional parking as criteria, but exclude stage and tents. • include language that events within the normal business hours do not require a TUP. • Allow 24 events per year in Ag zone. • WBD II allowed 150 guests (WBD III ok with 250) 	<p>Add definition of winery, brewery, distillery facility special event: A private event such as a wedding, anniversary party, office gathering or other event not open to the public, conducted at a winery, brewery, distillery facility II or III, with attendance limited to the occupancy load permitted for the primary structure on the site by the fire code, conducted not more frequently than two times per month, and authorized by a temporary use permit. No amplified outdoor sound allowed. No other special events or uses are allowed to be conducted in, or on the site of a winery, brewery, distillery facility II or III. No special events or uses shall be conducted in a Remote Tasting Room or a winery, brewery or distillery I.</p> <p>Winery, brewery, distillery facility special events as defined in KCC 21A.06 may be allowed not more frequently than two times per month with an approved temporary use permit under K.C.C. chapter 21A.32. No outdoor amplified sound allowed. No other special events or temporary uses are allowed.</p>

Events allowed should be 60 within a year, and an event should be classified as anything that operates outside of normal business hours. A TUP should not be required if events are within business hours, even if business is closed to public for a private event, as long as that private event would have been within normal business operating hours. TUP's should be required if event will be not be able to conform to local noise ordinances and will not be able to accommodate all parking requirements on-site. Please see all additional restrictions in Dominique Torgerson's version of the ordinance.

**PROPOSED ORDINANCE 2018-0241 – WINERY/BREWERY/DISTILLERY CODE UPDATE
DECISION MATRIX FOR PRE CHAIR LAMBERT**

#	Proposed Change	Council Staff Comments	Chair's Direction	FosV
12	<p>Section 22: Adds a Sammamish Valley and Vashon Town Center wine and adult beverage remote tasting room demonstration project A.</p> <ul style="list-style-type: none"> • Administrative approval by DPER – as a Type I land use decision • May apply for approval simultaneously as business license application • Allowed uses under the demonstration project limited to remote tasting room. • Adds criteria for remote tasting room: <ul style="list-style-type: none"> ○ One or more WBD I, II or III may operate ○ Total space for tasting and retail is 1,000sf plus storage, restroom, back-of-the-house uses ○ Additional 500sf of outdoor space allowed ○ Direct access to an arterial ○ No production allowed 	<p>1. Vashon-Maury Island. The PO would allow remote lasting rooms on any property within the Rural Town boundary.</p> <p>a. When/if the Council makes permanent changes to remote tasting rooms, then allowing them, or WBD generally, would require an amendment to the VMI Subarea Plan/P-suffix conditions. As a precedent, Council should consider whether it meets their policy goals to allow uses through a demonstration project that would otherwise not be allowed by a P-suffix or SDO (or equivalent).</p> <p>b. This would allow lasting rooms on land that the underlying zoning would not allow WBD in any form (Residential zones) elsewhere in the County.</p> <p>2. The purpose of a demonstration project is to "test and evaluate alternative development standards and processes prior to amending King County policies and regulations." The Council may want to consider whether the reporting requirements for the demonstration projects, as transmitted by the Executive, provide sufficient evaluation for the Council to make an informed decision on future permanent code changes.</p> <p>3. The PO states that DPER cannot accept applications after 3 years from the effective date of the Ordinance. However, this will still be a codified section of Code after that date, as it doesn't have an official expiration date. The Council may want to consider making this expiration date more clear.</p>	<p>6/28 --</p> <ul style="list-style-type: none"> • Add Fall City Rural Town as third area • Add language to the demonstration projects to evaluate parking needs/impacts. • Add more robust evaluation language. Include the nearby City's and CSA groups' opinions of the overlays. • Require a Council action to end the overlay. Remove the provision that has DPER stop accepting applications automatically after 3 years <p><i>Executive staff suggested the alternative be addressed to either by Town Code, as they do a great job of handling Rural Town</i></p> <p><i>Need further direction on Vashon question from Council/Lambert/Staff/Committee</i></p>	<p>The Sammamish Valley must be eliminated from Overlay A. Making retail sales uses—lasting rooms—permitted uses in the Sammamish Valley violates the GMA. These are urban uses. The A and RA zoned land in the Valley is not suitable for urban uses. This violates the KC Comp. Plan mandate to preserve the character of the Rural Area. Bar hopping is an urban activity. Signage, parking areas, serving of alcoholic beverages and food require urban services—sewers, storm sewer systems, adequate roads, police, fire and code enforcement services. They do not belong in Rural Areas and in particular do not belong in buffers to the Sammamish Valley APD. There is more than adequate land in the surrounding city urban areas to accommodate growth in tasting rooms. The interests of the rural residents who live in and around these areas are being ignored to serve the interests of a small number of operators of illegal business.</p>

**PROPOSED ORDINANCE 2018-0241 – WINERY/BREWERY/DISTILLERY CODE UPDATE
DECISION MATRIX FOR PRE CHAIR LAMBERT**

#	Proposed Change	Council Staff Comments	Chair's Direction	FoSV
13	<p>Section 23: Adds a Sammamish Valley wine and adult beverage tourist district events demonstration project B.</p> <ul style="list-style-type: none"> • Administrative approval by DPER, using review procedures in 21A.42 and decision criteria in 21A.44.040 (for CUPs) • Allowed for WBD III • Waives requirements in 21A.32.100 through .140, 21A.44.020 and 21A.08.080.B.12.1 • Allowed to obtain authorization for on-site weddings and similar uses under the CUP • No waiver from other requirements (including review procedures) • Only allowed with an application for a new or modified CUP for WBD III, either in conjunction with that application or before. Must demonstrate compliance with 21A.44.040. • CUPs are a Type II land use decision • Only allowed in area identified in Attachment B 	<p>1. The Council may want to consider whether the reporting requirements for the demonstration project provide sufficient evaluation for the Council to make an informed decision on future permanent code changes.</p> <p>2. The PO states that DPER cannot accept applications after 3 years from the effective date of the Ordinance. However, this will still be a codified section of Code after that date, as it doesn't have an official expiration date. The Council may want to consider making this expiration date more clear.</p>	<p>6/28 –</p> <ul style="list-style-type: none"> • Add more robust evaluation language. Include the nearby City's and CSA groups, opinions of the overlays. • Require a Council action to end the overlay. Remove the provision that has DPER stop accepting applications automatically after 3 years. 	<p>The Sammamish Valley must be eliminating from Overlay B. The proposed overlay converts special events to a conditional uses. Once a conditional use permit is issued it is permanent. Under current permitting, special uses are approved on an annual basis. If the events do not adhere to permit conditions or otherwise become incompatible with the surrounding rural residences and farms the permit can be further conditioned, limited or denied. There is no public disclosure of what is going on here. Overlay B looks like just a minor change in the type of permitting but it is a very major shift to make special events allowed in the rural and agricultural areas by virtue of a one-time administrative permit that transforms them into permanently allowed land uses.</p>

**PROPOSED ORDINANCE 2018-0241 – WINERY/BREWERY/DISTILLERY CODE UPDATE
DECISION MATRIX FOR PRE CHAIR LAMBERT**

#	Proposed Change	Council Staff Comments	Chair's Direction	FoSY
14	<p>Section 24. Modifies citation penalty.</p> <p>Adds specific citations for WBD I, II and remote tasting rooms: \$500 for first violation, and \$1,000 for subsequent violations</p> <p>(existing code is \$100 for first violation, \$500 for subsequent violations)</p>	<p>1. The Council should consider whether these citation penalty amounts are sufficient to deter violations, and that the amounts are not TOO high and unnecessarily punitive.</p> <p>2. After this six month period, enforcement of the provisions would follow the established code enforcement process. The Council may want to take into consideration enforcement of the provisions over the longer term, especially considering the task force recommendations and report initially focused on the Sammamish Valley and the industry and proposed development regulations encompasses the entire County. The County has limited code enforcement resources, in terms of 1) number of code enforcement officers, 2) ability under the code to get to voluntary compliance quickly, and 3) to get resolution on cases through the judicial system.</p>	<p>6/28 –</p> <ul style="list-style-type: none"> Modify the citation penalties: 1st violation – written warning plus discretion to fine up to \$100 2nd violation - \$200 3rd violation - \$500 4th - \$750 5th - \$1000 <p>Subsequent: Notice and Order process with civil penalties. Potential suspend or revoke license</p>	<p>The penalties are far too low to create real incentive to adhere to the law. Enforcement must be a priority. Currently there is essentially no enforcement. See specific revisions in penalty amounts in the FoSY proposed revisions to the ordinance.</p>

This increase in penalties is completely discriminatory. We should not be penalized anymore than any other business. This is a perfect example of discrimination, and is illegal!

**PROPOSED ORDINANCE 2018-0241 – WINERY/BREWERY/DISTILLERY CODE UPDATE
DECISION MATRIX FOR PRE CHAIR LAMBERT**

#	Proposed Change	Council Staff Comments	Chair's Direction	FoSV
15	<p>Section 16 Modifies the Manufacturing land use table:</p> <p>Adds WBD I, WBD II, and WBD III to the permitted use table and permits them in multiple zones, either as permitted outright with development conditions or with a conditional use permit with development conditions in several zones.</p> <p>Modifies development conditions for WBD facilities related to minimum lot size, floor area, parking area, setbacks, product content, location of facilities on farmland, tasting hours, site access, business license, supply, connection to water, growing requirements, and employee maximums.</p>	<p>See separate table for description of substantive changes.</p>	<p>See separate table for changes to this table.</p>	<p>WBDs belong in manufacturing and industrial areas. FoSV has not taken any positions on the proposed ordinance with respect to manufacturing and industrial areas.</p>
1.		<p>As described in the background section, the transmitted Proposed Ordinance was the result of a years long process to address the proliferation of wineries within the Sammamish Valley. However, except for the demonstration projects, the Proposed Ordinance would apply countywide, and would apply to breweries and distilleries. The Council may want to consider whether sufficient input from other industries, including breweries and distilleries, has been taken, and whether further input is necessary before code changes are adopted.</p>		
2.		<p>Executive staff are aware of 54 wineries, breweries, and distilleries in unincorporated King County. Of those, only 4 are legally permitted today and all 4 would become legally nonconforming under the Proposed Ordinance as transmitted. The other 50 are operating without permits or in violation of the County's development regulations. Executive staff estimate that 8 businesses will not be able to comply with the new regulations at their current locations – they all appear to be within Agriculture zoned areas. Of note, lands that have Farmland Preservation Program (FPP) status would not be permitted by the associated covenants to operate a winery, brewery or distillery facility or a remote tasting room on-site. For the businesses that are expected to not be able to comply, DPER states that they will start the enforcement process upon the ordinance becoming effective. DPER staff state that the plan would be to allow the businesses the same 6 month compliance period that other businesses will receive, but these businesses would not receive technical support through the</p>		

Hello Grater Maple Valley Unincorporated Council,

Attached is a document the Rural Adult Beverage Industry was surprised to see your organization supporting. There is not a large amount of small businesses in the rural areas of Maple Valley. Lumber House Brewery located in Hobart (rural MV) has been operating since 2014. We were never contacted about this level of support. As it directly affects our business model and many others in our Rural MV, I would like to point out the issues with the document you have chosen to affiliate with all of the Rural portions of Maple Valley. Please also note that Lumber House Brewery is NOT in support of this document and would like you to do more outreach before claiming such support!

one of the largest businesses in the Unincorporated area was never spoken to about this when support was extended

Dear Counsel Members of King County,

Please consider the approval of The Four Horsemen Brewery for the following reasons:

-They are a local family owned business.

It is in our interest as a country and as a community to nurture and support local businesses to, in turn, support the community with local jobs and resources. It is the foundation on which our country runs.

-They are self-sufficient.

This company doesn't burden their waste on the community. Rather, they use their own spent grains from brewing to feed local chickens, which is helpful and cost effective to the community and local farms.

-They are family friendly.

Breweries are all about the community. Thanks to the local laws, they are better built for families to enjoy together. It's an environment that brings local food sources and vendors together for one goal: family. Instead of a bar which separates parents from children, a brewery is a place that the parents can enjoy a locally crafted beverage, bring a picnic, and have the whole family together in an inviting environment. It's not unlike a restaurant idea, but there's always a lot more room for children to roam.

This business is great for the community, local farms, local jobs, and families.

Please approve their business.

Thank you,
Brittany Kohl
Owner/Operator of BKohl Piano Studios
Seattle, Wa.

Recipient: Dane Scarimbolo, Four Horsemen Brewery, Lumber House Brewery

Letter: Greetings,

Save Rural Craft Beer!

Signatures

Name	Location	Date
Dane Scarimbolo	Kent, WA	2018-11-30
Melissa Earl	Auburn, WA	2018-12-01
Phillip Peterson	Kent, WA	2018-12-01
William Smith	Enumclaw, WA	2018-12-01
Paige Kasai	Redmond, WA	2018-12-01
Tera Al-Kire	Queen Creek, AZ	2018-12-01
Dara Taylor	Maple Valley, WA	2018-12-01
Kevin Farlee	Maple Valley, WA	2018-12-01
Johnathan Castillo	Gretna, US	2018-12-01
Melissa Earl	Maple valley, WA	2018-12-01
Brian Hazelton	Maple Valley, WA	2018-12-01
Matthew Arnold	Seattle, WA	2018-12-01
Lanie Blanchard	New iberia, US	2018-12-01
Frank Wayland	Bothell, WA	2018-12-01
Roxanne Kelly	Lake Tapps, WA	2018-12-01
Gunner Osborn	Cosby, US	2018-12-01
Paul Peter	Covington, WA	2018-12-01
Deborah Eberhardt	Sammamish, WA	2018-12-01
Shannon Scannon	Apo, AE	2018-12-01
Jeff Hedrick	Spokane, WA	2018-12-01

Name	Location	Date
Nick Hummel	Blackwood, US	2018-12-01
Stormer Sage	Ypsilanti, US	2018-12-01
Donald Deckert	Maple Valley, WA	2018-12-01
Ben Burgin	San Diego, US	2018-12-01
Ryan Matthews	Seattle, WA	2018-12-01
Cameron Draper	Crowley, US	2018-12-01
Jennifer Limon	Kent, WA	2018-12-01
Nikolas Perron	Bremerton, WA	2018-12-01
Kyrié Benson	Yakima, WA	2018-12-01
R. Craig Hanson	Auburn, WA	2018-12-01
Wanda Koehmstedt	Kent, WA	2018-12-01
Jeff Nagle	Maple Valley, WA	2018-12-01
Jesse Willard	Seattle, WA	2018-12-01
Brandon Vukelich	Algona, WA	2018-12-01
Luann Pike-Hartnett	Kent, WA	2018-12-01
Marc Helgeson	Seattle, WA	2018-12-01
Mark Dige	Renton, WA	2018-12-01
Brandon Toebe	Seattle, WA	2018-12-01
Olivia Wilson	Enumclaw, WA	2018-12-01
Carly Hill	Algona, WA	2018-12-01
Christopher Ramirez	Hebbronville, US	2018-12-01
kay randall	Everett, WA	2018-12-01

