

SEPA¹ Environmental Checklist

Purpose of checklist

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization, or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. **You may use “not applicable” or “does not apply” only when you can explain why it does not apply and not when the answer is unknown.** You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to **all parts of your proposal**, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for lead agencies

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B, plus the Supplemental Sheet for Nonproject Actions (Part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in “Part B: Environmental Elements” that do not contribute meaningfully to the analysis of the proposal.

¹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/Checklist-guidance>

A. Background

[Find help answering background questions](#)²

1. Name of proposed project, if applicable:

Amendments to King County Code related to wineries, breweries, distilleries, and remote tasting rooms (WBD amendments ordinance).

2. Name of applicant:

The proposal was initiated by King County.

3. Address and phone number of applicant and contact person:

Erin Auzins, Supervising Legislative Analyst
King County Council
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Seattle, WA 98104
206-477-0687
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4. Date checklist prepared:

February 11, 2024

5. Agency requesting checklist:

King County.

6. Proposed timing of schedule (including phasing, if applicable):

The King County Council anticipates possible action on the WBD amendments ordinance in the first quarter of 2025.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Ordinance 19030 was adopted in December 2019 after a years-long process to review and update the development regulations for wineries, breweries, and distilleries (WBDs), and remote tasting rooms, in unincorporated King County.

After a lengthy litigation process, on September 19, 2024, the Washington State Supreme Court published an opinion reinstating a January 2022 order that invalidated Ordinance 19030 Sections 12 through 30, and map amendments 1 and 2, which were Attachments A and B to Ordinance 19030. These sections included definitions, zoning conditions, parking requirements, temporary use permit clarifications, home occupation and home industry limitations, and a demonstration project. The Board's January 2022 order also remanded Ordinance 19030 to the County. The Board named thirteen issues that led to the invalidity order, including issues with the April 2019

² <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-A-Background>

SEPA checklist, insufficient protection of agricultural lands, noncompliance with the County's Comprehensive Plan policies, and incompatibility of remote tasting room demonstration project overlay A.

In between the Board's 2022 order and the Supreme Court's September 2024 opinion, the Council has proposed to modify the WBD regulations in a number of ways, including:

1. Proposed Ordinance 2022-0146. This ordinance modifies the WBD code to revert back to the Code in place prior to Ordinance 19030.
2. Proposed Ordinance 2022-0147. This ordinance modifies the provisions of Ordinance 19030; and
3. Proposed Ordinance 2022-0148. This ordinance modifies Proposed Ordinance 2022-0147.

None of these proposals were adopted by the County.

The County has also adopted a series of moratoriums for WBD uses, most recently in Ordinance 19865, which expires in June 2025. Any extensions of that moratorium, or any new moratorium, will have its own SEPA checklist and review process.

It is possible the County will make future changes to regulations for WBD uses, but the timing for any such changes is unknown. Were the County to propose allowances for WBDs in the Rural Area or Agricultural zones, an EIS would be required, as it is required by the Washington State Supreme Court decision. In particular, an analysis of the impacts of WBD uses on the existing environmental condition, which is the designation of the land as agriculture (or rural area), would be required to be included.

If adopted, King County anticipates permit applications for individual developments that will be subject to the proposed regulations.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

- SEPA checklist for this proposal
- Sammamish Valley Area Wine and Beverage Industry Study (September 2016)
- King County Action Report, Sammamish Valley Winery and Beverage Study (April 26, 2018)
- SEPA Checklist dated April 24, 2019, signed by Karen Wolf
- Determination of Nonsignificance dated April 26, 2019, for Proposed Ordinance 2018-0241.2 (which was enacted as Ordinance 19030)
- Memorandum dated June 10, 2019 from Ty Peterson to Erin Auzins Re: State Environmental Policy Act (SEPA) Threshold Determination of Nonsignificance (DNS) for Non-Project action Proposed Ordinance No. 2018-0241.2 re: regulations for Wineries, Breweries and Distilleries (WBD)
- SEPA Checklist dated November 4, 2020, signed by Erin Auzins, with Attachments A through D

- Determination of Nonsignificance dated January 15, 2021, for Wineries, Breweries, Distilleries and other adult beverage uses, either those in Ordinance 19030 or other changes through the public process
- Staff report, with Attachments to Local Services and Land Use Committee, dated May 24, 2022, for Proposed Ordinances 2022-0147 and 2022-0148
- Memorandum dated June 9, 2022 from Ty Peterson to Erin Auzins Re: State Environmental Policy Act (SEPA) Threshold Determination of Nonsignificance (DNS) for Non-Project action Ordinance 19030 & proposed Ordinance No. 2022-0147 re: regulations for Wineries, Breweries and Distilleries (WBD)
- Final Environmental Impact Statement for the Ordinance 19881, the 2024 Comprehensive Plan, issued November 6, 2024

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

The proposal is a nonproject action and applies to all of unincorporated King County. Permit applications for individual developments are pending for projects on properties within unincorporated King County, where the WBD amendments ordinance would apply. King County maintains a list of pending applications online at <https://aca-prod.accela.com/kingco/Default.aspx>.

10. List any government approvals or permits that will be needed for your proposal, if known.

Approval by the King County Council is required for adoption of the WBD amendments ordinance. After King County Council adoption and King County Executive enactment, the Growth Management Hearings Board will need to lift the order of invalidity in order for the County to enforce a WBD ordinance.

Individual development projects that would be subject to the WBD amendments ordinance would also be subject to all applicable federal, state, and local permitting and licensing requirements.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

King County has taken and considered several actions to update the King County Code (KCC) regulations related to wineries, breweries, distilleries, and remote tasting rooms in unincorporated King County, including more clearly defining those uses, and the development standards that apply to this already allowed use.

This SEPA checklist builds on the analysis done previously, and where known, identifies the cumulative impacts of the three ordinances. A comparison of the code in place prior to Ordinance 19030, the provisions in Ordinance 19030, the provisions proposed in Proposed Ordinance 2022-0147 and 2022-0148, which were not adopted, and the proposal in Proposed Ordinance 2024-0387 are included as Attachment A to this checklist.

Ordinance 19030

Ordinance 19030 was adopted by the Council in December 2019. That ordinance modified the

existing regulations for WBDs, which have been an allowed use since at least 1993, when the County adopted its first zoning code after implementation of the Growth Management Act. Ordinance 19030 modified the existing regulations as follows:

- Establishing a business license requirement for all wineries, breweries, distilleries, cideries, and remote tasting rooms, as well as for legal nonconforming home occupations and home industries.
- Adding new definitions for remote tasting room and WBD facility I, II, and III.
- Specifying development standards for WBDs and remote tasting rooms, as allowed in each zone.
- Imposing new requirements in the Agricultural (A) zone for structures for non-agricultural uses to be located on lands unsuitable for agricultural purposes and limiting the amount of land that may be converted to a nonagricultural accessory use to one acre.
- Establishing impervious surface limits for WBD facility II and III in A and Rural Area (RA) zones that are as or more restrictive than existing limits. Maintaining existing underlying code limitations for impervious surface for A, Community Business (CB), Regional Business (RB), and Industrial (I) zones.
- Allowing WBD facility II and III in the A zone only as an accessory use to an agricultural use. Regulations prior to Ordinance 19030 also allowed wineries, breweries, and distilleries as an accessory use to agricultural use in A zone and allowed larger wineries, breweries, and distilleries as a conditional use. Maintains that WBD II and III facilities are allowed as a conditional use in RA zones (a WBD II facility could be allowed without a conditional use permit in the RA zone if it has arterial access).
- Imposing a new requirement for WBD facility III to connect to an existing Group A water system.
- Reducing the minimum lot size for WBD facility II in the RA zone from 4.5 to 2.5 acres. Establishing a minimum lot size of 2.5 acres for WBD facility II in the A zone, whereas prior to Ordinance 19030, there was no minimum for smaller wineries, breweries, and distilleries in the A zone.
- Prohibiting WBDs and remote tasting rooms as home occupations and home industries. Existing home occupations and home industries that obtain a business license and demonstrate compliance with the King County Code provisions for home occupations and home industries prior to the adoption of Ordinance 19030, would be allowed to continue as legal nonconforming uses.
- Maintaining limited on-site tasting of products and retail sales only as accessory to production for WBD facility II and III.
- Prohibiting on-site tasting and retail sales at WBD facility I, which is allowed only in the RA zone.
- Imposing new limitations on the maximum area allowed for on-site tasting of products and sales to 30 percent of floor area for WBD facility II and III in the A and RA zones and to 1,500 square feet for WBD facility II and III in the I zone.
- In the A zone, modifying an existing requirement that 60 percent of the product processed at a winery be grown in Puget Sound counties to require that 60 percent of the product processed at WBDs be grown on-site.
- In the RA zone, removing requirement that 60 percent of the products to be processed at WBD be grown in Puget Sound counties.
- Imposing new hours of operation limitation for tasting and retail use for WBD facility II in A, RA, and RB zones and for WBD facility III in A, RA, Neighborhood Business (NB), CB, and RB zones.

- Requiring direct access to an arterial for WBD facility II and III in the A and RA zones, except for on Vashon-Maury Island and for WBD facility II allowed as a conditional use in the RA zone where access must be directly to and from a public roadway.
- Limiting the number of temporary use permits allowed for events for WBD facility II and III in A zones to two days per month and requiring that all parking be accommodated on site (identical to prior regulations for wineries in A or RA zones) or managed through a parking management plan.
- Adjusting limits on the number of temporary use permits for WBD facility II and III in the RA zone to 24 days per year (from two days per month for wineries, and from 60 days per year for breweries and distilleries) and also requiring that all parking be accommodated on site or managed through a parking management plan, whereas the KCC allows events requiring a temporary use permit up to 60 days per year for all other uses and wineries in other zones.
- Adding a new limit on the number of guests allowed for an event that requires a temporary use permit (subject to permit review and conditions, but no more than 150 guests for WBD facility II in A and RA zones and 250 guests for WBD facility III in A and RA zones) and requiring the consideration of occupancy and parking limitations during permit review.
- Continuing to allow events up to two days per year without a temporary use permit, with a new limit of 50 guests, for WBD facility I in RA zones, legal nonconforming home occupations, and legal nonconforming home industries.
- Allowing an estimated five WBD facility II and III in RA zones that meet certain criteria to hold events without a temporary use permit. These facilities would be required to have an active Washington State Liquor Control Board (WSLCB) production license for their current location as of the effective date of Ordinance 19030, be sited on a parcel eight acres or larger, and have direct access to a principal arterial or state highway. These facilities could not use amplified noise between 8:00 pm and noon and could have events no more than eight days per month on an annual average.
- Establishing Remote Tasting Room Demonstration Project Overlay A, which consists of 13 properties within the RA zone in Sammamish Valley adjacent to the Woodinville city limits, to evaluate the allowance and operation of remote tasting rooms with strict scope and scale limits.
- Allowing remote tasting rooms as a permitted use in CB and RB zones.
- Adding specific, increased citation penalties for violations related to WBD facility I, II, and III, and remote tasting rooms, including unapproved events.
- No longer allowing WBDs within the Urban Reserve (UR) zone.
- Eliminating Liquor Stores as a permitted use in the A, RA, UR, and NB zones.

Proposed Ordinance 2022-0147

Proposed Ordinance 2022-0147, which was not adopted, and including amendment concepts at June 2022 public hearings, proposed changes from Ordinance 19030, which were anticipated and evaluated either with Ordinance 19030 or as part of the November 2020 SEPA Checklist and January 2021 Determination of Nonsignificance:

- Prohibit all WBDs in the A zone (including functions and events, and land use business license documentation requirements for WBDs in the A zone).
- Reduce floor area trigger for larger minimum lot size for WBD III in RA zone.
- Maintain requirement to limit tasting and retail to products produced on-site, with specific RCW/WAC exceptions where state law allows WBDs to taste and sell other products as part of the production liquor license
- Reduce floor area maximum to 20% for retail and tasting in WBD II and III in the RA zone.

- Establish a floor area and gross sales revenue limitation for WBD II and III in the RA zone. Incidental retail sales would be limited to 20% of the retail and tasting area, and limited to 20% of the gross sales revenue on-site. Documentation of meeting this requirement is added to the business license application section.
- Modifies the hours of operation for on-site tasting and retail to 11am to 8pm daily.
- Specifies a requirement for a production liquor license from the state.
- Requires a minimum of three stages of production, with two active stages (crushing or milling, pressing, fermenting, or distilling) for WBD II and III in the RA zone.
- Specifies that construction and operation of the WBD must comply with the requirements of the County's surface water management code (Title 9 of the K.C.C.) and the Surface Water Design Manual.
- Prohibits distilleries in a closed or partially closed basin to new water withdrawals by Department of Ecology for WBD I, II, and III in the RA zone. This provision does not apply to Vashon-Maury Island.
- Requires use of commercial septic systems and prohibits use of sewer system for WBD II and III in the RA zone. This provision does not apply to Vashon-Maury Island.
- Requires WBD II in the RA zone to connect to an existing Group A or Group B water system. This provision does not apply to Vashon-Maury Island.
- Require WBD I in the RA zone to meet the same parking requirements as WBD II and III: a minimum of 0.9 spaces per 1,000 square feet of manufacturing area, and a maximum of 150% of the minimum.
- Modifies the 75-foot setback requirement from rural and residential zones to include impervious surfaces associated with WBDs and to apply this setback to the A zone. Adds an allowance for the Permitting Division to approve a WBD use with a reduced setback for WBD I, II, and III in the RA zone, subject to a Conditional Use Permit and additional criteria including proximity to neighboring residential and other WBD uses; sufficiency of existing or proposed landscape screening; anticipate impacts to neighboring residential uses like noise or odor; and parcel size, topography, and proximity critical areas.
- Repeals the remote tasting room demonstration project Overlay A.
- Differentiating between functions associated with WBDs, and events that require a temporary use permit. Prohibits functions and events associated with the WBD that would include stages, require traffic control, or attempt to accommodate parking onsite beyond what is allowed by the development conditions. Requires a temporary use permit for events that use portable toilets (which are capped at 2 for any event) exceed the building occupancy; use off-site parking; use temporary tents or canopies that require a permit; or extend beyond allowed hours of operation.
- Requires all functions and events to comply with the noise code in K.C.C. Chapter 12.86.
- Limiting events for WBD II and III in the RA zone to 1 day per month (existing WBD IIs in the RA zone on Vashon-Maury Island events remain consistent with Ordinance 19030-adopted 24/year).
- Events are limited to a maximum guest size of 75 for WBD II, and 125 for WBD III, in the RA zone.
- Removes an exemption for certain WBD II and III facilities from event limitations and temporary use permit requirements that was adopted in Ordinance 19030.
- Modifies the land use business license requirements to clarify language regarding documentation of nonconforming uses and removes allowance for initial license to be issued for existing businesses while establishing nonconforming status.

- Requires a building permit or change of occupancy permit to necessary to establish the WBD use before the land use business license is issued. Allows one 12-month initial land use business license for existing businesses to be issued if other zoning requirements and life safety requirements are met, with possible 6-month extensions for substantial steps taken to obtain the permit.
- Requires documentation that the gross sales revenue requirement is met with the land use business license application
- Modifies definition of remote tasting room to include additional off-site tasting room endorsement for distillery and craft distillery liquor licenses.
- Modifies definitions of WBD I, II, and III to add known stages of production and remove general references to state law. Further define the "finishing" stage of production to include blending, stabilizing, and filtering.
- Modifies the language for nonconforming home occupation and home industry WBDs to clarify what uses will be considered legal nonconforming uses.
- Removes efficacy evaluation adopted by Ordinance 19030.
- Adds an environmental evaluation for review of interior lot line setbacks; temporary use permits, functions and events; and impacts on salmonid species and habitat.
- Adds a requirement for the Executive to provide technical assistance for existing WBD businesses attempting to comply with the Proposed Ordinance.
- Adds a contingent effective date, so that these changes are not effective until Proposed Ordinance 2022-0148 is adopted by the Council.

