



King County

Dow Constantine

King County Executive

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September 7, 2022

The Honorable Claudia Balducci
Chair, King County Council
Room 1200
C O U R T H O U S E

Dear Councilmember Balducci:

As called for by Ordinance 19309, Section 2.D., this letter transmits a report evaluating next steps for winery, brewery, and distillery regulations. As required, the enclosed report provides a summary of the status of the proceedings before the Growth Management Hearings Board, a summary of code enforcement activities, and a recommendation and proposed timeline regarding the next steps for the County adopting regulations for wineries, breweries, and distilleries (WBDs).

Updated WBD regulations were adopted in 2019 via Ordinance 19030. Litigation regarding the Ordinance and associated SEPA review ensued and is ongoing. A series of moratoria on the acceptance of applications for the establishment of new or expansion of existing WBDs have been adopted beginning in 2020 to allow legal proceedings to resolve, during which time the code standards applicable to WBDs have been uncertain.

The enclosed report recommends adopting a one-year moratorium to take effect prior to December 22, 2022, when the moratorium presently in place will expire. As of August 2022, no new regulations for WBDs have been enacted. Should the moratorium expire without updated regulations, there is risk for applicants and the County regarding which standards would apply. Adopting a moratorium Ordinance will pause submittal of new WBD applications, allow time for current litigation to resolve, and provide time for the Council to adopt new regulations which will provide clarity to all parties.

This report and the proposed Ordinance recommended by this report, which is transmitted concurrently with this report, supports the King County Strategic Plan goal of efficient, accountable regional and local government by pausing the acceptance of permit applications while development regulations are being updated until clear, reliable regulations are in place for members of the public and County staff to use.

This report required 15 hours of staff time to produce, costing approximately \$1,000.

The Honorable Claudia Balducci

September 7, 2022

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Thank you for your consideration of this report. If your staff have any questions, please contact Jim Chan, Permitting Division Director, 206-477-0385.

Sincerely,

 for
Dow Constantine
King County Executive

Enclosure

cc: King County Councilmembers
ATTN: Stephanie Cirkovich, Chief of Staff
Melani Pedroza, Clerk of the Council
Shannon Braddock, Chief of Staff, Office of the Executive
Karan Gill, Deputy Chief of Staff, Office of the Executive
Mina Hashemi, Council Relations Director, Office of the Executive
John Taylor, Director, Department of Local Services (DLS)
Jim Chan, Division Director, Permitting Division, DLS