

RESOLUTION NO. 483

A RESOLUTION OF THE WOODINVILLE CITY COUNCIL SUPPORTING ENFORCEMENT OF KING COUNTY ZONING CODES; SUPPORTING INCREASED PROTECTIONS OF AGRICULTURAL AND RURAL LANDS IN AND SURROUNDING THE SAMMAMISH RIVER VALLEY; AND SUPPORTING TRANSIT IMPROVEMENTS IN THE SAMMAMISH VALLEY AND THE CITY OF WOODINVILLE.

WHEREAS, King County's 2016 Comprehensive Plan Amendment process is underway and includes a study of wine, agriculture, and tourism in the Sammamish River Valley; and

WHEREAS, Sammamish River Valley wine tourism relies in part on unobstructed views of working agricultural land to draw wine tourists; and

WHEREAS, agricultural land is a nonrenewable resource; and

WHEREAS, the citizens of King County voted in 1979 to fund a Farmland Preservation Program that includes the Sammamish River Agricultural Production District for the purpose of preserving farmland, agriculture, and open space (see

<http://www.kingcounty.gov/depts/dnrp/wlr/sections-programs/rural-regional-services-section/agriculture-program/farmland-preservation-program.aspx>); and

WHEREAS, the average price of high-quality farmland in Washington has increased 25 percent in the last year, and nearly 50 percent in the last four years (*Seattle Times*, "Latest Washington real-estate gold rush: farms," July 20, 2016, <http://www.seattletimes.com/business/real-estate/latest-washington-real-estate-gold-rush-farms/>); and

WHEREAS, Washington has lost more than a million acres of farmland between 1997 and 2012 (https://www.agcensus.usda.gov/Publications/2012/Full_Report/Volume_1_Chapter_1_State_Level/Washington/st53_1_001_001.pdf); and

WHEREAS, King County Council studies to consider loosening restrictions on Rural and Agricultural land in the Sammamish Valley help fuel land speculation, resulting in further price increases that make agricultural land too expensive for farmers (*Attachment 1*); and

WHEREAS, development has already made some Sammamish Valley agricultural acreage too wet to farm (*Attachment 2*); and

WHEREAS, King County has modest protections such as SO-120 (the Agricultural Production Buffer Special District Overlay, KCC 21A.38.130) to prevent upslope development from harming agricultural land but these protections have proven inadequate (*Attachment 3*); and

WHEREAS, Washington's Growth Management Act Goal 8, RCW 36.70A.020(8), encourages conservation of agricultural lands and discourages incompatible uses (*Attachment 4*); and

WHEREAS, King County's Countywide Planning Policy DP-57 discourages incompatible land uses adjacent to designated Resource Lands including agricultural land (*Attachment 5*); and

WHEREAS, The Washington Supreme Court has held that agricultural land must be protected under the Growth Management Act, *King County v. Central Puget Sound Growth Management Hearings Board*, 142 Wn.2d 543 (2000), recognizing that "allowing incompatible uses nearby impairs the viability of the resource industry" (referring to agriculture), *City of Redmond v. Central Puget Sound Growth Management Hearings Board*, 136 Wn.2d 38 (1998); and

WHEREAS, King County's Countywide Planning Policy DP-50 requires that new nonresidential uses in the Rural Area be limited to uses that are demonstrated to serve the Rural Area (*Attachment 6*); and

WHEREAS, a small number of wine tasting rooms and retail sales businesses—correctly characterized as urban uses—operate in unincorporated King County in violation of King County code, are built without environmental or building permits, disrupt traffic, fail to provide adequate parking, increase storm water runoff, and thus compete unfairly with law-abiding businesses (King County Code Enforcement complaints ENFR15-0287, ENFR15-0486, ENFR13-0143, ENFR15-0538, ENFR15-0525, and ENFR12-0239); and

WHEREAS, the sprawling style of these illegal uses, environmental harm to nearby agricultural land, and availability of suitable land inside the Woodinville city limits for such uses mean that expansion of the Urban Growth Boundary in order to accommodate such uses is unnecessary and contrary to the criteria identified in Countywide Planning Policies DP-16 and DP-17 (*Attachment 7*); and

WHEREAS, Woodinville has ample vacant and redevelopable land in its retail and industrial zones (*Attachment 8*); and

WHEREAS, the Vision Statement in Woodinville's Comprehensive Plan recognizes the economic and cultural importance of healthy farmland and a healthy agricultural industry in the Sammamish Valley (*Attachment 9*); and

WHEREAS, the presence of approximately 100 wineries and tasting rooms, plus numerous breweries, distilleries, and cideries inside the Woodinville city limits demonstrates that wineries and tasting rooms can thrive while complying with GMA-mandated zoning and permitting requirements; and

WHEREAS, parking is insufficient during peak tourism hours in the City's wine districts;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Woodinville City Council respectfully requests that the King County Council take actions that will ensure enforcement of current code in and around the Sammamish Valley.

As an underlying guide to implementation, the Woodinville City Council respectfully requests that the law-abiding citizens, communities, and environment of King County, not the parties violating code, be regarded as the "customers" of code enforcement (*Attachment 10*).

As another guide to implementation, the Woodinville City Council respectfully requests that code enforcement shift its standards closer to both the letter and spirit of the codes. This would end such practices as regarding a cot as proof of residency.

The Woodinville City Council regards code enforcement as a necessity for the continued existence of agriculture in the Sammamish River Valley. We regard any discussion of relaxing code as compounding what is already a very real threat to the continued viability of Sammamish River Valley agriculture.

Section 2. The Woodinville City Council respectfully requests that King County Council not only preserve all Agricultural zoning, but also increase the protections on upslope Rural land, because the current protections have proved inadequate.

Agriculture has value in its own right, as affirmed by King County voters when they approved the Farmland Preservation Program in 1979. It is also the basis for Woodinville wine country tourism: without the country aesthetic that the farmland provides, there is no Woodinville wine country.

Preserving Agricultural zoning is necessary, but not sufficient. Upslope development has already made some Agricultural acreage too wet to farm (*Attachment 2*). This indicates that the existing protections that apply to nearby Rural land, such as SO-120, are insufficient and should be strengthened, broadened in the scope of development and permitted uses covered, and extended to cover more geographic area. Preserving farmland, agriculture, and farmers means that current proposals for Rural land, including retail overlays, relaxed permitted uses, Urban Growth Boundary amendments, rezones, relaxed definitions, relaxed standards, and any other changes that allow urban activities upslope of Agricultural zoning should be rejected by the King County Council on the grounds that they have already harmed, and are likely to further harm, agriculture and farmers in the Sammamish Valley.

Section 3. The Woodinville City Council respectfully requests that the King County Council preserve views of working agricultural land from the roadways in the Sammamish River Valley.