Proposed Ordinance 2022-0148

Proposed Ordinance 2022-0148, which was not adopted, and including amendment concepts at June 2022 public hearings, proposed the following changes in addition to those in Proposed Ordinance 2022-0147:

- Allows WBD I, II, and III in the Urban Reserve (UR) zone. WBDs were allowed in the UR zone before Ordinance 19030. The development conditions in Proposed Ordinance 2022-0148 would match those as for the RA zone.
- Modifies the hours of operation for on-site tasting and retail to 11am to 6pm daily (existing WBD IIs in the RA zone on Vashon-Maury Island hours of operation remain consistent with Ordinance 19030-adopted Monday–Thursday: 11 am to 7 pm Friday–Sunday: 11 am to 9 pm).
- Adds a requirement that WBD II and III in the RA zone are required to maintain a minimum separation of 1,000 feet from any other WBD use in the RA and UR zone. "First in line" language is added to aid in administration. This requirement does not apply to Vashon-Maury Island.
- Allows wineries in the Industrial zone.

Proposed Ordinance 2024-0387

Proposed Ordinance 2024-0387, which is this proposal, includes the following changes to the WBD regulations:

- Repealing the requirement for an adult beverage business license adopted in Ordinance 19030.
- Modifying the definition of winery, brewery, and distillery to match those in state law.
- Allowing a remote tasting room in the CB and RB zone, with a development condition setting a maximum parking ratio of 1 space per 50 sf of tasting and retail area.
- Prohibiting WBDs in the A and RA zones.

- Allowing a WBD in the NB and CB zones, as a Permitted use, with a development condition:
 - Limiting the size to 3,500sf, or in an historic building to 5,000sf;
 - Setting a 75' setback on interior lot lines from the RA, UR, and R zones;
 - Allowing on-site tasting and retail sales, consistent with state law;
 - Setting a maximum parking ratio of 1 space per 50 sf of tasting and retail area; and
 - Allowing events with a Temporary Use Permit (TUP).
- Allowing a WBD in the NB and CB zones, with a Conditional Use Permit (CUP), with a development condition:
 - Allowing on-site tasting and retail sales, consistent with state law;
 - Setting a 75' setback on interior lot lines from the RA, UR, and R zones;
 - Setting a maximum parking ratio of 1 space per 50 sf of tasting and retail area, or as set by the CUP; and
 - Allowing events with a TUP.
- Allowing a WBD in the RB zone, as a Permitted use, with a development condition:
 - Allowing on-site tasting and retail sales, consistent with state law;
 - Setting a 75' setback on interior lot lines from the RA, UR, and R zones;
 - Setting a maximum parking ratio of 1 space per 50 sf of tasting and retail area; and
 - Allowing events with a TUP.
- Allowing a WBD in the I zone, as a Permitted use, with a development condition:
 - Prohibiting wineries and remote tasting rooms for wineries;
 - Allowing on-site tasting and retail sales, consistent with state law;
 - Setting a 75' setback on interior lot lines from the RA, UR, and R zones;
 - Setting a maximum parking ratio of 1 space per 50 sf of tasting and retail area; and
 - Allowing events with a TUP.
- Prohibiting WBDs and remote tasting rooms as home occupations and home industries.
- Temporary Use Permit changes include, from those adopted in Ordinance 19030:
 - Removes the triggers for when an event at a WBD or remote tasting rooms require a TUP;
 - Removes an exemption from TUP requirements for certain WBDs in the RA zone; and
 - Removes duration, frequency, and maximum attendee requirements for WBD uses in the A and RA zones. Returns to prior condition, in place prior to Ordinance 19030, for temporary uses at wineries in the A and RA zone, limiting them to two per month and requiring all parking to be accommodated on-site.
- Repeals the remote tasting room demonstration project adopted with Ordinance 19030, removes the zoning condition from impacted parcels, and removes a reference in the Retail Land Uses permitted use table.
- Repeals the efficacy report required by Ordinance 19030.
- Adds an effective date that is 61 days after notice of adoption, or 31 days after the final decision is issued by the Board, if an appeal is filed.

The WBD amendments ordinance would not change other existing regulations, including stormwater management, critical areas, and landscaping requirements, or make changes to special district overlays (SDOs), such as SO-120: Agricultural Production Buffer SDO, which imposes locational and open space requirements on new residential subdivisions in the agricultural production buffer special district overlay in the Sammamish Valley.

Other Regulations

Compliance with existing federal, state, and local regulations is presumed for purposes of this SEPA checklist, including compliance with the regulations in the WBD amendments ordinance itself, as well as others such as those related to drinking water, stormwater, wastewater treatment, septic systems, critical

areas, and zoning requirements. Any noncompliant uses or structures would be subject to code enforcement and would not be considered an impact related to the WBD amendments ordinance.

The King County Council could modify the WBD amendments ordinance and still accomplish the proposal's objective. Depending on the modification, the likelihood, scale, or scope of potential impacts to various elements of the environment could be the same, greater, or less.

As would be the case for any nonproject or project action that undergoes changes after the publication of a SEPA threshold determination, the King County Executive branch, which pursuant to KCC 20.44.020 is the Lead Agency for SEPA for King County, would evaluate any modifications that are proposed to be made to the WBD amendments ordinance and would update this environmental review in the case that changes would result in greater or different impacts than those identified in this checklist. The timing of additional environmental review process may vary depending on other variables, including future public processes.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The WBD amendments ordinance is a nonproject action that would apply to all of unincorporated King County, which totals 1,095,680 acres.

In general, King County is located in western Washington and includes 39 incorporated cities, including Seattle, Federal Way, Kirkland, and Bellevue. Approximately three-quarters of the County is unincorporated and includes areas primarily to the east of the County urban growth area boundary and the urban Puget Sound region, with the exception of Vashon-Maury Island located to the west and some isolated blocks of unincorporated area within the urban growth area.

Nearly 75 percent of unincorporated King County is zoned as Forest (F), particularly the eastern portion of the County. To the west, near the more urban incorporated areas of the County, the predominant zoning category is RA, with some areas zoned A, particularly in the area northeast of Sammamish Valley and the area northwest of Enumclaw. Smaller areas of residential, business, office, and industrial zoning are also located throughout unincorporated King County.

Some provisions proposed in previous proposals included in the evaluation with this checklist would apply only to particular areas, such as certain exceptions for Vashon-Maury Island and in the Demonstration Project area in the Sammamish Valley. Proposed Ordinance 2024-0387 removes both the exceptions for Vashon-Maury Island and the Demonstration Project.

As of December 2024, there are approximately 47 WBD businesses known to currently have or have applied for a liquor license, within the RA and A zones unincorporated King County. Of those, 9 have applied for a state liquor license since 2020 – the County objected to issuance of those licenses, as there was a moratorium in place that prevented establishment of new WBDs. Permitting also reports that they have communicated to these businesses that operating would create an enforcement risk; it is not known if each one is currently operating at locations in unincorporated King County.

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

Table 1. Existing WBD Businesses

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

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

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

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

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

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

³ Six of these are within the remote tasting room demonstration project area, for which the authorization has ended and is proposed for repeal in PO 2024-0387.

B.Environmental Elements

1. Earth

[Find help answering earth questions](#)⁴

a. General description of the site:

Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other:

The WBD amendments ordinance is a nonproject action with no identifiable “site.” The WBD amendments ordinance applies to all of unincorporated King County, which includes areas that are flat, rolling, hilly, and steep slope. King County landforms include saltwater coastline, river floodplains, plateaus, slopes, and mountains, punctuated with lakes and streams. The WBD amendments ordinance would apply to King County projects on lands with these features. Some provisions would apply only to particular areas, such as certain exceptions for Vashon-Maury Island and in the Demonstration Project area in the Sammamish Valley; in both cases, Proposed Ordinance 2024-0387 would reduce any potential impacts in these areas, since it would prohibit WBD uses in the A and RA zone including on Vashon-Maury Island, and would repeal the Demonstration Project in the Sammamish Valley.

b. What is the steepest slope on the site (approximate percent slope)?

The WBD amendments ordinance is a nonproject action with no specific site or location. Unincorporated King County includes 16,596 acres of steep slope critical areas. It is possible there may be steep slopes on properties where a WBD or remote tasting room is allowed. For example, potential steep slope hazard areas are located on several of the 13 parcels in Demonstration Project area, which is proposed to be repealed. The steep slopes in the Demonstration Project area are not located on the developed portions of these parcels that would most likely be used for any remote tasting rooms, under previous proposals included in the evaluation with this checklist. Any WBD or remote tasting room located on a parcel where steep slope is located would be subject to existing regulations and, for new development proposals, would be identified and addressed under existing regulations during permit review.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them, and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

The WBD amendments ordinance is a nonproject action with no specific site or location. Soil in unincorporated King County generally reflects geologically recent glacial and alluvial (river and stream) activity, as well as human activity. River valleys are generally occupied by poorly drained, silty loams that commonly have a substantial organic content. Soils on upland areas between valleys typically are coarser-grained sandy and gravelly sandy loams, but soils with high organic content do occur locally in these upland areas and along water bodies. Some areas of unincorporated King County are classified as farmland of statewide importance, prime farmland, and prime farmland with conditions (which means that it is prime farmland if drained, irrigated, protected from flooding, or not frequently flooded). King County’s Farmland

⁴ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-earth>

Preservation Program restricts use on participating properties to agriculture or open space use and restricts activities that would impair the agricultural capability of the property.

In accordance with the State Growth Management Act (RCW 36.70A.170 and 36.70A.050), King County designated “agricultural lands that are not already characterized by urban growth and that have long-term significance for the commercial production of food or other products.” The lands that meet these criteria are designated as an Agricultural Production District, of which there are five in King County (Enumclaw, Snoqualmie, Upper Green River, Lower Green River, and Sammamish).

Within an APD, the construction of a new WBD or the improvement of an existing facility allowed under the WBD amendments ordinance, which would have been allowed under Ordinance 19030 included in the evaluation with this checklist, may result in the removal of some of these soils. Development projects within an Agricultural Production District that are subject to the WBD amendments ordinance may result in the removal of some of these soils. However, existing regulations regarding those soils, and limitations on square footage and impervious surfaces would limit such removal. Proposed Ordinance 2024-0387 (and Proposed Ordinance 2022-0147, which was not adopted) would prohibit WBDs in the APD.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

The WBD amendments ordinance is a nonproject action with no specific site or location. Geologically hazardous areas, including landslide and erosion-prone areas, some abandoned mining areas, and seismic risk areas, exist within unincorporated King County. Landslide and erosion-prone areas are associated primarily with steep slopes. Hazardous mining areas that may be subject to surface subsidence are associated primarily with past coal mining that occurred in the area from Newcastle through Renton south to Black Diamond.

There may be unstable soils on properties where a WBD or remote tasting room is proposed to be developed. For example, several properties located within the Demonstration Project area, which is proposed to be repealed, include landslide-prone and erosion-prone areas. Any development subject to the WBD amendments ordinance that is located on a parcel where landslide or erosion-prone areas exist would be subject to existing regulations and, for new uses, would be identified and addressed under existing regulations during permit review.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

The WBD amendments ordinance is a nonproject action that would not directly authorize any fill, excavation, or grading. Individual projects subject to the WBD amendments ordinance could include fill, excavation, or grading. All such development projects would continue to be subject to existing development regulations related to stormwater management, impervious surfaces, critical areas, clearing and grading, and/or landscaping. Unless exempt under state and county requirements, filling, excavation and grading is also subject to SEPA review.

f. Could erosion occur because of clearing, construction, or use? If so, generally describe.

The WBD amendments ordinance would not direct any development activities. Potential erosion can result from clearing, construction or use of land for development that is subject to the WBD amendments ordinance.

Previous proposals included in the evaluation with this checklist, and the requirement in place prior to Ordinance 19030, included a requirement that structures and areas for nonagricultural winery, brewery, and distillery facility uses in the A zone cannot be located on areas with prime agricultural soils. In addition, previous proposals included in the evaluation with this checklist required that no more than one acre of agricultural land may be converted to a nonagricultural accessory use in the A zone. Proposed Ordinance 2022-0147, which was not adopted, would have prohibited WBDs in the A zone, and Proposed Ordinance 2024-0387 would prohibit WBDs in the A and RA zone; these proposals would eliminate any impact on erosion on in these zones.

The WBD amendments ordinance does not amend existing regulations on clearing, grading, or construction that could cause erosion. For example, the King County Surface Water Design Manual and shorelines and critical areas regulations, would be unchanged by the WBD amendments ordinance, and would continue to apply to development projects subject to the WBD amendments ordinance.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

The WBD amendments ordinance would not have any direct impacts to impervious surface percentages. Projects subject to the ordinance could alter the percentage of impervious surfaces on their respective sites. All such development projects would continue to be subject to existing regulations concerning new and replaced impervious surfaces and evaluated during project-level environmental and permit reviews.

Previous WBD proposals included in the evaluation with this checklist proposed limitations on the amount of impervious surface allowed for WBDs in the A and RA zones to 25 percent or the maximum percentage identified in the zoning code, whichever is less. Proposed Ordinance 2024-0387 prohibits such WBDs altogether, which will have less impact on these lands.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

No additional measures to control erosion or other impacts to the earth are proposed.

2. Air

[Find help answering air questions⁵](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

The proposed WBD regulations ordinance is a nonproject action that would not result in any direct emissions to the air. The operation of some WBDs may result in emissions from equipment being used in growing and processing crops (in previous proposals included in the evaluation with this checklist) as well as during operation. For example, the process of alcoholic fermentation generates carbon dioxide emissions. Individual breweries allowed under the ordinance could also have off-site odors, particularly if they include a wastewater treatment system on-site. The WBD amendments ordinance would not modify any federal,

⁵ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-Air>

state, or local codes that provide standards or controls for these types of emissions. Prohibiting WBDs in the A and Ra zones may result in reduced emissions of these types.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

The WBD amendments ordinance is a nonproject action that would not be affected by off-site sources of emissions or odor, and no known off-site sources of emissions or odor are likely to impact implementation of the WBD amendments ordinance.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

No additional measures to reduce or control emissions or other potential impacts to air are proposed.

3. Water

[Find help answering water questions⁶](#)

a. Surface:

[Find help answering surface water questions⁷](#)

1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

The WBD amendments ordinance is a nonproject action with no specific site or location. Numerous streams, lakes, ponds, and wetlands and the Puget Sound are located within unincorporated King County. King County maintains an inventory of water bodies within unincorporated King County, which would be considered during development review.

Three streams run through the Demonstration Project area, which is proposed to be repealed: a Class 2 stream through the northernmost parcel and two Class 3 streams through three other parcels. The Demonstration Project area is also in the vicinity of the Sammamish River, although it does not border the river directly and is not within the jurisdiction of the Shoreline Management Act.

2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

The WBD amendments ordinance is a nonproject action that would not directly require any work over, in, or adjacent to the described waters. State and local shoreline regulations would apply to any development subject to the WBD amendments ordinance that is within 200 feet of waters within unincorporated King County's shoreline jurisdiction (60,451 acres in total countywide). Other development regulations, including critical areas regulations, concerning the protection of waterbodies may also apply depending on the proximity of any development to these waters.

⁶ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water>

⁷ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Surface-water>

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

The WBD amendments ordinance is a nonproject action that would not authorize filling or dredging from surface water or wetlands. Individual development projects subject to the WBD amendments ordinance would also be subject to all state, local, and federal regulations, including mitigation requirements, concerning fill or dredge material placed in or removed from surface water or wetlands.

4. Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known.

The WBD amendments ordinance is a nonproject action that would not require any surface water withdrawals or diversions. Individual development projects subject to the WBD amendments ordinance would also be subject to existing regulations concerning surface water diversions and withdrawals, including those regarding in-stream flows, if applicable.

