



2021 Docket Report
King County Comprehensive Plan
April 2021

I. About the Docket Process

The King County Docket was established in 1998 in accordance with Revised Code of Washington 36.70A.470 in order to provide an opportunity for residents of the County to register comments on the *King County Comprehensive Plan* and the associated development regulations. The Docket process, as adopted in King County Code 20.18.140, is available to the public to identify a deficiency (i.e., an absence of required or potentially desirable contents) or to propose changes to the Comprehensive Plan's policies, area-wide land use designations, development regulations, and site-specific land use and zoning. For Docket submittals that require a site-specific change in a land use designation or zoning classification, submitters may be referred to the appropriate process for requesting these changes.¹

The Docket process is open continuously and, once a year, the items registered in the previous twelve months are considered. Submittals are compiled into a **Docket Submittals Report**² that is made available via the Comprehensive Plan website and email list. Following this, Executive staff classifies whether each Docket is appropriate for the annual update (which allows primarily technical updates, corrections, and amendments that do not require substantive changes to policy language) or the four-year or eight-year updates (wherein all changes may be considered). This classification guides whether the Docket item could be included in the following year's Comprehensive Plan update.³

Following submittal and classification, the next phase includes analysis by County departments, outreach to the proponent, determining the appropriate mechanism for public engagement (dependent on the type and scale of the submittal), and coordination with relevant entities such as adjacent cities or special purpose districts, again dependent on the submittal.

On the last business day of April, the Executive transmits a **Docket Report** with analysis and recommendations to the County Council. The Council then includes all submitters of Docket items in the mailing list for the relevant County Council meetings and notifies them of any other opportunities for public testimony, as it considers the submittals. For Docket changes that are not recommended by the Executive, the proponent may petition the County Council during its legislative review process.

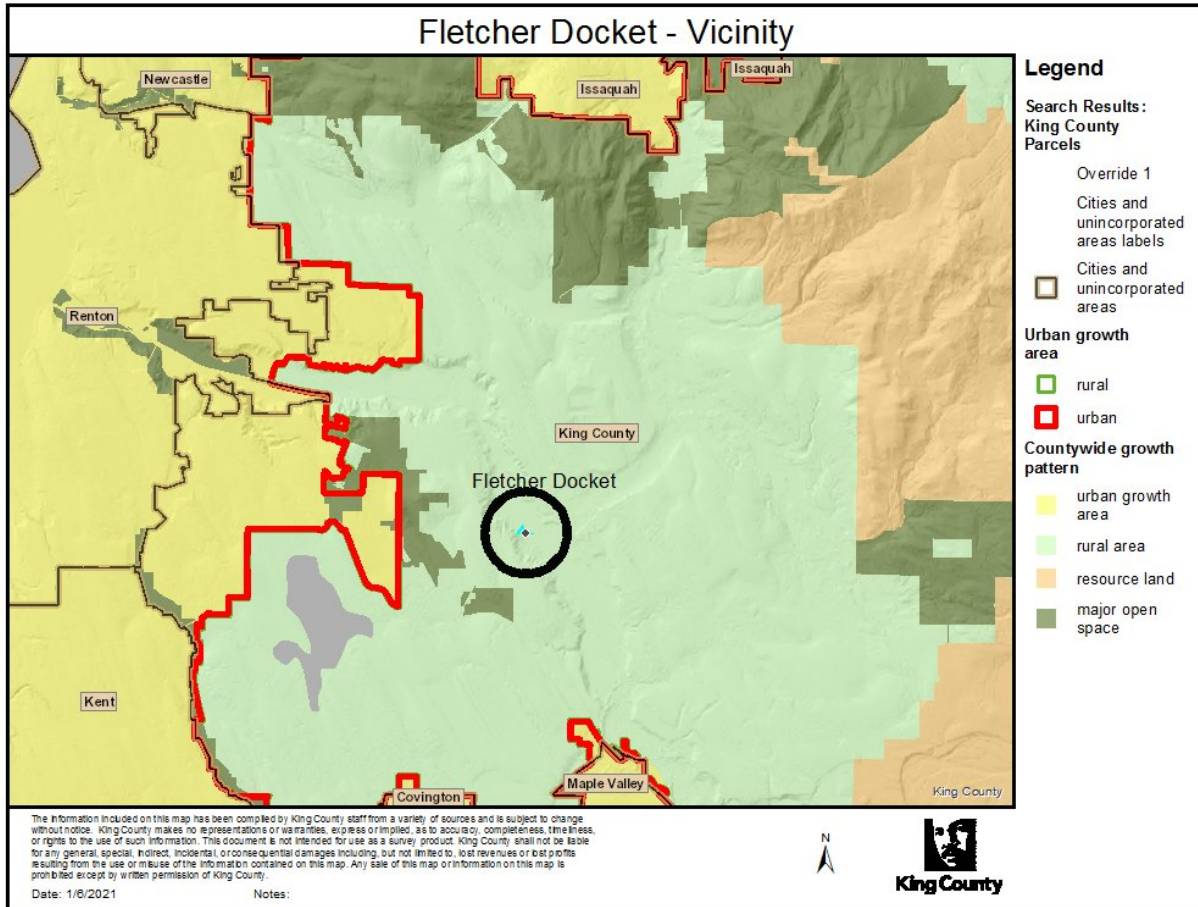
¹ King County Code 20.18.050 and 21A.44.060

² Link to Docket webpage: <https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/king-county-comprehensive-plan/amend/docket.aspx>

³ King County Code 20.18.140 and 20.18.030

II. Summary of Submittals

King County received one Docket submittal for consideration in the 2021 Docket process by the deadline of December 31, 2020. The complete set of submitted materials for the 2021 Docket process can be found in the Docket Submittals Report. The following map identifies the location of the 2021 Docket.