Name	Location	Date
Michael Morgan	Ridgeland, US	2018-12-01
Abdullah Ali	Peekskill, US	2018-12-01
Barbara Hill	Algona, WA	2018-12-01
Stephanie Langenderfer	Maple Valley, WA	2018-12-01
Alex Smith	Colorado Springs, US	2018-12-01
Anthony Guess	Springfield, US	2018-12-01
Isaac Meinke	Crete, US	2018-12-01
Amanda Friedman	Daly City, US	2018-12-01
Dorian Cordero	Tampa, US	2018-12-01
Shane Stryker	Wilmore, US	2018-12-01
Cathy Welch	Chicago, IL	2018-12-01
Emily Walsworth	Seattle, WA	2018-12-01
Gabe Rathbone	Waynesville, US	2018-12-01
John Limon	Kent, WA	2018-12-02
Mark Rowe	Maple Valley, WA	2018-12-02
Kyle Hinde	Auburn, WA	2018-12-02
Rivers Morrell	Los Angeles, CA	2018-12-02
Israel Lopez	Centralia, WA	2018-12-02
Erik Perry	Spanaway, WA	2018-12-02
Spencer Mueller	Kent, WA	2018-12-02
Kelli Temeyosa	Kent, WA	2018-12-02
Riley Johnson	Auburn, WA	2018-12-02

Name	Location	Date
Tara Thompson	Auburn, WA	2018-12-02
Darrin Hall	Nicholasville, US	2018-12-02
Artsy Fartsy	Murfreesboro, US	2018-12-02
Doug Myers	Maple Valley, WA	2018-12-02
Leonard Charest	Redmond, WA	2018-12-02
Robert Wade	Maple Valley, WA	2018-12-02
Jacqueline Myers	Tacoma, WA	2018-12-02
Stephanie Fleming	Sammammish, WA	2018-12-02
Randal Regan	sommerville, US	2018-12-02
James Benson	Kent, WA	2018-12-02
Nathan Longo	Newark, US	2018-12-02
Pam Warnock	Lacey, WA	2018-12-02
Nathan Madoulet	Bonney Lake, WA	2018-12-02
Geoffrey Campbell	Maple Valley, WA	2018-12-02
Stephanie Albright	Auburn, WA	2018-12-02
Sara Vacca	Kent, WA	2018-12-02
Michelle Cruz	Puyallup, WA	2018-12-02
Felisha Lovinsky	Lantan, US	2018-12-02
Shayleen Yamila	Brooklyn, US	2018-12-02
Ashley Laskowski	Seattle, WA	2018-12-02
Marion Marsh	Elm Grove, US	2018-12-02
kenneth Lizotte	Marlborough, US	2018-12-02

Name	Location	Date
Alex Rojas	Orchard Park, US	2018-12-02
Jessica Alcantar	Pacific, WA	2018-12-02
Alyssa Barrientes	Pacific, WA	2018-12-02
Jessica Gambriell	Auburn, WA	2018-12-02
Justine Mohr	Seattle, WA	2018-12-02
Amanda Campbell	Redmond, US	2018-12-02
Dane Cuddie	Puyallup, WA	2018-12-02
Erika Brink	Kent, WA	2018-12-02
Nick Sanfilippo	Issaquah, WA	2018-12-02
Trisha Bauerle	Seattle, WA	2018-12-02
Paul Anderson	Bonney Lake, WA	2018-12-02
Preston Williams	Belleville, US	2018-12-02
Stephen Selby	Maple Valley, WA	2018-12-02
Vanessa Evenson	Tacoma, WA	2018-12-02
Robert Shoemaker	Renton, WA	2018-12-02
Rachel Palumbo	Norfolk, US	2018-12-02
Bryce Carlberg	Puyallup, WA	2018-12-02
Michelle Jones	Aliso Viejo, CA	2018-12-02
Justin Torgerson	Seattle, WA	2018-12-02
Zachary McMacken	Istanbul, Turkey	2018-12-02
Matt Bumpas	Seattle, WA	2018-12-02
Travis Crawford	Oak Harbor, WA	2018-12-02

Name	Location	Date
Cassandra Miguel	Auburn, WA	2018-12-02
Amit Dhingra	Pullman, WA	2018-12-02
victoria medrano	San Benito, US	2018-12-02
Curtis Quintana	Bothell, US	2018-12-02
Jessica Reyes	Azusa, US	2018-12-02
Taylor Myers	Salt Lake City, US	2018-12-02
Alex Avent	Fremont, US	2018-12-02
George Yaple Jr	Stanhope, US	2018-12-02
Seth Moniz	North Dartmouth, US	2018-12-02
Leeanna Kuhl	Maple Valley, WA	2018-12-02
Kim Weiland	Gwinn, MI	2018-12-02
Alex Pace	Methuen, US	2018-12-02
Kate Pelusi	Philadelphia, PA	2018-12-02
Richard Peterson	Auburn, WA	2018-12-02
SCOTT ZOTOLLO	ROCHELLE PARK, US	2018-12-02
Amanda Washburn	Sioux Falls, US	2018-12-02
Jayme Stafford	Monrovia, US	2018-12-02
Leena Mcmann	Granite City, US	2018-12-02
Sponge bob Booty	Smithtown, US	2018-12-02
Alee Winniford	Texarkana, US	2018-12-02
Jack Beaupre	orlando, US	2018-12-02
Yonah Grayman	Cranford, US	2018-12-02

Name	Location	Date
Macie Rowell	Atlanta, US	2018-12-02
Haley Swihart	Longview, WA	2018-12-02
Deja Prudhomme	San Antonio, US	2018-12-02
Colin Davis	Thiensville, US	2018-12-02
Bryn Dippold	Cincinnati, US	2018-12-02
Zhihang He	Selinsgrove, US	2018-12-02
Jason Chervin	Bayport, US	2018-12-02
Emma Brown	Pueblo, US	2018-12-02
Brianna Zavala	Tampa, US	2018-12-02
Mr Pp	US	2018-12-02
Jonathan Sabin	Colorado Springs, US	2018-12-02
Denise Wright	Centerville, US	2018-12-02
Daniel Marth	US	2018-12-02
Neri Quevedo	Nashville, US	2018-12-02
Anna Jennings	Atlanta, US	2018-12-02
Michelle Phillips	United States, US	2018-12-02
Sharon Pearson	Renton, WA	2018-12-02
Levi Poling	District Heights, US	2018-12-02
Theofilos Katechis	Astoria, US	2018-12-02
Jeffery T Taylor	Auburn, WA	2018-12-02
SANDRA JAKA	Gjilan, US	2018-12-02
Bob Hawkins	Tenino, WA	2018-12-02

Name	Location	Date
Dominique Torgerson	Kent, WA	2018-12-02
Brenda Runnng	Maple Valley, WA	2018-12-02
Deidre Finley	Maple Valley, WA	2018-12-02
Jill Hooper	Maple Valley, WA	2018-12-02
James Maynard	Los Angeles, US	2018-12-03
Michelle Scudella	San Diego, US	2018-12-03
Hunter Melrose	Fort Lauderdale, US	2018-12-03
J. Gomez	Edmonds, WA	2018-12-03
Darrel Lewis	Kent, WA	2018-12-03
Anthony Walker	Bend, OR	2018-12-03
Cheryl Dunn	Puyallup, WA	2018-12-03
Patrick Dunn	Puyallup, WA	2018-12-03
Joce Vargas	Greenville, US	2018-12-03
Cat Smith	Chicago, US	2018-12-03
Michelle Vargas	El Paso, US	2018-12-03
Sagar Mathur	Mountain View, US	2018-12-03
ashlee vansickle	evansville, US	2018-12-03
WENDELL TRIPP	SEATAC, WA	2018-12-03
Eric Johnson	El Cajon, US	2018-12-03
Evan Harvey	Southfield, US	2018-12-03
Leona Younatham	Morton grove, US	2018-12-03
Calton Montoya	Milwaukee, US	2018-12-03

Name	Location	Date
Katie Granner	Iowa City, US	2018-12-03
Jordan Hughes	US	2018-12-03
Dylan Reap	Scranton, US	2018-12-03
Emilie Mooney	Reading, US	2018-12-03
Reese Baker	Washington, US	2018-12-03
Destiny Cervantes	Norwalk, US	2018-12-03
Addison Prater	Atlanta, US	2018-12-03
Cherish Harbin	Downey, US	2018-12-03
alex rivard	Buffalo, US	2018-12-03
Sarah Fekeith	Tahoe, US	2018-12-03
Melia Lopez	Loganville, US	2018-12-03
Wendy McEwan	Mena, US	2018-12-03
Shayna Clemmer	Franklin, TN	2018-12-03
Caleb Wilson	Fort Worth, US	2018-12-03
Jose Perez	Houston, US	2018-12-03
Amber Harrison	Woodville, AL	2018-12-03
Michael Cathcart	New York, US	2018-12-03
Michael Casalnuovo	Akron, US	2018-12-03
Chris Wilson	New York, US	2018-12-03
Maurice Samuels	Vancouver, US	2018-12-03
K'Era Johnson	Kinsey, US	2018-12-03
Thomas Yang	Lake Hiawatha, US	2018-12-03

Name	Location	Date
Genge Gengeh	Durban, US	2018-12-03
Kenny Nguyen	Houston, US	2018-12-03
J Pemberton	Richmond, US	2018-12-03
Marion DuBose	Spring, US	2018-12-03
Bret Bendixen	San Diego, US	2018-12-03
Dan Thompson	New York, US	2018-12-03
Alex Boydston	Yreka, US	2018-12-03
Blaine Courtney	Warren, US	2018-12-03
John Prante	Halethorpe, US	2018-12-03
morgan jamaica	Chicago, US	2018-12-03
Michael Vanekeren	Prairie City, US	2018-12-03
Sam Sacuta	Elmwood Park, US	2018-12-03
Brenda Osborn	Seattle, WA	2018-12-03
Richard Anica	Seattle, WA	2018-12-03
Tracy Borders	Kirkland, WA	2018-12-03
adrian Maldonado	enumclaw, WA	2018-12-03
mark parrett	Covington, WA	2018-12-03
Hailey Huffman	Columbus, US	2018-12-03
Arthur Nahas	Newark, US	2018-12-03
Amanda Kuhl	Englewood, CO	2018-12-03
Jeremh Gustafson	Enumclaw, WA	2018-12-03
Kathy Price	Enumclaw, WA	2018-12-03

Name	Location	Date
Aaron Johnson	Fresno, US	2018-12-03
Troy PINTA	Cape Coral, US	2018-12-03
Victoria Sollin	New York, US	2018-12-03
Kid Pervy	Escondido, US	2018-12-03
Michael Mealey	McLean, US	2018-12-03
jocelyn mullen	Edinboro, US	2018-12-03
Matthew Cubbon	Glendale, US	2018-12-03
Ryan Ogle	Maple Valley, WA	2018-12-03
Tim Jennings	Ravensdale, WA	2018-12-03
Bart Mickelson	Seattle, WA	2018-12-03
Jonathon Ho	Paramus, US	2018-12-03
William Drake	Bothell, US	2018-12-03
Colin Murphy	Golden, US	2018-12-04
Christian Diaz DeLeon	Texarkana, US	2018-12-04
ally muser	Edmond, US	2018-12-04
Tyler Hulson	Chula Vista, US	2018-12-04
Taylor Josh	Brooklyn, US	2018-12-04
Nathan Krueger	San Francisco, US	2018-12-04
Lucas Pence	Kent, WA	2018-12-04
Adam Freitag	Orting, WA	2018-12-04
Jack Aystaa	Rice Lake, US	2018-12-04
marina speckman	Seattle, US	2018-12-04

Name	Location	Date
Len Grey	Dover, US	2018-12-04
Landon Capelle	Bellwood, US	2018-12-04
Garrett Cobb	Omaha, US	2018-12-04
Rachael Lathrop	Tulsa, US	2018-12-04
Reuben Thompson	Dayton, US	2018-12-04
Layn Hyer	Littleton, US	2018-12-04
David Moody	Seattle, WA	2018-12-04
Phyllis Rose-thomas	TACOMA, WA	2018-12-04
Frank Reed	Seattle, WA	2018-12-04
Corey Marion	Miami, US	2018-12-04
chris mcmillian	Meadowbrook, US	2018-12-04
Millie Martin	Chanute, US	2018-12-04
Kelli Bishop	Maple Valley, WA	2018-12-04
Paul Sherry	Puyallup, WA	2018-12-04
Kathleen Bennett	US	2018-12-04
Megan Morton	Sumner, WA	2018-12-04
Tailer Emrick	Renton, WA	2018-12-04
Tamassa Guzman	Tacoma, WA	2018-12-04
Felicity Martinez	Los Angeles, US	2018-12-04
Ashley Lopez	La Puente, US	2018-12-04

Recipient: Dane Scarimbolo, Four Horsemen Brewery, Lumber House Brewery

Letter: Greetings,

Save Rural Craft Beer!

Comments

Name	Location	Date	Comment
Dane Scarimbolo	Kent, WA	2018-11-30	Everyone has a right to brew locally, live socially, and thrive economically! I LOVE CRAFT BEER!
William Smith	Enumclaw, WA	2018-12-01	I believe in small business and the good craft industries do for inspiring young entrepreneurs to chase their dreams of financial freedom.
Melissa Earl	Auburn, WA	2018-12-01	Having a brewery as a Home Occupation has been one of the most satisfying parts of my life! It allowed me to work from home- more time with kids, better work life balance, leads to increase in quality of life. Preventing me from having a Home Occupation has demanded double the over head, significant reduction in family time, sporadic work life balance, and generally less flexibility for business growth, which affects the revenue I can contribute to the state / county for rural upkeep. #SupportLocal let's not regulate out of fear of what could happen. Lets regulate with common sense, industry knowledge, and good old fashioned research!
Jennifer Limon	Kent, WA	2018-12-01	We are home brewers.
Kyrié Benson	Yakima, WA	2018-12-01	I'm signing this petition because I believe in family owned businesses.
R. Craig Hanson	Auburn, WA	2018-12-01	I love craft beer, and entrepreneurs need all the help they can get. Less government restrictions.
kay randall	Everett, WA	2018-12-01	Follow the dream.
Cathy Welch	Chicago, IL	2018-12-01	I trust my friend and she believes this is a good cause.
Rivers Morrell	Los Angeles, CA	2018-12-02	I support local business and don't want the government in our business
Erika Brink	Kent, WA	2018-12-02	Because I support Home Brewers!
Robert Shoemaker	Renton, WA	2018-12-02	Support small businesses and craft brewing.
Amiy Dhingra	Pullman, WA	2018-12-02	Small craft businesses are important for local economy and sense of community.
Bob Hawkins	Tenino, WA	2018-12-02	One day I may want to start brewing myself and why not help the underdog.
Jill Hooper	Maple Valley, WA	2018-12-02	The small craft brewers and wineries are important to our rural areas. They bring our communities together and help the local economy. Save our small, independent businesses.
Jill Hooper	Maple Valley, WA	2018-12-02	Save our small, community based breweries and wineries. We need to keep our community together. Less regulations and more independent gathering places

Name	Location	Date	Comment
adrian Maldonado	enumclaw, WA	2018-12-03	There places are great to unwind and enjoy the company of others

Barley

BARLEY

Hordeum vulgare

Type: cool season annual cereal grain

Roles: prevent erosion, suppress weeds, scavenge excess nutrients, add organic matter

Mix with: annual legumes, ryegrass or other small grains

See charts, pp. 66 to 72, for ranking and management summary.