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

The WBD amendments ordinance is a nonproject action with no specific site or location. Several areas of unincorporated King County lie within a 100-year floodplain. Development projects subject to the WBD amendments ordinance would also be subject to King County rules and limitations pertaining to floodplain development and fill. The tasting room Demonstration Project area, which is proposed to be repealed, is not located in a 100-year floodplain. A-zoned lands are typically within the 100-year floodplain.

6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

The development and operation of WBDs, primarily for previous proposals included in the evaluation with this checklist, could expose local waterways to fungicides, fertilizers, pesticides, and other byproducts of wine, beer, and liquor production. With the prohibition on WBDs in the A and RA zones in Proposed Ordinance, 2024-0387, this is less likely to occur. WBDs would be subject to existing state, local, and federal regulations concerning the protection of and discharge of waste materials to surface waters, including the state's antidegradation standards.

b. Ground:

[Find help answering ground water questions](https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Groundwater)⁸

1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate

⁸ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Groundwater>

**quantities withdrawn from the well. Will water be discharged to groundwater?
Give a general description, purpose, and approximate quantities if known.**

The WBD amendments ordinance is a nonproject action and would not directly involve any withdrawals of groundwater or discharge to groundwater. Development projects subject to the WBD amendments ordinance that use groundwater or discharge to groundwater would be subject to all existing state, local, and federal regulations concerning groundwater removal and protection.

With previous proposals included in the evaluation with this checklist, there could be withdrawals of groundwater where new WBDs established under the ordinance utilize groundwater as their water source, but the approximate quantities are unknown. With Ordinance 19030, WBD facility IIIs would be required to connect to an existing Group A water system (as described in KCC 13.24.007) in the A and RA zones. This provision would be repealed in Proposed Ordinance 2024-0387, as there would be no WBDs allowed in the A or RA zones. Where WBDs would be allowed in the commercial zones, it's likely that the water source would be from public water systems and no or minimal withdrawals would be needed.

Any remote tasting rooms allowed within the Demonstration Project area, which is proposed to be repealed, would fall under the authority of the Woodinville Water District.

Vashon-Maury Island has public Group A water systems, a number of Group B systems, and permit-exempt individual wells. Within the Vashon Rural Town, water is mainly supplied by Water District 19.

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

The WBD amendments ordinance is a nonproject action that would not result in any discharge of waste material into the ground. Development projects subject to the WBD amendments ordinance may discharge waste material from septic tanks or other sources, and would be required to treat and dispose of any waste in a manner compatible with state and local regulations.

Individual WBDs and tasting rooms may discharge waste material from septic tanks or other sources. Any WBDs and tasting rooms allowed under the ordinance would be required to treat and dispose of any waste in a manner compatible with state and local regulations. Waste materials generated at a WBD and subject to treatment regulations could include sewage and WBD process wastewater. Violation of the existing state and local regulations would be a code enforcement issue, not a SEPA issue for this nonproject action.

c. Water Runoff (including stormwater):

1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

The WBD amendments ordinance is a nonproject action that would not directly generate or affect water runoff. Individual development projects subject to the WBD amendments ordinance may generate some water runoff. As with any development in unincorporated King County, on-site stormwater management would need to comply with the King County Surface Water Design Manual, including applicable Best

Management Practices (BMPs) for treatment and flow prior to discharge, and existing maximum impervious surface regulations.

Individual WBDs and remote tasting rooms may generate some water runoff. The primary source of runoff for WBDs and tasting rooms would be stormwater. As with any development in unincorporated King County, on-site stormwater management for WBDs would need to comply with the King County Surface Water Design Manual, including applicable Best Management Practices (BMPs) for treatment and flow prior to discharge, and existing maximum impervious surface regulations. Further, Ordinance 19030 limited impervious surface for WBDs in the A and RA zones to 25 percent or the maximum percentage identified in the zoning code, whichever is less; which would result in the same or more stringent development regulations for WBDs than exist today. Proposed Ordinance 2022-0148 would have called out that compliance with the Surface Water Design Manual is required, as extra emphasis.

Proposed Ordinance 2024-0387 would prohibit WBDs in the A and RA zone, further limiting the amount of runoff.

2. Could waste materials enter ground or surface waters? If so, generally describe.

The WBD amendments ordinance is a nonproject action that would not directly result in any waste material entering ground or surface waters. Development projects subject to the WBD amendments ordinance may result in waste matter that could enter ground or surface waters, but such projects would be subject to, and for the purposes of this checklist are presumed to comply with, existing state, local, and federal regulations concerning the protection of surface and ground water.

3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

The WBD amendments ordinance is a nonproject action with no specific site or location, and would not alter or otherwise affect drainage patterns. Development projects subject to the WBD amendments ordinance would also be subject to existing drainage regulations, which are unchanged by the subject ordinance. Previous proposals, including Ordinance 19030, could have involved, in the A zones, crop changes, row patterns, tilling, irrigation changes, structures, and parking, which could affect drainage patterns on their respective sites. Proposed Ordinance 2024-0387 (and Proposed Ordinance 2022-0147, which was not adopted) prohibits WBD uses in the A zones, minimizing or eliminating these potential impacts. It should be noted that growing and harvesting of source materials (apples, hops, grapes, etc.) would still be allowed in the A zones, which could still have these impacts. The allowances for growing and harvesting of crops has not proposed to change in any WBD proposal.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

No additional measures to reduce or control any potential surface, ground, and runoff water and drainage pattern impacts are proposed.

4. Plants

[Find help answering plants questions](#)

a. Check the types of vegetation found on the site:

- ☒ **deciduous tree: alder, maple, aspen, other**
- ☒ **evergreen tree: fir, cedar, pine, other**
- ☒ **shrubs**
- ☒ **grass**
- ☒ **pasture**
- ☒ **crop or grain**
- ☒ **Orchards, vineyards or other permanent crops.**
- ☒ **wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other**
- ☒ **water plants: water lily, eelgrass, milfoil, other**
- ☒ **other types of vegetation**

The WBD amendments ordinance is a nonproject action with no specific site or location. Unincorporated King County includes a variety of vegetation types on the various lands that development projects subject to the WBD amendments ordinance would apply to, including those listed above. Lands within King County include three ecoregions: the Puget Lowland Ecoregion in the western half of the County, which is now largely urbanized, but which contains forest plantations, farms, and cottonwood; and the North Cascades Ecoregion in the northeastern and east central area and the Cascades Ecoregion in the southeastern portion of the County, which both contain Pacific Silver Fir, Alaskan cedar, Mountain hemlock, Subalpine fir, black sedge, mountain heliotrope, and Alaskan spirea.

b. What kind and amount of vegetation will be removed or altered?

The WBD amendments ordinance is a nonproject action that would not directly remove any vegetation. The development of individual development projects subject to the WBD amendments ordinance could include the removal or alteration of vegetation (potentially of the types identified in question 4.a). Such development projects would be subject to existing state and local regulations that regulate vegetation removal or alteration, in the same manner as other uses.

c. List threatened and endangered species known to be on or near the site.

The United States Fish and Wildlife Service lists the following endangered or threatened plant species in Washington state: Kincaid's Lupine, Marsh Sandwort, Nelson's checker-mallow, Showy stickseed, Spalding's Catchfly, Umtanum desert buckwheat, Ute ladies'-tresses, Wenatchee Mountains checkermallow, White Bluffs bladderpod, and Whitebark pine. The Wenatchee Mountains checkermallow is known to be in eastern King County; none of these other plant species are known to be located in King County.

The WBD amendments ordinance is a nonproject action with no specific site or location. Development projects subject to the WBD amendments ordinance will be required to meet all federal, state, and local laws regarding endangered or threatened plant species.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any.

The WBD amendments ordinance is a nonproject action with no specific site or location. Landscaping, use of native plants, or other measures to preserve or enhance vegetation could be proposed for individual developments. As with any development in unincorporated King County, development projects subject to the WBD amendments ordinance would be subject to existing regulations governing landscaping, use of native plants, and vegetation preservation on their respective sites.

e. List all noxious weeds and invasive species known to be on or near the site.

The King County Noxious Weed Program regulates invasive plant species, and requires eradication or control, or recommends control, for over 150 plant species. Class A noxious weeds, adopted in accordance with RCW 17.10 and WAC 16-750, that are known to or have been located in King County, and require eradication by property owners, include Common Crupina, Common Cordgrass, Eggleaf Spurge, False Brome, Floating Primrose-Willow, French Broom, Garlic Mustard, Giant Hogweed, Goastrue, Hydrilla, Bighead Knapweed, Reed Sweetgrass, Ricefield Bulrush, Rush Broom, Clary Sage, Small-Flowered Jewelweed, Smooth Frogbit, and Milk Thistle. Class B noxious weeds, that are known to have been located in King County, and require control by property owners, include Viper's Bugloss Blueweed, Annual Bugloss, Common Bugloss, Camelthorn, Common Reed, Dalmation Toadflax, Egeria, European Coltsfoot, Gorse, Hairy Willowherb, Hawkweeds (Non-native species and hybrids of meadow subgenus), European Hawkweed, Orange Hawkweed, Houndstongue, Brown Knapweed, Diffuse Knapweed, Meadow Knapweed, Spotted Knapweed, Kochia, Garden Loosestrife, Purple Loosestrife, Parrotfeather, Perennial Pepperweed, Policeman's Helmet, Rush Skeltonweed, Saltcedar, Leafy Spurge, Yellow Starthistle, Sulfur Cinquefoil, Tansy Ragwort, Musk Thistle, Plumeless Thistle, Velvetleaf, Water Primrose, White Bryony, Wild Basil, Wild Chervil, and Yellow Nutsedge.

The WBD amendments ordinance is a nonproject action with no specific site or location. A variety of noxious weeds and invasive species exist in unincorporated King County. The WBD amendments ordinance does not change any obligations to control noxious weeds identified by the King County Noxious Weed Control Board. There is Tansy Ragwort in the right-of-way near some properties in the Demonstration Project area, which is proposed to be repealed.

5. Animals

[Find help answering animal questions⁹](#)

a. List any birds and other animals that have been observed on or near the site or are known to be on or near the site.

Examples include:

- **Birds:** hawk, heron, eagle, songbirds, other:
- **Mammals:** deer, bear, elk, beaver, other:
- **Fish:** bass, salmon, trout, herring, shellfish, other:

⁹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-5-Animals>

The WBD amendments ordinance is a nonproject action with no specific site or location. A variety of birds, mammals, and fish have been observed in unincorporated King County. There are 221 bird species that are common, uncommon or usually seen on an annual basis in King County. Bird species include hawks, herons, eagles, owls, woodpeckers, songbirds, waterfowl, and shorebirds. There are 70 mammal species that can be found in King County, including shrews, bats, beavers, elk, deer, bears, rabbits, wolves, seals, and whales. There are 50 species of freshwater fish in King County, including 20 introduced species. More information on birds and animals found in King County can be found at <https://kingcounty.gov/services/environment/animals-and-plants/biodiversity/defining-biodiversity/species-of-interest.aspx>.

b. List any threatened and endangered species known to be on or near the site.

The WBD amendments ordinance is a nonproject action with no specific site or location. There are a number of federally threatened and endangered species in King County according to the U.S. Fish and Wildlife Service and National Oceanic and Atmospheric Administration. These species include the Hawaiian petrel, Marbled murrelet, Northern spotted owl, Streaked horned lark, Yellow-billed cuckoo, Short-tailed albatross, Western snowy plover, Bull Trout, Island marble butterfly, Taylor's Checkerspot, Columbian white-tailed deer, Olympia pocket gopher, Pygmy Rabbit, Roy Prairie pocket gopher, Southern Mountain Caribou DPS, Tenino pocket gopher, Yelm pocket gopher, Canada lynx, Gray wolf, Grizzly bear, Blue whale, Fin whale, Humpback whale, Southern resident killer whale, Sei whale, Oregon spotted frog, Leatherback sea turtle.

The Washington State Department of Fish and Wildlife lists the following salmonid species as those federally threatened that are known to occur in King County. Skykomish Bull Trout, White River (Puyallup) Bull Trout, Cedar Chinook, Green River (Duwamish) Chinook, Sammamish Chinook, Snoqualmie Chinook, White River Chinook, Cedar River Winter Steelhead, Green River (Duwamish) Winter Steelhead, North Lake Washington and Lake Sammamish Winter Steelhead, Snoqualmie Winter Steelhead, Tolt Summer Steelhead, and White River (Puyallup) Winter Steelhead.

In addition to the federally listed species above, the Washington State Department of Fish and Wildlife lists additional threatened and endangered species not included with the federally listed species include the Blue-gray taildropper, Western gray squirrel, Northwestern pond turtle, and Oregon vesper sparrow. One additional species, fisher, was historically in King County but is thought to now be extinct in this area.

As with any development in unincorporated King County, development projects subject to the WBD amendments ordinance would have to comply with existing state, local, and federal regulations that protect these species.

c. Is the site part of a migration route? If so, explain.

The WBD amendments ordinance is a nonproject action with no identifiable "site." King County is within the Pacific Flyway migratory pathway for birds, and migratory birds use water bodies, shorelines, mud flats, and grassy areas/meadows throughout King County. There are numerous streams and water bodies within the County that serve as migration routes for anadromous fish. These water bodies could potentially be near or cross through sites where development projects are proposed that could be subject to the WBD amendments ordinance. Elk, other mammals, and bird species migrate seasonally. Daily movements include animal species moving around to get their daily needs met, and this movement can be impacted by

fences, roads, culverts, and land use cover and change. Mammals, amphibians, and reptiles are most affected by barriers to movement.

d. Proposed measures to preserve or enhance wildlife, if any.

No additional measures to preserve or enhance wildlife are proposed.

e. List any invasive animal species known to be on or near the site.

The Washington Invasive Species Council, established by the Washington State Legislature, has identified 16 animal species and 13 insect species that are considered invasive in Washington State. King County is known or suspected to have the following invasive animal and insect species: African Clawed Frog, Golden Trout, Largemouth Bass, New Zealand Mud Snail, Nutria, and Tunicate.

The WBD amendments ordinance is a nonproject action with no specific site or location. Invasive species may be located on a development project site that could be subject to the WBD amendments ordinance. A list of invasive animal species within King County can be found here:

<https://kingcounty.gov/services/environment/animals-and-plants/biodiversity/threats/Invasives.aspx>.

6. Energy and natural resources

[Find help answering energy and natural resource questions](#)¹⁰

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

The WBD amendments ordinance is a nonproject action that would not have any direct energy needs. Any WBD or tasting room allowed under the ordinance would require energy for activities such as lighting, heating/cooling, and operation of equipment. The cooling process required for wine-making can be a large contributor to energy use for a winery. Breweries also rely on energy consumption in all aspects of production. WBDs and tasting rooms would be subject to existing energy codes and regulations, like other uses. Any future development projects would also be subject to other existing energy codes and regulations.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

The WBD amendments ordinance is a nonproject action that would not have any direct impacts to the use of solar energy.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.

¹⁰ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-6-Energy-natural-resources>

The WBD amendments ordinance a nonproject action that would not have any direct impacts to energy use, and therefore no energy conservation features are included. Development projects subject to the WBD amendments ordinance could include energy conservation features or other measures to reduce any energy impacts.

7. Environmental health

[Health Find help with answering environmental health questions](#)¹¹

- a. **Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.**

The WBD amendments ordinance is a nonproject action that would not directly cause any environmental health hazards. It is possible that development projects subject to the WBD amendments ordinance could result in exposure to toxic chemicals, risk of fire and explosion, spills, or hazardous waste. To the extent any such development created such exposure or risk, those hazards would be regulated by existing state and local regulations.

- 1. Describe any known or possible contamination at the site from present or past uses.**

The WBD amendments ordinance is a nonproject action with no specific site or location. Sites with contamination exist within unincorporated King County where development projects could be proposed that are subject to the WBD amendments ordinance. These sites would be required to meet any remediation requirements prior to grading. According to the Washington Department of Ecology's "What's in My Neighborhood" database, no contaminated sites were identified within the Demonstration Project area, which is proposed to be repealed.