III. Submittals and Recommendations

The following lists the Docket submitter(s), identifies the County Council district, and includes the Docket submittal. This is accompanied by discussion and analysis of the relevant issues including classification, background information, policy review, and concludes with an Executive recommendation.

Docket Item	Council District	Submittal, Background and Recommendation
1. Mr. and Mrs. Fletcher	9	Submittal: Request to change land use and zoning on two parcels on the Renton-Maple Valley Road near the Cedar Grove Natural Area from Neighborhood Business to Industrial. Parcel numbers are 3223069070 and 3223069052.

Docket Item	Council District	Submittal, Background and Recommendation
		<p>Discussion: This is a request for land use and zoning change. This Docket request is identical to what was submitted by the property owner in 2018 and again in 2020. That request was deemed not eligible for consideration in an annual amendment as it would require substantive updates to Comprehensive Plan policies. Additionally, the previous request was not supported for several substantive reasons, and these are discussed in the 2018 Docket Report, which can be viewed at:</p> <p style="text-align: center;">https://www.kingcounty.gov/~media/depts/executive/performance-strategy-budget/regional-planning/Comprehensive-Plan/2018_Docket_Report.ashx</p> <p>King County Code 20.18.050.K.1. states that a site-specific land use map amendment, which is what is requested in this Docket, may not be initiated unless at least three years have elapsed since Council adoption or review of the current designation for the property. Limited exceptions to this restriction, such as a change in circumstances, exist in code. The conditions on the subject parcel and the circumstances in the surrounding area have not materially changed since 2018.</p> <p>Additionally, a suite of policy changes related to Non-Resource Industrial Uses in the Rural Area were considered in the 2020 Comprehensive Plan update that might have had bearing on this Docket Submittal. However, after significant discussion and review by the Executive and the Council, none of the changes were adopted and the policies remain as they were in 2018 when this Docket Submittal was initial considered. Given this, there are no changes to the policies that are discussed in the 2018 Docket Report and that guide the analysis of this Docket Submittal.</p> <p>Executive Recommendation: Based on these issues, this request is not eligible to be considered until 2024, which is when the eight-year cycle update will occur. The Executive and the Council have the option to include review of this Docket Submittal in the scope of work for the 2024 update.</p>

IV. For More Information

For questions regarding this report, please contact Ivan Miller, Comprehensive Planning Manager, at 206-263-8297, or ivan.miller@kingcounty.gov.

V. Public Comments on 2020 Docket Submittals

No public comments were submitted following the release of the 2021 Docket Submittals Report.

VI. Attachments

The King County Code requires that the transmittal of the Docket Report to the County Council shall include copies of the docket requests and supporting materials submitted by the proponents and copies of the executive response that was issued to the proponents. Compliance with this is met through inclusion of the following attachments:

- A. Copies of the Docket Request and Submitted Supporting Materials – see Docket Submittals Report, January 2021
- B. Copies of the Executive Response – see Letter to Docket Submitters, April 2021
- C. Public Comments on 2021 Docket Request

Attachments to 2021 Docket Report

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2021 Docket Submittals Report

King County Comprehensive Plan
January 2021

I. BACKGROUND

The King County Docket was established in 1998 in accordance with Revised Code of Washington 36.70A.470 and codified at King County Code 20.18.140. The Docket provides an opportunity for the public to register comments on the *King County Comprehensive Plan* and the associated development regulations. The County responds to each item registered on the docket, providing a feedback loop, as required by RCW 36.70A.470. Docket forms are available on the County website and at several county departments. The docket is open continuously with a deadline of December 31 for submitting docketed comments for consideration in the Comprehensive Plan update process. By the last business day of April, a Docket Report with executive responses and recommendations is released.