Unobstructed views of productive farmland are essential to the ability of the Sammamish Valley to draw tourists; places like Seattle already have numerous production wineries much closer to the homes or lodgings of wine tourists. Therefore, developing the parcels along the roadside between Woodinville and Redmond not only damages the feasibility of using the land for agricultural uses by increasing runoff, but also erases tourism value of the Sammamish River Valley by obscuring the views that attract tourists.

Section 4. The Woodinville City Council respectfully requests that the King County Council set a higher bar for initiating consideration of relaxation of existing protections for the Sammamish River Valley every four years, as even such studies destabilize agricultural land prices, thereby jeopardizing agriculture in the Valley (*Attachment 1*).

Support for relaxing codes is restricted to a small number of developers, real estate brokers, land speculators, and businessmen who are unwilling to pay urban prices and undertake urban permitting processes in their quest to open urban businesses. Accommodating the wishes of this small number of individuals jeopardizes the livelihood of farmers and the environment that are the basis of the tourism and wine economy in the Sammamish Valley.

Section 5. The Woodinville City Council commits to continuing to make Woodinville a hospitable host for manufacturing and sale of alcoholic beverages.

The City of Woodinville hosts approximately 100 wineries, breweries, distilleries, and tasting rooms inside its city limits – a strong indication that its land use codes are a good fit for the industry. The City is currently reviewing its zoning code, permitted uses, and permitting processes to identify opportunities for making the area inside the city limits (inside the Urban Growth Boundary) even more inviting to the wine and beverage industries.

The overwhelming majority of the wineries and tasting rooms in Woodinville wine country operate successfully within the Woodinville city limits. With nearly 190 acres of vacant and redevelopable commercial land inside the city limits, there is ample space for every winery in the state of Washington to have a tasting room inside the Woodinville city limits (*Attachment 8*).

The commercial or industrial-scale manufacture and sale of wine, as with any other product being manufactured and sold at such a scale and at a location other than where the raw materials are grown, are fundamentally urban activities. The fact that so many wineries are conducting these urban activities successfully in Woodinville is proof that the industry can not only survive, but thrive in an urban setting. The same is true of tasting rooms; they are fundamentally retail points of sale, and therefore an urban activity.

Section 6. The Woodinville City Council respectfully requests that the King County Council explore ways to provide public transit and alleviate parking shortages in Woodinville's wine districts.

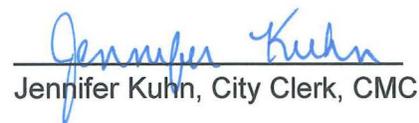
No public transit serves Woodinville's wine districts. This forces tourists to visit by private vehicles, causing even more demand for parking than most commercial districts experience. Woodinville receives many requests by tourist-oriented business owners for transit service. We are grateful for Metro's current Alternative Services study. We ask that the King County Council also consider adding fixed-route service serving Woodinville's Park & Ride and covering Woodinville's downtown, Hollywood, West Valley, and North Industrial wine districts. This fixed route service would complement King County's ongoing efforts to better utilize existing park & ride facilities by transporting tourists, local employees, citizens, and transit-dependent individuals from available remote parking to their destinations throughout the City.

RESOLVED this 2nd day of August 2016.



Bernard W. Talmas, Mayor

ATTEST/AUTHENTICATED:



Jennifer Kuhn, City Clerk, CMC

Summary of Available/Recently Sold Property
In Woodinville Wine Country

Current Owner	Property Address	Parcel Number	Acres	Assessor's Appraised Value	Asking Price	Asking Price Differential	Listing Price Source	Sale Price
Walker	13229 Woodinville Redmond Rd NE	2326059024	4.00	\$557,000	\$10,000,000	1695.33%	Annie McKenzie-Mutch (Agent)	
Carlson	15132 148 th Ave NE	3407700011	4.15	\$371,000	\$2,600,000	600.81%	Windemere Real Estate	
Brown	16725 140 th Ave NE	1026059031	7.98	\$715,000	\$3,000,000	319.58%	North Pacific Properties	\$1,850,000
Zante	13425 NE 171 st St	1026059030	14.90	\$1,022,000	\$7,000,000	684.93%	Zante family comments to Woodinville Planning Commission	
Leone	14701 148 th Ave NE	1526059051	1.48	\$445,000				\$995,000

Comment originally submitted to the King County Council for the 2012 Comprehensive Plan update:

THE ROOT CONNECTION CSA
13607 Woodinville-Redmond Rd NE
PO Box 267
Woodinville Wa 98072
www.rootconnection.com

December 18, 2011

Re: Proposal to move the Urban Growth Boundary in the Sammamish Valley

I have been a farmer and farm manager in the Sammamish Valley for over 26 years. There are specific reasons why I am opposed to moving of the UGB, which I will address here.

Any change in density of lands surrounding farmlands to farms has an immediate and detrimental effect on farming production:

A number of years ago, new houses were built on the hill directly across from the Root Connection property, along with a new road leading up to those houses. The buildings, roads and driveways have been the direct cause of an extreme increase in runoff from the hill, which flows via piping underneath the Wood-Red Rd. and empties directly onto our farmland. This has resulted in appx. one-fourth of our acreage now being too wet to farm. ***Since our average annual production of vegetables on this farm is 11,250 lbs per acre, this means that 45,000 lbs (22.5 tons) of much needed food production has been lost – forever.***

Since the land this farm is on is in the Farmland Preservation Program, this loss is not only the farmer's loss, but a loss to all the citizens of King County who voted to tax themselves so that food could be produced here.

Similar problems have occurred at another property I manage, a 47 acre piece on the corner of the Wood-Red Rd. and NE 124th St. (commonly referred to as the "South 47"). Citizens formed an LLC to purchase this property, which was then put into the Farmland Preservation Program. The motivation was to make sure this property would always be farmed. **Unfortunately, due to increased building and commercial activities surrounding this farm, 9 acres are now too wet to farm, and drainage of the whole parcel has been affected.**

When will we stop using the lands that are needed to feed our population as a dumping ground for water run-off and the resulting contamination that results? Moving the UGB will destroy the surrounding farmlands, and it will not take long. We cannot keep nipping at the ends of the valley and expect the middle to survive. A healthy ecosystem has to maintain a certain size in order to function. Some of these properties considered in this ill-advised plan have wetlands or are adjacent to wetlands. I'm sure that proposals for dealing with that would be to push that water and runoff from increased building and pavement onto the neighboring farms, which would then cause flooding and pollution. Anyone who says this won't happen is not a farmer and really doesn't know what they are talking about. This would also leave the door open for these properties to be annexed to Woodinville, and we can see how well that worked out for the farmlands that used to exist in the valley.