Inexpensive and easy to grow, barley provides exceptional erosion control and weed suppression in semi-arid regions and in light soils. It also can fill short rotation niches or serve as a topsoil-protecting crop during droughty conditions in any region. It is more salt tolerant than other small grains and can sop up excess subsoil moisture to help prevent saline seep formation (136).

It's a fine choice for reclaiming overworked, weedy or eroded fields, or as part of a cover crop mix for improving soil tilth and nutrient cycling in perennial cropping systems in Hardiness Zone 8 or warmer.

Barley prefers cool, dry growing areas. As a spring cover crop, it can be grown farther north than any other cereal grain, largely because of its short growing period. It also can produce more biomass in a shorter time than any other cereal crop (273).



BENEFITS

Erosion control. Use barley as an overwintering cover crop for erosion control in Zone 8 and warmer, including much of California, western Oregon and western Washington. It's well-suited for vineyards and orchards, or as part of a mixed seeding.

As a winter annual, barley develops a deep, fibrous root system. The roots can reach as deep as 6.5 feet. As a spring crop, barley has a comparatively shallow root system but holds soil strongly to minimize erosion during droughty conditions (71).

Nutrient recycler. Barley can scavenge significant amounts of nitrogen. It captured 32 lb. N/A as a winter cover crop following a stand of fava beans (*Vicia faba*) in a California study, compared with 20 lb./A for annual ryegrass. A barley cover crop reduced soil N an average of 64 percent at eight sites throughout North America that had received an average of 107 lb. N/A (265). Intercropping barley with field peas (*Pisum sativum*) can increase the amount of N absorbed by barley and returned to the soil in barley residue, other studies show (215, 218). Barley improves P and K cycling if the residue isn't removed.

Weed suppressor. Quick to establish, barley outcompetes weeds largely by absorbing soil moisture during its early growing stages. It also shades out weeds and releases allelopathic chemicals that help suppress them.

Tilth-improving organic matter. Barley is a quick source of abundant biomass that, along with its thick root system, can improve soil structure and water infiltration (273, 445). In California cropping systems, cultivars such as UC476 or COSINA can produce as much as 12,900 lb. biomass/A.

Nurse crop. Barley has an upright posture and relatively open canopy that makes it a fine nurse crop for establishing a forage or legume stand. Less competitive than other small grains, barley also uses less water than other covers crops. In weedy fields, wait to broadcast the forage or legume until after you've mechanically weeded barley at the four or five-leaf stage to reduce weed competition.

As an inexpensive, easy-to-kill companion crop, barley can protect sugarbeet seedlings during their first two months while also serving as a soil protectant during droughty periods (details below).

Pest suppression. Barley can reduce incidence of leafhoppers, aphids, armyworms, root-knot nematodes and other pests, a number of studies suggest.



BARLEY
(*Hordeum vulgare*)

MANAGEMENT

Establishment & Fieldwork

Barley establishes readily in prepared seedbeds, and can also be successfully no-tilled. It prefers adequate but not excessive moisture and does poorly in waterlogged soils. It grows best in well-drained, fertile loams or light, clay soils in areas having cool, dry, mild winters. It also does well on light, droughty soils and tolerates somewhat alkaline soils better than other cereal crops.

With many varieties of barley to choose from, be sure to select a regionally adapted one. Many are well-adapted to high altitudes and cold, short growing seasons.

Spring annual use. Drill at 50 to 100 lb./A (1 to 2 bushels) from 3/4 to 2 inches deep into a prepared seedbed, or no-till using the same seeding rate.

If broadcasting, prepare the seedbed with at least a light field cultivation. Sow 80 to 125 lb./A (1.5 to 2.5 bushels) and harrow, cultipack or disk lightly to cover. Use a lower rate (25 to 50 pounds) if overseeding as a companion crop or a higher rate (140 pounds) for very weedy fields. When broadcasting, consider seeding half in one direction, then the rest in a perpendicular direction for better coverage (71).

Winter annual use. Barley can be used as a winter annual cover crop wherever it is grown as a winter grain crop. It is less winter-hardy than rye. In Zone 8 or warmer, it grows throughout the winter if planted from September through February. Plantings before November 1 generally fare best, largely due to warmer soil conditions.

Expect mixed results if trying to use barley as a self-reseeding cover crop.

Mixed seedings. Barley works well in mixtures with other grasses or legumes. In low-fertility soils or where you're trying to minimize tie-up of soil nitrogen, growing barley with one or more legumes can be helpful. Your seeding cost per pound will increase, but the reduced seeding rate can offset some of this. A short-season Canadian field pea would be a good companion, or try an oat/barley/pea mix, suggests organic farmer Jack Lazor, Westfield, Vt.

In northern California, Phil LaRocca (LaRocca Vineyards, Forest Ranch, Calif.) lightly disks his upper vineyard's soil before broadcasting a mix of barley, fescue, brome, LANA vetch, and crimson, red and subterranean clovers, usually during October. He seeds at 30 to 35 lb./A, with 10 to 20 percent being barley. "I've always added more barley to the seeding rate than recommended. More is better, especially with barley, if you want biomass and weed suppression," he says.

After broadcasting, LaRocca covers erosion prone areas with 2 tons of rice straw per acre, which is "cheaper than oat straw here and has fewer weed seeds," he notes. "The straw decomposes quickly and holds seed and soil well." Besides contributing to soil humus (as the cover crop also does), the straw helps keep the seedbed warm and moist. That can be very helpful in LaRocca's upper vineyard, where it sometimes snows in winter.

In his other, less-erodible vineyard, LaRocca disks up the cover vegetation, then runs a harrow quickly on top of the disked alleyways to set a seedbed before broadcasting and cultipacking a similar mix of cover crops.

Field Management

Although barley absorbs a lot of water in its early stages, it uses moisture more efficiently than other cereals and can be grown without irrigation in some situations. About half of the commercial barley acreage in dryland areas is irrigated, however. California cropping systems that include barley tend to be irrigated as well. Low seeding rates won't necessarily conserve moisture, as vegetative growth often increases.

LaRocca hasn't had any moisture problems or grape-yield concerns from growing barley or other cover crops, even in the 40 percent of his upper vineyard that isn't furrow-irrigated. "Once your vines are established, their root system is deeper and much more competitive than a typical cover crop's root system," he observes.

Mowing can postpone and prolong barley flowering, as with other cereal grains. As a spring cover, barley puts on biomass quickly, so you can kill it in plenty of time for seeding a following crop. If you want barley to reseed, don't mow until most of the stand has headed and seed is about to fall off.

To encourage reseeding of his cover mix, Phil LaRocca allows every other row in his upper vineyard to go to seed, then disks it down. That lets him skip reseeding some blocks.

If you're concerned about barley reseeding or crop competition when intercropped, however, plant a lighter stand, suggests Alan Brutlag, Wendell, Minn. During droughty conditions, he broadcasts 25 to 30 pounds of barley per acre as a soil-protective companion crop for sugarbeet seedlings. The low-density

stand is easy to stunt or kill a month later with the combination of herbicides and crop oil that he uses for weed control in his sugarbeets. Another control option is a single application of an herbicide labeled for grass control.

Killing

Kill barley with a grass herbicide in late spring, or by rolling disking or mowing at the mid- to latebloom stage but before it starts setting seed.

If plant-parasitic nematodes have been a problem, incorporate overwintered barley early in spring, before warm temperatures encourage nematode populations.

Pest Management

Annual weeds and lodging can occur when growing barley in high-fertility soils, although these wouldn't pose problems in a barley cover crop. Despite their less dense canopy, six-rowed varieties tend to be taller and more competitive against weeds than two-rowed varieties. If you're considering a grain option, harrowing or hoeing just before barley emergence could reduce weeds that already have sprouted.

Barley produces alkaloids that have been shown to inhibit germination and growth of white mustard (247). These exudates also protect barley plants from fungus, armyworm larvae, bacteria and aphids (248, 455).

Barley seems to reduce the incidence of grape leafhoppers in vineyards and increase levels of beneficial spiders, one California grower observed (211). Growing high-biomass cover crops such as barley or rye increased populations of centipedes, predator mites and other important predators, independent of tillage system used, a study in the Pacific Northwest found (444).

Cutworms and other small grain pests can be occasional problems. Some perennial crop growers in California report increased incidence of gophers when growing cover crop mixes and try to minimize this by encouraging owl populations.

Avoid seeding in cold, damp soils, which makes barley more prone to fungus and disease. Assuming adequate soil moisture, shallow seeding can hasten emergence and lessen incidence of root rot disease, if this has been a problem in your area (397). Varieties resistant to leaf diseases are available. Two-rowed varieties are more resistant to leaf rust and mildew. Also avoid planting barley after wheat.

If nematodes are likely to be a problem, plant late in fall or during winter to avoid warm-season growth and incorporate early in spring in Zone 8 and warmer. Barley can be a host for a nematode species (*Meloidogyne javanica*) that adversely affects Thompson seedless grapes.

Barley drastically reduced root-knot nematode (*Meloidogyne hapla* M. Chitwood) populations and increased marketable carrot yields by at least seventeen-fold in a Quebec study comparing three-year rotations (242).

Other Options

Barley can be grazed lightly in winter or spring or cut for hay/haylage (191). It has greater forage nutritive value than oats, wheat or triticale. It also can be grown as a specialty grain for malting, soups, bread and other uses. As a feed grain (in a hog ration, for example), it can replace some costlier corn.

COMPARATIVE NOTES

Barley tillers more than oats and also is more drought-tolerant, but oats generally perform better as a companion crop or winterkilled nurse crop because they are less competitive than barley (397).

Barley tolerates alkaline soils better than any other cereal.

Winter cultivars are less winterhardy than winter wheat, triticale or cereal rye.

Cultivars. Many commercial varieties are available. Look for low-cost, regionally adapted cultivars with at least 95-percent germination.

Six-rowed cultivars are better for overseeding, and are more heat- and drought-tolerant. Two-rowed types have more symmetrical kernels and are more disease-resistant (e.g. leaf rust and mildew) than six-rowed types, in which two-thirds of the lateral rows of the spike are smaller and twisted.

Seed Sources. See [Seed Suppliers](#).

[Top](#) | [Brassicas and Mustards](#)

Source – <https://www.sare.org/Learning-Center/Books/Managing-Cover-Crops-Profitably-3rd-Edition/Text-Version/Nonlegume-Cover-Crops/Barley>

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Tap Room vs Distribution Profitability

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"Many receive advice, only the wise profit from it." Harper Lee

Have you ever run a P&L on your tap room business and compared it to your distribution business?

By now, everyone knows that the tap room is the most profitable part of your brewery. But unless your financial systems are set up to track and report on the tap room business separately, you don't know how much money you're making (or could be making).

On average, you can sell a 1/2 barrel of beer for \$600 through the tap room, compared to a \$150 sale to the distributor. In simple math, you'll make 4x to 5x more revenue on the same volume of beer by selling to the consumer directly.

In this article we'll look at the financial metrics of the tap room compared to distribution.

We'll also set you up with tips on how to set up your financial reporting **so that you can see the actual profitability of your tap room**. Assuming that you're profitable is one thing, but seeing is believing.

- Tap room financial metrics
- Distribution financial metrics
- Set up your Financials to track Tap room results

Tap Room Financial Metrics

The primary **financial metrics for brewery operations** are revenue, gross margin and EBITDA per brewer barrel (31 gallons). These metrics can further be broken down and used to measure your tap room and distribution business separately.

Below are the key financial metrics in each category.

▪ Revenue per BBL

- Total beer sold in \$ divided by beer sold in BBL
- Example: \$100,000 sales divided by 100 BBLs = \$1,000 revenue per BBL
- Develop revenue expectations based on how the beer is sold and the pricing: full pints, samples, growlers, etc.

▪ Gross margin per BBL

- Total margin \$ divided by total beer BBL sales
- Example: \$80,000 margin divided by 100 BBLs sold = \$800 margin per BBL
- Gross margin is the difference between Revenue and Cost of Goods (beer). Develop a margin expectation based on the cost of the beer.

▪ EBITDA per BBL

- Total EBITDA \$ divided by total beer BBL sales
- Example: \$40,000 EBITDA \$ divided by 100 BBLs sold = \$400 EBITDA per BBL
- EBITDA is Earnings Before Interest, Taxes, Depreciation and Amortization. It's the difference between Gross Margin and Operating Expenses to run your tap room.

*" Check out the Online Course:
How to Boost Taproom Profits.
2-minute video is here
(<https://craftbreweryfinance.com/downloads/online-course-how-to-boost-taproom-profits/>).*

Revenue, margin and EBITDA will vary greatly based on brewery size, market conditions and operating structure. Industry numbers can be a useful guide, but in my experience it is more relevant to measure and benchmark against your own tap room results.

Merchandise and swag sales will influence the number as well. Track these revenue lines separately so as not to distort beer sales per BBL.

Set up a spreadsheet to track these tap room metrics: revenue per BBL, gross margin per BBL and EBITDA per BBL. Compare the numbers to historical results and industry averages and see where you fall within the \$/BBL range.

Distribution Financial Metrics

Tap room sales have great margins and profitability, but are limited by the size of your space and the number of customers you can serve. Selling to wholesalers provides the ability to scale your operation and leverage the distributor's sales, marketing and delivery expertise

The distributor volume growth does come at a cost however, as you'll give up a lot of gross margin (aka gross profit) compared to tap room sales.

Distribution financial metrics are the same as the tap room: **revenue, margin and EBITDA per BBL:**

- **Revenue per BBL**

- Total beer sold in \$ divided by beer sold in BBL
- Example: \$30,000 sales divided by 100 BBLs = \$300 revenue per BBL
- Develop expectations based on pricing to distributor and draft / package mix. Say, \$150 per 1/2 BBL and \$35 per Case.

- **Gross margin per BBL**

- Total margin \$ divided by total beer BBL sales
- Example: \$15,000 margin divided by 100 BBLs sold = \$150 margin per BBL
- Gross margin is the difference between Revenue and Cost of Goods (beer). Develop a margin expectation based on the cost of the beer compared to the price you sell to the distributor..

- **EBITDA per BBL**

- Total EBITDA \$ divided by total beer BBL sales
- Example: \$9,000 EBITDA \$ divided by 100 BBLs sold = \$90 EBITDA per BBL
- EBITDA is Earnings Before Interest, Taxes, Depreciation and Amortization. It's the difference between Gross Margin on sales to distributors and Operating Expenses to run your brewery.

Sales to distributors provides scale and volume for your brands. However, the margins on these sales are not nearly as exciting as tap room margins. Do the math, make sure your pricing is correct as your 'margin' for error is much lower on sales to distributors.

Set up the Financials to Track Tap Room Results

The tap room and distributor sales are two different businesses within your brewery. To understand the profitability of each business unit, set up your general ledger to capture the results of each one.

Revenues, expenses, and EBITDA need to be separately identifiable for tap room and distributor results. Otherwise, you'll never really know how profitable each business is (or whether you're profitable at all).

