

Exhibit A

CHAPTER 17.03 ISLAND COUNTY ZONING CODE AMENDMENTS WINERIES, CIDERIES, BREWERIES, AND DISTILLERIES

DRAFT

GMA #11068

Chapter 17.03 Island County Zoning Code

...

17.03.040 - Definitions.

Unless expressly noted otherwise, words and phrases that appear in this chapter shall be given the meaning attributed to them by this section, other chapters of title 17, or chapters contained in title 16. When not inconsistent with the context, words used in the present tense shall include the future; the singular shall include the plural and the plural the singular; the word "shall" is always mandatory and the words "may" and "should" indicate a use of discretion in making a decision. Unless otherwise noted, the words and phrases defined in this section shall apply, unless a more specific definition is provided in another title or chapter of Island County Code.

Accessory living quarters means a separate living quarters contained within the primary residence. Accessory living quarters are subject to the requirements and conditions provided in section 17.03.180.

...

Agricultural/farm use means the current use of land for the primary purpose of raising, harvesting and/or selling crops or the feeding, breeding, management and/or sale of, or the production of, livestock, poultry, fish, fur-bearing animals or honeybees or for dairying and/or the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof. Farm use includes the preparation and storage of the products raised on such land for human use and animal use and disposal by marketing or otherwise. Farm use also includes the growing and selling of ornamental shrubs, Christmas trees and similar nursery stock.

Agricultural processing means a facility located on a farm unit for the processing of farm crops grown in Island County. The building established for the processing facility shall not exceed:

- a. In the Commercial Agriculture Zone—40,000 square feet of floor area exclusive of the floor area designated for preparation, storage or other farm use or devote more than 40,000 square feet to the processing activities within another building supporting farm uses; or
- b. In the Rural Agriculture Zone—5,000 square feet of floor area exclusive of the floor area designated for preparation, storage or other farm use or devote more than 5,000 square feet to the processing activities within another building supporting farm uses.

A commercial activity in conjunction with farm use includes, but is not limited to, processing facilities which convert harvested agricultural crops from their natural state into new products, i.e., drying, freezing, canning, [crushing, barreling, fermenting, distilling](#) etc. In addition, the preparation and storage of a product which includes significant amounts of agricultural crops not raised by the operator of the storage facility shall also be considered an agricultural processing facility.

Agricultural Zone, Commercial means the zoning classification applied to certain designated lands of long term commercial significance in order to protect and encourage their long term productive use.

...

Box sign means a sign enclosed by a case with internal illumination and plastic facing. The plastic facing shall utilize a solid dark colored background with light colored lettering.

Brewery means an establishment where beer and/or malt liquor are manufactured or licensed under [RCW 66.24.240 \(Domestic Brewery\)](#) or [RCW 66.24.244 \(Microbrewery\)](#) by the State of Washington.

Buffer means a separation designed to absorb potential conflicts between differing land uses, or to protect critical areas or significant natural features. Generally, buffers shall be left in a natural state, or, if necessary,

may be supplemented by landscaping and are used so that structures, uses and roads, when site conditions permit, are screened from adjacent properties or public or private roads external to the lot or parcel.

...

Church means a building or buildings intended for religious worship including ancillary activity and improvements such as religious education, assembly rooms, kitchen, reading room, recreation hall and may include a residence for church staff. This definition does not include schools devoted primarily to nonreligious education.

[Cidery](#) means an establishment licensed under RCW 66.24.170 by the State of Washington to manufacture or produce cider. Such facilities may include additional product-related uses such as orchards, cellars or similar product-storage areas, tasting rooms, and sales as authorized by state law, and sales of merchandise related to products available for tours and tastings.

[Cidery, Rural](#) means a cidery permitted in the rural area in accordance with ICC 17.03.180.DD.1.

Clusters or **cluster design** means a development design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for open space including community area.

...

Day care nursery means family-home care provided for up to six (6) persons not related to the caregiver. A day care nursery is considered to be a home occupation and must meet the standards for home occupation.

[Distillery](#) means an establishment licensed under RCW 66.24.140 (Distillery) and RCW 66.24.145 (Craft Distillery) in accordance with standards set forth in Title 66 RCW.