Yes, yes, most folks who are wary of encroachment on farmland areas would bemoan the loss of "open space", "quality of life", "rural atmosphere", etc. And while these reasons are important for citizens who live in the area, as well as businesses such as some wineries and restaurants that depend on a somewhat picturesque landscape, the most important reason of all is to protect our food security in local food production. (As in "Agricultural Production District".)

If we can stop infringing on the APD, we will be able to protect the lands that remain. ***There is enough farmland available in the Sammamish Valley to produce over 12 million pounds of vegetables annually, enough to provide more than 80,000 people with 150 lbs each year.*** We just need some patience. We almost lost all our farmers 30 years ago, and it's taken that long for new farmers to make some of these lands productive again. It may take another 30 years before the majority of the parcels are actively farmed. Do we have to go the way of all those other valleys where the farmlands have been destroyed? That's how it happens – little by little – can we have the wisdom to learn from the past and be different?

Respectfully,

Claire Thomas
President, Roots of Our Times Cooperative

King County agricultural buffer

SO-120: Agricultural Production Buffer SDO

Summary

An agricultural production buffer special district overlay provides a buffer between agricultural and upslope residential land uses.

Story

Amended by Ord. 15028, 10/11/2004 (Map)

Amended by Ord. 15032, 10/11/2004 (Language)

Amended by Ord. 15326, 11/25/2005 (Map)

Description

Agricultural Production Buffer SDO

Development Condition Text

21A.38.130 Special district overlay - agricultural production buffer.

A. The purpose of the agricultural production buffer special district overlay is to provide a buffer between agricultural and upslope residential land uses. An agricultural production buffer special district overlay shall only be established in areas adjacent to an agricultural production district and zoned RA.

B. The following development standard shall apply to residential subdivisions locating in an agricultural production buffer special district overlay: Lots shall be clustered in accordance with K.C.C. 21A.14.040 and at least seventy-five percent of a site shall remain as open space, unless greater lot area is required by the Seattle-King County department of public health. (Ord. 15032 § 50, 2004; Ord. 12823 § 8, 1997).

<http://www.kingcounty.gov/depts/permitting-environmental-review/gis/DevConditionsSearch/SDO/SO-120.aspx>

Washington Growth Management Act

RCW 36.70A.020

Planning goals.

The following goals are adopted to guide the development and adoption of comprehensive plans and development regulations of those counties and cities that are required or choose to plan under RCW [36.70A.040](#). The following goals are not listed in order of priority and shall be used exclusively for the purpose of guiding the development of comprehensive plans and development regulations:

...

(8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.

King County Countywide Planning Policies

DP-57 Discourage incompatible land uses adjacent to designated Resource Lands to prevent interference with their continued use for the production of agricultural, mining, or forest products.

King County Countywide Planning Policies

DP-50 Except as provided in Appendix 5 (March 31, 2012 School Siting Task Force Report), limit new nonresidential uses located in the Rural Area to those that are demonstrated to serve the Rural Area, unless the use is dependent upon a rural location. Such uses shall be of a size, scale, and nature that is consistent with rural character.

King County Countywide Planning Policies

DP-16 Allow expansion of the Urban Growth Area only if at least one of the following criteria is met:

- a) A countywide analysis determines that the current Urban Growth Area is insufficient in size and additional land is needed to accommodate the housing and employment growth targets, including institutional and other non-residential uses, and there are no other reasonable measures, such as increasing density or rezoning existing urban land, that would avoid the need to expand the Urban Growth Area; or
- b) A proposed expansion of the Urban Growth Area is accompanied by dedication of permanent open space to the King County Open Space System, where the acreage of the proposed open space
 - 1) is at least four times the acreage of the land added to the Urban Growth Area;
 - 2) is contiguous with the Urban Growth Area with at least a portion of the dedicated open space surrounding the proposed Urban Growth Area expansion; and
 - 3) Preserves high quality habitat, critical areas, or unique features that contribute to the band of permanent open space along the edge of the Urban Growth Area; or
- c) The area is currently a King County park being transferred to a city to be maintained as a park in perpetuity or is park land that has been owned by a city since 1994 and is less than thirty acres in size.

DP-17 If expansion of the Urban Growth Area is warranted based on the criteria in DP-16(a) or DP-16(b), add land to the Urban Growth Area only if it meets all of the following criteria:

- a) Is adjacent to the existing Urban Growth Area;
- b) For expansions based on DP-16(a) only, is no larger than necessary to promote compact development that accommodates anticipated growth needs;
- c) Can be efficiently provided with urban services and does not require supportive facilities located in the Rural Area;
- d) Follows topographical features that form natural boundaries, such as rivers and ridge lines and does not extend beyond natural boundaries, such as watersheds, that impede the provision of urban services;
- e) Is not currently designated as Resource Land;
- f) Is sufficiently free of environmental constraints to be able to support urban development without significant adverse environmental impacts, unless the area is designated as an Urban Separator by interlocal agreement between King County and the annexing city; and
- g) Is subject to an agreement between King County and the city or town adjacent to the area that the area will be added to the city's Potential Annexation Area. Upon ratification of the amendment, the Countywide Planning Policies will reflect both the Urban Growth Area change and Potential Annexation Area Change.

Woodinville Buildable Lands Inventory

WOODINVILLE COMPREHENSIVE PLAN UPDATE | EXISTING CONDITIONS INVENTORY

**Exhibit 2.4-17
Commercial Buildable Land by Zone, 2014 Analysis**

Zone	Gross Acres		Net Acres	
	Vacant	Redevelopable	Vacant	Redevelopable
CBD	6.9	120.2	2.8	68.8
GB	16.3	38.9	7.9	23.9
NB	0.2	1.0	0.1	0.8
O	0.5	0.0	0.5	0.0
R-48/O	0.0	0.0	0.0	0.0
TBD	2.0	1.6	0.4	0.6
I	39.0	51.7	25.2	37.7
Total	64.9	213.4	36.8	131.8

Source: City of Woodinville, 2013; BERK, 2014

Net buildable acres represent the amount of land available for actual development after critical areas, market factors, right-of-way needs, and other factors are considered. Applying these factors nets the City 36.8 acres of vacant buildable land and 131.8 acres of buildable land in its commercial and industrial zones. Net buildable acres are used to determine the amount of additional building square feet and employment capacity a parcel can support given the current zoning.

Note #1: On December 31, 2015, a Development Agreement in Woodinville's Tourist Business District lapsed. This adds roughly 20 acres to the vacant land area in the Tourist Business District, for a total of 22 vacant acres in the heart of the Sammamish River Valley.

Note #2: Removing the acres unavailable for wineries or tasting rooms (NB, O, & R-48/O districts) and adding the 22 vacant acres described in Note #1, the total vacant and developable land for these type of uses within Woodinville City Limits is approximately 187.3 acres.