The General Ledger chart of accounts sets the structure for your financial reporting. The chart of accounts is basically a listing of all the income and expense items you want to track and report on. All the revenue and expenses of the tap room should be listed and have their own accounts. Likewise, all the revenue and expenses of the distribution business should have its own accounts.

A common mistake that breweries make is to combine all the results together. This makes it difficult if not impossible to determine exactly what the profit is for tap room vs distribution. These are separate businesses – treat them that way and set up separate accounts in your financial system.

Wrap Up + Action Items

Tap room and distribution metrics provide an easy way to view revenue, margin and EBITDA per BBL. These metrics can then be compared against industry averages and your own historical results so that you can see whether you're improving or in need of improvement.

To get started, calculate your tap room and distribution metrics using the bullet points above.

Review your current financial reporting. Does your chart of accounts allow you to separately report on financial results in from the tap room business and the distribution business? If not, make it happen captain.

What you don't know can hurt you. Use the brewery metrics and set up a P&L to track results. Seeing is believing.

“

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Conditional Use Permit (CUP) Instructions & Information

For alternate formats. call 206-296-6600.

General Information

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

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

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

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

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

Pre-Application Conference

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

Filing an Application

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

Notice of Application

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

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

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

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

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

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

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

Method for Processing

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

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

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

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

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

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

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

Criteria for CUP Approval

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

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

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

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

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

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

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

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

Submittal Requirements for Filing a CUP Application

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

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

Legal Description: Submit one (1) copy.

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

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

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

Provide on cover sheet

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

Name, address, day telephone number of owner.

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

Existing zone classification.

Acreage within property boundaries.

Proposed method of sewage disposal and sewer district.

Source of water; if water district, include name.

Fire district.

School district.

Legal description (type or print).

A written statement of the general purposes of the project.

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

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

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

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

Site plans – drawn to a convenient engineer scale:

Map scale and North arrow.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Water Availability Certificate: Submit three (3) copies.

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

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

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

Sewer Availability Certificate: Submit three (3) copies.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Copies of variance decisions required per KCC 21A

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

Permit Review Fees

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

Attachment A for Communication facilities filing requirements

Interference and Noise Report

Radio frequency, National Instruments Error Report (NIER)

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

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

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

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



Key Studies: Why Local Matters

BY STACY MITCHELL | DATE: 8 JAN 2016 |



In recent decades, policy across the country has privileged the biggest corporations. Yet a growing body of research is proving something that many people already know: small-scale, locally owned businesses create communities that are more prosperous, entrepreneurial, connected, and generally better off across a wide range of metrics. Here's a roundup of the important findings that are putting numbers to the harms of bigness and the benefits of local ownership, and that policymakers can use to craft better laws, business owners can use to rally support, and people can use to organize their communities.

We've organized these studies into the following categories:

Start-Ups: These studies find that as the economy has become dominated by fewer and larger companies, there's been a sharp decline in the formation of new businesses.

Inequality: These studies find that the increasing size of corporations is driving inequality, while local and dispersed business ownership strengthens the middle class.

Economic Returns: These studies find that local businesses recirculate a greater share of every dollar in the local economy, as they create locally owned supply chains and invest in their employees.

Jobs: These studies show that locally owned businesses employ more people per unit of sales, and retain more employees during economic downturns, while big-box retailers decrease the number of retail jobs in a region.

Wages and Benefits: These studies show that locally owned businesses are linked to higher income growth and lower levels of poverty, while big-box retailers, particularly Walmart, depress wages and benefits for retail employees. Studies in this section also quantify the costs of these big companies' low wages to state healthcare programs and other forms of public assistance.

ABOUT THE AUTHOR



WELL-ARTICULATED
BY STACY
MITCHELL

Stacy Mitchell
Stacy Mitchell is co-director of the Institute for Local Self-Reliance and directs its Independent Business Initiative, which partners with a wide range of allies to implement policies that counter concentrated power, strengthen local economies.

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FEATURED TOPICS

Amazon

Social and Civic Well-Being: These studies find that a community's level of social capital, civic engagement, and well-being is positively related to the share of its economy held by local businesses, while the presence of mega-retailers like Walmart undermines social capital and civic participation.

Public Subsidies: These studies document the massive public subsidies that overwhelmingly favor big businesses and have financed their expansion, and how this subsidized development has failed to produce real economic benefits for communities.

Taxes: Building on the studies included in the previous category, "Public Subsidies," these studies examine the differing impacts of locally owned businesses and big-box retailers on public finances. They find that large retailers systemically tilt the playing field in their favor by skirting their tax obligations, as well as that locally owned enterprises generate more tax revenue for cities, with less cost, than sprawling big-box shopping centers.

Existing Businesses: These studies demonstrate how big-box retailers have significant negative effects on the number and vitality of nearby local businesses, in that they both lead to a loss of existing businesses, and contrary to the claims big-box retailers themselves often make, do not serve as a catalyst for new growth.

Consumers & Prices: These studies find that chains are not always a bargain.

Interested in local economies? [Check out more of our work](#), and sign up for our [monthly newsletter](#) so that you don't miss our latest research.

1. START-UPS These studies find that as the economy has become dominated by fewer and larger companies, there's been a sharp decline in the formation of new businesses that fuel economic growth.

"Declining Business Dynamism in the United States: A Look at States and Metros." Ian Hathaway and Robert E. Litan, *The Brookings Institution*, May 2014.

Though start-ups occupy a large place in the U.S.'s present tech-fueled imagination, new business formation has in fact been in steady decline. This study from researchers at the Brookings Institution and Ennsyte Economics quantifies this decline, finding that during the three decades between 1978 and 2011, the share of firms less than one year old fell by nearly half. This slump has accelerated in recent years in what the authors term a "precipitous drop" since 2006, which they call "noteworthy and disturbing." In fact, the authors find, "the number of business deaths now exceed business births for the first time in the 30-plus year history of our data." The study determines that this trend isn't geographically isolated, and that business dynamism has declined in all 50 states and in all but a handful of more than 360 U.S. metropolitan areas.

"The Importance of Young Firms for Economic Growth." Jason Wiens and Chris Jackson, *Entrepreneurship Policy Digest*, Kauffman Foundation, Sept. 14, 2015.

This brief, which is a roundup of recent research, underlines the reasons why the decline in new business formation is so troubling. As the authors explain, young firms are the major contributor of new jobs. "New businesses account for nearly all net new job creation and almost 20 percent of gross job creation," they write, adding, "companies less than one year old have created an average of 1.5 million jobs per year over the past three decades." They link to several recent papers, such as two 2013 studies titled "How Firms Respond to Business Cycles: The Role of Firm Age and Firm Size," and "Who Creates Jobs? Small Versus Large Versus Young," that delve deeper into the economic and statistical analysis behind these findings.

2. INEQUALITY These studies find that the increasing size of corporations is driving inequality, while local and dispersed business ownership strengthens the middle class.

"Wage Inequality and Firm Growth." Holger M. Mueller, Paige P. Ouimet, and Elena Simintzi, *LIS Working Paper 632*, March 2015.

This paper finds that much of the dramatic increase in income inequality over the last two decades may be owed to consolidation in the economy and the growing market power of a small number of very large firms. Large firms pay higher wages on average than small firms do, but there's significant variation across different types of workers, the authors find. At large firms, low- and medium-skilled employees earn about the same or a little less than their counterparts at small firms, while high-skilled employees are paid significantly more than similar positions at smaller companies. In other words, the gap between the best-paid workers and everyone else is much greater at big corporations than it is at small and medium-sized businesses. Using data from 1981 to 2010 on wages and the size of firms in 15 countries, the authors find a strong relationship between growth in the average firm size and rising levels of income inequality, particularly in the U.S. and U.K. They also find that in countries, such as Sweden and Denmark, where average firm size has stayed the same or declined, income inequality has grown much less. The paper concludes: "Our results suggest that part of what may be perceived as a global trend toward more wage inequality may be driven by an increase in employment by the largest firms in the economy."

"A Firm-Level Perspective on the Role of Rents in the Rise in Inequality" [PDF]. Jason Furman and Peter Orszag, Oct. 2015.

This paper explores the possibility that a major factor driving economic inequality is corporate consolidation — the growing market share of a few big companies. The authors present data showing that a small number of firms now earn "super-normal" returns of roughly ten times the median return for all firms. This is up significantly since the mid-1990s, when the most successful companies earned about three times the median return. These "super-normal" returns, the authors suggest, could be the result of growing monopoly power that allows a few dominant firms to extract economic "rents," or more income than they would earn in a truly competitive market. While the authors emphasize that their paper is not conclusive, they note that this hypothesis is consistent with data showing that much of the rise in inequality is due to an increasing disparity in how much workers, especially those at the top, earn at different firms in the same industry. That is, companies with super-normal returns are distributing those returns to both their shareholders and their top-level employees, helping to expand wage inequality.

3. ECONOMIC RETURNS These studies find that local businesses recirculate a greater share of every dollar in the local economy, as they create locally owned supply chains and invest in their employees.

"Independent BC: Small Business and the British Columbia Economy" [PDF]. *Civic Economics*, Feb. 2013.

Commissioned by the British Columbia division of the Canadian Union of Public Employees, this study analyzes the economic impact and market share of the province's independent retailers and restaurants. With regard to economic impact, the study finds that, for every \$1,000,000 in sales, independent retail stores generate \$450,000 in local economic activity, compared to just \$170,000 for chains. Among restaurants, the figures are \$650,000 for independents and \$300,000 for chains. Across both sectors, this translates into about 2.6 times as many local jobs created when spending is directed to independent businesses instead of chains. The study concludes that a shift of just 10 percent of the market from chains to independents would produce 31,000 jobs paying \$940 million in annual wages to BC workers. With regard to market share, the study finds that while BC's independent retailers captured just over half of all retail sales as recently as 2003, they have since lost ground. By 2010, independents accounted for 45 percent of BC's overall retail sales and only 34 percent of the market with automobile and gasoline sales excluded. Although BC has a reputation for innovative planning initiatives, on this measure it lags the rest of Canada, where independents account for 42 percent of retail spending. Among restaurants, BC's independent sector accounts for 72 percent of full-service dining and 19 percent of limited-service dining.

"Indie Impact Study Series: Salt Lake City, Utah" [PDF]. *Civic Economics*, Aug. 2012.

In this study, Civic Economics analyzed data from fifteen independent retailers and seven independent restaurants, all located in Salt Lake City, and compared their local economic impact with four national retail chains (Barnes & Noble, Home Depot, Office Max, and Target) and three national restaurant chains (Darden, McDonald's, and P.F. Chang's). The study found that the local retailers return a total of 52 percent of their revenue to the local economy, compared to just 14 percent for the national chain retailers. Similarly, the local restaurants recirculate an average of 79 percent of their revenue locally, compared to 30 percent for the chain eateries. What accounts for the difference? In a handy graphic, Civic Economics

shows the breakdown. Independent businesses spend more on local labor, goods procured locally for resale, and services from local providers. This means a much larger share of the money spent at a locally owned store stays in the local economy, supporting a variety of other businesses and jobs.

"Going Local: Quantifying the Economic Impacts of Buying from Locally Owned Businesses in Portland, Maine." Garrett Martin and Amar Patel, *Maine Center for Economic Policy*, Dec. 2011.

On a dollar-for-dollar basis, the local economic impact of independently owned businesses is significantly greater than that of national chains, this study concludes. Analyzing data collected from 28 locally owned retail businesses in Portland, Maine, along with corporate filings for a representative national chain, the researchers found that every \$100 spent at locally owned businesses contributes an additional \$58 to the local economy. By comparison, \$100 spent at a chain store in Portland yields just \$33 in local economic impact. The study concludes that, if residents of the region were to shift 10 percent of their spending from chains to locally owned businesses, it would generate \$127 million in additional local economic activity and 874 new jobs.

"Thinking Outside the Box: A Report on Independent Merchants and the Local Economy" [PDF]. *Civic Economics*, Sept. 2009.

This study examined financial data from 15 locally owned businesses in New Orleans and compared their impact on the local economy to that of an average SuperTarget store. The study found that only 16 percent of the money spent at a SuperTarget stays in the local economy. In contrast, the local retailers returned more than 32 percent of their revenue to the local economy. The primary difference was that the local stores purchase many goods and services from other local businesses, while Target does not. The study concludes that even modest shifts in spending patterns can make a big difference to the local economy. If residents and visitors were to shift 10 percent of their spending from chains to local businesses, it would generate an additional \$235 million a year in local economic activity, creating many new opportunities and jobs. Likewise, a 10 percent shift in the opposite direction – less spending at local stores and more at chains – would lead to an economic contraction of the same magnitude. Another noteworthy finding of the study is that locally owned businesses require far less land to produce an equivalent amount of economic activity. The study found that a four-block stretch of Magazine Street, a traditional business district, provides 179,000 square feet of retail space, hosts about 100 individual businesses, and generates \$105 million in sales, with \$34 million remaining in the local economy. In contrast, a 179,000-square-foot SuperTarget generates \$50 million in annual sales, with just \$8 million remaining in the local economy, and requires an additional 300,000 square feet of space for its parking lot. See [our New Rules article](#) for more background on this study.

"Local Works: Examining the Impact of Local Business on the West Michigan Economy" [PDF]. *Civic Economics*, Sept. 2008.

This study concludes that if residents of Grand Rapids and surrounding Kent County, Michigan, were to redirect 10 percent of their total spending from chains to locally owned businesses, the result would be \$140 million in new economic activity for the region, including 1,600 new jobs and \$53 million in additional payroll. The study calculates the market share of independent businesses in four categories: pharmacy (41 percent), grocery (52 percent), restaurants (50 percent), and banks (6 percent). It analyzes how much of the money spent at these businesses stays in the area compared to national chains. Local restaurants, for example, return more than 56 percent of their revenue to the local economy in the form of wages, goods and services purchased locally, profits, and donations. Chain restaurants return only 37 percent. Measuring the total economic impact of this difference, including indirect and induced activity, the study estimates that \$1 million spent at chain restaurants produces about \$600,000 in additional local economic activity and supports 10 jobs. Spending \$1 million at local restaurants, meanwhile, generates over \$900,000 in added local economic activity and supports 15 jobs. The study also analyzes the economic impact of independent vs. chain businesses on a square footage basis, noting, "In a largely built-out city like Grand Rapids, policy dictates seeking the highest and best use of available properties, and this analysis strongly supports the idea that local firms should be the preferred tenants for city sites."

"The San Francisco Retail Diversity Study" [PDF]. *Civic Economics*, May 2007.

This study finds that San Francisco remains a stronghold for locally owned businesses, which generate sizable benefits for the city's economy. The study has three parts. The first calculates market shares for independents and chains in several categories: bookstores, sporting goods stores, toy stores, and casual dining restaurants. In all four categories, independent businesses capture more than half of sales within the city of San Francisco, a much larger share than they have nationally. The second part examines the

economic impact of locally owned businesses versus chains. It finds that local businesses buy more goods and services locally and employ more people locally per unit of sales (because they have no headquarters staff elsewhere). Every \$1 million spent at local bookstores, for example, creates \$321,000 in additional economic activity in the area, including \$119,000 in wages paid to local employees. That same \$1 million spent at chain bookstores generates only \$188,000 in local economic activity, including \$71,000 in local wages. The same was true in the other categories. For every \$1 million in sales, independent toy stores create 2.22 local jobs, while chains create just 1.31. The final part of the study analyzes the impact of a modest shift in consumer spending. If residents were to redirect just 10 percent of their spending from chains to local businesses, that would generate \$192 million in additional economic activity in San Francisco and almost 1,300 new jobs.