[Distillery, Rural](#) means a distillery permitted in the rural area in accordance with ICC 17.03.180.DD.1.

Duplex means a dwelling unit designed exclusively for occupancy by two (2) families living independently of each other, doing their own cooking, and containing two (2) dwelling units. Such dwelling units have a common roof or the dwelling units are joined by a common roof. A single family dwelling unit with an attached guest cottage is not considered a duplex.

...

One ownership means all contiguous property owned by the same owner.

[On site consumption](#) means putting of liquor to any use on the premises, whether by drinking or otherwise, as an adjunct to wholesale or retail sales, including the sampling or tasting of wine, cider, spirits, or beer. It does not include the ingestion of alcohol by wine, cider, spirits, or beer producers as part of the production process.

Open space means areas of a site designated and permanently committed by conservation easement as undisturbed areas or community area; committed to community use or committed to farm or forest use. Examples of open space include undisturbed natural areas such as slopes and wetlands, buffer areas whether landscaped or in native vegetation, and pastures or gardens. Open space may also be used for passive activities such as trails. Well sites and septic drainfields located in designated open space areas will be considered community area and are allowed in open space, subject to certain limitations imposed by chapter 16.17.

...

Surface mining means all, or any part of, the process involved in the mining of minerals, peat or topsoil by removing overburden and mining directly from the deposits, open-pit mining of deposits naturally exposed, quarrying, or surface work incident to an underground mine. Surface mining shall exclude excavations or grading associated with the operation of a borrow pit for farm or forest road construction or maintenance on-site or on contiguous property used for farm or forestry uses.

Tasting Room means a dedicated space for the education, samplings, and retail sales of beverages of a winery, cidery, or distillery operating in accordance with RCW 66.24. A tasting room may also include sales of related regional food and/or gift items. Tasting rooms shall be clearly incidental and subordinate to the primary operation of the associated winery, cidery or distillery as a production or manufacturing facility. The primary focus of the tasting room shall be public education and the marketing, and sale of the beverage produced or manufactured by the winery, cidery, or distillery.

Tasting Room, Remote means a tasting room associated with a licensed winery or cidery, licensed by the State of Washington, operating at a location separate from any of its own production or manufacturing sites in accordance with the standards set forth in RCW 66.24.

Temporary use means a use specified in section 17.03.180 requiring no permanent improvements and conducted for a limited duration.

...

Whip antenna means an antenna that is cylindrical in shape up to twenty (20) feet in height.

Winery means an establishment licensed under RCW 66.24.170 by the State of Washington to manufacture or produce wine. Such facilities may include additional product-related uses such as vineyards, wine cellars or similar product-storage areas, tasting rooms, and sales as authorized by state law, and sales of merchandise related to products available for tours and tastings.

Winery, Rural means winery permitted in the rural area in accordance with section 17.03.180DD.1.

Wireless communication antenna array includes one (1) or more rods, panels, discs or similar devices used for the transmission or reception of radio frequency (RF) signals through electromagnetic energy. Wireless communication antenna array examples may include the omni-directional antenna (whip), a directional antenna (panel) and/or a parabolic antenna (dish).

...

17.03.060 - Rural (R) Zone.

...

B. Conditional uses.

1. Uses allowed upon site plan approval pursuant to chapter 16.15 processed as Type II decisions pursuant to chapter 16.19:
 - a. Accessory uses and uninhabitable buildings 800 square feet of gross floor area or greater in size on lots less than two and one-half (2.5) acres in size that do not have existing permitted uses;

...

- p. Animal shelters; ~~and~~
 - q. Marijuana producer and/or processor deemed a Type II land use decision in section 17.03.180.BB~~;~~;
 - r. Rural Winery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is less than 8,000 square feet as specified in section 17.03.180.DD;
 - s. Rural Cidery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is less than 8,000 square feet as specified in section 17.03.180.DD; and
 - t. Rural Distillery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is less than 8,000 square feet as specified in section 17.03.180.DD.
2. Uses allowed upon site plan approved pursuant to chapter 16.15 processed as Type III decisions and requiring a community meeting pursuant to chapter 16.19, unless otherwise specified:
- a. Church except that a community meeting is not required if seating capacity is no more than 150 or fewer persons or a 2,000 square foot assembly area is proposed;
 - ...
 - l. Mini storage facility; ~~and~~
 - m. Marijuana producer and/or processor deemed a Type III land use decision in section 17.03.180.BB~~;~~;
 - n. Rural Winery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is equal to or more than 8,000 square feet as specified in section 17.03.180.DD;
 - o. Rural Cidery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is equal to or more than 8,000 square feet as specified in section 17.03.180.DD; and
 - p. Rural Distillery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is equal to or more than 8,000 square feet as specified in section 17.03.180.DD.
 - ...

