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**Washington Supreme Court to Receive Appeal of Court Decision
on King County Adult Beverage Ordinance**

King County, WA – The Washington State Court of Appeals, Division I just overturned previous decisions by the Growth Management Hearings Board, which in recent years twice unanimously ruled that King County violated the State Environmental Policy Act (SEPA) and the Growth Management Act (GMA), when it adopted a broad array of zoning and other land use regulatory changes known as the Adult Beverage Ordinance in December 2019. The Board invalidated the Ordinance which would have allowed alcoholic beverage sale businesses — wine bars, taverns, and event centers — to locate on farmland and in rural areas throughout King County.

Concerned citizens, farm businesses, and environmental organizations agree with the Board’s decisions that in adopting the Ordinance the County failed to identify and evaluate environmental impacts, and did not ensure protection of agricultural lands, salmon habitats, open spaces, water quality, and the character of rural areas as required by law. The nonprofit environmental organizations Futurewise and Friends of Sammamish Valley challenged the County’s actions at the Board and are appealing the Court of Appeals recent decision to the Washington Supreme Court.

The decision by the Court of Appeals in this case has statewide impacts. *“The Growth Management Hearings Board has twice now ruled that the King County Adult Beverage Ordinance violates both SEPA and the GMA. Now the Washington State Supreme Court will have an opportunity to set precedent for how courts apply laws like SEPA and the GMA to local ordinances”* said Tim Trohimovich, Director of Planning & Law at Futurewise.

Farm businesses operating in prime agricultural areas are at significant risk from the urban sprawl onto protected lands allowed by the Ordinance. *“Farming is already a hard job. We do it because we love seeing customers enjoy veggies from our farm share and partnerships with food banks,”* said Noa Kay, owner Songbird Haven Farm. *“Some businesses can operate from anywhere; we can’t. Commercial development in rural and farming areas pushes land prices out of reach for sustainable farm*

businesses, pollutes our ecosystem, and threatens our livelihood. It's incredibly short sighted to pave over lands needed to grow sustainable, local food."

At its root, this fight is about retail businesses that serve urban populations setting up shop in areas with less expensive land and operating costs. *"It's well understood that operating commercial businesses outside the urban area is less expensive precisely because the land is cheaper, and the businesses don't have to pay for necessary infrastructure. Sewers, storm drainage, adequate roads, sidewalks, parking, lighting, and other public infrastructure required for these businesses are not available outside the urban areas,"* according to Serena Glover, Executive Director at Friends of Sammamish Valley. *"There is plenty of room inside the urban areas for these businesses and now, more than ever in a time of climate change and biodiversity loss, we need to avoid unnecessary urban sprawl and uphold protections on our rural and resource lands."*

The Ordinance also creates economic issues for businesses inside the urban areas. *"It's not fair. We are located inside the city and pay for commercial infrastructure, permitting, and taxes,"* stated Barbara Kelson, owner of Apple Farm Village, a retail center with wine tasting rooms. *"We've already had two tasting rooms move out and go across the street to operate illegally in the rural area because it is cheaper."*

Timeline and History of the Adult Beverage Ordinance:

<https://friendsofsammamishvalley.org/status>

The Growth Management Act (GMA), first adopted in 1990, is our statewide framework for growth that requires fast-growing cities and counties to develop a comprehensive plan to manage their population growth. The State Environmental Policy Act (SEPA) process identifies and analyzes environmental impacts associated with governmental decisions.

About Futurewise

Futurewise works throughout Washington State to support land-use policies that encourage healthy, equitable and opportunity-rich communities, and that protect our most valuable farmlands, forests, and water resources. Futurewise has members across Washington State including King County.

About Friends of Sammamish Valley

Friends of Sammamish Valley (FoSV) is a group of citizens, businesses, and organizations with the goals of preserving the Sammamish Valley Agricultural Production District (APD), protecting the Valley's Sammamish River watershed and open spaces, and maintaining rural area character.