Woodinville Comprehensive Plan, Vision Statement

In the year 2035, Woodinville is a safe, welcoming, family-friendly, and diverse community that supports a successful balance of neighborhoods, parks and recreation, businesses, and tourism. We have preserved our Northwest woodland character, our open space, and our clean environment. Woodinville is a vibrant community in which to live, work, play, and visit. We have cultivated a compact, inviting downtown in which locally owned businesses can successfully establish and thrive. We have enhanced our ability to move about the community by all modes of travel. We have strengthened the agricultural and wine industries in Woodinville, the Sammamish Valley, and throughout the state by transforming locally sourced food, libations, and hospitality into an internationally renowned tourism experience.

Mike Tanksley to John Starbard, 18 Feb 2016

- > Subject: Re: code enforcement reform status
- > From: wmtanksley@comcast.net
- > Date: Thu, 18 Feb 2016 15:14:27 -0800
- > To: John.Starbard@kingcounty.gov
- >
- > John,
- >
- > Yes, thanks for your response, below, and mostly agreed. But leaving the condescension towards "less familiar" and "less affluent" Rural residents aside, we need to be clear about what's going on here:
- >
- > The problems we are facing around our community come from well-heeled property owners who are very aware of their violations. They have a long-held agenda to urbanize our Rural community for their own profit and are actively thumbing their noses at our municipality, King County, as well as at our law-abiding citizens and businesses, in pursuit of that goal.
- >
- > To our discussion of "customers" vs. "violators", you cannot provide "services" to interests that don't want those services, and these scofflaws do NOT want your "services". When law-breakers have been given a chance to correct their infractions, but instead make clear their intention to continue breaking the law, we need to leave the "customer" mentality behind and deal with them on a law enforcement perspective.
- >
- > Meanwhile, our law-abiding citizens and businesses DO want your "services" in the form of effective law enforcement to defend the greater property and business rights of our community!
- >
- > Perhaps you are familiar with the crisis we are having across the west with characters such as the Bundys, self-styled militias and rogue sheriffs. The Malheur stand-off was in large part the result of a federal government that has been too timid to stand up to such outlaws, such as the 2014 Bundy stand-off in Nevada. Such accommodation has encouraged numerous less-publicized outrages across the west. (I can send you some quality reading on the subject if you'd like)
- >
- > What we have here is very similar, only the guns are being kept (just barely) behind the counters. The longer we abide lawlessness such as we have with the illegal tasting rooms around the outskirts of Woodinville, the more trouble we invite.
- >

> And now, in an effort to garner support, our local troublemakers are dragging businesses that we have no quarrel with into the spotlight, such as the businesses which are actively making wine or other spirits on their properties.

>

> In other words, they are doing a good PR job of using fear to spiral the issue well beyond their focused interests.

>

> So, I hope the consulting company can be approved and get into the job ASAP. The longer this goes unresolved, the worse it gets, which is exactly what our local outlaws (and their abettors) want.

>

> Thanks,

> MT

>

>

> On Feb 18, 2016, at 12:56 PM, Starbard, John <John.Starbard@kingcounty.gov> wrote:

>

> Michael:

>

> Last year, when we did our study, we spent a fair amount of time early on defining who was our "customer." Our unsatisfying answer--as you correctly identify below--is that in King County the code enforcement violator is the customer. Why? We concluded that the vast majority of the processes we have address the violation and steps to seek compliance. Impacts to the neighbors are only a bit player in the codes as they exist today. Again, that was our UN-satisfying conclusion.

>

> My speculation and personal observation is that in the past some may have viewed Rural residents as less familiar with land use codes and also less affluent to correct violations. Therefore, give our Rural violators (although our codes apply to all unincorporated areas, some of which are Urban) more time and don't over penalize them financially. In fact, a similar argument MAY have been made even for our Urban unincorporated areas, which include areas like White Center and Skyway, which, in fact, are not affluent.

>

> But these sensitivities don't take into full account people who prefer to have twenty acres of neatly maintained land and buildings who don't appreciate when less care is applied to neighboring properties, affluent people who are aware of the weaknesses of our current code and can calculate that a few hours of a lawyer is less than more hours of an engineer and the cost of following all the rules, or that because our penalties are not that expensive they can be factored in merely as a cost of doing business.

>

> For me, in this case, correctly identifying the "customer" may be less valuable than correctly framing or stating what the "service" is. Perhaps the service is about safety, protecting the environment, protecting property rights and values, upholding the laws--for all, regardless of where the violation exists. Because often an area is impacted, not only a site, even for cases of hoarders (e.g. rodents).

>

> John Starbard, Director
> King County
> Department of Permitting and Environmental Review
> 35030 S.E. Douglas Street, Suite 210
> Snoqualmie, WA 98065
> Phone: (206) 477-0382

>
>

> -----Original Message-----

> From: Michael Tanksley [mailto:wmtanksley@comcast.net]
> Sent: Tuesday, February 16, 2016 4:32 PM
> To: Starbard, John
> Subject: Re: code enforcement reform status

>

> John,

>

> That's good news. We would be interested in providing some input to the firm once they are ready to start work.

>

> One point in particular that may merit discussion within DPER as well as with the consulting firm:

>

> There must be a recognized differentiation between "customers" and "violators".

>

> In an effort to be kinder and gentler, KC code enforcement (CE) harbors a culture that defines all violators as "customers". Unfortunately, this sometimes leads to a relationship where CE ends up abetting an activity that is in violation of the code.

>

> While there are certainly cases where it is appropriate for DPER to work with willing property or business owners to bring their activities into compliance with our laws (and who might appropriately be referred to as "customers"), there is another side where underlying zoning and codes simply do not allow certain activities or where violators refuse to adjust their activities to comply with the law.

>

> Interests that willfully violate our laws need to know they will face an effective and swift law enforcement mechanism if they continue their violations. These violators should not be referred to, nor perceived as, "customers".

>

> Put another way, the majority of our communities are composed of law-abiding citizens. We need for our rights to be upheld against those who are willing to trample on them in pursuit of their own narrow interests.

>

> This will require a culture change along with policy changes within the department.

>

> Thanks for getting back to me on this.

>

> Best,

> Michael Tanksley

> President

> Hollywood Hill Association

>

> On Feb 16, 2016, at 3:02 PM, Starbard, John <John.Starbard@kingcounty.gov> wrote:

>

> Michael:

>

> When we completed the code enforcement analysis last year, we felt we needed to do something about it.

>

> We have retained a consulting firm to: 1) conduct and present a survey of code enforcement best practices from across the nation, and 2) prepare a detailed, annotated outline of a proposed replacement of the County's current title 23 in the King County Code. We asked for that because we were searching for a firm that had understanding and expertise in the service rather than the specific skill of code writing. Our own staff and our attorneys can use the outline to come up with draft code.