17.03.090 - Rural Agriculture (RA) Zone.

...

B. Conditional uses.

- 1. Uses allowed upon site plan approval pursuant to this chapter 16.15 processed as Type II decisions, pursuant to chapter 16.19:
 - a. Communication towers;
 - ...

- h. Rural event center as specified in section 17.03.180.T.8.a. as a Type II decision; ~~and~~
 - i. Marijuana producer and/or processor deemed a Type II land use decision in section 17.03.180.BB-;
 - j. Rural Winery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is less than 8,000 square feet as specified in section 17.03.180.DD;
 - k. Rural Cidery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is less than 8,000 square feet as specified in section 17.03.180.DD; and
 - l. Rural Distillery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is less than 8,000 square feet as specified in section 17.03.180.DD.
2. Uses allowed upon site plan approval pursuant to chapter 16.15, processed as Type III decisions and requiring a community meeting pursuant to chapter 16.19, unless otherwise specified:
- a. Gun club and shooting range;
 - ...
 - g. Rural event center as specified in section 17.03.180.T.8.a. as a Type III decision; ~~and~~
 - h. Marijuana producer and processor deemed a Type III land use decision in section 17.03.180.BB-;
 - i. Rural Winery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is equal to or more than 8,000 square feet as specified in section 17.03.180.DD;
 - j. Rural Cidery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is equal to or more than 8,000 square feet as specified in section 17.03.180.DD; and
 - k. Rural Distillery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is equal to or more than 8,000 square feet as specified in section 17.03.180.DD.
3. Earned development units after approval by the board of a commercial agriculture farm management plan as set forth in section 17.03.180.G.
- ...

17.03.100 - Commercial Agriculture (CA) Zone.

...

- A. Permitted uses. Processed as Type I decisions pursuant to chapter 16.19:
 - 1. Accessory uses;

...

~~14. Winery;~~

- ~~15-14.~~ Farm equipment storage and repair facilities;
- ~~16-15.~~ Veterinarian clinic;
- ~~17-16.~~ Day care nursery and small day care center (no more than six (6) persons);
- ~~18-17.~~ Accessory living quarters; ~~and~~
- ~~19-18.~~ Marijuana producer deemed a Type I land use decision in section 17.03.180.BB.
- 19. Rural Winery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is less than 8,000 square feet as specified in section 17.03.180.DD;
- 20. Rural Cidery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is less than 8,000 square feet as specified in section 17.03.180.DD; and
- 21. Rural Distillery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is less than 8,000 square feet as specified in section 17.03.180.DD.

Provided that any permitted use shall be disapproved upon finding that it will interfere with efficient management or productivity of commercial agricultural uses.

B. Conditional uses.

1. Uses allowed upon site plan approval pursuant to chapter 16.15 processed as Type II decisions pursuant to chapter 16.19:
 - a. Communication towers;
 - ...
 - f. Recreational aerial activities as specified in section 17.03.180; ~~and~~
 - g. Marijuana producer and/or processor deemed a Type II land use decision in section 17.03.180.BB.;
 - h. Rural Winery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is equal to or more than 8,000 square feet as specified in section 17.03.180.DD;
 - i. Rural Cidery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is equal to or more than 8,000 square feet as specified in section 17.03.180.DD; and
 - j. Rural Distillery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is equal to or more than 8,000 square feet as specified in section 17.03.180.DD.
2. Uses allowed upon site plan approval processed as Type III decisions and requiring a community meeting pursuant to chapter 16.19:

...

17.03.120 - Rural Center (RC) Zone.

...