- 2. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.**

The WBD amendments ordinance is a nonproject action with no specific site or location. Sites with hazardous chemicals/conditions exist within unincorporated King County and development could be proposed on them that is subject to the WBD amendments ordinance. Such development would be subject to existing federal, state, and local regulations regarding chemical hazards and liquid and gas transmission pipelines.

- 3. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.**

¹¹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-7-Environmental-health>

The WBD amendments ordinance is a nonproject action that would not include the storage, use, or production of any toxic or hazardous chemicals. Development projects subject to the WBD amendments ordinance could require the use of toxic or hazardous chemicals, such as gasoline or diesel fuel, to operate construction equipment. Individual development projects would be required to store, use, and produce any toxic or hazardous chemicals, such as cleaning supplies, in accordance with applicable laws and regulations.

4. Describe special emergency services that might be required.

The WBD amendments ordinance is a nonproject action that would not have any direct impacts. Implementation of the WBD amendments ordinance is not anticipated to generate any additional special emergency services for the development projects to which it would apply.

5. Proposed measures to reduce or control environmental health hazards, if any.

No additional measures to reduce or control environmental health hazards are proposed.

b. Noise

1. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

The WBD amendments ordinance is a nonproject action with no specific site or location that can be evaluated for existing noise levels. Various types of noise exist in the areas where the WBD amendments ordinance could apply, including noise from traffic, operation of equipment, and more. These noise sources are not anticipated to affect implementation of the WBD amendments ordinance.

2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site)?

The WBD amendment ordinance is a nonproject action that would not have any direct noise impacts. WBDs and remote tasting rooms allowed under the ordinance may create some new types and levels of noise, such as through events:

Code Prior to Ordinance 19030	Ordinance 19030	Impact Summary of PO 2024-0387 (noise, traffic, etc.)
<i>And Proposed Ordinance 2024-0387</i>		
Temporary use permit (TUP) for events for wineries: In A or RA zones, events limited to 2 days per month per site and all parking for events	Modifies <u>temporary use permit</u> (TUP) requirements: <ul style="list-style-type: none"> For WBD II and III in A zones, events would continue to be limited to 2 days per month and all parking must be accommodated on site or through a plan approved by the director 	Allowance for wineries in the A or RA zones would be limited to those with a legal nonconformance, since WBDs would be prohibited in the A and RA zones. Allowance for breweries and distilleries in the A and RA

<p>must be accommodated on site.</p> <p><i>For all other uses (and wineries in other zones), events limited to 60 days in a 1-year period.</i></p>	<ul style="list-style-type: none"> • For WBD II and III in RA zones, events limited to 24 days within a one-year period and all parking must be accommodated on site or through a plan approved by the director • For WBD II in A and RA zones, temporary use permits may allow up to 150 guests, considering building occupancy limits and parking limitations • For WBD III in A and RA zones, temporary use permits may allow up to 250 guests, considering building occupancy limits and parking limitations • For WBD II and III in all other zones, events limited to up to 60 days a year are allowed • For WBD I, legal nonconforming home occupations, and legal nonconforming home industries in RA zone, events limited to up to 2 days per year with a maximum 50 people are allowed without a TUP <p>Adds language that <u>specifies when a TUP is required</u>, such as when events would exceed the building occupancy; use portable toilets; need off-site parking or parking beyond the maximum; use temporary stages, temporary tents, or canopies that require a permit; would require traffic control in public rights-of-way; or would extend beyond allowed hours of operation.</p> <p>No TUP would be required for events at WBD II and III facilities in RA zones that meet the following criteria:</p> <ul style="list-style-type: none"> • They have an active business license at their current location as of the effective date of the ordinance; • Parcel is minimum 8 acres; • Parcel has direct access to a principal arterial or state highway; 	<p>zones would be limited to those with a legal nonconformance but they would allowed up to 60 days per year.</p> <p>Removal of limits on number of guests for all events could lead to additional impacts on noise and traffic.</p> <p>The removal of the TUP exemption for some WBDs would reduce impacts.</p>
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	<ul style="list-style-type: none"> • The event does not use amplified noise between 8 pm and noon; and • There are not events for more than 8 days per month on an annual average 	
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3. Proposed measures to reduce or control noise impacts, if any:

Noise from WBDs and remote tasting rooms would be subject to existing noise regulations, like all other land uses in unincorporated King County. KCC Chapter 12.86 (Noise Code) sets maximum sound levels for rural, residential, commercial, and industrial zones and prohibits public nuisance noise. Prohibiting WBDs in the A and RA zones would limit any noise impacts from regular operations in this zone.

The WBD amendments ordinance also maintains the requirement that WBDs in the NB, CB, RB, and I zones be located at least 75 feet from RA, UR, and R zones, which could also reduce potential noise impacts to adjacent properties.

8. Land and shoreline use

[Find help answering land and shoreline use questions](#)¹²

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The WBD amendments ordinance is a nonproject action with no specific site or location and would not have any direct impacts on the current land uses on nearby or adjacent properties. The WBD amendments ordinance would change the uses allowed on certain properties by amending the King County Code land use tables. As a whole, unincorporated King County is predominantly forestland to the east and predominantly rural to the west, adjacent to more urban incorporated areas of the county, with agricultural areas between. The WBD amendments ordinance does not change any of the land use designations or zoning classifications in unincorporated King County.

The primary change in Proposed Ordinance 2024-0387 would be to prohibit WBD uses in the A and RA zones. WBD uses would be allowed in the NB, CB, RB, and I zones with development conditions, and remote tasting rooms would be allowed in the CB and RB zones with a development condition.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses because of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

The WBD amendments ordinance is a nonproject action with no specific site or location and would not have any direct impacts to working farmlands or forestlands. Some sites where a development project is proposed that would be subject to the WBD amendments ordinance could have been or may currently be used as working farmland or forestlands. However, existing regulatory limitations on properties enrolled in the Farmland Preservation Program, within the Agricultural Production District or Forest Production District, or

¹² <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-8-Land-shoreline-use>

in Agricultural (A) or Forestry (F) zones would continue apply to development projects that would be subject to the WBD amendments ordinance.

Under any proposal, WBDs would be prohibited in the Forest Production District or F zone, consistent with existing zoning regulations.

Proposed Ordinance 2024-0387 (and Proposed Ordinance 2022-0147, which was not adopted) would also prohibit WBDs in the A zones, a change from previous proposals included in the evaluation with this checklist. Previous proposals prohibited WBDs on properties enrolled in the Farmland Preservation Program; required production, retail, and tasting use to be located on an area that is not prime agricultural soil; required that at least 60 percent of the products to be processed at a WBD in the A zone be grown on-site, whereas prior regulations only required that 60 percent of the products be grown in Puget Sound counties; limited the conversion of agricultural land to less than one acre for nonagricultural accessory uses. As a result, any previous proposal would likely result in less conversion of use of agricultural land and protect the land in Agricultural Production Districts than the code in place prior to Ordinance 19030 would.

One parcel in the Demonstration Project area (at 148th Ave NE and NE 150th), is currently enrolled in the County's Public Benefit Rating System, which encourages voluntary resource conservation on private property through tax breaks. That parcel qualifies for the program based on the protection of several resources, including forestland, which may impose additional limitations on the use of that parcel for a remote tasting room and further limit impacts to forestland on that parcel if an individual remote tasting room were to be located there. The Demonstration Project is proposed to be repealed.

1. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?

The WBD amendments ordinance is a nonproject action that would not directly affect or be affected by the normal business operations of working farmland or forestland.

Previous proposals included in the evaluation with this checklist, that allowed WBDs in the A zones, would not change the requirement that WBDs be located at least 75 feet from RA, UR, and R zoned land; limited hours of operation of retail and tasting; require and limited on-site parking; and required access from an arterial to minimize traffic on local roads, all of which would minimize impacts to surrounding working farms. WBDs on A zone lands may have been affected by the normal business operations of surrounding farms, such as the application of pesticides, the odor from fertilizer, crop burning, and the use of farm equipment.

Proposed Ordinance 2024-0387 (and Proposed Ordinance 2022-0147, which was not adopted) proposes to prohibit WBD uses in the A zones, eliminating any potential impacts.

c. Describe any structures on the site.

The WBD amendments ordinance is a nonproject action with no specific site or location. Various structures are located on parcels within unincorporated King County, where the WBD amendments ordinance would apply.

d. Will any structures be demolished? If so, what?

The WBD amendments ordinance is a nonproject action that would not directly result in any demolition. Existing structures could be demolished as part of a development project that would be subject to the WBD amendments ordinance. The nature of and extent to which those structures could be demolished is unknown at this time and would be subject to all existing applicable regulations.

e. What is the current zoning classification of the site?

The WBD amendments ordinance is a nonproject action with no specific site or location. Development projects subject to the WBD amendments ordinance could occur in any zoning classification that allows the construction of buildings.

Under previous proposals included in the evaluation with this checklist, WBDs would be allowed in A, RA, NB, CB, RB, and I zones. Remote tasting rooms would be allowed in CB and RB zones in unincorporated King County, and on 13 parcels within RA zones as part of the time-limited Demonstration Project in the Sammamish Valley, outside of Woodinville.

Proposed Ordinance 2024-0387 would allow WBDs in the NB, CB, RB, and I zones, and allow remote tasting rooms in the CB and RB zones. The allowance for WBDs in the A and RA zones, and the allowance for the Demonstration Project would be repealed.

f. What is the current comprehensive plan designation of the site?

The WBD amendments ordinance is a nonproject action with no specific site or location. Unincorporated King County includes a variety of land use designations in urban, rural, and natural resource lands categories.

Under previous proposals included in the evaluation with this checklist, WBDs and remote tasting would be allowed, with conditions, in agricultural, rural, and commercial designations. With Proposed Ordinance 2024-0387, WBDs and remote tasting rooms would be allowed, with conditions, in commercial designations.

g. If applicable, what is the current shoreline master program designation of the site?

The WBD amendments ordinance is a nonproject action with no specific site or location, unincorporated King County includes a variety of shoreline master program designations. Individual development projects subject to the WBD amendments ordinance that occurs within or proximate to the County's shoreline jurisdiction would need to comply with the County's shoreline master program.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

The WBD amendments ordinance is a nonproject action with no specific site or location. Portions of unincorporated King County are classified as critical areas where a development project could be proposed that would be subject to the WBD amendments ordinance. Specifically, King County Code designates the following as critical areas: coal mine hazard areas, erosion hazard areas, flood hazard areas, coastal high hazard areas, channel migration zones, landslide hazard areas, seismic hazard areas, volcanic hazard areas, steep slope hazard areas, critical aquifer recharge areas, wetlands and wetland buffers, aquatic areas, and wildlife habitat networks and conservation areas.

The Demonstration Project area, which is proposed to be repealed, is known to include streams, erosion hazard areas, landslide hazard areas, seismic hazard areas, and steep slope hazard areas.

i. Approximately how many people would reside or work in the completed project?

The WBD amendments ordinance is a nonproject action that would not directly result in a completed project where people would reside or work. Individual development projects that are subject to the WBD amendments ordinance would have employees or residents, or both. The number of persons living or working in the subject buildings would depend on the individual land uses, square footages, and regulations affecting those individual development projects.

j. Approximately how many people would the completed project displace?

The WBD amendments ordinance is a nonproject action and would not directly result in any displacement. It is possible that development projects subject to the WBD amendments ordinance could result in displacement. However, implementation of the WBD amendments ordinance is not anticipated to affect the likelihood of displacement under current King County Code.

k. Proposed measures to avoid or reduce displacement impacts, if any.

No additional measures to avoid or reduce displacement impacts are proposed.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.

The WBD amendments ordinance was drafted to be compatible with existing and projected land uses and plans. For example, as compared to the code that was in place at the time Ordinance 19030 was adopted, Ordinance 19030, among other things, would have:

- Maintain limitations on the total amount of floor area that may be used by a WBD and further limit the floor area that may be used for tasting products and retail sales;
- Allow WBD II and III facilities only as accessory to agricultural use in A zones;
- Allow WBD III facilities only as a conditional use in both A and RA zones;
- Limit the conversion of agricultural land;
- Maintain and expand the zones in which the 75-foot setback requirement from rural and residential zones applies, and add that parking areas for WBDs must also meet this setback; and
- Limit remote tasting rooms in the RA zone to 13 properties adjacent to Woodinville, where these types of uses are already prevalent, for a potentially limited amount of time through Demonstration Project A.

Proposed Ordinance 2022-0147 and 2022-0148, which weren't adopted, would have reduced impacts further by:

- Prohibiting WBD uses in the A zones;
- Allowing WBD uses in the UR zones, an urban zone;
- Increasing the number of production steps required on-site in the RA zone;
- Decreasing the square footage allowance for retail and tasting areas in the RA zone;
- Prohibiting WBD II distilleries in closed basins in the RA zone;
- Requiring a Group A or B water hookup for WBD IIs in the RA zone;
- Adding a 1,000 foot separation requirement for WBD IIs and IIIs in RA and UR zones.

Proposed Ordinance 2024-0387 further reduces impacts by:

- Prohibiting WBD uses in the A and RA zones;
- Repealing the Demonstration Project;
- Removing the exemption for events at WBDs in certain RA-zoned from the TUP requirements.

Some provisions in Proposed Ordinance 2024-0387 may have a higher likelihood of conflicts with existing land use plans, including:

- Eliminating the local business license requirement, which will make enforcement of the WBD requirements more difficult, particularly for WBDs that may have established as home occupations;
- Allowing breweries and distilleries in the A and RA zones that are legally nonconforming to have up to 60 days of events per year.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

The WBD amendments ordinance is a nonproject action and would not directly impact agricultural and forest lands of long-term commercial significance; as such, no measures to reduce or control impacts to such lands are proposed.

Previous proposals included in the evaluation with this checklist included additional limits on the use of agricultural lands by WBDs as compared with the code in place prior to Ordinance 19030 and includes localized sourcing and on-site production requirements of agricultural products used by WBDs within the Agricultural zone. These measures were intended to protect prime agricultural soils and support local agricultural production. WBDs have always been prohibited in forestlands.

Proposed Ordinance 2024-0387 (and Proposed Ordinance 2022-0147, which was not adopted) prohibits WBD uses in the A zones, where all agricultural lands of long-term significance are located, eliminating any on-site impacts.

9. Housing

[Find help answering housing questions](#)¹³

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

The WBD amendments ordinance is a nonproject action that will not have direct impacts to housing. No additional units of housing above what might occur under existing code are expected.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Neither the WBD amendments ordinance nor the development allowed under the ordinance would result in any greater elimination of housing than what might occur if the ordinance were not adopted.

c. Proposed measures to reduce or control housing impacts, if any:

¹³ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-9-Housing>

No additional measures to reduce or control housing impacts are proposed.

10. Aesthetics

[Find help answering aesthetics questions](#)¹⁴

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The WBD amendments ordinance is a nonproject action that does not directly involve the construction of any structures, and does not regulate or change the height requirements of any structures or principal exterior building materials. The height and any exterior building material of any development project subject to the WBD amendments ordinance will be subject to existing regulations.

b. What views in the immediate vicinity would be altered or obstructed?

The WBD amendments ordinance is a nonproject action that would not have any direct impacts to views. Any development projects subject to the WBD amendments ordinance would not result in the alteration or obstruction of any views to a greater degree than any other development allowed under existing regulations.

c. Proposed measures to reduce or control aesthetic impacts, if any:

No additional measures are proposed to reduce or control aesthetic impacts.

11. Light and glare

[Find help answering light and glare questions](#)¹⁵

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

The WBD amendments ordinance is a nonproject action that would not directly cause any light or glare and any development allowed under the ordinance would not produce any light or glare beyond other development allowed under existing regulations.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

The WBD amendments ordinance is a nonproject action that would not have any direct impacts. Development projects subject to the WBD amendments ordinance would not result in a greater increase in light or glare than any other development allowed under existing regulations. Any development projects subject to the WBD amendments ordinance would have to comply with existing development regulations, including any related to light and glare.

c. What existing off-site sources of light or glare may affect your proposal?