For additional studies on this topic, see:

"The Andersonville Study of Retail Economics" [PDF]. Civic Economics, October 2004.

"The Economic Impact of Locally Owned Businesses vs. Chains: A Case Study in Midcoast Maine" [PDF]. Institute for Local Self-Reliance and Friends of Midcoast Maine, September 2003.

"Economic Impact Analysis: A Case Study" [PDF]. Civic Economics, December 2002.

4. JOBS These studies show that locally owned businesses employ more people per unit of sales, and retain more employees during economic downturns, while big-box retailers decrease the number of retail jobs in a region.

*"The Contribution of Large and Small Employers to Job Creation in Times of High and Low Unemployment" [PDF]. Giuseppe Moscarini and Fabien Postel-Vinay, *American Economic Review*, October 2012.*

This study, by economists at Yale University and University of Bristol, finds that in times of high unemployment, small businesses both retain and create more jobs than large firms do. During the recession of March 2008 to March 2009, for instance, the employment growth rate of large employers fell 1.65 percent more than the growth rate of small employers, compared with the previous year. In every other recession and recovery in the study's sample, large firms took years to recover relative to small firms. The authors use data on U.S. businesses spanning 1979-2009, and find that this correlation remains consistent across a variety of measures, including age of the firm, excluding entering and exiting firms, and within broad industries. They also examine Denmark, France, the U.K, and Canada, and find that their conclusion holds in other countries of different sizes. "Large employers on net destroy proportionally more jobs relative to small employers when unemployment is above trend, late in and right after a typical recession" the authors write. "Overall, this picture corroborates in part the common wisdom that small businesses are the engine of job creation: small firms appear to create more jobs as a fraction of their employment only when unemployment is high (which is, arguably, when jobs are most needed)."

*"The Effects of Walmart on Local Labor Markets" [PDF]. David Neumark (University of California-Irvine), Junfu Zhang (Clark University), and Stephen Ciccarella (Cornell University), *Journal of Urban Economics*, March 2008.*

This study presents the most sophisticated analysis to date of Walmart's impact on retail employment and wages. Analyzing national data, the study found that the opening of a Walmart store reduces county-level retail employment by 150 jobs. Because Walmart stores employ an average of 360 workers, this suggests that for every new retail job created by Walmart, 1.4 jobs are lost as existing businesses downsize or close. The study also found that the arrival of a Walmart store reduces total county-wide retail payroll by an average of about \$1.2 million. This study improves substantially on previous studies by convincingly accounting for the endogeneity of the location and timing of Walmart's entry into a particular local market. That is, Walmart presumably does not locate stores randomly. When expanding into a particular region, it may, for example, opt to build in towns experiencing greater job growth. Unless this location selection bias is accounted for, one might compare job growth in towns that gained Walmart stores versus those that did not and erroneously conclude that Walmart caused an expansion in employment. The authors of this study have devised a persuasive method of accounting for this bias. They also argue that the method developed by Basker (see next item below) to account for this bias is flawed and therefore her conclusion that Walmart has a small positive impact on retail employment is not reliable.

["Job Creation or Destruction? Labor-Market Effects of Walmart Expansion."](#) Emek Basker (University of Missouri), *Review of Economics & Statistics*, Feb. 2005.

Often cited and typically misrepresented by Walmart supporters, this study examines the impact of the arrival of a Walmart store on retail and wholesale employment. It looks at 1,749 counties that added a Walmart between 1977 and 1998. It finds that Walmart's arrival boosts retail employment by 100 jobs in the first year—far less than the 200-400 jobs the company says its stores create, because its arrival causes existing retailers to downsize and lay-off employees. Over the next four years, there is a loss of 40-60 additional retail jobs as more competing retailers downsize and close. The study also finds that Walmart's arrival leads to a decline of approximately 20 local wholesale jobs in the first five years, and an additional 10 wholesale jobs over the long run (six or more years after Walmart's arrival). (Walmart handles its own distribution and does not rely on wholesalers). This works out to a net gain of just 10-30 retail and wholesale jobs, and the study does not examine whether these jobs are part-time or whether they pay more or less than the jobs eliminated by Walmart. The study also found that, within five years of Walmart's arrival, the counties had lost an average of four small retail businesses, one mid-sized store, and one large store. It does not estimate declines in revenue to retailers that survive. Basker looked at the effect of Walmart on retail employment in neighboring communities, but found that the confidence intervals were too large (meaning the results showed wide variation) to draw any conclusion about Walmart's impact. (Her initial working paper, published in 2002, reported an average decline of 30 retail jobs in surrounding communities, but, after correcting an error, she determined the confidence intervals were too large to produce a precise result.)

5. WAGES AND BENEFITS These studies show that locally owned businesses are linked to higher income growth and lower levels of poverty, while big-box retailers, particularly Walmart, depresses wages and benefits for retail employees. Studies in this section also quantify the costs of these big companies' low wages to state healthcare programs and other forms of public assistance. *In addition to the following studies, see [this resource](#) from Good Jobs First detailing states that have disclosed how much they spend providing health insurance for employees of Walmart, Home Depot, Target, and other big-box retailers.*

["Locally owned: Do local business ownership and size matter for local economic well-being?"](#) [PDF]. Anil Rupasingha, *Federal Reserve Bank of Atlanta*, Aug. 2013.

In this analysis, an economist with the Federal Reserve Bank of Atlanta examines the relationship between locally owned businesses and economic performance, and finds that counties with higher percentages of employment in locally based, small businesses have stronger local economies. Using data on every U.S. county in the period between 2000 and 2008, Rupasingha finds that local entrepreneurship has a positive effect on county per capita income growth and employment growth and a negative effect on poverty rates. He also finds that this effect of local ownership is more pronounced in the case of businesses that are also small, defined as those with fewer than 100 employees. Rupasingha's dataset also reveals that locally owned, or "resident," businesses employ a far greater number of people than non-resident establishments across every size category of business.

["Employers Who Had Fifty or More Employees Using Massachusetts, Commonwealth Care, or the Health Safety Net in State Fiscal Year 2010"](#) [PDF]. Commonwealth of Massachusetts, February 2013.

This report from the state of Massachusetts discloses the 50 companies that have the most employees enrolled in the state's Medicaid and other publicly funded health insurance programs for low-income people. About half of the 50 companies identified are retail and restaurant chains. Walmart ranks third overall, with 4,327 employees, approximately one-fifth of its Massachusetts workforce, relying on state health care assistance at a cost to taxpayers of \$14.6 million per year. Target ranks fourth with 2,610 employees enrolled, approximately 36 percent of its Massachusetts workforce, at a cost of \$8.3 million per year. Other retailers on the list include CVS, Shaw's, Home Depot, May Department Stores, Sears, Kohl's, Walgreen, Lowe's, Best Buy, and Whole Foods.

Also see similar reports released in 2013 from [Wisconsin](#) and [Missouri](#) [PDF].

["Walmart's Low Wages and Their Effect on Taxpayers and Economic Growth?"](#) [PDF]. Democratic Staff, U.S. House Committee on Education and the Workforce, May 2013.

Extrapolating from data released by the state of Wisconsin on the number of Walmart employees and their dependents enrolled in the state's Medicaid program, this analysis estimates that Walmart employees require an average of about \$3,000 per year in public assistance, such as Medicaid, food stamps, and

housing assistance. That works out to a taxpayer cost of about \$4.2 billion per year for all of Walmart's U.S. stores. Covering that cost would require Walmart to forgo about one-quarter of its profits or raise prices at its U.S. stores by 1-2 percent.

"Does Local Firm Ownership Matter?" Stephan Goetz and David Fleming, *Economic Development Quarterly*, April 2011.

Goetz and Fleming analyze 2,953 counties, including both rural and urban places, and find that, after controlling for other factors that influence growth, those with a larger density of small, locally owned businesses experienced greater per capita income growth between 2000 and 2007. The presence of large, non-local businesses, meanwhile, had a negative effect on incomes.

"A Downward Push: The Impact of Walmart Stores on Retail Wages and Benefits" [PDF]. Arindrajit Dube, T. William Lester, and Barry Eidlin, *UC Berkeley Center for Labor Research and Education*, Dec. 2007.

This study analyzes the impact of the opening of Walmart stores on the earnings of retail workers. (It uses a similar technique to account for possible biases in Walmart's store location decisions as the study described in the "Jobs" section above, "The Effects of Walmart on Local Labor Markets.") This study focuses on stores that opened between 1992 and 2000 and concludes, "Opening a single Walmart store lowers the average retail wage in the surrounding county between 0.5 and 0.9 percent." Not only did Walmart lower average wage rates, but "every new Walmart in a county reduced the combined or aggregate earnings of retail workers by around 1.5 percent." Because this number is higher than the reduction in average wages, it indicates that Walmart not only lowered pay rates, but also reduced the total number of retail jobs. The study goes on to look at the cumulative impact of Walmart store openings on retail earnings at the state level and nationwide. "At the national level, our study concludes that in 2000, total earnings of retail workers nationwide were reduced by \$4.5 billion due to Walmart's presence," the researchers find. Most of these losses were concentrated in metropolitan areas. Although Walmart is often associated with rural areas, three-quarters of the stores it built in the 1990s were in metropolitan counties.

"Walmart and County-Wide Poverty." Stephan Goetz and Hema Swaminathan, *Social Science Quarterly*, June 2006.

The presence of a Walmart store hinders a community's ability to move families out of poverty, according to this study. After controlling for other factors that influence poverty rates, the study found that U.S. counties that had more Walmart stores in 1987 had a higher poverty rate in 1999 than did counties that started the period with fewer or no Walmart stores. The study also found that counties that added Walmart stores between 1987 and 1998 experienced higher poverty rates and greater usage of food stamps than counties where Walmart did not build, all other things being equal. Although the study does not attempt to draw a conclusion about why Walmart expands poverty, the study's authors suggest several possible factors, including a loss of social capital that occurs when locally owned businesses close and the shift from comparatively better paying jobs at independent retailers to lower paying jobs at Walmart.

"Hidden Cost of Walmart Jobs." [PDF]. *UC Berkeley's Institute for Industrial Relations*, August 2004.

California taxpayers are spending \$86 million a year providing healthcare and other public assistance to the state's 44,000 Walmart employees, according to this study. The average Walmart worker requires \$730 in taxpayer-funded healthcare and \$1,222 in other forms of assistance, such as food stamps and subsidized housing. Even compared to other retailers, Walmart imposes an especially large burden on taxpayers. Walmart workers earn 31 percent less than the average for workers at large retail companies and require 39 percent more in public assistance. The study estimates that if competing supermarkets and other large retailers adopt Walmart's wage and benefit levels, it will cost California's taxpayers an additional \$410 million a year in public assistance.

6. SOCIAL CAPITAL AND WELL-BEING These studies find that a community's level of social capital, civic engagement, and well-being is positively related to the share of its economy held by local businesses, while the presence of mega-retailers like Walmart undermines social capital and civic participation. See [this ILSK article](#) for more background.

"Small, Local, and Loyal: How Firm Attributes Affect Workers' Organizational Commitment." Katie L. Halbesleben and Charles M. Tolbert, *Local Economy*, Oct. 2014.

The authors of this paper — a professor and a Ph.D. candidate at Baylor University — find strong positive relationships between local ownership, firm size, and employee loyalty, which they refer to as organizational commitment. Using data from a nationally representative public opinion survey, they find that 57.2 percent of small firm workers scored in the highest commitment category, compared to 40.5 percent of large firm workers. They find a similar relationship for ownership, with 56 percent of workers at locally owned firms having high commitment scores, compared with just 38.7 percent of workers at non-locally owned firms. When they plotted the scores on a 16-point commitment scale, the authors found that, together, the two civic measures accounted for as much as a 1.7 point increase in organizational commitment, effects which held up when they included relevant control variables. “The analysis presented here clearly demonstrates a positive consequence of small, local businesses from the perspective of employees,” the authors conclude. “Clearly, small, local businesses do matter.” This study also reviews the literature on the benefits that employee loyalty confers on the business and on the surrounding community, and notes that strong ties between employers and employees create deeper roots in the community and less impetus for out-migration. “In this way,” the authors write, “the civic community perspective views small, locally owned businesses as lynchpins of community attachment and sustainability.”

[“College Graduates, Local Retailers, and Community Belonging in the United States.” Samuel Stroope, Aaron B. Franzen, Charles M. Tolbert, and F. Carson Mencken, *Sociological Spectrum*, Feb. 2014.](#)

College-educated residents are an asset for a city. With higher education, however, comes increased geographic mobility, and cities and communities are increasingly challenged to retain their highly-educated residents. This study finds that the presence of locally owned retailers is one factor that leads all residents, and particularly college-educated residents, to stay put. “A retail environment not indicative of ‘anywhere America,’” the authors hypothesize, “help[s] those able to move to be less prone to feel that they could replace their current place of residence with anywhere else in America.” The authors prove their thesis by examining U.S. Census data and county-level data, and find that states with a greater share of locally owned retail experience a less-steep slope of college graduates migrating out from their counties. “In other words, stronger civic community provides a buffer in the migration of county residents as education increases,” the authors find. They conclude: “Though locales that encourage or allow absentee-owned retail may experience competitive advantage in the short run, they will not hold their own in the long run—in this instance, their own highly skilled workers... when counties cooperate together in order to protect and promote a broad localized retail climate from the ground up, they may also retain more of their highly educated and skilled residents. In a globalized world of increasing isomorphism, local places and regions’ spaces and establishments creatively infused with local flavor become one of the few resources that are not available elsewhere.”

[“Rolling Back Prices and Raising Crime Rates? The Walmart Effect on Crime in the United States” \[PDF\]. Scott E. Wolfe and David C. Pyrooz, *The British Journal of Criminology*, Jan. 2014.](#)

This paper finds a “Walmart effect” on crime. After matching counties in which a Walmart expanded or opened and counties without a Walmart, and controlling for some of the strongest predictors of crime, the authors find that in counties with a new Walmart, crime declined less than it did in counties where Walmart did not open. The study focuses on the period from 1990 to 1999, a decade when crime in the U.S. declined overall and also a decade in which Walmart expanded dramatically. “If Walmart did not build in a county, property crime rates fell by an additional 17 units per capita from the 1990s to the 2000s,” the authors write. They conclude, “Put simply, United States counties where Walmart built in the 1990s did not experience the same crime decline as counties without Walmart growth.”

