



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Motion 15649

Proposed No. 2020-0225.1

Sponsors Balducci and Lambert

1 A MOTION requesting that the executive complete a new
2 environmental checklist addressing the zoning changes
3 contemplated by Ordinance 19030 and any likely
4 alternatives and in compliance with chapter 43.21C WAC,
5 chapter 197-11 WAC and K.C.C. chapter 20.44, and issue a
6 new, amended or addended threshold determination based
7 on the new environmental checklist, in response to the
8 Central Puget Sound Growth Management Hearings
9 Board's Order on Dispositive Motions for Case No. 20-3-
10 0004c.

11 WHEREAS, Ordinance 19030 established updated regulations for winery,
12 brewery, distillery facilities and remote tasting rooms, in unincorporated King County,
13 and

14 WHEREAS, Ordinance 19030 was challenged on State Environmental Policy Act
15 ("SEPA") and Growth Management Act ("GMA") grounds by Futurewise and a
16 neighborhood group to the Central Puget Sound Growth Management Hearings Board
17 ("the board"). The petitioners filed a summary judgment motion with the board, claiming
18 the SEPA process undertaken by the county before adoption of the ordinance had been
19 insufficient. On May 26, 2020, the board issued an Order on Dispositive Motions for

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20 Case No. 20-3-0004c ("the order"), which granted the petitioners' summary judgment
21 motion and invalidated most of the substantive sections of the ordinance. Ordinance
22 19030, Sections 12 through 31, and map amendments 1 and 2, which were Attachments
23 A and B to Ordinance 19030, were invalidated by the board. Ordinance 19030, Sections
24 12 through 31, include definitions, zoning conditions, parking restrictions, temporary use
25 permit clarifications, home occupation and home industry limitations and a
26 demonstration project, and

27 WHEREAS, the board's order also remanded the ordinance to the county to take
28 actions to bring the ordinance into compliance, and

29 WHEREAS, the board's order was primarily focused on SEPA. The board
30 concluded that the analysis contained in the SEPA checklist was insufficient to support
31 the SEPA determination of nonsignificance. The board set a compliance schedule
32 requiring additional action by the county with a November 2020 deadline, and

33 WHEREAS, the board's order did not specify the what compliance required, and
34 there is interest by the council to provide specificity to the executive;

35 NOW, THEREFORE, BE IT MOVED by the Council of King County:

36 A. The council requests that the executive comply with the remand requirements
37 of the Central Puget Sound Growth Management Hearings Board's Order on Dispositive
38 Motions for Case No. 20-3-0004c ("the board's order"), "to come into compliance with
39 RCW 43.21C.030 and chapter 197-11 WAC" by:

40 1. Completing a new environmental checklist addressing the zoning changes
41 contemplated by Ordinance 19030 and any likely alternatives and in compliance with
42 chapter 43.21C RCW, chapter 197-11 WAC and K.C.C. chapter 20.44; and

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43 2. Issuing a new, amended or addended threshold determination based on the
44 new environmental checklist.

45 B. The council requests the executive complete the new environmental checklist

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46 and new, amended or addended threshold determination prior to the November 6, 2020,
47 deadline set by the board's order.
48

Motion 15649 was introduced on 6/23/2020 and passed by the Metropolitan King County Council on 6/23/2020, by the following vote:

Yes: 9 - Ms. Balducci, Mr. Dembowski, Mr. Dunn, Ms. Kohl-Welles, Ms. Lambert, Mr. McDermott, Mr. Upthegrove, Mr. von Reichbauer and Mr. Zahilay

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

DocuSigned by:
Claudia Balducci
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Claudia Balducci, Chair

ATTEST:

DocuSigned by:
Melani Pedroza
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Melani Pedroza, Clerk of the Council

Attachments: None