¹⁴ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-10-Aesthetics>

¹⁵ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-11-Light-glare>

The WBD amendments ordinance is a nonproject action with no specific site or location. Various off-site sources of light or glare exist throughout unincorporated King County. It is unlikely that any development projects subject to the WBD amendments ordinance would be impacted by any off-site sources.

d. Proposed measures to reduce or control light and glare impacts, if any:

No additional measures to reduce or control light and glare impacts.

12. Recreation

[Find help answering recreation questions](#)

a. What designated and informal recreational opportunities are in the immediate vicinity?

The WBD amendments ordinance is a nonproject action with no specific site or location. A variety of designated and informal recreational opportunities exist in unincorporated King County where the proposed ordinance would apply.

The Sammamish River Trail, the Tolt Pipeline Trail, the North Shore Athletic Fields, and other recreational resources are located in the vicinity of the Demonstration Project area, which is proposed to be repealed.

b. Would the proposed project displace any existing recreational uses? If so, describe.

The WBD amendments ordinance is a nonproject action that would not directly displace any existing recreational uses. The ordinance would not result in a greater displacement of recreational uses than what may otherwise occur under current code.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

No additional measures to reduce or control impacts on recreation are proposed.

13. Historic and cultural preservation

[Find help answering historic and cultural preservation questions](#)¹⁶

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

The WBD amendments ordinance is a nonproject action with no specific site or location. A variety of buildings, structures and sites within unincorporated King County are listed or eligible for listing in national, state, or local preservation registers, and are potentially on sites where development projects could be proposed that are subject to the WBD amendments ordinance. Such developments would be required to comply with all federal, state, and local regulations related to historic and cultural resources.

¹⁶ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-13-Historic-cultural-p>

Previous proposals included in the evaluation with this checklist allowed WBD II facilities in the A, RA, NB, and CB zones to have increased square footage (from 3,500 square feet to 5,000 or 7,000 square feet depending on the zone) if located in whole or in part in a structure designated as a historic resource under KCC 20.62. In Proposed Ordinance 2024-0387, this provision is maintained in the NB and CB zones.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.**

The WBD amendments ordinance is a nonproject action with no specific site or location. However, landmarks, features, and other evidence of Indian or historic use or occupation exist throughout unincorporated King County, and potentially on sites where development projects could be proposed that are subject to the WBD amendments ordinance. Such projects would continue to be required to comply with federal, state, and local rules related to historic and cultural resources.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.**

The WBD amendments ordinance is a nonproject action that will not have any direct impacts to historic and cultural resources. King County's existing regulations related to cultural and historic resources would apply to any proposed development projects subject to the WBD amendments ordinance. Such requirements could include consultation with tribes and associated agencies as well as use of archaeological surveys, GIS data, and historic maps to assess potential impacts to cultural and historic resources if needed. The Muckleshoot, Puyallup, Samish, Snoqualmie, Squaxin, Stillaguamish, Suquamish, and Tulalip tribes are regularly notified during the County's SEPA process for proposed development projects, and affected tribes receive notice when the County receives an application for a Type 2, 3, or 4 project, or for a Type 1 project subject to SEPA.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.**

The WBD amendments ordinance is a nonproject action that will not have any direct impacts to cultural or historic resources. King County's existing regulations related to avoidance, minimization of, or compensation for loss, changes to, and disturbances to cultural and historic resources would apply to any individual development proposals subject to the WBD amendments ordinance.

14. Transportation

[Find help with answering transportation questions](#)¹⁷

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.**

The WBD amendments ordinance is a nonproject action with no specific site or location. The WBD amendments ordinance would apply to development project sites that are served by a variety of public streets and highways.

The Demonstration Project area, which is proposed to be repealed, would be located in the vicinity of state routes and designated arterials.

Previous proposals included in the evaluation of this checklist imposed arterial access requirements for WBD II facilities and WBD III facilities in A and RA zones with two exceptions: WBD II facilities in Vashon-Maury Island and countywide in the RA zone if access is requested from a public roadway rather than an arterial, with a conditional use permit. Proposed Ordinance 2024-0387 would prohibit all WBDs in the A and RA zones.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?**

The WBD amendments ordinance is a nonproject action with no specific site or location. However, unincorporated King County is generally served by public transit. It is unknown how far the nearest transit stop would be for any future development proposals subject to the WBD amendments ordinance.

- c. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).**

The WBD amendments ordinance is a nonproject action that would not directly involve any roadway, bicycle, or pedestrian improvements. Improvements to existing roads, streets, or pedestrian or bicycle transportation may be associated with individual development under the WBD amendments ordinance. Improvements may also be required as mitigation for a new structure, as a condition on a conditional use permit, or if the development is located within a failing travel shed, which means that the area does not meet County travel time standards. Currently the only failing travel shed is located in the Green River Valley Agricultural District. Transportation review or mitigation would not be likely for a WBD use that only needs change of use permit, without any physical changes to the property.

- d. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

Example (general): The WBD amendments ordinance a nonproject action that would not have any direct impacts to transportation facilities. It is not anticipated that any WBD or remote tasting room developed

¹⁷ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-14-Transportation>

under this WBD amendments ordinance would be directly accessed by water, rail, or air. Some visitors to WBDs or tasting rooms on Vashon-Maury Island would use the Washington State Ferry System to access the island before driving or walking to individual WBDs or tasting rooms. Proposed Ordinance 2024-0387 prohibits WBDs in the A and RA zones, which makes up most of Vashon-Maury Island outside of the Vashon Rural Town, limiting the impact to the ferry system.

e. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

The WBD amendments ordinance is a nonproject action that would not directly generate any vehicular trips. Development projects subject to the WBD amendments ordinance would likely generate vehicular trips, though the volume of those vehicle trips is unlikely to be greater as a result of implementing the WBD amendments ordinance.

There is limited data available regarding the trip generation for WBD uses, and it is expected that new WBD and remote tasting room operations would generate vehicular trips for deliveries, employees, and customers. Data from the Institute of Transportation Engineers (ITE) trip generation manual suggests that an individual WBD would generate approximately 58 daily vehicular trips per day.¹⁸

The peak volumes would likely be on weekends, particularly during special events. Weekday peak hours for these uses would not be anticipated to be during the typical peak commute period.

For events, trip generation would be expected to be higher. As is currently required, for events that require a temporary use permit and meet certain trip generation thresholds, a transportation analysis could be required and the temporary use permit could be conditioned to reduce potential impacts. Under Ordinance 19030, events allowed at WBDs would be subject to limitations on the number of attendees at events, and that may have reduced potential traffic impacts. Proposed Ordinance 2024-0387 removes that limitation, which may increase the traffic impacts during events.

Under Ordinance 19030, certain WBD facility II and III in the RA zone, located on parcels eight acres or larger, with direct access to a principal arterial or state highway, to hold up to eight events per month on an annual average, without a temporary use permit. These are properties that already have production licenses from the state for WBDs. This could lead to a greater number and more frequent occurrence of events on these properties, which could mean greater periodic traffic congestion than would otherwise occur under the former code. Impacts from more frequent events could be reduced by further limiting the frequency, size, or hours allowed for events. Proposed Ordinance 2024-0387 (and Proposed Ordinance 2022-0147, which was not adopted) would remove this allowance.

f. Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

The WBD amendments ordinance would not have any direct impact on the movement of agricultural and forest products on roads or streets on the area. Individual development projects allowed under the ordinance could generate some additional traffic that could interfere with, affect, or be affected by the movement of agricultural and forest products. Events related to WBD uses may lead to traffic in areas near agricultural

¹⁸ This estimate is based on a “winery” use in a “rural area” as shown in the ITE online trip generation manual, located at <https://itetripgen.org/>.

products transportation routes, but because event traffic would likely occur during a different time period than the movement of agricultural and forest products, any potential impact would likely be minimal. Under Proposed Ordinance 2024-0387 (and Proposed Ordinance 2022-0147, which was not adopted), these impacts would be further limited due to a prohibition on WBDs in the A zones.

g. Proposed measures to reduce or control transportation impacts, if any:

No additional measures to reduce or control transportation impacts are proposed.

As part of a temporary use permit, the County could impose additional conditions, such as requiring parking or traffic control, or a transportation analysis and transportation mitigation (right-in, right-out requirements; shuttle from off-site parking area, etc.), that would reduce or control potential transportation impacts.

15. Public services

[Find help answering public service questions¹⁹](#)

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

The WBD amendments ordinance is a nonproject action that would not directly result in an increased need for public services. Development projects subject to the WBD amendments ordinance would need public services to be available at a similar level to what is currently required in the affected zones.

b. Proposed measures to reduce or control direct impacts on public services, if any.

No additional measures to reduce or control impacts on public services are proposed.

16. Utilities [Find help answering utilities questions²⁰](#)

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:

The WBD amendments ordinance is a nonproject action with no specific site or location. A variety of utilities are generally available in unincorporated King County depending on the service area of specific utility providers. Municipal sanitary sewer is not likely to be available in most rural and agricultural areas in unincorporated King County, with notable exceptions for the Vashon and Snoqualmie Pass Rural Towns, which do have sanitary sewer service.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

¹⁹ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-15-public-services>

²⁰ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-16-utilities>

The WBD amendments ordinance is a nonproject action that would not have any direct connection to utilities, and is not directly connected to a development site on which general construction activities would occur.

C. Signature

[Find help about who should sign](#)²¹

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

2/11/2025

X Erin Auzins

Signed by: Auzins, Erin

Type name of signee: Erin Auzins

Position and agency/organization: Supervising Legislative Analyst, King County Council

Date submitted: February 11, 2025

²¹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-C-Signature>

D. Supplemental sheet for nonproject actions **[HELP]**

Find help for the nonproject actions worksheet²²

Do not use this section for project actions.

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The WBD amendments ordinance would amend existing regulations for siting wineries, breweries, distilleries, and remote tasting rooms in unincorporated King County. Operation of WBDs could result in discharges to water; emissions to air; or production, storage, or release of toxic or hazardous substances similar to other land uses that process materials in unincorporated King County. However, because these activities would be subject to existing federal, state, and local regulations that would not be amended by the WBD amendments ordinance, WBDs developed under the ordinance are unlikely to increase those impacts above what might otherwise occur under the former code or from other uses allowed in unincorporated King County.

Under previous proposals included in the evaluation with this checklist that would have continued to allow WBDs in the A zones, the development and operation of WBDs, like many other uses, could expose local waterways to fungicides, fertilizers, pesticides, and other byproducts of wine, beer, and liquor production. WBDs would be subject to existing state, local, and federal regulations concerning the protection of and discharge of waste materials to surface waters, including the state's antidegradation standards. WBDs would also have to comply with Washington State Department of Ecology and King County Board of Health regulations for water usage and wastewater disposal, which could include discharging treated wastewater into the ground after treatment in on-site septic systems. Waste materials generated at a WBD and tasting rooms subject to treatment regulations could include sewage and WBD process wastewater. Proposed Ordinance 2024-0873 would prohibit WBDs in the A and RA zones, substantially limiting these impacts.

Remote tasting rooms allowed under the WBD amendments ordinance, including those allowed in the Demonstration Project area, which is proposed to be repealed, would be particularly unlikely to increase discharges to water; emissions; or the production, storage, or release of toxic or hazardous substances above what might otherwise occur from uses allowed under the former code, as there would be no production or agricultural activity associated with them. Remote tasting rooms would also have to comply with Washington State Department of Ecology and King County Board of Health regulations for water usage and wastewater disposal, which could include discharging treated wastewater into the ground after treatment in on-site septic systems.

In previous proposals included in the evaluation with this checklist, events allowed at WBDs could produce noise, but was not anticipated that this noise would be beyond what would otherwise be allowed under existing regulations; because these previous proposals also limited the number of events, the hours of

²² <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-d-non-project-actions>

operation, and use of amplified noise that is, in some instances, even more restrictive than existing noise regulations. Proposed Ordinance 2024-0387 removes specific requirements on event requirements, which may increase the noise impacts during events.

- **Proposed measures to avoid or reduce such increases are:**

The WBD amendments ordinance includes measures that would avoid or reduce potential noise increases that may be associated with future WBDs and remote tasting rooms, which could limit noise impacts as compared with the code at the time Ordinance 19030 was adopted. This includes:

- The WBD amendments ordinance maintains or further imposes a 75-foot setback requirement from RA, UR and R zones, size restrictions for retail and tasting areas and,
- Under previous proposals included in the evaluation with this checklist for events, establishing stricter limits on the number of events allowed, the amount of off-site parking available (unless additional off-site parking is allowed by an approved plan), and attendance as compared to the former code. Further, for events at certain WBD facility III on eight or more acres and meeting other criteria, the WBD amendments ordinance restricts hours of operation and limits when amplified noise is allowed.
- Proposed Ordinance 2024-0387 (and Proposed Ordinance 2022-0147, which was not adopted) removed the exemption from a temporary use permit for the WBDs on large (eight-acre or greater) parcels in the RA zone.

Existing regulations that aim to avoid or reduce increased discharges to water, emissions to air, and the production, storage, or release of toxic or hazardous substances would also apply to WBDs and remote tasting rooms and are not changed by the WBD amendments ordinance.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

There are numerous plants, animals, fish, and marine life within unincorporated King County, but the WBD amendments ordinance is unlikely to result in activities that would cause a greater impact to these resources than might otherwise occur under the former code because the regulations protecting those resources are not changed by the WBD amendments ordinance.

The Sammamish River, a major migratory route for salmon, runs approximately three miles through existing farmland in the A zone between the cities of Woodinville and Redmond, and approximately 900 feet to the west of the properties included in the Demonstration Project area, which is proposed to be repealed. The allowance of remote tasting rooms in the Demonstration Project area are not anticipated to result in greater impacts to the Sammamish River, given the existing agricultural uses immediately adjacent to the river, the distance from the Demonstration Project area, and the limited impact of operating remote tasting rooms.

- **Proposed measures to protect or conserve plants, animals, fish, or marine life are:**

Existing regulations that protect and conserve plants, animals, fish, and marine life would apply to development projects subject to the WBD amendments ordinance and are not changed by the WBD amendments ordinance, including the County's Shoreline and Critical Areas Code. No additional measures to avoid or reduce such impacts are proposed.

3. How would the proposal be likely to deplete energy or natural resources?

The WBD amendments ordinance is unlikely to result in activities that would cause a significantly greater impact to these resources than might otherwise occur under the former code. Under Ordinance 19030, for

WBD facility II and III in A zone, 60 percent of the materials for production must be grown on-site, which could reduce the energy used to transport products to the WBD. Proposed Ordinance 2024-0387 (and Proposed Ordinance 2022-0147, which was not adopted) would prohibit WBDs in the A zones, further limiting any impacts.

- **Proposed measures to protect or conserve energy and natural resources are:**

Existing regulations that protect and conserve energy and natural resources would apply to WBDs and remote tasting rooms and are not changed by the WBD amendments ordinance. For previous proposals included in the evaluation with this checklist, natural resources would be protected by the prohibition on locating nonagricultural uses associated with a WBD on prime agricultural soil and the limitation on conversion of agricultural land for non-agricultural accessory uses. Requiring smaller footprints and less impervious surface would reduce the depletion of energy or natural resources. Proposed Ordinance 2024-0387 (and Proposed Ordinance 2022-0147, which was not adopted) would prohibit WBDs in the A zones, further limiting any impacts.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The WBD amendments ordinance is unlikely to result in activities that would cause a greater impact to environmentally sensitive areas or areas designated as eligible or under study for governmental protection than might otherwise occur under the former code. Any WBD or remote tasting room developed under the WBD amendments ordinance would be subject to the same development restrictions concerning environmentally sensitive areas as other allowable uses. Some of the 13 properties in the Demonstration Project area, which is proposed to be repealed, do include steep slope and landslide prone hazard areas, but existing limitations on construction in those areas would preclude or require mitigation for any additional impact to those sensitive areas.