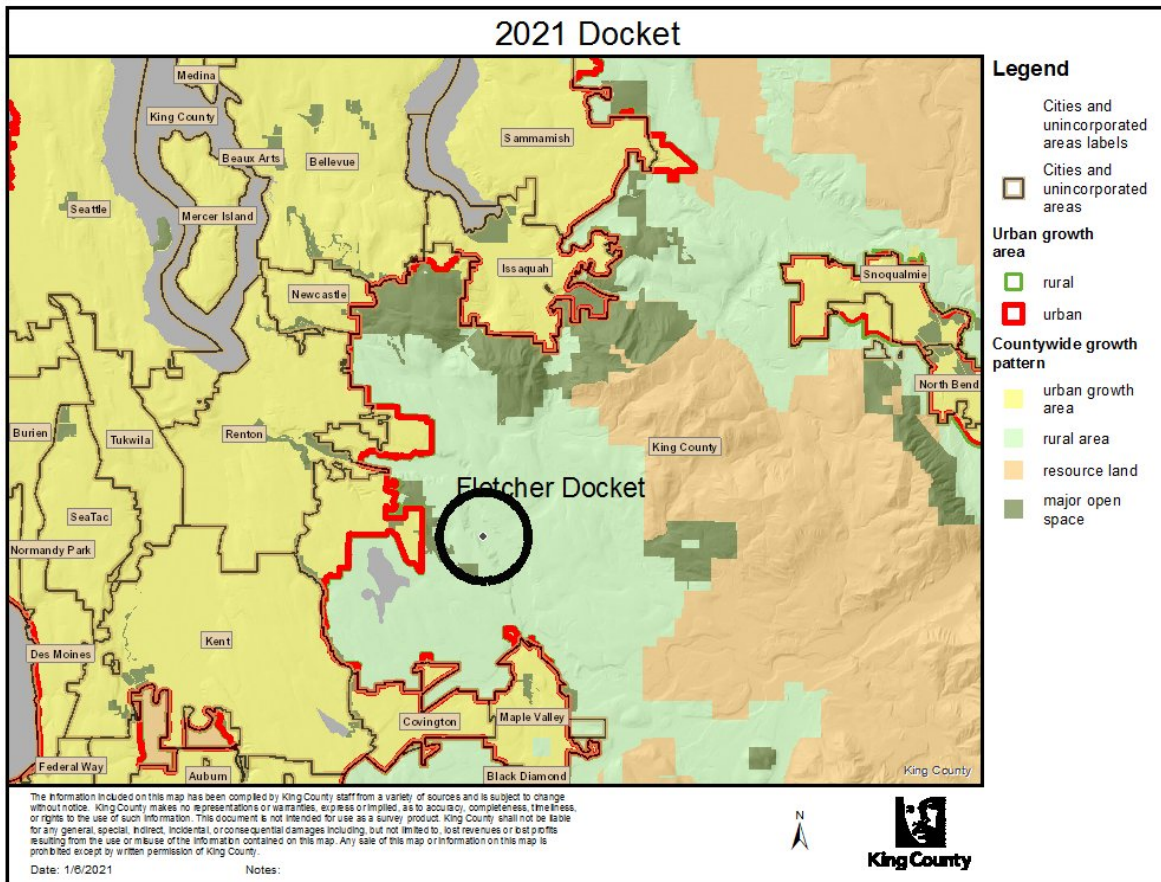
The information in the Docket Submittals Report includes the complete set of materials as they were submitted by the proponent. Providing the Docket Submittals Report to the public early in the process, and even before substantive analysis has occurred, allows for more transparent communication regarding the issues that the County is being asked to consider.

II. OVERVIEW OF SUBMITTALS

The following item was received by King County by the deadline of December 31 for consideration in this year's Docket process.

#	Name	Brief Summary
1	Mr. & Mrs. Fletcher	Request to change land and zoning on two parcels on the Renton-Maple Valley Road near the Cedar Grove Natural Area from Neighborhood Business to Industrial. Parcel numbers are 3223069070 and 3223069052.

The following map identifies the location of the Docket item(s).



III. SUBMITTALS

The tables below include all the information provided with the Docket submittal. For clarity and context purposes, but not analytical purposes at this stage in the process, maps are provided by the County that show the vicinity of the area, an aerial photo, the Comprehensive Plan land use designation, and the zoning classification. If special district overlays or property-specific development conditions are present, these are provided as well.

Docket Request # 1: Fletcher
Name of Requestor(s): Michael and Linda Fletcher
Council District: #9
Summary Category: Land Use and Zoning Change
Submitted Request Request to change the current zoning and land use designation from Neighborhood Commercial (NB) to Industrial (I). Combined size is 3.54 acres.
Address 18407 Renton-Maple Valley Highway, Maple Valley, WA 98038. Parcel identification numbers 3223069052 and 3223069070

Docket Request # 1: Fletcher

Submitted Background Information

The owners have attempted twice to align the actual use (industrial recycle center) with the correct zoning (Industrial) as are the adjacent land uses to the south. As stated before, the use is non-conforming (grandfathered) and poses a big issue in the need to resell/re-finance the property if a crisis arises (i.e. Covid-19, etc.). Fortunately, there is not an urgent need, but the Fetters are elders in the community and things could change in an instant.

Enclosed is the docket request form along with supporting materials. I also enclosed a letter I sent Councilperson Dunn back in 2018 that was part of the first request.

We urge you and your team to give this some serious thought during your evaluation. We encourage any meeting(s) that may be helpful whether in-person or electronically. This is very important to them and there are no hardships/repercussions to these properties or the adjacent properties in making the revision.

King County Districts and Development Conditions for parcel 3223069070

Parcel number	3223069070	Drainage Basin	Lower Cedar River	
Address	18407 RENTON MAPLE VALLEY RD SE	Watershed	Cedar River / Lake Washington	
Jurisdiction	King County	WRIA	Cedar-Sammamish (8)	
Zipcode	98038	PLSS	SE - 32 - 23 - 6	
Kroll Map page	829	Latitude	47.43689	
Thomas Guide page	887	Longitude	-122.06588	

King County Electoral districts

Voting district	MORRIS	Fire district	King County Fire Protection District No. 43
King County Council district	District 9, Reagan Dunn (206) 477-1009	Water district	does not apply
Congressional district	8	Sewer district	does not apply
Legislative district	11	Water & Sewer district	does not apply
School district	Tahoma #409	Parks & Recreation district	does not apply
Seattle school board district	does not apply (not in Seattle)	Hospital district	does not apply
District Court electoral district	Southeast	Rural library district	Rural King County Library System
Regional fire authority district	does not apply	Tribal Lands?	No

King County planning and [critical areas](#) designations*

King County zoning	NB	Urban Unincorporated Status	does not apply
Development conditions	None	Rural town?	No
Comprehensive Plan	ra	Water service planning area	Cedar River Water and Sewer District
Urban Growth Area	Rural	Transportation Concurrency Management	Pass - Lake Youngs/Hobart Traveled
Community Service Area	Greater Maple Valley/Cedar River Area	Forest Production district?	No
Community Planning Area	Tahoma/Raven Heights	Agricultural Production district?	No
Coal mine hazards?	None mapped	Snoqualmie Valley watershed improvement district?	No
Erosion hazards?	Yes	Critical aquifer recharge area?	Class 1
Landslide hazards?	Yes	Wetlands at this parcel?	None mapped
Seismic hazards?	Yes	Within the Tacoma Smelter Plume?	Limited Data
100-year flood plain?	None mapped	Estimated Arsenic Concentration in Soil	None mapped

This report was generated on 12/31/2020 10:53:55 AM
 Contact us at giscenter@kingcounty.gov.
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Docket Request # 1: Fletcher

P K E N T E R P R I S E S

October 10, 2018

Councilmember Reagan Dunn
King County Council
516 Third Avenue, Room 1200
Seattle, WA 98104

RE: Fletcher Comp Plan / Re-Zone Request for Property Located at 18407 Renton-Maple Valley Highway, Maple Valley, WA.