[“The Health and Wealth of US Counties: How the Small Business Environment Impacts Alternative Measures of Development.” Troy C. Blanchard, Charles Tolbert, and Carson Mencken, *Cambridge Journal of Regions, Economy, and Society*, 2011.](#)

This is one of several studies that have drawn a link between an economy of small-scale businesses and improved community well-being, including lower rates of crime and better public health. “Counties with a vibrant small-business sector have lower rates of mortality and a lower prevalence of obesity and diabetes” compared to places dominated by big firms, the authors conclude. They surmise that a high degree of local ownership improves a community’s “collective efficacy” — the capacity of its residents to act together for mutual benefit. Previous research has linked collective efficacy to population health, finding that engaged communities tend to create the kinds of infrastructure that foster healthier choices.

[“Street Survey of Business Responses to Post-Katrina New Orleans” \[PDF\]. Richard Campanella,](#)

Tulane University, Jan. 2007.

To understand how businesses respond to catastrophe, Campanella, a geographer at Tulane, surveyed 16 miles of three major commercial arteries in New Orleans for the 15 months after Hurricane Katrina. He found that national chains were much slower to reopen than locally owned businesses. Almost half of locally owned businesses reopened within a month, compared to one-quarter of chains. After 15 months, 75 percent of locally owned businesses had reopened, compared to only 59 percent of national chains. By reopening promptly, locally owned businesses helped neighborhoods recover by providing goods and services, as well as creating community gathering spots for residents to commiserate and find mutual aid.

*"Walmart and Social Capital" [PDF]. Stephan J. Goetz and Anil Rupasingha, *American Journal of Agricultural Economics*, Dec. 2006.*

The presence of a Walmart store reduces a community's level of social capital, this study found. The study examined communities that had or gained Walmart stores in the 1990s and controlled for other variables known to affect social capital stocks in a community, such as educational attainment. "Both the initial number of [Walmart] stores and each store added per 10,000 persons during the decade reduced the overall social capital measure," Goetz and Rupasingha found. Communities that gained a Walmart had fewer non-profit groups and social capital-generating associations (such as churches, political organizations, and business groups) per capita than those that did not. Walmart's presence also depressed civic participation and is associated with lower voter turnout in the 2000 presidential election. Goetz and Rupasingha hypothesize that the drop in social capital is owed to the disappearance of local businesses and the decline of the downtown following Walmart's arrival.

*"The Conflagration of Local Economic Power and Civic Participation in the Global Economy." Troy Blanchard and Todd L. Matthews, *Social Forces*, June 2006.*

This study finds that residents of communities with highly concentrated economies tend to vote less and are less likely to keep up with local affairs, participate in community organizations, engage in reform efforts or participate in protest activities at the same levels as their counterparts in communities with dispersed economies composed predominantly of locally owned small businesses.

7. PUBLIC SUBSIDIES These studies document the massive public subsidies that have overwhelmingly favor big businesses and have financed their expansion, and how this subsidized development has failed to produce real economic benefits for communities.

*"Sharpening Small Business: How Big Businesses Dominate State Economic Development Incentives." Greg LeRoy, Carolyn Fryberger, et. al., *Good Jobs First*, Oct. 2015.*

Giving strong empirical support to long-time fairness arguments, this report looks at state economic development programs that purport to be open to businesses of any size, and finds that they in fact overwhelmingly favor large companies. For the study, Good Jobs First examined 4,200 economic development incentives awarded through programs in 14 states, and found that of a \$3.2 billion total pot, 90 percent went to large firms, defined as those with 100 or more employees or 10 or more locations. In some states, that figure climbed as high as 96 percent. In its recommendations for reform, Good Jobs First urges states not to simply reallocate subsidy dollars to small businesses, and instead to tighten their rules to exclude the largest companies from these giveaways and institute dollar caps per deal and per company. With the savings, the recommendations continue, states should invest in expanding credit access for small businesses and in the types of broad public goods, like transportation and job training, that benefit all employers. The report is the second in a series of three on economic development subsidies, and builds on an earlier report, "In Search of a Level Playing Field," that surveyed leaders of small business organizations and found that they overwhelmingly agree that their states' economic development incentives favor big businesses at the expense of small firms looking to grow.

*"Tax Breaks and Inequality: Enriching Billionaires and Low-Wage Employers in the Name of Economic Development." Philip Mattera, Kasia Tarczynska, and Greg LeRoy, *Good Jobs First*, Dec. 2014.*

This report analyzes the subsidies awarded to companies linked to Forbes 400 billionaires, as well as the subsidies awarded to firms that pay low wages, and finds that cumulatively, local and state governments across the country have given these companies \$21.4 billion. Both categories include Walmart, which pays low wages, has catapulted four members of the Walton family to the top 10 of the Forbes list, and has received 284 subsidies with a total worth of \$161 million (a conservative estimate, as the report's methodology notes). Both also include Amazon, which pays low wages at its distribution and data centers,

has supplied founder Jeff Bezos's \$30.5 billion fortune, and has won \$419 million in subsidies. When so much local and state funding that purports to fuel economic development is going to companies that do not need tax breaks and other awards in order to finance a project, the report explains, the subsidies serve mainly to increase those companies' profit. When they go to companies with billionaire owners or a low-road employment model, they also intensify income inequality, by using taxpayer funds to enlarge private fortunes and concentrate wealth, by expanding low-wage employment, and by sticking working families with a larger share of the bill for essential public services—among other effects. What's more, they disadvantage small, locally owned businesses—the kinds of enterprises that subsidies like training grants, credit access, or infrastructure improvements are supposed to help—by tipping the scales even further in favor of big corporations. As the report concludes, "The preservation of the middle class is a frequently invoked justification for economic development subsidies. But when one reads the fine print and digs into actual outcomes, that justification is routinely undermined."

"Subsidizing the Locavore: One Percent, Subsidy Tracker 2.0 Reveals Big-Business Dominance of State and Local Development Incentives." Philip Mattered, *Good Jobs First*, Feb. 2014.

This analysis of Good Jobs First's Subsidy Tracker database examines the share of total state and local economic development awards that have been granted to major corporations, and finds that the subsidies are heavily concentrated among big business. "We estimate that at least 75 percent of cumulative disclosed subsidy dollars have gone to just 965 large corporations," the report states. It also finds that Walmart is near the top of the list for companies that have received the largest number of awards, with 261 individual subsidies.

"An Assessment of the Effectiveness and Fiscal Impacts of the Use of Local Development Incentives in the St. Louis Region." East-West Gateway Council of Governments, January 2011.

This study finds that over the last 20 years local governments in the metropolitan St. Louis region have diverted more than \$5.8 billion in public tax dollars to subsidize private development. About 80 percent of these subsidies supported the construction of big-box stores and shopping malls, mostly in affluent suburbs. Despite this large public expenditure, the region has seen virtually no economic growth. "The number of retail jobs has increased only slightly and, in real dollars, retail sales or per capita have not increased in years," the authors conclude. The subsidies have almost exclusively benefitted large chains, the study finds, and the region's retail sector has grown increasingly concentrated. More than 600 small retailers (under 10 employees) have closed in the last ten years. "Both municipal finance and quality of life suffer when a city loses its base of small retail establishments," the study notes. While some municipalities have seen gains in revenue as a result of luring retail development, these gains have come entirely at the expense of neighboring municipalities. Today, most of the region's local governments are in financial trouble. "A significant number of municipalities faced budget deficits, lay-offs and service cuts between 2000 and 2007, even though that was a period of time when the economy had generally fared well," the study finds.

"Fishing for Taxpayer Cash" [PDF]. Andrew Stecker and Kevin Conner, *Public Accountability Initiative*, June 2010.

This report documents how Bass Pro, an outdoor sporting goods chain, has won over \$500 million dollars in taxpayer subsidies from cities and states by promising jobs, tourism and growth. But as this report shows, in city after city, Bass Pro has failed to deliver on its promises. In Mesa, AZ, for example, taxpayers put up \$84 million for a development anchored by Bass Pro, but a year after opening the project was described as a "ghost town" that had done little more than undermine the viability of other retail areas. A taxpayer-subsidized Bass Pro in Harrisburg, PA, meanwhile, created only one-third of the jobs promised.

8. TAXES Building on the studies included in the previous category, "Public Costs," these studies examine the different impacts of locally owned businesses and big-box retailers on public budgets. They find that large retailers systemically tilt the playing field in their favor by skirting their tax obligations, as well as that locally owned enterprises generate more tax revenue for cities, with less cost, than sprawling big-box shopping centers.

"Thinking Differently About Development." Joe Minicozzi, *Government Finance Review*, Aug. 2013.

While the economic development policies of many municipalities and counties favor sprawling projects, this analysis draws on data from more than 30 jurisdictions across 10 states to show that regardless of their size, municipalities receive a greater level of tax revenue from dense, walkable, mixed use urban

development. Minicozzi assesses land use on a "per acre" measurement of its tax revenue generation, just as one would judge the efficiency of a car on a "per gallon" basis, and calculates that while a county earns just \$7.11 in property taxes per acre on a typical big-box retail store, it earns \$287.55 per acre on a mixed-use, mid-rise Main Street-style business district. "Research shows that regardless of the size of the municipality, its most potent tax-generating areas are its downtown or Main Street," Minicozzi concludes. In another example, Minicozzi compares two prospective multi-family unit developments in Sarasota County, Fla., in 2009, and finds that, after factoring in land consumed, public facility costs, annual county tax yield, and taxes generated, the county loses \$5 million on the suburban development over a 20-year period, while it profits more than \$20 million off the urban development over the same period.

"Skimming the Sale Tax: How Walmart and Other Big Retailers (Legally) Keep a Cut of the Taxes We Pay on Everyday Purchases" [PDF]. Philip Mattera with Leigh McIlvaine, *Good Jobs First*, November 2008.

This study highlights little-noticed laws in 26 states that allow retailers to keep a portion of the sales taxes they collect from shoppers. The stated purpose of these policies is to compensate retailers for the costs they incur collecting the tax. However, while half of these states cap the amount retailers can keep, the other 13 states have no cap. Because the cost of collecting sales taxes declines with volume, states without caps are providing big retailers with outsized compensation that bears little relationship to their actual costs. This practice is costing states over \$1 billion a year and lining the pockets of large chains, notably Walmart. The report breaks down the losses for each state. Additionally, this study exposes how local governments subsidize the large chains by giving them sales tax rebates or funding part of their projects with sales tax increment financing. Using these two strategies, Walmart has received \$130 million in sales tax diversion over the past decade.

"Rolling Back Property Tax Payments: How Walmart Share-Changes Schools and other Public Services by Challenging its Property Tax Assessments." Philip Mattera, Karla Walter, Julie Farb Blain, and Colleen Ruddick, *Good Jobs First*, Oct. 2007.

This first-ever investigation of Walmart's local property tax records finds that the retail giant systematically seeks to minimize its payment of taxes that support public schools and other vital local government services. It includes online appendices with lists of stores and distribution centers examined.

"Understanding the Fiscal Impacts of Land Use in Ohio" [PDF]. Randall Gross, *Development Economics*, August 2004.

This report reviews and summarizes the findings of fiscal impact studies conducted in eight central Ohio communities between 1997 and 2003. In seven of the eight communities, retail development created a drain on municipal budgets (i.e., it required more in public services, such as road maintenance and police, than it generated in tax revenue). On average, retail buildings produced a net annual loss of \$0.44 per square foot. "The concept that growth is always good for a community does not seem to correlate with the findings from various fiscal analyses conducted throughout central Ohio," the report concludes. It cautions cities not to be taken in by the promise of high tax revenue from a new development without also considering the additional costs of providing services. Unlike retail, office and industrial development, as well as some types of residential, produced a net tax benefit.

"Fiscal Impact Analysis of Residential and Nonresidential Land Use Prototypes." Tischler & Associates, July 2002.

Big-box retail, shopping centers, and fast-food restaurants cost taxpayers in Barnstable, Massachusetts, more than they produce in revenue, according to this analysis. The study compares the tax revenue generated by different kinds of residential and commercial development with the actual cost of providing public services for each land use. The study found that big box retail generates a net annual deficit of \$468 per 1,000 square feet. Shopping centers likewise produce an annual drain of \$314 per 1,000 square feet. By far the most costly are fast-food restaurants, which have a net annual cost of \$5,168 per 1,000 square feet. In contrast, the study found that specialty retail, a category that includes small-scale Main Street businesses, has a positive impact on public revenue (i.e., it generates more tax revenue than it costs to service). Specialty retail produces a net annual return of \$326 per 1,000 square feet. Other commercial land uses that are revenue winners include business parks, offices, and hotels. The two main factors behind the higher costs for big box stores, shopping centers, and fast-food outlets, compared to specialty retail shops, are higher road maintenance costs (due to a much greater number of car trips per 1,000 square feet) and greater demand for public safety services.

"Understanding the Tax Base Consequences of Local Economic Development Program" [PDF]. RKG Associates, 1998.

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9. EXISTING BUSINESSES These studies demonstrate how big-box retailers have significant negative effects on the number and vitality of nearby local businesses, in that they both lead to a loss of existing businesses, and contrary to the claims big-box retailers themselves often make, do not serve as a catalyst for new growth.

"The Impact of an Urban Walmart Store on Area Businesses." Julie Davis, David Merriman, Lucia Samayoa, Brian Flanagan, Ron Baiman, and Joe Persky, *Economic Development Quarterly*, Oct. 2012.

The opening of a Walmart on the West Side of Chicago in 2006 led to the closure of about one-quarter of the businesses within a four-mile radius, according to this study by researchers at Loyola University. They tracked 306 businesses, checking their status before Walmart opened and one and two years after it opened. More than half were also surveyed by phone about employees, work hours, and wages. By the second year, 82 of the businesses had closed. Businesses within close proximity of Walmart had a 40 percent chance of closing. The probability of going out of business fell 6 percent with each mile away from Walmart. These closures eliminated the equivalent of 300 full-time jobs, about as many Walmart added to the area. Sales tax and employment data provided by the state of Illinois for Walmart's zip code and surrounding zip codes confirmed that overall sales and employment in the neighborhood did not increase, but actually dipped from the trend line. Although Walmart claims its urban stores recapture dollars leaking to the suburbs, the findings of this study suggest that urban Walmart stores primarily displace sales from other city stores. "There is no evidence that Walmart sparked any significant net growth in economic activity or employment in the area," the researchers conclude. The study also examines Walmart's Job and Opportunity Zones initiative, which provided marketing for five local businesses, and found it largely ineffective.

"Business Churn and the Retail Giant: Establishment Birth and Death from Walmart's Entry." Carlena Cochi Ficano, *Social Science Quarterly*, 2012.

Within 15 months of a new Walmart store opening, between 4.4 and 14.2 existing retail establishments close, while at most 3.5 new retail establishments open, according to this study. The study's methodology accounts for Walmart's expansion strategy and controls for a variety of other economic and demographic factors likely to influence the birth or death of businesses. The author notes that, while the findings on store closures are robust, those on new store openings are not and should be interpreted cautiously. Also, the study only accounts for Walmart's effect on businesses that have at least one employee and does not track the impact after the first 15 months. The results explain the seeming discrepancy in other studies finding that Walmart has a relatively modest effect on retail employment, but causes a substantial increase in poverty rates. This study suggests that Walmart triggers significant churn in the local labor market, with large numbers of people laid off, facing periods of unemployment followed by new jobs that may be only part-time or lower paying.