>

> We took this approach because, frankly, our current Title 23 is so convoluted that trying to amend it seemed less fruitful than starting with a clean sheet of paper and designing a new program.

>

> The consulting firm is working out the final details of its contract with the County (with central contracting), then we'll dig into the scope. We are looking to have a draft annotated outline in May of this year.

>

> JFS

>

> -----Original Message-----

> From: Michael Tanksley [mailto:wmtanksley@comcast.net]

> Sent: Tuesday, February 16, 2016 10:31 AM

> To: Starbard, John

> Subject: code enforcement reform status

>

> John,

>

> We are interested in knowing the status of the measures we discussed last fall in reference to reform of code enforcement for unincorporated King County.

>

> Everyone we speak to says that you are the one to talk to.

>

- > Any information that you might provide would be helpful.
- >
- > Thank you.
- >
- > Michael Tanksley

Attached are copies of the articles that Resolution No. 483
refer to in the Whereas clauses.

Article 1

WHEREAS, the citizens of King County voted in 1979 to fund a Farmland Preservation Program that includes the Sammamish River Agricultural Production District for the purpose of preserving farmland, agriculture, and open space (see

<http://www.kingcounty.gov/depts/dnrp/wlr/sections-programs/rural-regional-services-section/agriculture-program/farmland-preservation-program.aspx>); and

Article 2

WHEREAS, the average price of high-quality farmland in Washington has increased 25 percent in the last year, and nearly 50 percent in the last four years (*Seattle Times*, "Latest Washington real-estate gold rush: farms," July 20, 2016,

<http://www.seattletimes.com/business/real-estate/latest-washington-real-estate-gold-rush-farms/>); and

Article 3

WHEREAS, Washington has lost more than a million acres of farmland between 1997 and 2012

(https://www.agcensus.usda.gov/Publications/2012/Full_Report/Volume_1_Chapter_1_State_Level/Washington/st53_1_001_001.pdf); and



Farmland Preservation Program

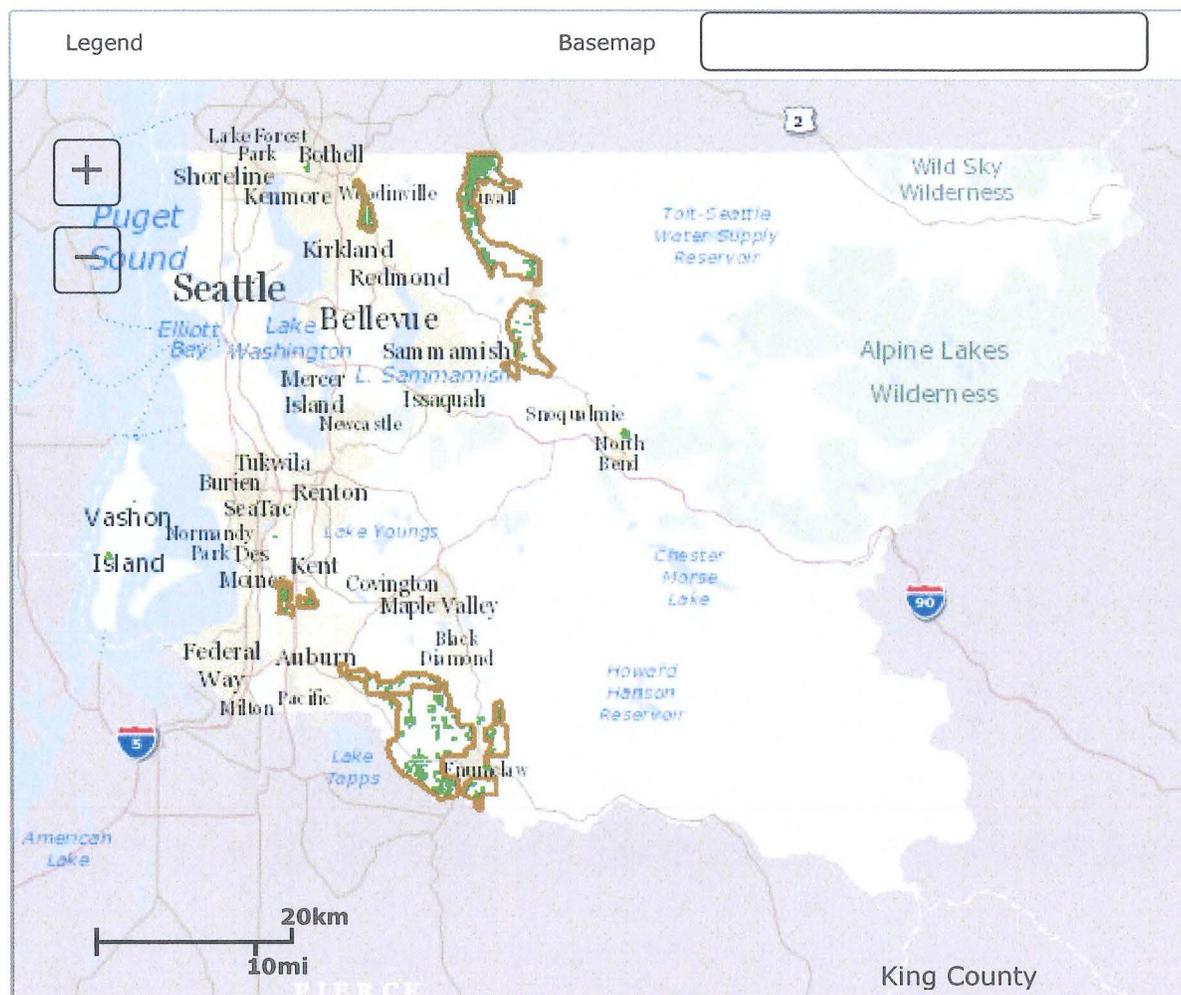
The Farmland Preservation Program (FPP) began in 1979 when the voters of King County approved an initiative authorizing the County to preserve rapidly diminishing farmland by purchasing the right to develop it. During the 1980's, King County acquired the development rights on 12,600 acres of high quality farmland within its boundaries. The County is continuing to purchase development rights on select properties and there are now approximately 13,200 acres that are permanently protected.



Snoqualmie Valley pumpkin patch

FPP properties include dairies, beef, horse and other animal operations as well as nurseries, turf farms, and farms raising hay, silage, berries, row crops, flowers and Christmas trees. These protected farmlands are located primarily in the Green, Sammamish, and Snoqualmie River Valleys and on the Enumclaw Plateau and Vashon Island (see [map of protected farmlands in King County](#)).

