



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

October 21, 2003

Ordinance 14781

Proposed No. 2002-0471.2

Sponsors McKenna, Lambert, Irons and Hague

1 AN ORDINANCE related to zoning, establishing
2 additional provisions for wineries in rural and agricultural
3 zones, and amending development conditions governing
4 food stores and agricultural product sales; and amending
5 provisions related to temporary use permits for wineries in
6 the A and RA zones; and amending Ordinance 10870,
7 Section 334, as amended, and K.C.C. 21A.08.070,
8 Ordinance 10870, Section 335, as amended, and K.C.C.
9 21A.08.080 and Ordinance 10870, Section 549, as
10 amended, and K.C.C. 21A.32.120.

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13 **PREAMBLE:**

14 The Washington state wine industry is an important contributor to the
15 state's economy. Its full economic impact is estimated at \$2.4 billion, and
16 it employs more than eleven thousand people throughout the state, either
17 directly or indirectly.

18 There are over two hundred forty wineries in Washington, most of which
19 are located in rural and agricultural communities, where they provide jobs,
20 promote agri-tourism and enhance rural character.

21 King County's development regulations currently limit the size and scope
22 of wineries in rural and agricultural zones, and require all wine to be made
23 from agricultural products grown on-site. Since the vast majority of wine
24 fruit is grown in eastern Washington, these regulations severely limit the
25 art and business of winemaking in unincorporated King County. Most
26 other counties in western Washington allow small and medium scale
27 wineries to operate without such limitations.

28 Expanding these regulations by increasing the size limit for winemaking
29 facilities and by allowing wine to be made from grapes grown elsewhere
30 will provide an economic stimulus to King County's resource-based
31 communities. Local farms, small merchants, restaurants and bed and
32 breakfast inns will also benefit from these expanded uses.

33 Creating favorable conditions for the production of handcrafted, local
34 wines will promote winemaking as part of a diverse, regional and
35 sustainable economy.

36 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

37 SECTION 1. Ordinance 10870, Section 334, as amended, and K.C.C.

38 21A.08.070 are each hereby amended as follows:

39 **Retail land uses.**

40 A. Retail land uses.

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KEY		RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL				
P -- Permitted Use		A	F	M	R	U R	U	R	N B	C B	R B	O	I
C -- Conditional Use		G	O	I	U	R E	R	E	E U	O U	E U	F	N
S -- Special Use		R	R	N	R	B S	B	S	I S	M S	G S	F	D
		I	E	E	A	A E	A	I	G I	M I	I I	I	U
	Z	C	S	R	L	N R	N	D	H N	U N	O N	C	S
	O	U	T	A		V		E	B E	N E	N E	E	T
	N	L		L		E		N	O S	I S	A S		R
	E	T						T	R S	T S	L S		I
	U							I	H	Y			A
	R							A	O				L
	E							L	O				
									D				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
*	Building, Hardware and Garden Materials	P19			P21 C1				P2	P	P		
*	Forest Products Sales	P3, 4	P4		P3, 4								
*	Department and Variety Stores						C14	C14	P5	P	P		
54	Food Stores				C13		C15	C15	P	P	P	C	P6
*	Agricultural Product Sales	P20 C7	P4		P20, C7	P3	P3						
*	Motor Vehicle and Boat Dealers										P8		P
553	Auto Supply Stores									P9	P9		P
554	Gasoline Service Stations								P	P	P		P
56	Apparel and Accessory Stores									P	P		
*	Furniture and									P	P		

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	Home Furnishings Stores											
58	Eating and Drinking Places			C (13) 22		C16	C16	P10	P	P	P	P
*	Drug Stores					C15	C15	P	P	P	C	
592	Liquor Stores								P	P		
593	Uses Goods: Antiques/Second hand Shops								P	P		
*	Sporting Goods and related Stores								P	P		
*	Book Stationery, Video and Art Supply Stores					C15	C15	P	P	P		
*	Jewelry Stores								P	P		
*	Monuments, Tombstones, and Gravestones									P		
*	Hobby, Toy, Game Shops							P	P	P		
*	Photographic and Electronic Shops							P	P	P		
*	Fabric Shops								P	P		
598	Fuel Dealers								C11	P		P
*	Florist Shops					C15	C15	P	P	P	P	
*	Personal Medical Supply Stores								P	P		
*	Pet Shops							P	P	P		
*	Bulk Retail								P	P		
*	Auction Houses									P12		P
*	Livestock Sales	P17	P17	P17	P17	P17, 18						P