"Main and High Street Big Box: Complements or Substitutes?" John Haltiwanger, Ron Jarmin, and C.J. Krizan, *Journal of Urban Economics*, 2010.

In this study, economists John Haltiwanger, Ron Jarmin, and C.J. Krizan analyzed about 1,200 big-box store openings and looked at the impact on two sets of independent and small chain businesses in the vicinity: those competing directly with the new big box and those offering different products and services. For competing retailers, the study found "large, negative effects" on those within a 5-mile radius of the new big box, including a substantial number of store closures, and smaller but still significant impacts on those in a 5-10 mile radius. As for non-competing businesses, the study found that big-box stores generate no positive spillover. Nearby businesses offering other products and services neither increased their growth nor expanded in numbers after the big box opened.

"Major Flaws Uncovered in Study Claiming Walmart Has Not Harmed Small Businesses" [PDF]. Stacy Mitchell, Institute for Local Self-Reliance, Dec. 2008.

A new and widely publicized study, "Has Walmart Buried Mom and Pop?", claims that there is no evidence that Walmart has had an overall negative impact on the small business sector. A close inspection of the study by the Institute for Local Self-Reliance, however, found major flaws. The authors failed to use the correct U. S. Census data when attempting to show that "mom and pop" businesses have not experienced a net decline over the past two decades. When the correct data set is used, it is clear that the small business sector is much less robust now than it once was, with the number of retail businesses with fewer than 10 employees declining by one-fifth from 1982-2002. This decrease is even more drastic when measured relative to the population. During the 20-year period, the number of retail firms with 1-4 employees per 1 million people fell by 38 percent and retail firms with 5-9 employees per 1 million people declined by 30 percent.

"The Impact of 'Big-Box' Building Materials Stores on Host Towns and Surrounding Counties in a Midwestern State" [PDF]. Kenneth E. Stone and Georgeanne M. Artz, Iowa State University, 2001.

This study examines several Iowa communities where big-box building supply stores, such as Menards and Home Depot, have opened in the last decade. Sales of hardware and building supplies in the host community and surrounding counties are tracked over several years to test what the authors call the "zero-sum-game theory," namely that the retail sales gains generated by big-box stores are offset by sales losses at existing, often locally owned, retail stores. The results confirm the theory, finding that sales of hardware and building supplies grow in the host communities, but at the expense of sales in smaller towns nearby. Moreover, after a few years, many of the host communities experienced a reversal of fortune: sales of hardware and building supplies declined sharply, often dropping below their initial levels, as more big box stores opened in the surrounding region and saturated the market.

"What Happened When Walmart Came to Town? A Report on Three Iowa Communities with a Statistical Analysis of Seven Iowa Counties." Thomas Muller and Elizabeth Humstone, National Trust For Historic Preservation, 1996.

This study examined the impact of Walmart on several Iowa communities. It found that 84 percent of all sales at the new Walmart stores came at the expense of existing businesses within the same county. Only 16 percent of sales came from outside the county—a finding which refutes the notion that Walmart can act as a magnet drawing customers from a wide area and benefiting other businesses in town. "Although some suggest that the presence of Walmart outside of, but near to, the downtown area results in additional activity downtown, both sales data and traffic data do not show this gain," the study concludes. "None of the nine case studies was experiencing a high enough level of population and income growth to absorb the Walmart store without losses to other businesses." The study documents losses in downtown stores after Walmart opened. "General merchandise stores were most affected," the study notes. "Other types of stores that closed include: automotive stores, hardware stores, drug stores, apparel stores, and sporting goods stores." The supposed tax benefits of Walmart did not materialize either: "Although the local tax base added about \$2 million with each Walmart, the decline in retail stores following the opening had a depressing effect on property values in downtowns and on shopping strips, offsetting gains from the Walmart property."

"Competing with the Discount Mass Merchandisers" [PDF]. Kenneth Stone, Iowa State University, 1995.

The basic premise of this study and others by Ken Stone is that the retail "pie" is relatively fixed in size, and grows only incrementally as population and incomes grow. Consequently, when a company like Walmart opens a giant store, it invariably captures a substantial slice of the retail pie, leaving smaller portions for existing businesses, which are then forced to downsize or close. This study of Walmart's impact on Iowa towns found that the average superstore cost other merchants in the host town about \$12 million a year in

sales (as of 1995), while stores in smaller towns nearby also suffered substantial revenue losses. These sales losses resulted in the closure of 7,326 Iowa businesses between 1983 and 1993, including 555 grocery stores, 291 apparel stores, and 298 hardware stores. While towns that gained a Walmart store initially experienced a rise in overall retail sales, after the first two or three years, retail sales began to decline. About one in four towns ending up with a lower level of retail activity than they had prior to Walmart's arrival. Stone attributes this to Walmart's strategy of saturating regions with multiple stores.

10. CONSUMERS AND PRICES These studies find that chains are not always a bargain.

"Pharmacy Buying Guide." Consumer Reports, Dec. 2015.

Consumer Reports's survey of pharmacies has consistently found that independent pharmacies earn top marks on a range of metrics, and are competitive on price, and its Dec. 2015 update to its pharmacy information is no exception. Not only are independents the preferred option for speed and accuracy, courtesy and helpfulness, and pharmacists' knowledge, Consumer Reports found, but also offer "real bargains." At independents, "pharmacists may have more flexibility to match or beat competitor prices" for customers who are paying out-of-pocket. In a national price scan in six areas around the U.S., Consumer Reports found that big pharmacy chains such as CVS and Rite Aid had the highest out-of-pocket prices, and the undercover shoppers "found some of the best deals at mom-and-pop stores." For those with health insurance who have met their deductible, the co-pay is usually the same regardless of the pharmacy. In terms of service, independents easily beat their competition. Writes Consumer Reports: "At least 90 percent of shoppers at independents rated their pharmacy as Excellent or Very Good in speed & accuracy, courtesy & helpfulness, and pharmacists' knowledge. No other type of drug store came close. Readers who shopped at independent stores were twice as likely as chain-drug-store shoppers to characterize their druggist as easy to talk to and able to give them a one-on-one consultation."

"North Dakota's Pharmacy Ownership Law: Ensuring Access, Competitive Prices, and Quality Care." Olivia LaVecchia and Stacy Mitchell, Institute for Local Self-Reliance, Oct. 2014.

This report finds that thanks to a forward-thinking state law that keeps ownership and control of pharmacies in the hands of local pharmacists, instead of large chains, North Dakota's prescription drug prices are among the lowest in the country. Over the most recent five-year period, North Dakota ranked 13th in lowest prescription drug prices among the 50 states, and compared with South Dakota, the average prescription price is not only lower, but has increased much more slowly over the last five years. The report also finds that North Dakotans experience an unparalleled level of pharmacy access and care.

"Wrestling with Walmart: Tradeoffs Between Profits, Prices, and Wages." Jared Bernstein, Josh Bivens, and Arindrajit Dube, Economic Policy Institute, June 15, 2006.

This analysis refutes the findings of a 2005 study by Global Insights (GI) that found that Walmart saves U.S. consumers \$263 billion annually, or \$2,329 for the average household. The Economic Policy Institute concludes that the GI study is "fraught with problems." It identifies major internal inconsistencies in GI's figures and finds that the firm's statistical analysis "fails the most rudimentary sensitivity checks." The authors state, "Once we addressed these weaknesses the statistical and practical significance of Walmart's price effects effectively vanished."

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Rumor I've heard and would like some facts about: Wal-Mart stiff's its suppliers as well as its employ purchase a block of goods, sell some of it (probably enough to cover their expenditure) and then ser claiming that it is inferior and demand a refund. As I say, I'd like to know whether this is, or was, true then just another reason for keeping this company out of Oregon or anywhere else.

Running for Congress at the moment. The best Fred Meyers stores in the whole greater Portland area, and most of the time it was quieter than a library. How could another big store be justified, either by the city fathers or by Wal-Mart itself?

I am finding that the big stores are progressively phasing out a lot of products that I happen to like, ostensibly because these products aren't turning over fast enough. A big store ought to have the shelf space for all products, from the things everybody uses all the time, down to the specialty products a few use less often. And that it would appear that the diverse variety of national and even local brands are being gradually replaced by label brands. It leaves only restricted choice. For example, frozen peas: I know from having worked 10 years ago that Birdseye has the canneries run the belts slower so that more extraneous matter such as sticks, dead insects, rotten peas and the like can be removed, and that they also run extra quality control analyses. Store brands are packed by who know who or where, and while most of the public doesn't care, therefore doesn't give a fig, those in the know want the quality brands.

I didn't intend this to become a tirade, but big box stores and mega-store like Mal-Wart don't offer much for food and Big China for everything else. I'd be glad to help keep this bane out of Oregon. Meanwhile, visit the farmers market to spend my last dime on fresh, hands-on food.

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King County's proposed winery regulations will cripple Washington's wine industry

By MADILYNNE CLARK | Jul 2, 2018

BLOG



I've been told wine gets better with age, unfortunately the same cannot be said for Washington's Growth Management Act (GMA). Implemented in the early 1990s, the growth management law has been praised for its many claimed benefits, yet the true results present more challenges than the alleged merits. The GMA has aged in such a way that Washington families suffer rather than benefit.

For example:

- confusing rules, which special interest groups leverage for their own priorities
- courts which unfairly legislate from the bench using the GMA to regulate water
- restrictions on job growth for rural counties
- rising costs for homes and rentals
- debates on farmland preservation
- fights over solar development

This week, GMA brought another challenge to the King County Council in the form of wineries, breweries, distilleries, and even a few meaderies contesting their existence in the unincorporated county near Woodinville. Obligations under the GMA to protect rural character and preserve farmland are forcing the county to update winery regulations because of rapid growth in the adult beverage industry.


In the last decade, Woodinville became one of the hubs for Washington wine. The majority of the county's 198 wineries are very new with three-quarters of all existing wineries becoming licensed since 2006. This growth has created 750 jobs in the Sammamish Valley and 1,882 jobs in greater King County. Labor income in 2013 was \$68.8 million and revenues totaled \$357.6 million. Additionally, the area is home to 169 other alcoholic beverage producers. Many of these tasting rooms serve as satellites of Eastern Washington wineries, allowing these agricultural businesses to be near their customer base.

In April, King County Executive Dow Constantine, introduced a proposal to update the winery and adult beverage regulations. Last Tuesday, the King County Council held a formal hearing on the proposed regulatory changes. Despite multiple years of research and input from stakeholders the current proposal is still too onerous for small business owners.

The proposal includes a classification of wineries, breweries, and distilleries based on lot size, arterial access, and building size. The classification system is used to dictate business license requirements, building size, water source, capping parking space allotments, prohibiting tastings for certain classes, stopping business owners from living on site, dictating product content (sourcing 60% of grapes from on-site), and limiting allowable events. Existing businesses are not grandfathered, which means some businesses would have to dramatically change their operation or shut down.

Instead of addressing specific and understandable concerns regarding traffic and after-hour events, the proposed ordinance addresses an excessive amount of factors. If the current form is allowed to proceed, the cost will be the end of many small family businesses in exchange for the unquantifiable benefit of protecting the 'quality of life' for King County residents.

This proposal is excessive even for the GMA. Multiple testifiers spoke about the end of their business if the regulations went into effect as written. One testimony from the City of Duvall's mayor took advantage of the excessive regulations by saying, "If King County can't accommodate your businesses the Snoqualmie Valley will."

The effect of these regulations will extend outside of King County as many of these tasting rooms are satellites of Eastern Washington vineyards. Franklin County Commissioner Brad Peck said, "The wine industry has been a significant source of new jobs in eastern Washington in recent years. Excessive regulation of the industry in western Washington risks driving industry interests, and those jobs, to other parts of the state, including eastern Washington. While we would welcome the economic, cultural and tax value of such a shift, it would needlessly damage the industry's statewide reputation, which ultimately costs us all ( Source)."

As the King County Council moves forward with amendments and additional hearings on this proposal, hopefully the final decision will promote Washington's wine economy and address the specific concerns of traffic and large events. A final decision that reflects the current proposal and bows too deeply to the GMA, would eliminate thousands of jobs, millions of dollars in sales, hundreds of thousands in tax revenue, and many small family businesses.



Growth Management Act

This page provides an overview of the Growth Management Act (GMA) in Washington State, including its legal requirements and links to related MRSC pages and other helpful resources.

Overview

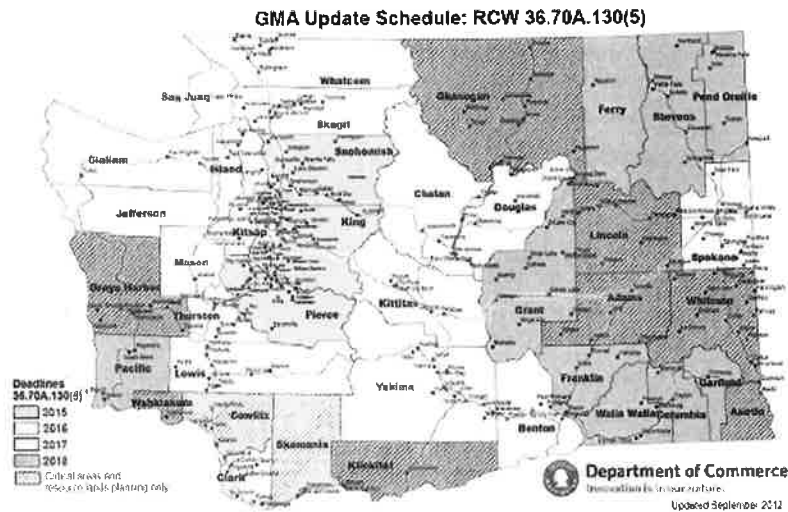
The Growth Management Act (GMA) is a series of state statutes, first adopted in 1990, that requires fast-growing cities and counties to develop a comprehensive plan to manage their population growth. It is primarily codified under [Chapter 36.70A RCW](#), although it has been amended and added to in several other parts of the RCW.

Under [RCW 36.70A.020](#), the GMA establishes a series of 13 goals that should act as the basis of all comprehensive plans. The legislature added the goals and policies of the Shoreline Management Act as the fourteenth GMA goal ([RCW 36.70A.480](#)). The shoreline goals may be found at [RCW 90.58.020](#).

- | GMA Goals
(RCW 36.70A.020) | | |
|---|---|--|
| <ul style="list-style-type: none">• Concentrated urban growth• Sprawl reduction• Regional transportation• Affordable housing | <ul style="list-style-type: none">• Economic development• Property rights• Permit processing• Natural resource industries• Open space and recreation• Environmental protection | <ul style="list-style-type: none">• Early and continuous public participation• Public facilities and services• Historic preservation• Shoreline management (RCW 36.70A.480) |

The [Washington State Department of Commerce](#) is the primary state-level contact for GMA-related issues. They provide technical assistance to help local governments comply with the GMA and implement their comprehensive plans effectively.

Who is Required to Plan Under GMA?



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Based on the requirements in [RCW 36.70A.040](#), 18 counties, and all the cities and towns within them, are required to "fully plan" under the GMA. An additional 11 counties have opted to fully plan, although one of those (Ferry County) is in the process of opting out under [EHB 1224](#) (2014), which gave counties under 20,000 population the option to opt out by December 31, 2015. The remaining 28 "fully planning" counties make up about 95 percent of the state's population.