A. **Permitted uses.** Permitted uses shall not exceed 12,000 square feet of gross floor area or eight (8) dwelling/living units per lot, tract or parcel and shall be processed as Type I decisions pursuant to chapter 16.19.

1. Accessory uses;

...

22. Warehouses; **and**

23. Water tanks-;

[24. Remote Tasting Room;](#)

[25. Winery;](#)

[25. Cidery;](#)

[26. Brewery; and](#)

[27. Distillery.](#)

B. **Conditional Uses**

...

17.03.130 - Rural Village (RV) Zone.

...

A. **Permitted uses.** Permitted uses shall not exceed 4,000 square feet of gross floor area, processed as Type I decisions pursuant to chapter 16.19.

1. Accessory uses;

...

13. Temporary uses; **and**

14. Veterinary clinics-;

[15. Remote Tasting Room;](#)

[16. Winery;](#)

[17. Cidery;](#)

[18. Brewery; and](#)

[19. Distillery.](#)

B. **Conditional Uses**

...

17.03.135 - Camano Gateway Village (CGV) Zone.

...

A. **Permitted uses.** Permitted uses shall not exceed 4,000 square feet of gross floor area, processed as a Type I decision pursuant to chapter 16.19.

1. Finance, real estate and banking services;

...

12. Uses and structures that are accessory or secondary to a primary permitted or conditional use;
and

13. Lumberyards;

[14. Remote Tasting Room;](#)

[15. Winery;](#)

[16. Cidery;](#)

[17. Brewery; and](#)

[18. Distillery.](#)

B. **Conditional Uses**

...

17.03.140 - Rural Service (RS) Zone.

...

A. **Permitted uses.** Permitted uses shall not exceed 4,000 square feet of gross floor area, processed as Type I decisions pursuant to chapter 16.19.

1. Accessory uses

...

5. Water tanks; **and**

6. Marijuana producer deemed a Type I land use decision in section 17.03.180.BB;

[7. Remote Tasting Room;](#)

[8. Winery;](#)

[10. Cidery;](#)

[11. Brewery; and](#)

[12. Distillery.](#)

B. **Conditional Uses**

...

17.03.150 - Airport (AP) Zone.

...

A. **Permitted uses.** Processed as Type I decisions pursuant to chapter 16.19.

1. Accessory uses;

...

13. Water tanks; ~~and~~

14. Marijuana producer deemed a Type I land use decision in section 17.03.180.BB-~~;~~

[15. Remote Tasting Room;](#)

[16. Winery;](#)

[17. Cidery;](#)

[18. Brewery; and](#)

[19. Distillery.](#)

B. **Conditional Uses**

...

17.03.180 - Land use standards.

The land use standards contained in this section supplement the general land use regulations of this chapter and the specific development standards contained in other chapters of the Island County Code.

A. **General standards for nonresidential uses in the Rural, Rural Residential, Rural Forest, Rural Agriculture and Commercial Agriculture Zones.**

...

I. **Guest cottages and accessory living quarters.**

...

J. **Home industry**—Purpose and standards. To provide for small-scale commercial or industrial activities on Rural, Rural Agricultural, Rural Forest, or Commercial Agricultural zoned parcels, accessory to the primary residential/agricultural/forestry use. The scale of the proposals to be considered through this mechanism is typically greater than could be accommodated ~~through~~ as a home occupation. Uses that are larger than a home industry must locate in a nonresidential zone.

1. The following list of uses is not intended to be exhaustive, but rather is intended to be illustrative of the types of uses which the approval authority may consider:

a. Antique shops;

...

k. Woodworking shop; ~~and~~

l. Bed and breakfast inn-~~;~~

[m. Winery without on-site consumption;](#)

[n. Cidery without on-site consumption;](#)

[o. Distillery without on-site consumption; and](#)

[p. Brewery or Micro-brewery without on-site consumption.](#)

2. A home industry shall meet the requirements of this chapter and the following standards:

...

K. **Home occupation standards.** Home occupations are accessory to the primary residential use and are permitted in any dwelling unit or accessory structure.