For previous proposals included in the evaluation with this checklist, limitations imposed on properties in the Farm Preservation Program would extend to any potential WBD proposed to locate on an enrolled property. Proposed Ordinance 2024-0387 (and Proposed Ordinance 2022-0147, which was not adopted) would prohibit WBDs in the A zones.

- **Proposed measures to protect such resources or to avoid or reduce impacts are:**

Existing regulations that protect such resources would apply to WBDs and remote tasting rooms and are not changed by the WBD amendments ordinance. The prohibition in previous proposals included in the evaluation with this checklist against locating WBDs on prime agricultural soils and the restriction on the conversion of more than one acre of agricultural land for nonagricultural accessory uses would protect prime farmlands and areas within APDs.

Further reductions to impervious allowances in the RA zone, included in previous proposals included in the evaluation with this checklist or more strict restrictions on the use of historic or cultural sites, or of prime farmlands, could reduce the potential impact to these resources.

Proposed Ordinance 2024-0387 would prohibit WBDs in the A and RA zones.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The WBD amendments ordinance would affect land use by clarifying how WBDs and remote tasting room uses are regulated, limiting this type of use more than existing regulations in certain zones and allowing certain uses in areas/zones where they are currently prohibited. Under previous proposals included in the evaluation with this checklist, WBDs would be allowed in A, RA, NB, CB, RB, and I zones. Remote tasting rooms would be allowed in CB and RB zones in unincorporated King County; in the CB zone within the Fall City, Vashon, and Snoqualmie Pass Rural Towns; and on 13 parcels within RA zones as part of the time-limited Demonstration Project in the Sammamish Valley, outside of Woodinville.

Proposed Ordinance 2024-0387 would prohibit WBDs in the A and RA zones. WBDs would be allowed in the NB, CB, RB, and I zones with development conditions, and remote tasting rooms would be allowed in the CB and RB zones with a development condition. The Demonstration Project would be repealed.

Attachment A (WBD Comparison Summary) identifies where WBDs and remote tasting rooms were allowed under the code in place prior to Ordinance 19030, the previous proposals included in the evaluation with this checklist, and Proposed Ordinance 2024-0387.

Ordinance 19030 would have exempted an estimated five existing WBD facility II and III in the RA zone from needing a temporary use permit for events, with some conditions. Proposed Ordinance 2024-0387 (and Proposed Ordinance 2022-0147, which was not adopted) would remove this exemption.

Some provisions in Proposed Ordinance 2024-0387 may have a higher likelihood of conflicts with existing land use plans, including:

- Eliminating the local business license requirement, which will make enforcement of the WBD requirements more difficult, particularly for WBDs that may have established as home occupations;
- Allowing breweries and distilleries in the A and RA zones that are legally nonconforming to have up to 60 days of events per year.

• Proposed measures to avoid or reduce shoreline and land use impacts are:

The WBD amendments ordinance was drafted to be compatible with existing and projected land uses and plans. For example, as compared to the code that was in place at the time Ordinance 19030 was adopted, Ordinance 19030, among other things, would have:

- Maintain limitations on the total amount of floor area that may be used by a WBD and further limit the floor area that may be used for tasting products and retail sales;
- Allow WBD II and III facilities only as accessory to agricultural use in A zones;
- Allow WBD III facilities only as a conditional use in both A and RA zones;
- Limit the conversion of agricultural land;
- Maintain and expand the zones in which the 75-foot setback requirement from rural and residential zones applies, and add that parking areas for WBDs must also meet this setback; and
- Limit remote tasting rooms in the RA zone to 13 properties adjacent to Woodinville, where these types of uses are already prevalent, for a potentially limited amount of time through Demonstration Project A.

Proposed Ordinance 2022-0147 and 2022-0148, which weren't adopted, would have reduced impacts further by:

- Prohibiting WBD uses in the A zones;
- Allowing WBD uses in the UR zones, an urban zone;
- Increasing the number of production steps required on-site in the RA zone;
- Decreasing the square footage allowance for retail and tasting areas in the RA zone;
- Prohibiting WBD II distilleries in closed basins in the RA zone;
- Requiring a Group A or B water hookup for WBD IIs in the RA zone;
- Adding a 1,000 foot separation requirement for WBD IIs and IIIs in RA and UR zones.

Proposed Ordinance 2024-0387 further reduces impacts by:

- Prohibiting WBD uses in the A and RA zones;
- Repealing the Demonstration Project;
- Removing the exemption for events at WBDs in certain RA-zoned from the TUP requirements.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The WBD amendments ordinance is not anticipated to result in activities that would cause a greater demand on public services than what otherwise might occur under the former code.

Under previous proposals included in the evaluation with this checklist, WBDs and remote tasting rooms that would be allowed under the ordinance could increase demands on transportation and utilities in certain locations and at certain times. For example, the WBD amendments ordinance would allow more events to occur at certain existing WBDs and would allow remote tasting rooms in the Demonstration Project area, which would be a change from the code in place when Ordinance 19030 was adopted.

Proposed Ordinance 2024-0387 removes a limitation allowed under Ordinance 19030 that limited the number of attendees at events, and that may have reduced potential traffic impacts. This may increase the traffic impacts during events.

• Proposed measures to reduce or respond to such demand(s) are:

Other measures to reduce transportation impacts of events, that could be considered as a condition to a temporary use permit or conditional use permit, include requiring the use of shuttles from off-site parking areas, requiring right-in/right-out only ingress and egress from WBDs that surpass a certain threshold, or requiring formal transportation control plans for all events.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The WBD amendments ordinance is consistent with local, state, and federal law requirements for the protection of the environment. Existing regulations related to the protection of the environment, including the County's Critical Areas Code, Shoreline Master Program, King County Code (particularly development regulations such as Title 9 Surface Water Management, Title 10 Solid Waste, Title 13 Water and Sewer Systems, Title 21A Zoning, and Title 23 Code Compliance), the Clean Air Act, the Clean Water Act, and others, are not amended by the WBD amendments ordinance. These regulations would still apply to development projects subject to the WBD amendments ordinance in unincorporated King County.

Attachment A to SEPA Checklist for WBD Regulation Update
WBD Comparison Summary – updated 11/21/24

Manufacturing Uses – Agriculture and Rural Area – Production Facilities

Type of Permit		Former Code	Ordinance 19030	Proposed Ordinances 2022-0147 and -0148	Proposed Ordinance 2024-0387
A zone		P: Permitted when accessory to agricultural use and the "P" conditions in the following tables are met	WBD I: Not permitted WBD II: Permitted as an accessory to agricultural use WBD III: Conditional Use Permit, accessory to agricultural use	WBD I: Not Permitted WBD II: Not Permitted WBD III: Not Permitted	Not Permitted
		C: Requires Conditional Use Permit and must meet the "C" conditions in the following tables			
RA zone		P: Permitted when the "P" conditions in the following tables are met	WBD I: Permitted WBD II: Permitted & Conditional Use (depending on the "P" and "C" conditions in the following tables) WBD III: Conditional Use Permit	WBD I: Permitted & Conditional Use (depending on the "P" and "C" conditions in the following tables) WBD II: Permitted & Conditional Use (depending on the "P" and "C" conditions in the following tables) WBD III: Conditional Use Permit	Not Permitted
		C: Requires Conditional Use Permit and must meet the "C" conditions in the following table			

Minimum Lot Size		Former Code	Ordinance 19030	Proposed Ordinances 2022-0147 and -0148	Proposed Ordinance 2024-0387
A zone		P: No minimum lot size if building is under 3,500 square feet	WBD I: Not permitted WBD II: 2.5 acres WBD III: 4.5 acres, except if floor area is over 6,000 square feet; then the minimum lot size is 10 acres	WBD I: Not Permitted WBD II: Not Permitted WBD III: Not Permitted	Not Permitted
		C: 4.5 acres, except if floor area is over 6,000 square feet; then the minimum lot size is 10 acres and minimum 2.5 acres must be used to grow products			
RA zone		P: 4.5 acres	WBD I: No minimum lot size established WBD II: 2.5 acres, except historic resources 2 acres. Does not apply to existing businesses on Vashon-Maury Island WBD III: 4.5 acres, except if floor area is over 6,000 square feet; then the minimum lot size is 10 acres	WBD I: No minimum lot size established WBD II: 2.5 acres, except historic resources 2 acres. Does not apply to existing businesses on Vashon-Maury Island WBD III: 4.5 acres, except if floor area is over 5,000 square feet; then the minimum lot size is 10 acres	Not Permitted
		C: 4.5 acres, except if floor area is over 6,000 square feet; then the minimum lot size is 10 acres and minimum 2.5 acres must be used to grow products			

Attachment A to SEPA Checklist for WBD Regulation Update
WBD Comparison Summary – updated 11/21/24

Maximum Floor Area		Former Code	Ordinance 19030	Proposed Ordinances 2022-0147 and -0148	Proposed Ordinance 2024-0387
A zone		P: 3,500 square feet, except historic buildings	WBD I: Not permitted	WBD I: Not Permitted	Not Permitted
		C: 8,000 square feet; additional 8,000 square feet for underground storage; on Vashon-Maury Island, maximum floor area 6,000 square feet, including underground storage	WBD II: 3,500 square feet (historic buildings maximum is 5,000 square feet) WBD III: 8,000 square feet	WBD II: Not Permitted WBD III: Not Permitted	
RA zone		P: 3,500 square feet, except historic buildings	WBD I: 1,500 square feet	WBD I: 1,500 square feet	Not Permitted
		C: 8,000 square feet; additional 8,000 square feet for underground storage; on Vashon-Maury Island, maximum floor area 6,000 square feet, including underground storage	WBD II: 3,500 square feet (historic buildings maximum is 7,000 square feet) WBD III: 8,000 square feet	WBD II: 3,500 square feet (historic structure maximum is 7,000 square feet if WBD use is wholly within the historic structure) WBD III: 8,000 square feet	

On-Site Tasting and Retail		Former Code	Ordinance 19030	Proposed Ordinances 2022-0147 and -0148	Proposed Ordinance 2024-0387
A zone		P: Retail sales (for wine and beer only) and tasting of products produced on site is allowed; no extra floor area allowed for tasting	WBD I: Not permitted	WBD I: Not Permitted	Not Permitted
		C: Retail sales (for wine and beer only) and tasting of products produced on site is allowed; no extra floor area allowed for tasting	WBD II: Tasting and retail sales of products produced on site are accessory to production use, allowed only in accordance with state law and limited to 30% of the floor area. Hours for on-site tasting limited to: Monday–Thursday: 11 am to 7 pm Friday–Sunday: 11 am to 9 pm WBD III: Tasting and retail sales of products produced on site are accessory to production use, allowed only in accordance with state law and limited to 30% of the floor area. Hours for on-site tasting limited to: Monday–Thursday: 11 am to 7 pm Friday–Sunday: 11 am to 9 pm	WBD II: Not Permitted WBD III: Not Permitted	

Attachment A to SEPA Checklist for WBD Regulation Update
WBD Comparison Summary – updated 11/21/24

On-Site Tasting and Retail		Former Code	Ordinance 19030	Proposed Ordinances 2022-0147 and -0148	Proposed Ordinance 2024-0387
RA zone		P: Retail sales (for wine and beer only) and tasting of products produced on site is allowed; no extra floor area allowed for tasting	WBD I: Not allowed WBD II: Tasting and retail sales of products produced on site are accessory to production use, allowed only in accordance with state law and limited to 30% of the floor area. Hours for on-site tasting limited to: Monday–Thursday: 11 am to 7 pm Friday–Sunday: 11 am to 9 pm.	WBD I: Not allowed WBD II: Tasting and retail sales limited to products produced on-site are accessory to production use except as provided in specific RWC/WAC citations, and limited to 20% of the floor area. Hours for on-site tasting limited to 11am to 8pm daily. Incidental retail sales limited to 20% of the tasting and sales area and limited to 20% of gross sales revenue over a 3-year average. Requires documentation that the gross sales revenue requirement is met with the land use business license.	Not Permitted
		C: Retail sales (for wine and beer only) and tasting of products produced on site is allowed; no extra floor area allowed for tasting	Limitations do not apply on Vashon-Maury Island existing businesses or sites with historic resources. WBD III: Tasting and retail sales of products produced on site are accessory to production use, allowed only in accordance with state law and limited to 30% of the floor area. Hours for on-site tasting limited to: Monday–Thursday: 11 am to 7 pm Friday–Sunday: 11 am to 9 pm. Limitations do not apply on Vashon-Maury Island existing businesses or sites with historic resources.	Limitations on floor area, and incidental sales floor area/gross revenue, do not apply on Vashon-Maury Island existing businesses. Limitations on floor area do not apply on sites with historic resources. Note that in Ordinance 2, the hours of operation would be changed to 11am to 8pm daily. Hours of operation for retail and tasting on Vashon-Maury Island existing businesses if 11am to 7pm Monday-Thursday, 11am to 9pm Friday-Sunday. WBD III: Tasting and retail sales limited to products produced on-site are accessory to production use except as provided in specific RWC/WAC citations, and limited to 20% of the floor area. Hours for on-site tasting limited to 11am to 8pm daily. Incidental retail sales limited to 20% of the tasting and sales area and limited to 20% of gross sales revenue over a 3-year average. Requires documentation that the gross sales revenue requirement is met with the land use business license. Limitations on floor area do not apply on Vashon-Maury Island existing businesses or sites with historic resources. Note that in Ordinance 2, the hours of operation would be changed to 11am to 8pm daily.	

Attachment A to SEPA Checklist for WBD Regulation Update
WBD Comparison Summary – updated 11/21/24

Product Content		Former Code	Ordinance 19030	Proposed Ordinances 2022-0147 and -0148	Proposed Ordinance 2024-0387
A zone	P:	60% of products must be grown in Puget Sound counties	WBD I: Not permitted	WBD I: Not Permitted	Not Permitted
	C:	Limited to processing of agricultural products, and 60% of the products must be grown in Puget Sound counties	WBD II: 60% of product to be processed must be grown on site WBD III: 60% of product to be processed must be grown on site	WBD II: Not Permitted WBD III: Not Permitted	
RA zone	P:	60% of products must be grown in Puget Sound counties	WBD I: No product content requirement	WBD I: No product content requirement	Not Permitted
	C:	Limited to processing of agricultural products, and 60% of the products must be grown in Puget Sound counties	WBD II: No product content requirement WBD III: No product content requirement	WBD II: No product content requirement WBD III: No product content requirement	

Production/ Facility Location		Former Code	Ordinance 19030	Proposed Ordinances 2022-0147 and -0148	Proposed Ordinance 2024-0387
A zone	P:	Not specified	WBD I: Not permitted	WBD I: Not Permitted	Not Permitted
	C:	Not specified	WBD II: Non-agricultural facility uses must be on portion of the property unsuitable for agricultural production purposes. Limits conversion of agricultural land to less than 1 acre for nonagricultural accessory uses. Requires production to include two or more of the stages of production: crushing, fermentation, distilling, barrel or tank aging, or finishing; requires one of the two stages of production, to include crushing, fermenting, or distilling WBD III: Non-agricultural facility uses must be on portion of the property unsuitable for agricultural production purposes. Limit conversion of agricultural land to less than 1 acre for nonagricultural accessory uses. Requires production to include two or more of the stages of production: crushing, fermentation, distilling, barrel or tank aging, or finishing; requires one of the two stages of production, to include crushing, fermenting, or distilling	WBD II: Not Permitted WBD III: Not Permitted	

Attachment A to SEPA Checklist for WBD Regulation Update
WBD Comparison Summary – updated 11/21/24