The other 11 counties (including Ferry County once the opt-out process is complete) must plan for critical areas and natural resource land only under the GMA.

Natural Resource Lands and Critical Areas

Under the GMA, all cities and counties - even if they are not subject to comprehensive planning - are directed to designate natural resource lands (including those related to forestry, agriculture, fisheries, and mining) and identify steps to preserve them. For more information, see the Department of Commerce's [Natural Resource Lands webpage](#).

In addition, all cities and counties in Washington are also required to adopt critical areas regulations. As defined in [RCW 36.70A.030\(5\)](#):

"Critical areas" include the following areas and ecosystems: (a) Wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas.

Counties and cities are required to include the best available science in developing policies and development regulations to protect the functions and values of critical areas ([RCW 36.70A.172](#)).

For more information, see our page on [Critical Areas](#) or the Department of Commerce's page on [Critical Areas and Best Available Science](#), including its useful [Critical Areas Handbook](#) (2007). As of 2017, the department is in the process of updating its critical areas guidance and handbook.

Comprehensive Plans

The GMA establishes the primacy of the comprehensive plan. The comprehensive plan is the centerpiece of local planning and articulates a series of goals, objectives, policies, actions, and standards that are intended to guide day-to-day decisions by elected officials and local government staff.

The GMA lays out the following mandatory and optional comprehensive elements:

Mandatory Comp Plan Elements ([RCW 36.70A.070](#))

- Land Use
- Housing
- Capital Facilities Plan
- Utilities
- Rural Development (counties only)
- Transportation
- Economic Development
- Parks and Recreation
- Ports (mandatory for cities with annual maritime port revenues exceeding \$60 million, [RCW 36.70A.085](#))

Optional Comp Plan Elements ([RCW 36.70A.080](#))

- Conservation
- Solar Energy
- Recreation
- Subarea Plans (neighborhoods, rural villages, urban growth areas, tribal areas, etc.)
- Ports (optional for cities with annual maritime port revenues of \$20 million to \$60 million, [RCW 36.70A.085](#))

While all of these elements are important, the land use element sets the direction of future growth in a community and is usually depicted as a future land use map. The future land use map, which is policy-oriented, is then implemented in large part by the official zoning map, a regulatory tool.

Comprehensive plans must also address "essential public facilities" that are typically difficult to site, such as airports, educational facilities, transportation facilities, and correctional facilities. Comprehensive plans also must be coordinated with adjacent and overlapping jurisdictions and must be updated every 8 years, with optional annual updates.

For more information, see our page on [Comprehensive Planning](#).

Urban Growth Areas and Accommodating Future Growth

Under the GMA, the state Office of Financial Management (OFM) develops [population projections](#) for the state and each county. Each "fully planning" county is then mandated to determine, in consultation with cities, where that growth should be directed to occur. Once these growth projections are adopted, then the county and cities are to use them in their comprehensive planning processes and make sure that their plans can accommodate the projected level of growth ([RCW 36.70A.115](#)).

The state's Buildable Lands program has designated the counties of Clark, King, Kitsap, Pierce, Snohomish, and Thurston, as being counties that have to collect data about their development trends and undertake "reasonable measures" to show how they will be able to accommodate the expected amount of future development.

Part of a county's long-range planning process involves identifying urban growth areas (UGAs), areas where "urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature" ([RCW 36.70A.110](#)). Counties are responsible for designating, expanding, and reducing UGA boundaries, although they are required to consult with the cities in their determinations.

Based on OFM population projections, UGAs and zoning densities within them should be set to permit urban growth that is projected to occur in the county or city over the next 20 years, although they can provide additional capacity to accommodate a "reasonable land market supply factor" ([RCW 36.70A.110\(2\)](#)). There are some limitations on UGAs, including limits in floodplain areas and in national historic reserves.

Areas within the UGA but outside of city or town boundaries should be addressed by the adjacent city and the county through the county-wide planning policies process. Outside of the UGA, cities and town are limited in the actions they can take regarding those areas.

For example, cities are highly limited in their ability to extend utilities and other governmental services outside the UGA. [RCW 36.70A.110\(4\)](#) states:

"In general, it is not appropriate that urban governmental services be extended to or expanded in rural areas except in those limited circumstances shown to be necessary to protect basic public health and safety and the environment and when such services are financially supportable at rural densities and do not permit urban development."

The definitions of "urban" compared to "rural" services are defined in [RCW 36.70A.030](#). Similarly, cities or towns are not allowed to annex areas outside of a UGA.

For more information on UGAs, see the Department of Commerce's [Urban Growth Area Guidebook](#) (2012).

Growth Management Hearings Board

The [Growth Management Hearings Board](#) resolves disputes concerning comprehensive plans and development regulations adopted under the GMA. The board is made up of seven members from three distinct geographic areas: Eastern, Central Puget Sound, and Western.

Challenges to the GMA are heard by a three-member panel comprised of two members residing in the geographic area of a challenge, with one acting as the presiding officer, and a third member drawn from one of the other regions. Each hearing panel must include an attorney and a former city or county elected official and must "reflect the political composition of the board" ([RCW 36.70A.260](#)).

The Governor has the authority to impose sanctions on cities, counties, and state agencies that do not comply with the GMA, as determined by the Growth Management Hearings Board (see [RCW 36.70A.340 - .345](#)). Sanctions may include withholding portion of one or more of the following:

- Motor vehicle fuel tax;
- Transportation improvement account;
- Rural arterial trust account;

- Sales and use tax;
- Liquor profit tax;
- Liquor excise tax; and/or
- Temporarily rescinding the city's/county's authority to collect REET

The Growth Management Hearings Board website contains numerous resources, including a [handbook](#) for practicing before the board and [digests of decisions](#).

Recommended Resources

- [Department of Commerce: Growth Management Services](#) - The go-to resource for guidebooks, grants, training, and other resources to help jurisdictions comply with GMA
- [Department of Commerce: A Short Course on Local Planning](#) - Very helpful online resources and in-person training courses on most aspects of local planning in Washington, including a downloadable guidebook and a series of short videos.
- [Office of Financial Management: GMA County Projections](#) - Population projections for each county under low, medium, and high levels of growth, as well as population change over the last 10 years. Most recent projections developed in 2012; projections updated every 5 years.
- [Ask MRSC Archives: Growth Management Act](#) - Answers to selected questions that local jurisdictions have asked us about the GMA

Last Modified: May 02, 2018

Dear Council Members

I attended last week's meeting of the King County Council PRE-Committee. I listened while you passed Ordinance 2018-0191 to protect shellfish. I believe you care about the people and natural resources of the County.

Thus, how you can possibly pass ordinance 2018-0241 out of Committee? It goes against everything the people of the County elected you to keep: Growth Management, Local Farm Initiative, EIS requirements, Salmon Recovery Plans, etc. **This Ordinance develops this resource rich valley at an enormous cost to the Sammamish Valley environment, the Sammamish River and fisheries, the natural habitat of the Rural Buffer and the subsequent loss farms and food for 80,000 King County constituents.**

I am a trained hydrologist, environmental scientist and representative for Climate Reality.

My comments are scientific and fact based.

Climate Reality Project and numerous other environmental organizations endorse the Friends of Sammamish Valley.

I have professionally prepared EISs, SEPA Checklists and many other environmental compliance documents over the last 30 years. This Ordinance is based on an improperly scoped marketing study with a total lack of environmental due diligence and understanding of the Sammamish Valley and Sammamish River Ecosystem.

This lack of review of all study components of a SEPA checklist is a huge misstep for the County.

I believe, based on the multiple significant adverse environmental impacts to the Sammamish Valley APD and its Rural Buffer, this zoning change meets the State's threshold of a **determination of significance.**

I believe that if a full EIS had been prepared instead of the flawed marketing study, the ordinance would not have been written.

For example, changing the Rural Buffer from natural pervious habitat to impervious urban use, changes both the surface water and groundwater hydrology causing erosive flooding of toxic surface water onto and groundwater swamping of valley farms and the Sammamish River, which hosts both endangered Chinook Salmon runs and feeding American Eagles.

Please keep true to what the people elected you to represent, NOT developers taking away or healthy natural Rural Buffer habitat, and the farms that feed 80,000 people.

DO NOT pass this Ordinance Out of Committee

Barbara Lau, MA, MBA

Comments by Aslaug Haraldsdottir

King County Council PRE Committee meeting regarding King County Ordinance #2018-0241 ("Beverage" Ordinance)

December 3, 2018

Ladies and Gentlemen of King County Council,

My husband and I live on Hollywood Hill, just above Overlay B. The **"Overlay Demonstration Project"** is **not** a demonstration. It is simply a sneaky and unlawful way to **accelerate development** on the Rural East slope of our precious valley, without going through a **legally required re-zoning process**. None of us believe that the changes that will be allowed during the "demonstration period" will be reversible. **These changes will do irreversible damage to farming in the valley** for all the reasons we have already heard from our farmers and neighbors. **We insist that Kathy Lambert's "striker" be rejected**, because it makes a bad Ordinance quite a bit worse than the original.

We urge you to carefully consider the FoSV proposed Ordinance proposal, which eliminates Overlays A and B!

King County Council meeting 12/4

As a long-time homeowner, I listened to the working session of the proposed ordinances and overlays for the Sammamish Valley last week and was stunned by the disregard for homeowners and legal businesses in the area. *in unincorporated KC*
Current laws have been ignored, farmers are not being protected. People use it to avoid 405.

Traffic, parking and pedestrians are an over-crowded chaotic problem. Redmond-Woodinville Rd. gets very backed up, cars are parked all over lawns and at dusk over the weekend as I drove down that road, pedestrians near Silver Lake Winery *SUNDAY* dressed in dark clothes almost crossed the street illegally in front of me. This is a recipe for a disaster. *violation*

Allowing a 5-year trial period makes no sense for those who live and work here. It allows problem issues to get entrenched.

and illegal businesses

Allowing businesses to cluster events rather than spread them out and to stay open until 11 pm dismisses people who live there and have windows open in the summer. Rather than hearing nature, which we have in the past, we will be hearing traffic and noise.

To allow access on roads that aren't arterial is encroaching on neighborhoods where traffic doesn't belong. Allowing commercial development on the side of the road opposite the agricultural area is pushing up against homeowners.

A list of 4000 supporters for a winery *violation* does not mean this is the correct path to take. It means 4000 people like to drink that wine and I guarantee that most do not understand the issue nor do they live in the affected area. We have friends who were sent that email and were stunned by the potential ramifications of what is being proposed.

The people who should be listened to are the homeowners and legal businesses *& farmers* who are affected by the decisions of the King County Council. Unincorporated does not mean unaccountable. Nor should it mean undeveloped revenue potential.

I support Friends of Sammamish amended proposal.

ordinance

*Suzie Ramey
13323 157th Ave NE
Redmond 98052*

STATISTICS YIELD CROP EXAMPLES (based on data from The Root Connection CSA Farm)

Assumes a planting/harvest season from April to October, no artificial heat, or chemical fertilizers, pesticides or herbicides.

Examples of space/yield for a few crops out of the over 50 types grown. Using intensive Organic growing methods, yields for 2012 were a little over 100 tons on 10 acres of growing area. This is appx. 3 times the USDA average according to their stats.

The Sammamish valley soils are capable of such yields because of the 2 foot top soil with 4 inches of volcanic ash under that, and a layer of preserved leaves under that. (From before the area was deforested and the Sammamish Slough was put in, straitening the river) And under that is water from the many artesian streams that run through the whole area.

Lettuce 150 per 100 sq. ft. times 2 crops equals 300 heads
1 Acre can produce 87,000 heads per season
which equals appx. 34,000 lbs. or 17 tons

Carrots 150 bunches per 100 sq. ft. times 2 crops equals 300 bunches
1 Acre can produce 130,000 bunches per season
which equals appx. 78,000 lbs. or 39 tons

Corn 600 plants/ears per 100 sq. ft.
1 acre can produce 35,000 ears of corn per season
which equals appx. 17,000 lbs. or 8.5 tons

Kale 150 plants per 100 sq.ft. continuous harvest May thru Nov
1 acre can produce 190,750 bunches per season
which equals 152,000 lbs. or 60 tons

IS THE SAMMAMISH VALLEY FARMLAND WORTH SAVING?

This valley is classified by the USDA as "one of the 10 most fertile valleys in the United States" There is approximately 300 acres of Farmland Preservation Property in the Sammamish Valley. If farmed to its full potential, the land could produce \$54,000,000 (54 million) worth of fresh organic vegetables each year.

Current research into organic farming methods shows that local organic-based agriculture results in less carbon dioxide release ("New Scientist" Magazine), and that organic crops have up to 60 percent more key antioxidants ("British Journal of Nutrition").

Local agriculture uses less fossil fuels due to local distribution area, actually cleans and replenishes the soils and ground water, provides local jobs while requiring little if any local government monetary inputs to support the business.

I support the FoSV amended ordinance.

Presented by

Jackie Duffy

13500 171st Ave NE, Redmond 98052



This Valley feeds 80,000 people nutritious food including

ANDREW Ely PRE Meeting
12/04/2018

My Name is Andrew Ely, I am a proud King County Farmer with four seasons of farm stewardship in the Sammamish Valley. I worked on farm that currently incubates beginning farmers in the Sammamish Valley. But Today I am hear to represent myself and other farmers.

The Sammamish Valley is home to many farms, new and old, Alki Farm, Tuk Muk Farm, and Thao Farm, just to name a few. Our produce is of the highest and freshest quality. Our successful businesses depend on the Sammamish Valley's RELIABLE fertility, water and mild climate. We are not planning on a year to year basis. We are planning on an intergenerational basis. We are planning 25, 50, 100 years from now.

Land access is already difficult. It is hard to come by affordable acreage. Commercialization and land speculation are increasing land prices. Ordinance #2018-0241 supports said commercialization and speculation. We cannot afford acreage in the million-dollar range.

This Ordinance will put us out of business.

Land and water quality are sensitive to pollution. Commercialization increases water runoff. Uphill commercialization as proposed in Ordinance #2018-0241 will cause MORE water to run from the hillside into the farmland carrying MORE pollutants with it. This jeopardizes our health, it jeopardizes the health of the ecosystem and jeopardizes the ability for us to grow our business.

We see beyond the proposed Ordinance labeled as "Demonstration". This is an attempt to commercialize the Sammamish Valley.

This is a plan to destroy OUR Natural Resource (by OUR I mean yours and MINE).

Ordinance # 2018-0241, so called "DEMONSTRATION" is an attempt to "PAVE" and "PROFIT NEXT YEAR" It disregards the long-term beneficial impacts of our resilient localized food system that we as Farmers are tirelessly and humbly working toward.

We operate with intent, we practice sustainable methods, we steward the land, we protect the Sammamish River, we protect the Puget Sound Watershed. We work tirelessly from dawn to dusk in the elements, with the intent of Food Sovereignty in King county and beyond.

Demonstration will destroy our environmental, economic, and social viability. It will destroy the vision of the King County Foodshed that is well painted in the King County Local Food Initiative.

I support the amendments proposed by Friends of the Sammamish Valley.

Thank you for representing your constituents.