1. The following list of uses is not intended to be exhaustive, but rather is intended to be illustrative of the types of uses:

a. Artists, photographer, and sculptors;

...

i. Barbershops and beauty parlors; ~~and~~

j. Bed and breakfast rooms-;

[k. Winery without on-site consumption;](#)

[l. Cidery without on-site consumption;](#)

[m. Distillery without on-site consumption; and](#)

[n. Brewery or Micro-brewery without on-site consumption.](#)

2. A home occupation shall meet the requirements of this chapter and the following standards:

...

S. **Site coverage and setbacks.**

...

T. **Small-scale recreation and tourist uses.** Small-scale recreational and tourist uses may be conducted in the Rural Zone upon approval of a site plan pursuant to chapter 16.15, processed as Type II or Type III decision pursuant to chapter 16.19.

1. The following uses illustrate small-scale recreation or tourist uses:

a. Golf courses including clubhouses and other support facilities not exceeding eighteen (18) holes, provided that any associated residential development shall comply with the requirements of the Rural Zone.

b. Equestrian centers.

c. Restaurants with indoor dining facilities that do not exceed a total of forty (40) seats, including outdoor seating, and not greater than 5,000 square feet of gross floor area. A fast food restaurant or drive-through food service is prohibited.

~~d. Wineries on parcels ten (10) acres or larger in size that are zoned Commercial Agriculture or Rural Agriculture.~~

~~e.d.~~ Model hobby parks and sites on parcels ten (10) acres or larger in size that are zoned Rural.

~~f.e.~~ Recreational aerial activities such as balloon rides, glider and parachute events.

g.f. Rural event centers.

2. A small-scale recreation or tourist use shall meet the land use standards of this chapter and the following requirements:

...

CC. Procedural requirements for essential public facilities.

...

1. In order to enable the director to determine the appropriate classification for the use, the prospective applicant shall provide the following to the county:

...

3. **Class B facilities.** The following requirements apply to those essential public facilities identified as Class B facilities by the director, except public schools that have an established school site as part of the land use element of the comprehensive plan:

- a. At least thirty (30) days before the community meeting, the prospective applicant shall notify the affected public and jurisdictions of the general type and nature of the proposal, identify sites under consideration for accommodating the proposed facility, and identify opportunities to obtain information and comment to the county on the proposal.

...

- d. The requirements of subsections 3.c(i) and (ii) above do not apply to the expansion of existing facilities when the individual or cumulative alterations will not increase the floor area or exterior improvement area by more than twenty-five (25) percent. The increase is measured from the time the use became a conditional use or the effective date of this chapter. For land-based facilities, such as landfills, the requirements of subsections 3.c(i) and (ii) above do not apply to the expansion of existing facilities where the facility capacity (excluding accessory buildings) or gross land area, as of the effective date of this provision, is increased by less than sixty (60) percent. The increase is measured from the time the use became a conditional use or the effective date of this chapter.

DD. Rural Wineries, Cideries, and Distilleries (WCD) - may be established in the following districts upon approval of a site plan pursuant to chapter 16.15 and processed as Type I, II or Type III decision in accordance with the standards provided in this section.

1. Zoning Districts, Minimum Lot Area and Decision Type

<u>Rural Winery, Cidery, and Distillery (WCD)</u>	<u>Permitted Districts: RA, R, CA,</u>						
	<u>< 5,000 square feet</u>		<u>5,000 square feet & <8,000 square feet</u>		<u>≥ 8,000 square feet</u>		
<u>Gross floor area utilized to support wine manufacture, production, sales, or tasting</u>							
<u>Decision Type</u>	<u>II</u>	<u>I</u>	<u>II</u>		<u>I</u>	<u>III</u>	<u>II</u>
<u>Zoning</u>	<u>RA & R</u>	<u>CA</u>	<u>R</u>	<u>RA</u>	<u>CA</u>	<u>R, RA</u>	<u>CA</u>

<u>Minimum Lot Area Required</u>	<u>5 acres</u>	<u>10 acres</u>	<u>10 acres</u>	<u>20 acres</u>	<u>20 acres</u>	<u>20 acres</u>
<u>Minimum Lot Area Required for Distilleries</u>	<u>4 acres</u>	<u>10 acres</u>	<u>4 acres</u>	<u>10 acres</u>	<u>10 acres</u>	<u>20 Acres</u>