GENERAL CROSS REFERENCES:	Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see K.C.C. <u>chapters</u> 21A.12 through 21A.30; General Provisions, see K.C.C. <u>chapters</u> 21A.32 through 21A.38;' Application and Review Procedures, see K.C.C. <u>chapters</u> 21A.40 through 21A.44;' (*Definition of this specific land use, see K.C.C. <u>chapters</u> 21A.08.
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- 41 B. Development conditions.
- 42 1. Only feed stores and garden supply stores.
- 43 2. Only hardware and garden materials stores shall be permitted.
- 44 3.a. Limited to products (~~((produced))~~) grown on-site.
- 45 b. Covered sales areas shall not exceed a total area of five hundred square feet.
- 46 4. No permanent structures or signs.
- 47 5. Limited to SIC Industry No. 5331, Variety Stores, and further limited to a
- 48 maximum of two thousand square feet of gross floor area.
- 49 6. Limited to a maximum of two thousand square feet of gross floor area.
- 50 7.a. The floor area devoted to retail sales shall not exceed three-thousand five
- 51 hundred square feet.
- 52 b. Sixty percent or more of the average annual gross sales of agricultural
- 53 products sold through the store over a five-year period shall be derived from products
- 54 grown or produced in King County. At the time of the initial application, the applicant
- 55 shall submit a reasonable projection of the source of product sales.
- 56 c. Sales shall be limited to agricultural (~~((produce))~~) products and plants.
- 57 d. Storage areas for produce may be included in a farm store structure or in any
- 58 accessory building.

59 e. Hours of operation shall be limited to 7:00 a.m. to 9:00 p.m. during May
60 through September and 7:00 a.m. to 7:00 p.m. during October through April. Outside
61 lighting is permitted if no off-site glare is allowed.

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

63 9. Only the sale of new or reconditioned automobile supplies is permitted.

64 10. Excluding SIC Industry No. 5813-Drinking Places.

65 11. No outside storage of fuel trucks and equipment.

66 12. Excluding vehicle and livestock auctions.

67 13. Only as accessory to a winery or brewery, and limited to sales of products
68 produced on site and incidental items where the majority of sales are generated from
69 products produced on site.

70 14. Not in R-1 and limited to SIC Industry No. 5331 - Variety Stores, limited to
71 a maximum of five thousand square feet of gross floor area, and subject to K.C.C.
72 21A.12.330.

73 15. Not permitted in R-1 and limited to a maximum of five thousand square feet
74 of gross floor area and subject to K.C.C. 21A.12.230.

75 16. Not permitted in R-1 and excluding SIC Industry No. 5813-Drinking Places,
76 and limited to a maximum of five thousand square feet of gross floor area and subject to
77 K.C.C. 21A.12.230.

78 17. Retail sale of livestock is permitted only as accessory to raising livestock.

79 18. Limited to the R-1 zone.

80 19. Limited to the sale of livestock feed, hay and livestock veterinary supplies
81 with a covered sales area of not more than five hundred square feet. The five hundred

82 square foot limitation does not include areas for storing livestock feed, hay or veterinary
83 supplies or covered parking areas for trucks engaged in direct sale of these products from
84 the truck.

85 20.a. Covered sales areas shall not exceed a total area of two thousand square
86 feet.

87 b. Sixty percent or more of the average annual gross sales of agricultural
88 products sold through the store over a five-year period shall be derived from products
89 grown or produced in King County. At the time of the initial application, the applicant
90 shall submit a projection of the source of product sales.

91 c. Sales shall be limited to agricultural produce and plants.

92 d. Storage areas for produce may be included in a farm store structure or in any
93 accessory building.