The FPP is a voluntary program. In selling the development rights to their property, owners allow restrictive covenants to be placed on it which limit the property's use and development. The covenants restrict the property to agriculture or open space uses, limit the number of residences permitted, require that 95% of the property be kept open and available for cultivation, require a minimum lot size if the property is subdivided, and restrict activities that would impair the agricultural capability of the property. The restrictive covenants are contained in a conveyance instrument called the [Deed Of and Agreement Relating to Development Rights](#) (Click to view a copy of a blank Deed and Agreement in MS Word format).



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For more information about the King County Farmland Preservation Program, please contact Ted Sullivan, Project Program Manager III, King County Rural and Regional Services Section.

Related information

- Agriculture in King County, Washington
- Rural services directory
- Business services

Related agencies

- Water and Land Resources Division
- Department of Natural Resources and Parks

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Latest Washington real-estate gold rush: farms

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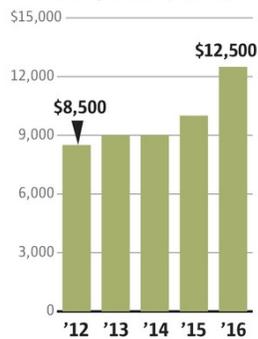


Combines comb a hilltop in the Palouse, just outside of Pullman, in 2012. (DEAN RUTZ/The Seattle Times)

Washington farmland prices

The cost of high-quality farmland in the state has risen 47 percent in the last four years.

Price per acre (in June)



Source: Farmers National Company Agent Survey

KELLY SHEA / THE SEATTLE TIMES

Prices for high-quality farmland across the state are up 47 percent in the last four years, mirroring similar increases in home prices and rents.

By

[Mike Rosenberg](#)

Seattle Times business reporter

You know about home prices and rents soaring across the Puget Sound region and Washington — but you might be surprised at the latest type of property to get swept up in the state’s real-estate wave: farms.

The average sale price of high-quality Washington farmland has increased 25 percent in the last year, and is up 47 percent in the last four years, [according to new data](#) from Farmers National Company.

The current average price of \$12,500 per acre is the highest among 18 states tracked in the report, mostly in a central swath from Minnesota to Texas, up from fourth-highest a year ago. Washington was the only state surveyed to see prices rise in the past year.

City folk might not think much about farmland, but it’s a big deal across Washington. The state has 14.7 million acres of farms — the size of about 270 Seattles. And costs for farmers can factor into how much you pay for that Honeycrisp apple at the grocery store, the summer squash at the farmers market or a local cabernet at the tasting room.

At the core of the issue, much like the rest of the real-estate market, is the lack of available quality properties. Just like cities aren’t building enough housing to meet demand, experts say the finite nature of farmland makes those top-tier farm properties — in locations with sufficient rain, irrigation systems and water rights — an increasingly valuable resource as more land gets developed. [The state has lost](#) more than a million acres of farmland over a 15-year span.

“You have a shrinking farmland base and no way to replace it. Once you do that sort of thing with any commodity, the prices go right through the roof,” said Wade Bennett, the owner of [Rockridge Orchards](#) in Enumclaw, which grows a variety of produce and brews ciders.

“It’s a problem. Quite frankly, I don’t know how any young farming group starting out could afford farmland on the west side” of the mountains.

It’s happening east of the mountains, as well. Tom Davis, director of government relations at the [Washington Farm Bureau](#), said some developers have been paying a premium to buy up agricultural land and convert it to strip malls or residential tracts, while others are scooping up huge swaths of rural land for vacation homes.

“The folks in the tech industry and others who have cash who go into the farm country and buy land to put their McMansions up — if zoning allows, it’s absolutely happening,” Davis said.

He also points to a rise in some crop prices over the last few years, creating a “glut of cash” for some farmers to expand operations.

[Flo Sayre](#), a Washington real-estate broker for Farmers National, said she's also seen an increase in investors buying farmland.

Rebecca Sadinsky, who shops for farmland to protect from development as executive director of the [PCC Farmland Trust](#), said investors — including some from outside the country — are eyeing agricultural land as they “look for a place to hold dollars” or plan future developments. “The prices have been going up for a while,” she said.

One other comparison with residential real estate to watch out for: those Californians coming up to buy property. With the Golden State's drought taking a toll on farmers there, they've bought up farms in Oregon, and Washington could be next, Sadinsky said.

Unlike statistics on residential real estate, those on farm values are harder to come by, and there isn't as much of a consensus over why agricultural land prices are rising, or where they could be headed.

But everyone seems to agree the prices are trending upward.

The Farmers National survey looks only at high-quality farms, but the trend of rising prices holds true for all agricultural lands. The latest [U.S. Department of Agriculture report](#), which is a year old, says all Washington farm real estate rose 8 percent in 2015, the fifth-most among all states, and more than triple the national average.

[Washington's 36,000 farms](#) sell more than \$9 billion in goods each year, and the state is one of the nation's top growers of fruits and vegetables.

The state is most known for its \$2.4 billion-a-year apple business, the biggest in the country. Washington has become a force in the wine world, as well.

The rising farmland prices do match up with the rest of the state's real-estate industry, although there may not be much of a correlation.

[Washington is now](#) among the fastest-growing states in the nation for rising home prices and rents, and that includes more rural parts of the state where farms are more common.

The change has been no small potatoes for farmers. The market for and size of farms varies dramatically in different parts of the state, but generally speaking, using the average farm size of 408 acres and the average costs in the Farmers National report, the typical property in Washington would now cost about \$5.1 million, up from roughly \$3.5 million in 2012.

Next on the list among the states served by Farmers National is Illinois at \$11,000 per acre, Iowa (\$10,500) and Nebraska (\$10,000).

Mike Rosenberg: mrosenberg@seattletimes.com or 206-464-2266; on Twitter [@ByRosenberg](#).

How much land Washington's 10 most valuable crops take up

Apples: 148,000 acres

Potatoes: 170,000 acres

Wheat: 2.215 million acres

Hay & haylage: 840,000 acres

Cherries: 37,100 acres

Grapes: 70,000 acres

Hops: 32,158 acres

Pears: 20,800 acres

Onions: 21,900 acres

Blueberries: 11,000 acres

Sorted by value of crops statewide

Source: USDA

Table 1. Historical Highlights: 2012 and Earlier Census Years

[For meaning of abbreviations and symbols, see introductory text.]