Assessor's Parcel Numbers: 322306-9070, 3223069052

Dear Councilmember Dunn:

On behalf of Mr. and Mrs. Michael Fletcher, PK Enterprises is working with county staff through the current Comprehensive Plan / Zoning Updates for the 2018 year. For over 30 years, this property has been utilized as a recycling center and the owners would like for the use to continue as such. The zoning is Neighborhood Business (NB) which makes the use non-conforming. Therefore, the proposal is to re-zone the land to Industrial (I) making the land use and zoning compatible.

There are practical reasons to get the property into conformity. The adjacent properties to the east are also zoned Industrial. Therefore, there would be consistency in the zoning designation with this "pocket" of industrial/commercial uses. From a business standpoint, the ability to re-finance or sell a non-conforming use in the event of an emergency (health, etc.) is impeded dramatically on both sides. There is a tendency to look at only the positives or upside, but when reality hits and decisions need to be made quickly—this is when removing such obstacles by planning makes sense. Re-zoning the property to Industrial would be an important obstacle removed for Mr. and Mrs. Fletcher.

An application request was made on June 30, 2018 to the county for consideration. Since then, we have been working with Mr. Ivan Miller, KC Comprehensive Planning Manager, on the matter. There has been some push back on designating the property Industrial with the notion that another "commercial" designation would be better (i.e. Commercial Business (CB) or Regional Business (RB)). In reviewing Title 21A, the only designation that seems to appropriately categorize this use falls under Section 21A.08.080 Manufacturing Land Uses as Materials Processing Facility. Reviewing the table, this use is only permitted in the Industrial zone.

The purpose for writing you is for your assistance to aid staff in favor of this proposed land use modification. We realize the council will likely accept the recommendation of staff and we need to direct them to the correct decision. To date, we have not heard back on their position as they were planning on consulting with the Department of Planning and Environmental Review. In terms of ever expanding the use, it is understood that the owners would need to go through the development process and conform to all requirements of the county. This point has been discussed and acknowledged by Mr. Miller.

23035 SE 263RD STREET • MAPLE VALLEY, WA • 98038
PHONE: (206) 227.7445 • PKENTERPRISES.MV@GMAIL.COM

Docket Request # 1: Fletcher

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December 31, 2020

Thank you for your time and consideration on this matter. The matter is very important to the Fetters and they would appreciate your support at this time. If there are questions, please do not hesitate to contact me at (206) 227-7445.