2. Setbacks

- a. Minimum side yard and rear yard building and parking setbacks for all Rural WCD facilities adjacent to Rural and Rural Residential zoned property shall be fifty (50) feet.
 - i. Where a road separates the lot or parcel proposed for a Rural WCD facility and an adjacent lot or parcel zoned Rural or Rural Residential, the setback shall conform to the requirements set forth in 17.03.180 (S).
 - ii. A lesser setback may be considered if an enhanced buffer is provided along the property line that includes a full visual screen (six foot wall or fence) with continuous landscaping screening components (including both shrubs and trees) consistent with the provisions of section 17.03.180. P.3., provided on the exterior side and visible to the neighboring property.
 - Insert graphic here
 - iii. In no case shall the required setback be less than twenty (20) feet.
- b. Where section 17.03.180.S provides for a greater setback, the greater setback shall be observed.
- c. Setback standards for lots or parcels adjacent to all other districts shall conform to the standards provided in section 17.03.180 S.
- d. All setbacks will be measured from property line, edge of easement, or right-of-way, whichever is greater.
- c. Where a Rural WCD facility is proposed for a lot or parcel adjacent to a CA or RA zoned lot or parcel, the Planning Director or Hearing Examiner may require an increased setback if an existing residential structure is located within 100 feet of the side or rear property line. This standard shall not apply where the proposed Rural WCD facility and the existing residential structure are separated by a road.

3. Access

- a. All new facilities shall have adequate access from a state highway, county arterial, county collector, or approved local road and shall take primary access, in order of priority, off a state highway, county arterial, county collector, or approved local road subject to the requirements of RCW 47.50, and WAC 468-52-040.
- b. Alternative access from a county local road may be approved by the County Engineer.
- c. When considering approval of local county roads, the County Engineer shall determine if the following standards have been met for the section of county local road from the proposed facility to the state highway or county arterial or collector road:

- i. That the local road, at a minimum, meets design standards for a twenty-five (25) mph fire lane per Appendix D of the International Fire Code. If the use warrants, at the discretion of the County Engineer, the local road could be required to meet design standards for a twenty-five (25) mph collector road;
 - ii. That the road can safely manage the number of trips generated by the introduction of the new proposed use in a manner that ensures the continued safe and convenient use of the road; and
 - iii. That a Transportation Concurrency review and approved Certificate be obtained as needed per Chapter 11.04 ICC.
- d. Access for all new facilities from private roads shall be prohibited with the exception of Crawford Road.

4. Screening

- a. **General Screening.** Screening of non-residential uses shall be provided in accordance with section 17.03.180. P., Non-residential design, landscape, and screening guidelines.
- b. **Parking Screening Required.** All facility parking areas shall be screened from view from adjacent residential property in accordance with the requirements set forth in section 17.03.180.P.3. If full visual screen (wall or fence) is utilized, it must include continuous landscaping screening components (including both shrubs and trees) consistent with the provisions of section 17.03.180. P.3., provided on the exterior side where it is visible to the neighboring property.

Insert graphic here

5. Parking

- a. Parking, access, and circulation shall be provided in accordance with standards set forth in section 17.03.180.Q. and shall be clearly identified and delineated on the site plan.
- b. Reinforced turf may be provided as an alternative parking surface subject to the approval of the County Engineer.
- c. All parking shall be contained on-site and shall be limited to areas identified as dedicated parking space on the approved site plan.

6. Food Service. Food service offering cooked-to-order food is prohibited except as part of an approved restaurant use in accordance with 17.03.180.T. Table service, retail sales of cooked or prepared food or menu items are prohibited, except as noted below unless allowed in conjunction with an approved restaurant . Food service shall conform to Public Health Code regulations provided in ICC Title VIII, Health, Welfare, and Sanitation. Limited food service may be allowed in accordance with subsection “a” below.

- a. Rural Winery and Cidery
 - i. Samples or tastes of pre-packaged or assembled food, such as crackers, nuts or other palate cleansers, featuring local foods and food products offered in conjunction with wine tasting.
 - ii. Prepared meals or appetizers featuring local foods and food products offered in conjunction with agricultural promotional events are permitted.