All farms	2012	2007	2002	1997	Not adjusted for coverage			
					1997	1992	1987	1982
Farms number	37,249	39,284	35,939	40,113	29,011	30,264	33,559	36,080
Land in farms acres	14,748,107	14,972,789	15,318,008	15,778,606	15,179,710	15,726,007	16,115,568	16,469,678
Average size of farm acres	396	381	426	393	523	520	480	456
Estimated market value of land and buildings ¹ :								
Average per farm dollars	910,249	759,146	623,333	520,306	634,619	468,482	355,976	423,352
Average per acre dollars	2,299	1,992	1,486	1,292	1,192	892	739	933
Estimated market value of all machinery and equipment ¹ \$1,000	3,672,289	3,278,858	2,690,548	2,325,580	2,021,640	1,843,190	1,537,272	1,652,940
Average per farm dollars	98,588	83,468	80,212	57,987	69,693	61,053	45,905	45,947
Farms by size:								
1 to 9 acres	10,559	9,211	7,482	9,208	5,195	5,408	6,040	6,425
10 to 49 acres	12,980	14,790	13,187	14,791	9,727	10,115	11,362	12,717
50 to 179 acres	6,537	7,307	7,223	7,646	6,250	6,536	7,216	7,755
180 to 499 acres	3,071	3,479	3,439	3,536	3,138	3,336	3,796	4,038
500 to 999 acres	1,508	1,731	1,635	1,770	1,618	1,699	1,855	1,927
1,000 to 1,999 acres	1,123	1,218	1,364	1,502	1,436	1,461	1,626	1,548
2,000 acres or more	1,471	1,548	1,609	1,660	1,647	1,709	1,664	1,670
Total cropland farms	25,045	26,005	28,184	30,082	24,656	25,765	28,891	31,317
..... acres	7,526,742	7,609,210	8,038,469	8,291,529	7,913,709	7,999,419	8,168,454	8,190,984
Harvested cropland farms	20,846	20,091	21,802	24,168	20,445	21,282	24,027	26,067
..... acres	4,342,904	4,387,169	4,894,634	5,160,717	4,895,633	4,734,673	4,597,476	5,278,772
Irrigated land farms	14,736	15,492	15,534	16,261	13,131	14,068	15,437	16,252
..... acres	1,633,571	1,735,917	1,823,155	1,787,120	1,705,025	1,641,437	1,518,684	1,638,470
Market value of agricultural products sold (see text) \$1,000	9,120,749	6,792,856	5,330,740	4,947,886	4,767,727	3,821,222	2,919,634	2,831,159
Average per farm dollars	244,859	172,917	148,327	123,349	164,342	126,263	87,000	78,469
Crops, including nursery and greenhouse crops \$1,000	6,492,042	4,754,898	3,582,818	3,403,524	3,251,291	2,451,605	1,688,656	1,714,741
Livestock, poultry, and their products \$1,000	2,628,708	2,037,958	1,747,922	1,544,362	1,516,436	1,369,617	1,230,978	1,116,418
Farms by value of sales ² :								
Less than \$2,500	16,900	18,443	15,005	16,290	8,698	8,980	10,599	12,483
\$2,500 to \$4,999	4,084	3,817	3,244	4,617	3,299	3,489	4,166	4,312
\$5,000 to \$9,999	3,542	3,717	3,106	3,674	2,954	3,078	3,507	3,631
\$10,000 to \$24,999	3,398	3,423	3,454	3,805	3,242	3,327	3,684	3,681
\$25,000 to \$49,999	1,843	2,190	2,378	2,294	1,972	2,305	2,668	2,660
\$50,000 to \$99,999	1,380	1,729	2,157	2,343	2,093	2,426	2,995	3,110
\$100,000 to \$499,999	3,367	3,529	4,634	5,145	4,872	5,243	4,978	5,358
\$500,000 or more	2,735	2,436	1,961	1,945	1,881	1,416	962	812
Farms by legal status for tax purposes (see text):								
Family or individual	30,167	32,547	30,525	33,711	23,466	25,126	28,289	31,107
Partnership	2,685	2,932	2,280	2,998	2,548	2,675	2,850	2,748
Corporation	3,463	3,266	2,748	3,112	2,776	2,271	2,248	2,043
Other-cooperative, estate or trust, institutional, etc	934	539	386	292	221	192	172	182
Principal operator by days of work off farm ³ :								
None	14,862	13,701	16,798	15,210	12,363	12,848	13,268	13,062
Any	22,387	25,583	19,141	22,908	15,079	15,691	18,561	20,757
200 days or more	14,180	15,396	12,948	15,894	9,924	10,441	12,330	13,943
Principal operator by primary occupation:								
Farming	17,650	18,021	21,013	18,649	15,465	16,491	17,654	17,968
Other	19,599	21,263	14,926	21,464	13,546	13,773	15,905	18,112
Average age of principal operator years	58.8	57.0	55.4	53.2	54.2	53.1	51.6	50.1
Total farm production expenses ¹ \$1,000	7,839,554	5,390,313	4,430,693	3,795,253	3,607,282	3,122,970	2,425,028	(NA)
Selected farm production expenses ¹ :								
Livestock and poultry purchased or leased \$1,000	424,941	326,256	394,109	361,019	353,157	360,704	320,026	347,434
Feed purchased \$1,000	1,106,416	663,387	471,553	506,594	495,975	445,993	341,396	348,833
Fertilizer, lime, and soil conditioners purchased ^{4,5} \$1,000	519,041	380,358	231,964	242,558	231,396	185,614	153,949	174,198
Gasoline, fuels, and oils purchased \$1,000	353,923	265,061	145,339	133,534	124,646	115,163	90,991	126,610
Hired farm labor ⁶ \$1,000	1,713,124	1,151,383	987,399	810,500	771,003	601,614	420,768	313,100
Interest expense \$1,000	244,078	219,629	248,172	228,197	214,518	191,779	176,125	241,997
Chemicals purchased ⁴ \$1,000	498,212	317,784	262,331	219,606	208,739	170,128	132,723	102,290
Livestock and poultry:								
Cattle and calves inventory farms	11,861	12,731	12,215	17,381	11,721	13,484	15,434	20,147
..... number	1,162,792	1,088,846	1,100,181	1,211,350	1,204,265	1,270,275	1,304,673	1,321,820
Beef cows farms	9,285	10,065	9,128	11,735	8,627	9,555	10,799	14,018
..... number	211,852	274,001	248,664	301,814	304,473	310,554	334,966	339,997
Milk cows farms	798	817	1,208	1,590	1,302	1,842	2,410	3,608
..... number	266,989	243,132	246,753	247,437	247,191	242,787	220,849	210,254
Cattle and calves sold farms	8,420	9,521	8,979	14,401	10,857	12,259	14,371	17,675
..... number	877,290	912,299	1,081,584	1,109,756	1,086,270	1,014,365	1,089,642	1,127,460
Hogs and pigs inventory farms	934	1,463	961	1,219	978	1,407	1,525	2,460
..... number	19,861	28,545	30,289	40,152	38,030	56,171	59,195	73,836
Hogs and pigs sold farms	1,303	1,596	1,067	1,092	818	1,150	1,355	1,934
..... number	27,141	58,917	80,159	76,981	72,045	93,660	104,934	116,934

See footnote(s) at end of table.