Sincerely,

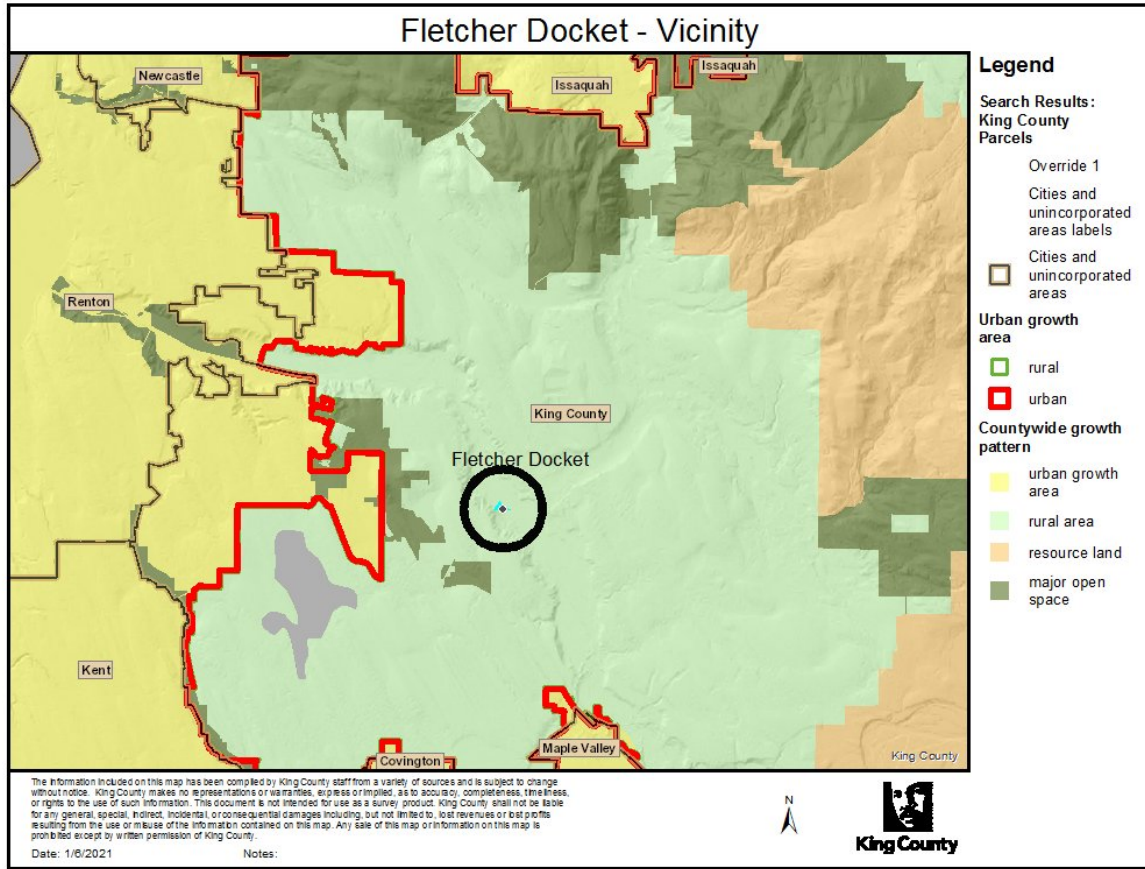
PK ENTERPRISES

PHILLIP KITZES

CC Mr. and Mrs. Michael Fletcher

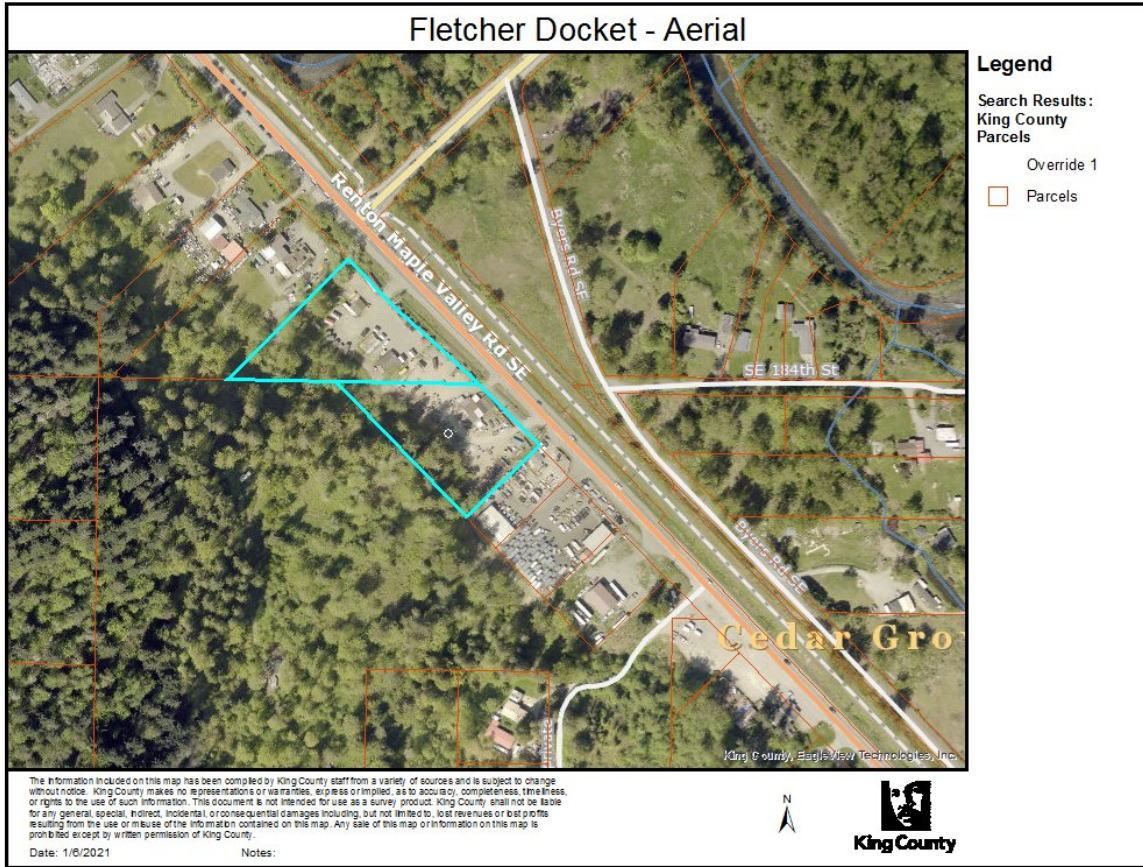
County Maps of Docket Area (parcels highlighted in blue)

Vicinity:



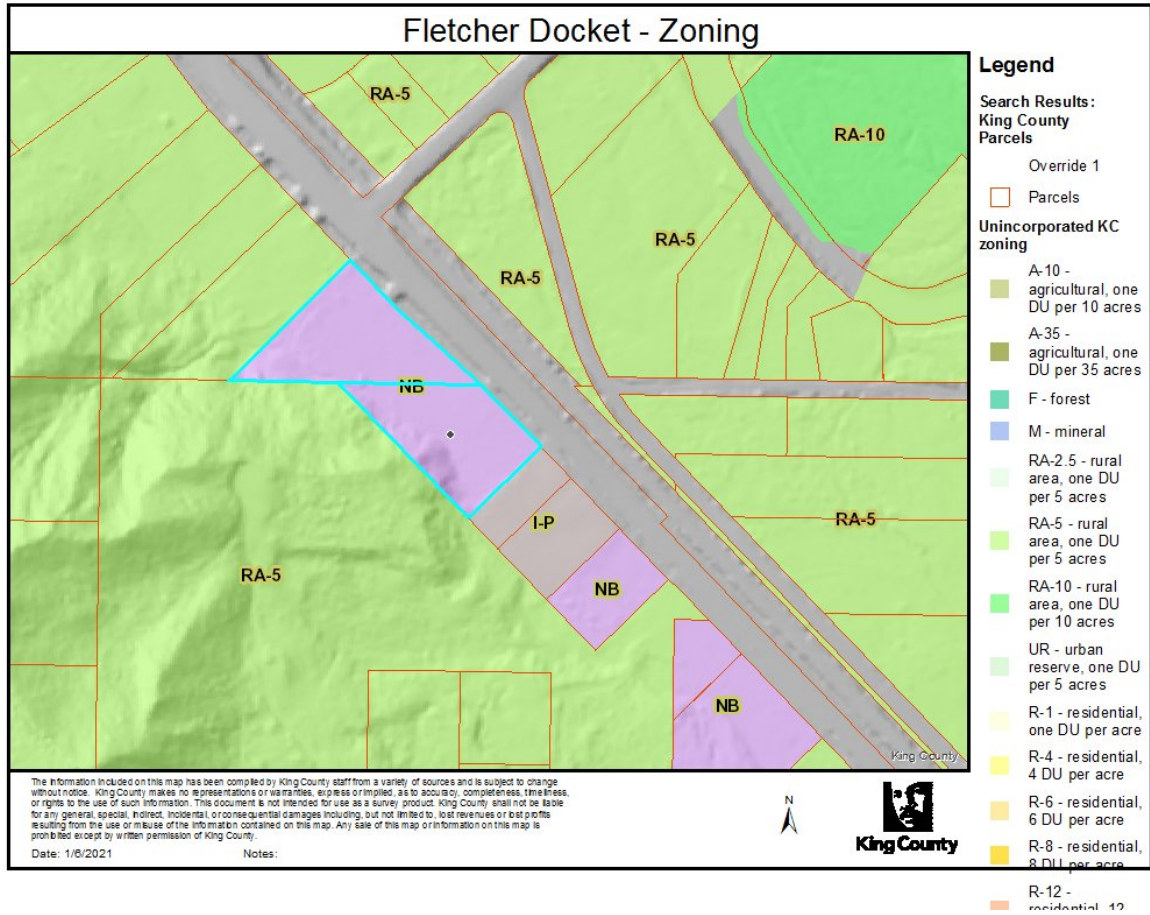
County Maps of Docket Area (parcels highlighted in blue)

Aerial:



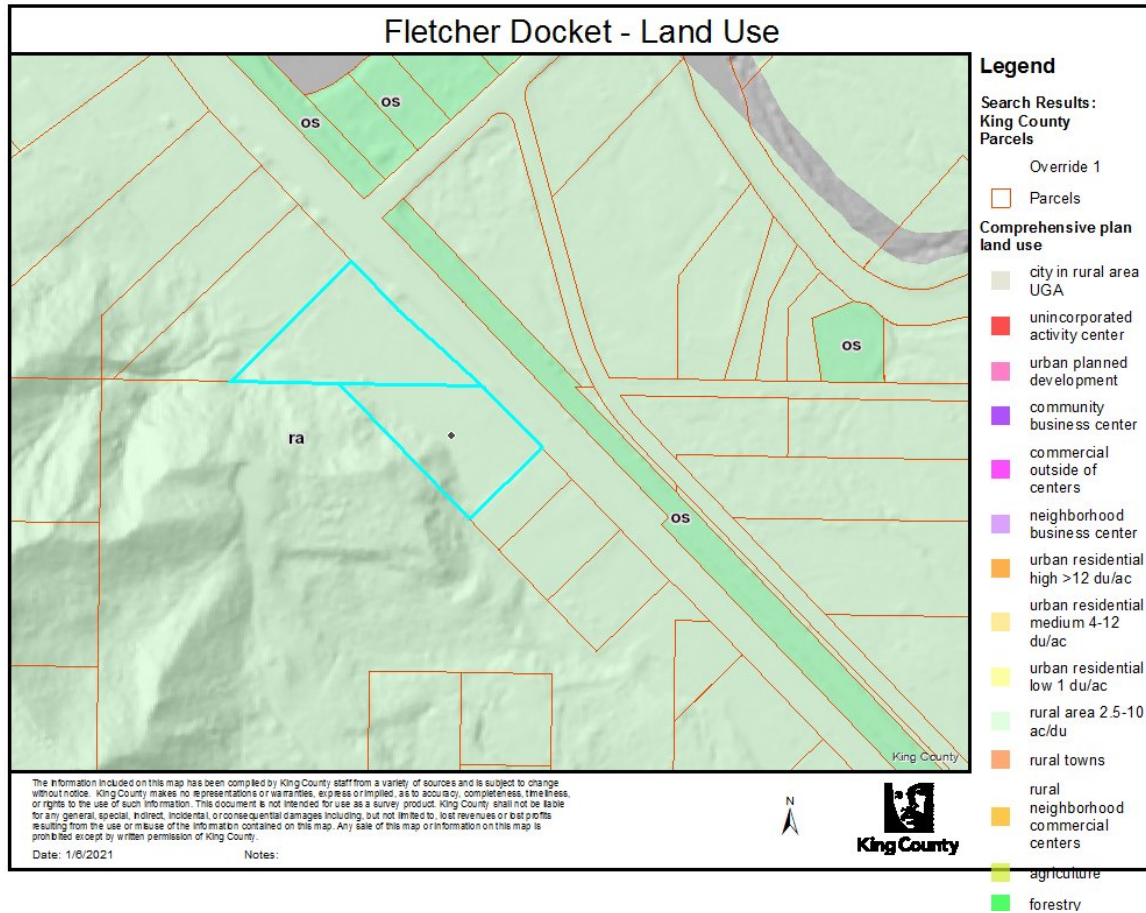
County Maps of Docket Area (parcels highlighted in blue)

Zoning:



County Maps of Docket Area (parcels highlighted in blue)

Land Use:



Property Specific Development Conditions and Special District Overlays:

None are present on the subject properties.