94 e. Hours of operation shall be limited to 7:00 a.m. to 9:00 p.m. during May
95 through September and 7:00 a.m. to 7:00 p.m. during October through April. Outside
96 lighting is permitted if no off-site glare is allowed.

97 21. Limited to hay sales.

98 22. Only as:

99 a. an accessory use to a winery or brewery, limited to the tasting of products
100 produced on site, or

101 b. an accessory use to a permitted manufacturing or retail land use, limited to
102 espresso stands to include sales of beverages and incidental food items, and not to include
103 drive-through sales.

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104 SECTION 2. Ordinance 10870, Section 335, as amended, and K.C.C.

105 21A.08.080 are each hereby amended as follows:

106 **Manufacturing land uses.**

107 A. Manufacturing land uses.

KEY		RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL				
P - Permitted Use		A	F	M	R	U R	U	R	N B	C B	R B	O	I
C - Conditional Use		G	O	I	U	R E	R	E	E U	O U	E U	F	N
S - Special Use		R	R	N	R	B S	B	S	I S	M S	G S	F	D
		I	E	E	A	A E	A	I	G I	M I	I I	I	U
	Z	C	S	R	L	N R	N	D	H N	U N	O N	C	S
	O	U	T	A			V		E	B E	N E	N E	E T
	N	L		L		E		N	O S	I S	A S		R
	E	T						T	R S	T S	L S		I
	U							I	H	Y			A
	R							A	O				L
	E							L	O				
									D				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (11)
20	Food and Kindred Products	P1	P1		P1	P1					C		P2 C
2082/ 2084	Winery/Brewery	P((4)) 3			P3	P3							
		C12			C13								
22	Textile Mill Products												C
23	Apparel and other Textile Products										C		P
24	Wood Products, except furniture	P4	P4 C5		P4	P4					C6		P
25	Furniture and Fixtures										C		P
26	Paper and Allied												C

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	Products												
27	Printing and Publishing							P7	P7	P7C	P7C		P
28	Chemicals and Allied Products												C
2911	Petroleum Refining and related industries												C
30	Rubber and Misc. Plastics Products												C
31	Leather and Leather Goods									C			P
32	Stone, Clay, Glass and Concrete Products								P6	P9			P
33	Primary Metal Industries												C
34	Fabricated Metal Products												P
35	Industrial and Commercial Machinery												P
351- 55	Heavy Machinery and Equipment												C
357	Computer and Office Equipment									C	C		P
36	Electronic and other Electric Equipment									C			P
374	Railroad Equipment												C
376	Guided Missile and Space												C

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	Vehicle Parts												
379	Miscellaneous Transportation Vehicles												C
38	Measuring and Controlling Instruments									C	C		P
39	Miscellaneous Light Manufacturing									C			P
*	Motor Vehicle and Bicycle Manufacturing												C
*	Aircraft, Ship and Boat Building											P10	C
7534	Tire Retreading									C			P
781- 82	Movie Production/ Distribution									P			P
GENERAL CROSS REFERENCES:		Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see K.C.C. <u>chapters</u> 21A.12 through 21A.30; General Provisions, see K.C.C. <u>chapters</u> 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. <u>chapters</u> 21A.40 through 21A.44; (*)Definition of this specific land use, see K.C.C. <u>chapters</u> 21A.08.											

108 B. Development conditions.

109 1. Limited to agricultural products (~~produced~~) grown on-site, provided
 110 structures and areas used for processing shall maintain a minimum distance of seventy-
 111 five feet from property lines adjoining residential zones.

112 2. Except slaughterhouses.

113 3. Only as a home industry, subject to K.C.C. chapter 21A.30.

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

116 5. Limited to SIC Industry Group No. 242-Sawmills.

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

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

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

121 9. Only within enclosed buildings.

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

123 11. For I-zoned sites located outside the urban growth area designated by the
124 King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C.
125 21A.08.080A shall be prohibited, and all other uses shall be subject to the provisions for
126 rural industrial uses as set forth in K.C.C. chapter 21A.12.

127 12. Limited to wineries subject to the following:

128 a. the total floor area of structures for wineries and any accessory uses are not
129 to exceed three thousand five hundred square feet, including underground storage, unless
130 located in existing agricultural structures, including, but not limited to, barns.