- iii. Prepared meals or appetizers related to events permitted as part of an approved event permit and/or winemaker dinners with less than fifty (50) people are permitted.
- iv. Retail sales of pre-packaged or assembled food not associated with an approved event, exempt gathering, or winemaker dinner are allowed in conjunction with wine tasting subject to the following limitations:
 - (1) Retail sales of pre-packaged or assembled food featuring local foods and food products shall be permitted only during tasting room hours.
 - (2) Retail sales of pre-packaged or assembled food available for on-site consumption only.
 - (3) No interior seating will be dedicated solely to the purpose of meal service.
 - (4) No off-site signs advertising retail sales of pre-packaged food is permitted.
- v. All project signage shall conform to the section 17.03.180.R.
- b. Rural Distilleries. Food service offering cooked-to-order food is prohibited except as part of an approved restaurant use in accordance with 17.03.180.T. Tours and tastings may include small food offerings such as crackers, nuts, or other palette cleansers. Limited food services provided in section 17.03.180.DD.6.a. shall not be permitted.

7. Landscaping/Open Space Requirements:

- a. In addition to the requirements provided in section 17.03.180.P; Non-residential Design, Landscape, and Screening Guidelines, the following landscaping and open space requirements shall apply.
- b. A minimum of ten (10) percent of site must be designated landscaping and open space area. Open space areas may include perimeter landscaping areas and foundation planting areas but does not include enhanced buffers provided in lieu of required setbacks under section 17.03.180.DD.2. or required screening identified in section 17.03.180. P. unless provided to satisfy landscape buffer requirements in subsection “d” below. Distilleries shall be exempt from the requirement to provide foundation plantings but must still meet the ten (10) percent landscaping and open space requirements.
- c. **Site trees.** Within the open space areas, one (1) large site tree will be required for every 4,000 square feet of the parcel/lot area.
 - i. Medium trees may be substituted at a rate of two (2) medium trees for every required large tree.
 - ii. Small trees may be substituted at a rate of three (3) small trees for every required large tree.
 - iii. For the purposes of this section; tree sizes are classified according to the following:

<u>Tree Size</u>	<u>Height</u>
<u>Large</u>	<u>> 35 feet height at maturity</u>
<u>Medium</u>	<u>15-35 feet height at maturity</u>
<u>Small</u>	<u>< 15 feet height at maturity</u>

d. **Required Landscape Buffer.** Where facilities are located within 300 feet of property zoned R or RR, a minimum ten (10) foot wide landscape buffer is required at the property line between the facility or parking and the adjacent R or RR zoned property. The landscape buffer shall be provided in conformance with section 17.03.180.P.3. and may count toward the required minimum site landscape area required. Enhanced buffers provided in lieu of required setbacks under section 17.03.180.DD.2. may be utilized to satisfy this requirement but will not count toward the minimum ten (10) percent open space requirement.

Insert graphic here.

e. **Foundation Planting Areas.** Plantings around building foundations are required within a planting area six (6) feet in width along seventy (70) percent of the length of any façade visible to the public. A medium or small tree shall be provided every thirty (30) feet on-center. Native shrubs may be substituted for trees at a ratio of ten (10) shrubs for every required tree but may not replace more than thirty (30) percent of the required trees. Foundation planting may count toward the required minimum site landscape area required.

f. Where a portion of the site is dedicated to agricultural production that is utilized in the production of wine or cider, the landscape requirements shall be limited to screening requirements provided in section 17.03.180. P. subject to the following minimum standards.

<u>Site Acreage</u>	<u>Minimum land dedicated to agricultural production</u>
<u>5 – 10 acres</u>	<u>0.5 acre</u>
<u>Every additional 10 acres</u>	<u>An additional 0.5 acre</u>

g. The Planning Director or Hearing Examiner may approve alternative landscape plans where a lot is exceptionally narrow or shallow or contains unusual topographic conditions, but only when strict application would result in peculiar, exceptional, and undue hardship on the owner of such property.

8. Noise Management / Outdoor Amplification: RESERVED

9. The Planning Director or Hearing Examiner may impose conditions such as increased setbacks, improved access, or other limitations and conditions found necessary to protect health, safety, and welfare, and to mitigate adverse impacts to surrounding properties due to the nature or character of the site or the facility.