As noted in the submitted materials, this Docket item was submittal previously in 2018 and 2020. Links to Docket Reports for those years is as follows:

- [2018 Docket Report](#).
- [2020 Docket Report](#).

III. FOR MORE INFORMATION

The purpose of the Docket Submittals Report is to provide notification regarding the proposals that have submitted. The report is posted shortly after the Docket deadline of December 31 and is therefore released prior to conducting analysis on the request(s). The next steps in the process are described in the aforementioned Docket Reports.

Contact Ivan Miller, Comprehensive Plan Manager, 206-263-8297, and ivan.miller@kingcounty.gov.



King County

Office of Performance, Strategy and Budget

401 5th Ave. Suite 800

Seattle, WA 98104

206-263-9600 TTY Relay: 711

Attachment B. Letter to Docket
Submitter, April 2021

April 30, 2021

Michael and Linda Fletcher
18407 Renton-Maple Valley Highway
Maple Valley, WA 98038

Dear Mr. and Mrs. Fletcher,

Thank you for participating in this year's Docketing process for the King County Comprehensive Plan. The Docket process¹ is available to the public to identify a deficiency (i.e., an absence of required or potentially desirable contents) or to propose changes to the Comprehensive Plan's policies, area-wide land use designations, development regulations, and site-specific land use and zoning. The Docket process is open continuously and, once a year, the items registered in the previous twelve months are compiled into the Docket Report with Executive branch recommendations. This is transmitted to the King County Council for their review and consideration

Submittal: Request to change land use and zoning on two parcels on the Renton-Maple Valley Road near the Cedar Grove Natural Area from Neighborhood Business to Industrial. Parcel numbers are 3223069070 and 3223069052.

Discussion: This is a request for land use and zoning change. This Docket request is identical to what was submitted by the property owner in 2018 and 2020. That request was deemed not eligible for consideration in an annual amendment as it would require substantive updates to Comprehensive Plan policies. Additionally, the previous request was not supported for several substantive reasons, and these are stated in the 2018 Docket Report, which can be viewed at:

https://www.kingcounty.gov/~media/depts/executive/performance-strategy-budget/regional-planning/Comprehensive-Plan/2018_Docket_Report.ashx

¹ Docket Process website: <http://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/king-county-comprehensive-plan/amend/docket.aspx>, and Docket Process in the King County Code: https://aqua.kingcounty.gov/council/clerk/code/23_Title_20.pdf, at 20.18.140

Fletcher
April 2021
Page 2

King County Code 20.18.050.K.1. states that a site-specific land use map amendment, which is what is requested in this Docket, may not be initiated unless at least three years have elapsed since Council adoption or review of the current designation for the property. Limited exceptions to this restriction, such as a change in circumstances, exist in code. The conditions on the subject parcel and the circumstances in the surrounding area have not materially changed since 2018.

Additionally, a suite of policy changes related to Non-Resource Industrial Uses in the Rural Area were considered in the 2020 Comprehensive Plan update that might have had bearing on this Docket Submittal. However, after significant discussion and review by the Executive and the Council, none of the changes were adopted and the policies remain as they were in 2018 when this Docket Submittal was initial considered. Given this, there are no changes to the policies that are discussed in the 2018 Docket Report and that guide the analysis of this Docket Submittal.

Executive Recommendation: Based on these issues, this request is not eligible to be considered until 2024, which is when the eight-year cycle update will occur. The Executive and the Council have the option to include review of this Docket Submittal in the scope of work for the 2024 update.

Please note that the Docket Report, in accordance with King County Code Title 20.18, will be sent to the King County Council on the last business day in April. At that time, you have the option to petition the Council to consider this Docket change, which has not been recommended by the Executive.

If you have further questions or concerns, please contact Ivan Miller, Comprehensive Plan Manager, at (206) 263-8297 or via email at ivan.miller@kingcounty.gov.

Again, thank you for participating in this year's Docketing process.

Sincerely,



Lauren Smith
Director of Regional Planning
Office of Performance, Strategy and Budget

cc: Jim Chan, Director, Department of Local Service – Permitting Division
Ivan Miller, Comprehensive Plan Manager, Office of Performance, Strategy and Budget

Attachment C: Public Comments on 2021 Docket Request



King County

Reagan Dunn

Councilmember, District 9

Metropolitan King County Council

March 31, 2021

April Putney
Chief of Staff, King County Executive Dow Constantine
Executive Office
401 5th Ave. Suite 800
Seattle, WA 98104

Dear Ms. Putney:

I am writing to bring attention to an issue of joint concern and to voice my strong opposition to the 2021 Docket request submitted to change land zoning on two parcels, parcel numbers 3223069070 and 3223069052 on the Renton-Maple Valley Road near the Cedar Grove Natural Area, from Neighborhood Business to Industrial.

King County's policies as described in the King County Comprehensive Plan intend to limit the expansion of industrial zoning in rural areas. This is to protect rural areas by safeguarding against the adverse impacts of industrialization. It is understood and established that a rise in industrial use can cause harm to the local environment and components critical to rural character, including natural resources, habitat, and farmland.

Regarding parcels 3223069070 and 3223069052, the 2018 Docket Report outlines many concerns that would need to be resolved if re-zoning were to be considered. There are many reasons these parcels wouldn't be able to accommodate industrial use, including the lack of septic systems, drainage systems, other utilities, and parking. These findings were affirmed in the 2020 Docket Report, noting these conditions of the subject parcel and the conditions of the subject area has not changed substantially. The parcels are also designated as Category I critical aquifer recharge area, and industrial zoning would make drinking water highly vulnerable to contamination. The Cedar River is also critical habitat for migrating salmon, populations of which would also suffer under industrial contamination.