131 b. expansions of existing agricultural structures used for wineries are not to
132 exceed three thousand five hundred square feet.

133 c. at least sixty percent of the grapes or other agricultural product used to
134 produce the wine must be grown in King County.

135 d. structures and areas used for processing are setback a minimum distance of
136 seventy-five feet from property lines adjacent to residential zones.

137 e. wineries must comply with Washington state Department of Ecology and
138 King County board of health regulations for water usage and wastewater disposal.

139 Wineries using water from exempt wells must install a water meter.

140 13. Limited to wineries subject to the following:

141 a. The floor area of structures for wineries and any accessory uses are limited
142 to a total of eight thousand square feet, except that underground storage that is
143 constructed completely below natural grade, not including required exits and access
144 points, may add an additional eight thousand square feet provided that the underground
145 storage is at least one foot below the surface and is not visible above ground and must
146 meet the following:

147 (1) wineries must comply with Washington state Department of Ecology and
148 King County board of health regulations for water usage and wastewater disposal.
149 Wineries using water from exempt wells are to install a water meter.

150 (2) clearing on the site is limited to a maximum of thirty-five percent of the
151 lot area or the amount previously legally cleared, whichever is greater. Removal of
152 noxious weeds and invasive vegetation is exempt from this clearing limitation. The
153 remainder of the site is to be managed under a forest management plan approved by the
154 King County department of natural resources and parks.

155 (3) off-street parking is limited to one hundred and fifty percent of the
156 minimum requirement for wineries specified in K.C.C. 21A.18.030.

157 (4) structures and areas used for processing are setback a minimum distance
158 of seventy-five feet from property lines adjacent to residential zones.

159 b. Structures for wineries and any accessory uses that exceed six thousand
160 square feet of total floor area including underground storage must:

161 (1) have a minimum lot size of ten acres; and

162 (2) use a minimum of two and one-half acres of the site for the growing of
163 agricultural products.

164 c. Structures for wineries and any accessory uses that do not exceed a six
165 thousand square feet of total floor area including underground storage must have a
166 minimum lot size of five acres.

167 d. On Vashon-Maury Island, the total floor area of structures for wineries and
168 any accessory uses located may not exceed six thousand square feet including
169 underground storage and must have a minimum lot size of five acres.

170 SECTION 3. Ordinance 10870, Section 549, as amended, and K.C.C.
171 21A.32.120 are each hereby amended as follows:

172 **Temporary use permits – ~~((D))~~duration and frequency.** Temporary use
173 permits shall be limited in duration and frequency as follows:

174 A. The temporary use permit shall be effective for no more than ~~((180))~~ one
175 hundred eighty days from the date of the first event;

176 B. The temporary use shall not exceed a total of ~~((60))~~ sixty days, provided that
177 this requirement applies only to the days that the event~~((s))~~ or events actually take
178 place. For a winery in the A or RA zones, the temporary use shall not exceed a total of
179 two events per month and all parking for the events must be accommodated on site;

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

182 D. A temporary use permit shall not be granted for the same temporary use on a
183 property more than once per calendar year (~~provided that~~), though a temporary use
184 permit may be granted for multiple events during the approval period.

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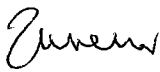
Ordinance 14781 was introduced on 9/30/2002 and passed as amended by the Metropolitan King County Council on 10/20/2003, by the following vote:

Yes: 13 - Ms. Sullivan, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr. Phillips, Mr. Pelz, Mr. McKenna, Mr. Constantine, Mr. Hammond, Mr. Gossett, Ms. Hague, Mr. Irons and Ms. Patterson
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

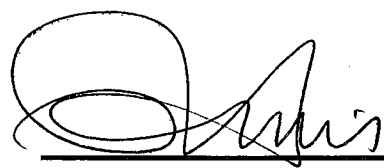

Cynthia Sullivan, Chair

ATTEST:


Anne Noris, Clerk of the Council

RECEIVED
2003 OCT 30 PM 3:49
CLERK
KING COUNTY COUNCIL

APPROVED this 30 day of October


Ron Sims, County Executive

Attachments None