--continued

Table 1. Historical Highlights: 2012 and Earlier Census Years (continued)

[For meaning of abbreviations and symbols, see introductory text.]

All farms	2012	2007	2002	1997	Not adjusted for coverage			
					1997	1992	1987	1982
Livestock and poultry: - Con.								
Layers inventory (see text) farms	6,276	4,878	2,533	(NA)	(NA)	(NA)	(NA)	(NA)
number	7,236,128	5,785,648	5,008,881	(NA)	(NA)	(NA)	(NA)	(NA)
Broilers and other meat-type chickens sold farms	527	307	327	222	162	164	245	351
number	28,252,490	31,669,170	33,017,116	30,327,052	30,183,641	33,720,007	36,068,869	16,903,405
Selected crops harvested:								
Corn for grain farms	575	550	382	560	514	(NA)	(NA)	(NA)
acres	114,516	118,665	73,703	87,564	84,300	(NA)	(NA)	(NA)
bushels	23,824,561	24,553,928	14,155,973	16,725,028	16,163,861	(NA)	(NA)	(NA)
Corn for silage or greenchop farms	529	537	596	667	633	(NA)	(NA)	(NA)
acres	93,239	83,353	63,303	54,424	53,417	(NA)	(NA)	(NA)
tons	2,320,924	2,129,010	1,633,993	1,366,377	1,340,460	(NA)	(NA)	(NA)
Wheat for grain, all farms	2,871	2,612	3,414	4,416	4,097	5,032	5,562	6,232
acres	2,186,813	2,096,350	2,355,451	2,584,849	2,422,506	2,495,940	2,160,641	2,716,305
bushels	141,020,565	120,617,390	128,410,931	160,547,364	151,124,143	120,833,207	114,781,997	128,069,408
Winter wheat for grain farms	2,415	2,303	3,002	(NA)	(NA)	(NA)	(NA)	(NA)
acres	1,669,175	1,652,961	1,802,614	(NA)	(NA)	(NA)	(NA)	(NA)
bushels	112,180,184	100,463,766	104,532,829	(NA)	(NA)	(NA)	(NA)	(NA)
Durum wheat for grain farms	3	9	21	(NA)	(NA)	(NA)	(NA)	(NA)
acres	3,264	1,793	5,930	(NA)	(NA)	(NA)	(NA)	(NA)
bushels (D)	138,646	306,205	306,205	(NA)	(NA)	(NA)	(NA)	(NA)
Spring wheat for grain farms	1,408	1,232	1,792	1,856	1,723	(NA)	(NA)	(NA)
acres	514,374	441,596	546,907	416,332	379,142	(NA)	(NA)	(NA)
bushels (D)	20,014,978	23,571,897	22,988,799	20,973,057	20,973,057	(NA)	(NA)	(NA)
Oats for grain farms	139	138	251	307	286	(NA)	(NA)	(NA)
acres	6,129	8,956	12,097	12,947	13,081	(NA)	(NA)	(NA)
bushels	466,810	426,027	769,381	1,006,850	1,032,614	(NA)	(NA)	(NA)
Barley for grain farms	617	843	1,254	1,877	1,787	2,428	3,722	4,176
acres	175,074	223,598	337,483	447,039	436,299	422,447	609,133	751,963
bushels	12,073,493	13,928,713	18,934,918	31,800,594	30,939,269	19,565,135	31,869,132	43,923,993
Sorghum for grain farms	2	-	-	(NA)	(NA)	(NA)	(NA)	(NA)
acres (D)	-	-	-	(NA)	(NA)	(NA)	(NA)	(NA)
bushels (D)	-	-	-	(NA)	(NA)	(NA)	(NA)	(NA)
Sorghum for silage or greenchop farms	-	1	-	(NA)	(NA)	(NA)	(NA)	(NA)
acres (D)	-	(D)	-	(NA)	(NA)	(NA)	(NA)	(NA)
tons (D)	-	(D)	-	(NA)	(NA)	(NA)	(NA)	(NA)
Soybeans for beans farms	2	8	-	(NA)	(NA)	(NA)	(NA)	(NA)
acres (D)	-	725	-	(NA)	(NA)	(NA)	(NA)	(NA)
bushels (D)	-	27,781	-	(NA)	(NA)	(NA)	(NA)	(NA)
Dry edible beans, excluding limas farms	420	269	343	347	315	(NA)	(NA)	(NA)
acres	114,506	61,055	49,429	39,891	37,155	(NA)	(NA)	(NA)
cwt	2,275,125	1,049,750	936,604	873,366	819,343	(NA)	(NA)	(NA)
Forage-land used for all hay and haylage, grass silage, and greenchop (see text) farms								
acres	10,396	10,243	10,473	(NA)	(NA)	(NA)	(NA)	(NA)
tons, dry	748,909	846,140	914,054	(NA)	(NA)	(NA)	(NA)	(NA)
Sunflower seed, all farms	2,873,198	3,595,392	3,783,219	(NA)	(NA)	(NA)	(NA)	(NA)
acres (D)	15	4	-	17	13	(NA)	(NA)	(NA)
pounds	1,603	(D)	-	(D)	758	(NA)	(NA)	(NA)
Sugarbeets for sugar farms	2,144,124	61,858	-	(D)	853,708	(NA)	(NA)	(NA)
acres (D)	4	3	7	(NA)	(NA)	(NA)	(NA)	(NA)
tons (D)	-	2,076	3,711	(NA)	(NA)	(NA)	(NA)	(NA)
Vegetables harvested for sale (see text) farms	80,206	130,149	-	(NA)	(NA)	(NA)	(NA)	(NA)
acres	2,836	2,026	1,804	1,882	1,506	1,605	1,724	2,031
acres	351,639	343,787	215,135	226,745	209,456	172,057	144,097	169,170
Potatoes farms	1,205	618	408	458	431	486	533	533
acres	163,925	157,499	159,317	156,776	155,074	129,110	110,157	104,738
Sweet potatoes farms	-	3	1	(NA)	(NA)	(NA)	(NA)	(NA)
acres (Z)	-	(D)	(D)	(NA)	(NA)	(NA)	(NA)	(NA)
Land in orchards farms	4,846	5,470	6,108	6,781	5,700	6,220	6,839	6,946
acres	315,456	299,174	311,194	318,256	301,376	256,282	241,423	215,585

¹ Data for 2002 and prior years are based on a sample of farms.
² Data for 1982 exclude abnormal farms.
³ Data for 1997 and prior years do not include imputation for item nonresponse.
⁴ Data for 1982 exclude cost of custom applications.
⁵ Data for 1997 and prior years exclude cost of lime and manure.
⁶ Data for 1982 do not include imputation for item nonresponse.
⁷ Data for 2002 and prior years exclude potatoes, sweet potatoes, and ginseng.