Production/ Facility Location		Former Code	Ordinance 19030	Proposed Ordinances 2022-0147 and -0148	Proposed Ordinance 2024-0387
RA zone	P: Not specified		WBD I: Requires production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing; requires one of the two stages of production, to include crushing, fermenting, or distilling WBD II: Requires production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing; Requires one of the two stages of production, to include crushing, fermenting, or distilling WBD III: Requires production to include two or more of the stages of production: crushing, fermentation, barrel or tank aging, or finishing; requires one of the two stages of production, to include crushing, fermenting, or distilling	WBD I: Requires a state production liquor license. Requires production to include two or more of the stages of production: crushing or milling, pressing, fermenting, distilling, filtration, barrel or tank aging, finishing, or bottling or packaging; requires one stage of production, to include crushing or milling, pressing, fermenting, or distilling. WBD II: Requires a state production liquor license. Requires production to include three or more of the stages of production: crushing or milling, pressing, fermenting, distilling, filtration, barrel or tank aging, finishing, or bottling or packaging; requires two stages of production, to include crushing or milling, pressing, fermenting, or distilling. On Vashon-Mary Island, existing WBD IIs required to have 2 stages on site, with 1 stage being crushing or milling, pressing, fermenting, or distilling. WBD III: Requires a state production liquor license. Requires production to include three or more of the stages of production: crushing or milling, pressing, fermenting, distilling, filtration, barrel or tank aging, finishing, or bottling or packaging; requires two stages of production, to include crushing or milling, pressing, fermenting, or distilling.	Not Permitted
	C: Not specified				

Maximum Impervious Surface		Former Code	Ordinance 19030	Proposed Ordinances 2022-0147 and -0148	Proposed Ordinance 2024-0387
A zone	P: 15% for A-10 zone; 10% for A-35 zone		WBD I: Not permitted WBD II: Limited to 25% of the site, or the maximum allowed under the zone, whichever is less WBD III: Limited to 25% of the site, or the maximum allowed under the zone, whichever is less.	WBD I: Not Permitted WBD II: Not Permitted WBD III: Not permitted	Not Permitted
	C: 15% for A-10 zone; 10% for A-35 zone				
RA zone	P: 40%		WBD I: Limited to 25% of the site, or the maximum allowed under the zone, whichever is less WBD II: Limited to 25% of the site, or the maximum allowed under the zone, whichever is less WBD III: Limited to 25% of the site, or the maximum allowed under the zone, whichever is less.	WBD I: Limited to 25% of the site, or the maximum allowed under the zone, whichever is less WBD II: Limited to 25% of the site, or the maximum allowed under the zone, whichever is less WBD III: Limited to 25% of the site, or the maximum allowed under the zone, whichever is less.	Not Permitted

Attachment A to SEPA Checklist for WBD Regulation Update
WBD Comparison Summary – updated 11/21/24

Surface Water Management		Former Code	Ordinance 19030	Proposed Ordinances 2022-0147 and -0148	Proposed Ordinance 2024-0387
A zone		Not specified	WBD I: Not permitted WBD II: Not specified WBD III: Not specified	WBD I: Not Permitted WBD II: Not Permitted WBD III: Not permitted	Not Permitted
RA zone		Not specified	WBD I: Not specified WBD II: Not specified WBD III: Not specified	WBD I: Not specified WBD II: Compliance with Surface Water Management Code and Surface Water Design Manual specified. WBD III: Compliance with Surface Water Management Code and Surface Water Design Manual specified.	Not Permitted

Water/ Sewer		Former Code	Ordinance 19030	Proposed Ordinances 2022-0147 and -0148	Proposed Ordinance 2024-0387
A zone		P: Not specified, existing water regulations would apply C: Must meet requirements for water and wastewater; water meters required for use of wells.	WBD I: Not permitted WBD II: Not specified, existing water regulations would apply WBD III: Must connect to an existing Group A water system.	WBD I: Not Permitted WBD II: Not Permitted WBD III: Not Permitted	Not Permitted
RA zone		P: Not specified, existing water regulations would apply C: Must meet requirements for water and wastewater; water meters required for use of wells.	WBD I: Not specified, existing water regulations would apply WBD II: Not specified, existing water regulations would apply WBD III: Must connect to an existing Group A water system.	WBD I: Distilleries not permitted in a closed or partially closed basin to new water withdrawals by Department of Ecology. Does not apply on Vashon-Maury Island. WBD II: Must connect to an existing Group A or Group B water system. Distilleries not permitted in a closed or partially closed basin to new water withdrawals by Department of Ecology. Requires use of commercial septic system and prohibits use of sewer systems for wastewater. Does not apply on Vashon-Maury Island. WBD III: Must connect to an existing Group A water system. Requires use of commercial septic system and prohibits use of sewer systems for wastewater. Sewer requirement does not apply to Vashon-Maury Island.	Not Permitted

Access		Former Code	Ordinance 19030	Proposed Ordinances 2022-0147 and -0148	Proposed Ordinance 2024-0387
A zone		P: No special access requirement. C: No special access requirement.	WBD I: Not permitted WBD II: Requires that the WBD have arterial access. Does not apply to existing businesses on Vashon-Maury Island WBD III: Requires that the WBD have arterial access	WBD I: Not Permitted WBD II: Not Permitted WBD III: Not Permitted	Not Permitted
RA zone		P: No special access requirement. C: No special access requirement.	WBD I: No special access requirement WBD II: Arterial access, except allows public road with CUP. Does not apply to existing businesses on Vashon-Maury Island WBD III: Requires that the WBD have arterial access	WBD I: No special access requirement WBD II: Arterial access, except allows public road with CUP. Arterial access requirement does not apply to existing businesses on Vashon-Maury Island WBD III: Requires that the WBD have arterial access	Not Permitted

Attachment A to SEPA Checklist for WBD Regulation Update
WBD Comparison Summary – updated 11/21/24

Setbacks		Ordinance 19030	Proposed Ordinances 2022-0147 and -0148	Proposed Ordinance 2024-0387
A zone	P: Buildings must be set back 75 feet from property lines RA and R zones, except historic buildings	WBD I: Not permitted WBD II: 75 feet from RA and R zones, except historic buildings. Includes parking areas WBD III: 75 feet from RA and R zones, except historic buildings. Includes parking areas.	WBD I: Not Permitted WBD II: Not Permitted WBD III: Not permitted	Not Permitted
	C: Buildings must be set back 75 feet from property lines RA and R zones, except historic buildings			
RA zone	P: Buildings must be set back 75 feet from property lines RA and R zones, except historic buildings	WBD I: 75 feet from RA and R zones, except historic buildings. Includes parking areas. WBD II: 75 feet from RA and R zones, except historic buildings. Includes parking areas. Does not apply to existing businesses on Vashon-Maury Island WBD III: 75 feet from RA and R zones, except historic buildings. Includes parking areas	<p>WBD I: 75 feet from A, RA and R zones, except historic buildings. Includes parking areas and impervious surfaces. Allows the director to reduce the setback with a CUP, subject to certain criteria.</p> <p>WBD II: 75 feet from A, RA and R zones, except historic buildings. Includes parking areas and impervious surfaces. Allows the director to reduce the setback with a CUP, subject to certain criteria. Setback does not apply to existing businesses on Vashon-Maury Island.</p> <p>Note that Proposed Ordinance 2022-0148 (Ordinance 2) would add a requirement requiring separation of 1,000 feet between any WBDs within the RA and UR zones, with provisions to determine who is "first in line." Does not apply on Vashon-Maury Island.</p> <p>WBD III: 75 feet from A, RA and R zones, except historic buildings. Includes parking areas and impervious surfaces. Allows the director to reduce the setback with a CUP, subject to certain criteria.</p> <p>Note that Proposed Ordinance 2022-0148 (Ordinance 2) would add a requirement requiring separation of 1,000 feet between any WBDs within the RA and UR zones, with provisions to determine who is "first in line." Does not apply on Vashon-Maury Island.</p>	Not Permitted
	C: Buildings must be set back 75 feet from property lines RA and R zones, except historic buildings			

**Attachment A to SEPA Checklist for WBD Regulation Update
WBD Comparison Summary – updated 11/21/24**

Other Requirements for WBDs

Former Code Regulating Wineries, Breweries, and Distilleries		Proposed Ordinances 2022-0147 and -0148	Proposed Ordinance 2024-0387
<p>Temporary use permit (TUP) for events for <i>wineries</i>:</p> <p>In A or RA zones, events limited to 2 days per month per site and all parking for events must be accommodated on site.</p> <p>For <i>all other uses (and wineries in other zones)</i>, events limited to 60 days in a 1-year period.</p> <p>No clarity regarding the meaning of “event” that would trigger a TUP requirement vs. part of the base use for some wine-centric large gatherings (i.e. release parties). No limit on size of events that may be permitted.</p>	<p><u>Temporary use permit</u> (TUP) requirements:</p> <ul style="list-style-type: none"> For WBD II and III in A zones, 2 days per month and all parking must be accommodated on site or through a plan approved by the director For WBD II and III in RA zone, 24 days within a one-year period and all parking must be accommodated on site or through a plan approved by the director For WBD II in A and RA zones, temporary use permits may allow up to 150 guests, considering building occupancy limits and parking limitations For WBD III in A and RA zones, temporary use permits may allow up to 250 guests, considering building occupancy limits and parking limitations For WBD II and III in all other zones, events limited to up to 60 days a year are allowed For WBD I, legal nonconforming home occupations, and legal nonconforming home industries in RA zone, events limited to up to 2 days per year with a maximum 50 people are allowed without a TUP <p>Specifies when a TUP is required, such as when events would exceed the building occupancy; use portable toilets; need off-site parking or parking beyond the maximum; use temporary stages, temporary tents, or canopies that require a permit; would require traffic control in public rights-of-way; or would extend beyond allowed hours of operation.</p> <p>No TUP would be required for events at WBD II and III facilities in RA zones that meet the following criteria:</p> <ul style="list-style-type: none"> They have an active business license at their current location as of the effective date of the ordinance; Parcel is minimum 8 acres; Parcel has direct access to a principal arterial or state highway; The event does not use amplified noise between 8 pm and noon; and There are not events for more than 8 days per month on an annual average 	<p><u>Temporary use permit</u> (TUP) requirements:</p> <ul style="list-style-type: none"> No events in A zone For WBD II and III in RA zone, events limited to 1 days per month and all parking must be accommodated on site or through a plan approved by the director (Existing WBD IIs in RA zone on Vashon-Maury Island allowed 24 days per year) For WBD II in RA zone, temporary use permits may allow up to 75 guests, considering building occupancy limits and parking limitations For WBD III in RA zone, temporary use permits may allow up to 125 guests, considering building occupancy limits and parking limitations For WBD II and III in all other zones, events limited to up to 60 days a year are allowed For WBD I, legal nonconforming home occupations, and legal nonconforming home industries in RA zone, events limited to up to 2 days per year with a maximum 50 people are allowed without a TUP <p>Adds language limiting functions to those related to production of WBDs, and prohibits functions and events that would include temporary or permanent stages, require traffic control, or need more than the maximum number of parking spaces allowed.</p> <p>Specifies when a TUP is required for events, to remove the items listed as prohibited above and maintains triggers for events that use portable toilets (which are capped at 2 for any event), exceed the building occupancy; use off-site parking; use temporary tents or canopies that require a permit; or extend beyond allowed hours of operation. Requires functions and events to comply with the County's noise regulations.</p> <p>Removes an exemption from TUP requirements for certain types of WBDs in the RA zone.</p>	<p><u>Temporary use permit</u> (TUP) requirements:</p> <ul style="list-style-type: none"> Removes duration, frequency, and maximum attendee requirements for WBD uses in the A and RA zones. Limits temporary uses at wineries in the A and RA zone to two per month and requires all parking to be accommodated on-site. <p>Removes requirements for when a TUP is required for WBD events.</p> <p>Removes an exemption from TUP requirements for certain types of WBDs in the RA zone.</p>

**Attachment A to SEPA Checklist for WBD Regulation Update
WBD Comparison Summary – updated 11/21/24**

Former Code Regulating Wineries, Breweries, and Distilleries		Ordinance 19030	Proposed Ordinances 2022-0147 and -0148	Proposed Ordinance 2024-0387
No county license required	<p>Requires a county license for “adult beverage businesses.” Adds a definition for “adult beverage business”: a winery, brewery, distillery or cidery, and remote tasting rooms for any of those businesses. Adds application requirements, including a signed statement for 60% on-site grow requirement with business license.</p> <p>Allows existing businesses to demonstrate past compliance by submitting documentation of that compliance with first business license application. An existing business may obtain one temporary business license (6 months), which may be extended for an additional 6 months if the business demonstrates that they are making substantial steps to prove compliance. A subsequent County business license would not be issued unless that business demonstrates their legal nonconforming use status, the director has determined there have been substantial steps toward compliance, or it complies with the zoning regulations adopted in the WBD ordinance.</p> <p>Provides for the Permitting Division to deny a business license if the business does not comply with the Zoning Code.</p>	<p>Requires a business license for "winery, brewery, distillery land uses". States that the purpose of the WBD land use business license is to promote and protect the health, safety and general welfare of unincorporated King County's residents, and to assist with enforcement of land use related portions of the King County Code. Adds a definition for “winery, brewery, distillery”: a winery, brewery, distillery, or remote tasting rooms. Adds application requirements, and removes references to documentation for 60% on-site grow requirement, as WBDs are prohibited in the A zone.</p> <p>Modifies language regarding documentation to establish nonconforming use, and removes allowance for initial license to be issued for existing businesses without nonconforming status being demonstrated.</p> <p>Requires that for the initial license, a building permit or change of occupancy permit to establish the WBD use be issued (or documentation by Permitting that a permit is not required). Allows one 12-month license to be issued prior to building permit issuance for existing businesses if other requirements and life safety requirements are met, with 6-month extensions if the business has taken substantial steps to obtain the permit.</p> <p>Requires documentation that the gross sales revenue requirement is met with the land use business license.</p>	Repeals business license.	
Remote (off-site) tasting was not a defined use	<p><u>Definition for remote tasting room:</u></p> <p>A small facility licensed by the Washington state Liquor and Cannabis Board and limited to the following non-retail liquor licenses: a Craft Distillery; a Tasting Room - Additional Location for a winery licensed as a Domestic Winery; or a Microbrewery, including, but not limited to, a Microbrewery operating in accordance with an off-site tavern license subject to the retail sale limitations for a Microbrewery in WAC 314-20-015(1). “Remote tasting room” does not include any additional privileges allowed for such licenses or approvals or any use that would require a license under WAC 314-02, except as specifically set forth in this chapter.</p>	<p><u>Definition for remote tasting room:</u></p> <p>A small facility licensed by the Washington state Liquor and Cannabis Board and limited to the following non-retail liquor licenses: an off-site tasting room license for a distillery licensed as a Distillery or Craft Distillery; a Tasting Room - Additional Location for a winery licensed as a Domestic Winery; or a Microbrewery, including, but not limited to, a Microbrewery operating in accordance with an off-site tavern license subject to the retail sale limitations for a Microbrewery in WAC 314-20-015(1). "Remote tasting room" does not include any additional privileges allowed for such licenses or approvals or any use that would require a license under chapter 314-02 WAC, except as specifically set forth in this chapter.</p>	<p><u>Definition for remote tasting room (same as 19030)</u></p> <p>A small facility licensed by the Washington state Liquor and Cannabis Board and limited to the following non-retail liquor licenses: a Craft Distillery; a Tasting Room - Additional Location for a winery licensed as a Domestic Winery; or a Microbrewery, including, but not limited to, a Microbrewery operating in accordance with an off-site tavern license subject to the retail sale limitations for a Microbrewery in WAC 314-20-015(1). “Remote tasting room” does not include any additional privileges allowed for such licenses or approvals or any use that would require a license under WAC 314-02, except as specifically set forth in this chapter.</p>	

**Attachment A to SEPA Checklist for WBD Regulation Update
WBD Comparison Summary – updated 11/21/24**

Former Code Regulating Wineries, Breweries, and Distilleries		Ordinance 19030	Proposed Ordinances 2022-0147 and -0148	Proposed Ordinance 2024-0387
Defines wineries only, relies on Standard Industrial (SIC) Codes for breweries and distilleries	<u>Definition for winery, brewery, distillery facility I:</u> A very small-scale production facility licensed by the state of Washington to produce adult beverages such as wine, cider, beer and distilled spirits, and that includes an adult beverage production use such as crushing, fermentation, distilling, barrel or tank aging, and finishing. A winery, brewery, distillery facility I may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law. On-site tasting of products or retail sales are not allowed. "Winery, brewery, distillery facility I" does not include any retail liquor licenses that would be authorized by WAC 314-02.	<u>Definition for winery, brewery, distillery facility I:</u> A very small-scale production facility licensed by the Washington state Liquor and Cannabis Board to produce alcoholic beverages including, but not limited to, wine, cider, beer and distilled spirits, through stages of production including, but not limited to, crushing or milling, pressing, fermentation, distilling, filtration, barrel or tank aging, finishing, and bottling or packaging. A winery, brewery, distillery facility I may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas. On-site tasting of products or retail sales are not allowed. "Winery, brewery, distillery facility I" does not include any additional privileges or uses that would require a retail liquor license that would be authorized by chapter 314-02 WAC.	<u>Definition for winery, brewery, distillery facility I:</u> A very small-scale production facility licensed by the Washington state Liquor and Cannabis Board to produce alcoholic beverages including, but not limited to, wine, cider, beer and distilled spirits, through stages of production including, but not limited to, crushing or milling, pressing, fermentation, distilling, filtration, barrel or tank aging, finishing, and bottling or packaging. A winery, brewery, distillery facility I may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas. On-site tasting of products or retail sales are not allowed. "Winery, brewery, distillery facility I" does not include any additional privileges or uses that would require a retail liquor license that would be authorized by chapter 314-02 WAC.	<u>Definition for winery, brewery, distillery:</u> As defined in RCW 66.04.010.
Defines wineries only, relies on SIC Codes for breweries and distilleries	<u>Definition for winery, brewery, distillery facility II:</u> 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, distilling, barrel or tank aging, and finishing. A winery, brewery, distillery facility II may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law, on-site tasting of products and sales as authorized by state law and sales of merchandise related to products available for tasting as authorized by state law. "Winery, brewery, distillery facility II" does not include any retail liquor licenses that would be authorized by WAC 314-02.	<u>Definition for winery, brewery, distillery facility II:</u> A small-scale production facility licensed by the Washington state Liquor and Cannabis Board to produce alcoholic beverages including, but not limited to, wine, cider, beer and distilled spirits through stages of production including, but not limited to, crushing or milling, pressing, fermentation, distilling, filtration, barrel or tank aging, finishing, and bottling or packaging. A winery, brewery, distillery facility II may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas. "Winery, brewery, distillery facility II" does not include any additional privileges or uses that would require a retail liquor license that would be authorized by chapter 314-02 WAC.	<u>Definition for winery, brewery, distillery facility II:</u> A small-scale production facility licensed by the Washington state Liquor and Cannabis Board to produce alcoholic beverages including, but not limited to, wine, cider, beer and distilled spirits through stages of production including, but not limited to, crushing or milling, pressing, fermentation, distilling, filtration, barrel or tank aging, finishing, and bottling or packaging. A winery, brewery, distillery facility II may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas. "Winery, brewery, distillery facility II" does not include any additional privileges or uses that would require a retail liquor license that would be authorized by chapter 314-02 WAC.	
Defines wineries only, relies on SIC Codes for breweries and distilleries	<u>Definition for winery, brewery, distillery facility III:</u> A 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, distilling, barrel or tank aging, and finishing. A winery, brewery, distillery facility III may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas as authorized by state law, on-site tasting of products and sales as authorized by state law and sales of merchandise related to products available as authorized by state law. "Winery, brewery, distillery facility III" does not include any retail liquor licenses that would be authorized by WAC 314-02.	<u>Definition for winery, brewery, distillery facility III:</u> A production facility licensed by the Washington state Liquor and Cannabis Board to produce alcoholic beverages including, but not limited to, wine, cider, beer and distilled spirits through stages of production including, but not limited to, crushing or milling, pressing, fermentation, distilling, filtration, barrel or tank aging, finishing, and bottling or packaging. A winery, brewery, distillery facility III may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas. "Winery, brewery, distillery facility III" does not include any additional privileges or uses that would require retail liquor license that would be authorized by chapter 314-02 WAC.	<u>Definition for winery, brewery, distillery facility III:</u> A production facility licensed by the Washington state Liquor and Cannabis Board to produce alcoholic beverages including, but not limited to, wine, cider, beer and distilled spirits through stages of production including, but not limited to, crushing or milling, pressing, fermentation, distilling, filtration, barrel or tank aging, finishing, and bottling or packaging. A winery, brewery, distillery facility III may include additional production-related uses such as vineyards, orchards, wine cellars or similar product-storage areas. "Winery, brewery, distillery facility III" does not include any additional privileges or uses that would require retail liquor license that would be authorized by chapter 314-02 WAC.	

**Attachment A to SEPA Checklist for WBD Regulation Update
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Former Code Regulating Wineries, Breweries, and Distilleries	Ordinance 19030	Proposed Ordinances 2022-0147 and -0148	Proposed Ordinance 2024-0387
<p>Minimum parking requirement for winery and brewery facilities: 0.9 parking space per 1,000 square feet plus 1 per 50 square feet of tasting area. No minimum identified for distilleries.</p> <p>Uses requiring a CUP limited to 150% of the minimum parking required.</p>	<p>Minimum <u>parking requirements</u>:</p> <p>For WBD II and III facilities a minimum of 0.9 parking space per 1,000 square feet, plus 1 per 300 square feet of tasting and retail area.</p> <p>For remote tasting rooms, a minimum of 1 parking space per 300 square feet of tasting and retail areas</p> <p>Maximum <u>parking requirements</u>:</p> <p>For WBD I, allows one additional on-site parking spot.</p> <p>In A and RA zones is 150% of the minimum required. For other zones, tasting/retail limited to 1 per 50 square feet of tasting area.</p> <p>For remote tasting rooms, maximum of 1 space per 50 square feet of tasting and retail areas.</p>	<p>Minimum <u>parking requirements</u>:</p> <p>For WBD I, II and III facilities a minimum of 0.9 parking space per 1,000 square feet, plus 1 per 300 square feet of tasting and retail area.</p> <p>For remote tasting rooms, a minimum of 1 parking space per 300 square feet of tasting and retail areas</p> <p>Maximum <u>parking requirements</u>:</p> <p>In RA zone, the maximum is 150% of the minimum required. For other zones, tasting/retail limited to 1 per 50 square feet of tasting area.</p> <p>For remote tasting rooms, maximum of 1 space per 50 square feet of tasting and retail areas.</p>	<p>Minimum <u>parking requirements</u>:</p> <p>For WBDs, a minimum of 0.9 parking space per 1,000 square feet, plus 1 per 300 square feet of tasting and retail area.</p> <p>For remote tasting rooms, a minimum of 1 parking space per 300 square feet of tasting and retail areas</p> <p>Maximum <u>parking requirements</u>:</p> <p>For WBDs, tasting/retail limited to 1 per 50 square feet of tasting area.</p> <p>For remote tasting rooms, maximum of 1 space per 50 square feet of tasting and retail areas.</p>
<p>Home occupations and home industries are allowed for wineries, breweries, and distilleries, and on-site tasting is permitted as part of a production facility.</p>	<p>Prohibits WBDs and remote tasting rooms as <u>home occupations and home industries</u>.</p> <p>Existing home occupations and home industries that obtain a business license and show compliance with the former King County code provisions for home occupations and home industries at the time Ordinance 19030 was adopted would be allowed to continue as legal nonconforming uses.</p>	<p>Prohibits WBDs and remote tasting rooms as <u>home occupations and home industries</u>.</p> <p>Modifies language from 19030 to clarify what uses will be considered a nonconforming use.</p>	<p>Prohibits WBDs and remote tasting rooms as <u>home occupations and home industries</u>.</p>

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Remote (off-site) tasting not defined; eating and drinking places are permitted in RA zone (KCC 21A.08.070) as an accessory use to a park or as a conditional use accessory to a permitted manufacturing or retail land use or to a recreational or multiuse park, with limitations.	<p>Creates a <u>remote tasting room Demonstration Project Overlay A</u>:</p> <p>Allows remote tasting rooms on 13 parcels within the RA zone adjacent to Woodinville in the Sammamish Valley, with the following criteria:</p> <ul style="list-style-type: none">• One or more WBD I, II, or III may operate within a remote tasting room• Total space for tasting and retail must be 1,000 square feet or less, not including storage, restroom, nonpublic uses• Additional 500 square feet of outdoor space is allowed• Incidental retail sales of products related to products tasted is allowed• Hours of operation are limited to Monday through Thursday 11 am to 7 pm and Friday through Sunday 11 am to 9 pm• Need a King County business license• Need a Washington State liquor license• Events limited to 2 per year; no more than 50 people for all proprietors within a single tasting room• Off-street parking maximum of 1 space per 50 square feet of tasting and retail area <p>Requires that all remote tasting rooms be consistent with general health, safety, and welfare and not violate state or federal law.</p> <p>Supersedes other variance, modification, and waiver criteria in Title 21A.</p> <p>Allows applications for approval under Demonstration Project Overlay A for 3 years from effective date of the ordinance.</p> <p>Requires the Executive to evaluate the applications submitted (date of submittal, complete application, and decision date and type) and code complaints annually for 4 years.</p> <p>After 5 years of the Demonstration Project, the permitting division would be required to submit a final evaluation and propose permanent code changes, including the evaluation of whether the purposes of the Demonstration Project were</p>	Repeals remote tasting room demonstration project and modifies Zoning Map to remove the overlay.	Repeals remote tasting room demonstration project and modifies Zoning Map to remove the overlay.
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Former Code Regulating Wineries, Breweries, and Distilleries		Ordinance 19030	Proposed Ordinances 2022-0147 and -0148	Proposed Ordinance 2024-0387
		fulfilled. A public comment period on the evaluation must be provided.		
Remote tasting rooms not a recognized use in the Zoning Code		Remote tasting rooms allowed in CB and RB zones, with a cross reference to Remote Tasting Room Demonstration Project Overlay A, subject to the requirements in 21A.55	Remote tasting rooms allowed in CB and RB zones	Remote tasting rooms allowed in CB and RB zones
N/A		Modify the Special District Overlay for Fall City CB zoning to allow remote tasting room as a permitted use.	Maintain allowance for remote tasting room in Fall City Rural Town CB zone adopted in 19030 (not shown in PO)	Maintain allowance for remote tasting room in Fall City Rural Town CB zone adopted in 19030 (not shown in PO)
N/A		Modify P-suffix condition for Vashon Rural Town CB Zoning to allow remote tasting rooms as a permitted use.	Maintain allowance for remote tasting room in Vashon Rural Town CB zone adopted in 19030 (not shown in PO)	Maintain allowance for remote tasting room in Vashon Rural Town CB zone adopted in 19030 (not shown in PO)
\$100 for first violation; \$500 for subsequent violations		Modifies <u>citation penalty</u> : Adds specific, increased citations for WBD I, II, and II, and remote tasting room violations, including unauthorized events: \$500 for first violation, and \$1,000 for subsequent violations.	Maintains <u>citation penalties</u> adopted in 19030 (not shown in PO)	Maintains <u>citation penalties</u> adopted in 19030 (not shown in PO)
N/A		Requires an <u>efficacy evaluation</u> : At the end of the 5 years, in conjunction with the studies done for the remote tasting room Demonstration Project, the Executive must complete an evaluation of regulations on existing businesses, including information on businesses licenses, permit applications, and code enforcement complaints/violations. The evaluation must recommend code changes to development conditions, including citation and civil infractions, parking, hours of operation for tasting rooms, temporary use permits for special events, and product content requirements for the A zone. The public comment period for the efficacy evaluation occurs in conjunction with the public comment period for the remote tasting room Demonstration Project.	Remove efficacy evaluation adopted by 19030. Adds WBD environmental evaluation report with a review of interior lot line setbacks, temporary use permits for functions and events, and impacts on salmonid species.	Remove efficacy evaluation adopted by 19030.
N/A		N/A	Adds a requirement for the Executive to contact known WBD businesses with information regarding the changes to the regulations made by Proposed Ordinances 2022-0147 and 2022-0148 if it is adopted, and develop materials for technical assistance for WBD businesses.	N/A
N/A		N/A	Adds a contingent effective date, so that the substantive portions of the ordinance do not take effect until Proposed Ordinance 2022-0148 is adopted. The requirement for contacting WBD businesses and developing technical assistance materials, and the	N/A

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Former Code Regulating Wineries, Breweries, and Distilleries		Ordinance 19030	Proposed Ordinances 2022-0147 and -0148	Proposed Ordinance 2024-0387
			environmental evaluation report would become effective on the regular course.	

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Manufacturing Use – Urban Reserve Zone – Production Facilities

Issue/Condition Former Code		Ordinance 19030	Proposed Ordinances 2022-0147 and -0148	Proposed Ordinance 2024-0387
Type of Permit	Permitted (no separate authorization for CUP in UR zone)	Prohibits WBD facilities in the UR zone.	Note: Proposed Ordinance 2022-0148 (Ordinance 2), would allow WBD I, II, III with the same permissions as the RA zone, as discussed above. Changes in RA would also be changed from former code in UR zone.	Prohibits WBD facilities in the UR zone.
Minimum Lot Size	4.5 acres			
Maximum Building Size	3,500 square feet, except historic buildings			
Tastings	Tasting of products produced on site, and no extra floor area allowed for tasting			
Water	Not specified			
Access	Not specified			
Product Content	60% of product content required to be grown in Puget Sound counties			
Production/Facility Location	Not specified			
Parking	0.9 per 1,000 square feet, plus 1 per 50 square feet of tasting area			
Setbacks	75 feet from RA and R zones, except historic buildings			

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Manufacturing Use – Commercial and Industrial Zones – Production Facilities

Issue/Condition	Former Code NB and CB	Former Code RB and I	Ordinance 19030		Proposed Ordinances 2022-0147 and -0148	
			NB and CB	RB and I	NB and CB	RB and I
Type of Permit	Permitted	Permitted	WBD I – not permitted WBD II – permitted WBD III – conditional use	WBD I – not permitted WBD II – permitted WBD III – conditional use In I zone, limited to breweries and distilleries. No wineries or remote tasting rooms allowed.	WBD I – not permitted WBD II – permitted WBD III – conditional use	WBD I – not permitted WBD II – not permitted WBD III – permitted use
Minimum Lot Size	No minimum lot size established	No minimum lot size established	No minimum lot size established	No minimum lot size established	No minimum lot size established	No minimum lot size established
Maximum Building Size	3,500 square feet, except historic buildings	No maximum building size established	WBD II – 3,500 square feet, except historic buildings are 5,000 square feet	No maximum building size established, except tasting size in the I zone to 1,500 square feet	WBD II – 3,500 square feet, except historic buildings are 5,000 square feet if WBD use is wholly within the historic structure WBD III: No maximum specified	No maximum building size established, except tasting size in the I zone to 1,500 square feet
Tastings	Tasting of products produced on site, and no extra floor area allowed for tasting	Not specified	WBD II and III – tasting of products produced on site, and no extra floor area allowed for tasting	Tasting of products produced on site	No extra floor area allowed for tasting	Not specified.
Water	Not specified	Not specified	Not specified	Not specified	Not specified	Not specified
Access	No special access requirement	No special access requirement	No special access requirement	No special access requirement	No special access requirement	No special access requirement
Product Content	No product content requirement	No product content requirement	No product content requirement	No product content requirement	No product content requirement	No product content requirement
Production/Facility Location	Not specified	Not specified	Not specified	Not specified	Not specified	Not specified
Setbacks	75 feet from RA and R zones, except historic buildings	No setback requirements established	75 feet from RA and R zones, except historic buildings Includes parking areas	75 feet from RA and R zones, except historic buildings Includes parking areas	75 feet from A, RA and R zones, except historic buildings. Includes parking areas and impervious surfaces	75 feet from A, RA and R zones, except historic buildings. Includes parking areas and impervious surfaces