Speaking in my capacity of the elected representative of residents of unincorporated Renton and Maple Valley, I can say that nowhere in King County has industrialization been a more intrusive threat than in this community. Residents of this area have repeatedly, over many years, voiced their concerns over a proposed zoning change of parcel 1923069026, which is adjacent to parcels 3223069070 and 3223069052. The proposed new use for parcel 1923069026 is for an asphalt manufacturing facility. An online petition has garnered almost 8,000 signatures from neighbors who vehemently oppose the

zoning change. Taken together, these three parcels would represent a huge intrusion of industrial use into this rural neighborhood if King County approves re-zoning.

For all of these reasons, I would expect the finding to be consistent with the 2018 and 2020 decisions to deem the property not eligible for consideration in an annual amendment. I strongly believe that it would be negligent for King County to move forward with industrial zoning within rural areas of Renton and Maple Valley, specifically in regards to parcels 3223069070 and 3223069052. It is of critical importance that we listen to impacted communities and prioritize the protection of our environment—including our potable water and struggling salmon population—over industrial businesses.

Thank you for considering this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Reagan Dunn", written in a cursive style.

Reagan Dunn
Vice Chair
Metropolitan King County Council

cc: Jim Chan, Division Director for Permitting
Shannon Braddock, Deputy Chief of Staff, King County Executive Office
Karan Gill, Director of Council Relations, King County Executive Office

Docket Item (D.I.) #1
Location: 18407 Renton-Maple Valley Highway (SR-169)
Parcel ID Nos.: 3223069052 and 3223069070

“Request to change land and zoning on two parcels on the Renton- Maple Valley Road near the Cedar Grove Natural Area from Neighborhood Business to Industrial. Parcel numbers are 3223069070 and 3223069052.”

INTRODUCTION

The D.I. requestors’ own submitted background information explains exactly what is happening here:

“The owners have attempted twice to align the actual use (industrial recycle center) with the correct zoning (Industrial)... As stated before, the use is non-conforming (grandfathered [sp]) and poses a big issue in the need to resell/re-finance the property...Fortunately, there is not an urgent need, but the Fletchers are elders in the community...”

Clearly, the D.I. requestors’ are getting on in age and seek to sell. Rezoning the parcels from Neighborhood Business (NB) to Industrial (I) could and, most likely, would, greatly increase the asking prices for the parcels. The D.I. Request has nothing to do with continuing the existing use on the parcels as that use is allowed as a “non-conforming” use, as the D.I. requestors’ state in their own words.

DISCUSSION

We previously have submitted detailed comments on the D.I. requestors’ past two attempts for a rezone through the Docket Process: 2018 and 2020—those are attached and fully explain our supporting rationale. In our 2018 response we also included “*Final Zoning and Subdivision Examiner’s Decision and the BALD Report 124-88-R, 1989,*” which we again attach (separately) for convenience.

Further, King County, in denying the D.I. requestors’ 2020 D.I. Request it deemed it:

“...not eligible to be considered until 2024, which is when the eight-year cycle update will occur.”

We could not agree more; however, we believe it again should be denied in 2024.

RECOMMENDATION

D.I. #1 should be denied for the third time.

Attachments:

1. Comments on D.I. Request #2, GMVUAC, March 3, 2020.
2. Comments on D.I. Request #4, GMVUAC, October 2, 2018.
3. *Final Zoning and Subdivision Examiner’s Decision and the BALD Report 124-88-R, 1989.* [pdf is attached separately]

Attachment 1—GMVUAC Comments on D.I. Request #2, March 3, 2020

D.I. Request #2—Fletcher (past Metal Recycling Facility at 18407 Renton-Maple Valley Rd [SR-169], just south of the Cedar Grove Rd intersection)

This is a *re-submittal* of a 2018 request. However, in this case, the requester specifically asks for: “*the opportunity to sit down with the councilman and staff to discuss the merits of this request.*” The GMVUAC submitted formal comments to King County on the original 2018 D.I. Request recommending it be rejected (see attached).

The 2020 D.I. Request remains the same as that rejected by the County in 2018: change zoning from Neighborhood Business (NB) to Industrial (I). The site has been cleared of much of its past business and possibly in anticipation of a zoning change or to be sold? Clearly, a zoning change could greatly increase the value of the property.

It is our understanding that a “*site-specific*” amendment needs to wait a total of three years before re-submittal. The original submittal was less than two years ago in 2018.

We completely support the Executive’s excellent rationale for recommending rejection of this request in 2018.

We request the Executive to recommend this D.I. Request, again, be firmly rejected.

Attachment 2—GMVUAC Comments on D.I. Request #4, October 2, 2018

Docket Item (D.I.) #4
Location: 18407 SR-169
Parcel ID Nos.: 3223069052 and 3223069070

“Reclassify zoning on two parcels from NB (Neighborhood Business) to I (Industrial). The land use would remain Rural Area. Combined size is 3.54 acres. The purpose for the request is to provide consistency with the actual land use activity (recycling center) that has been in operation for over 25 years. An industrial use (grand- fathered) – a metal recycling facility. The use and zoning will be consistent with what is actually developed in the immediate vicinity and on these specific properties.”

INTRODUCTION

The D.I. states the site’s existing business is an “*industrial use*” that is “*grandfathered*.” The D.I. request is to **rezone** the site from Neighborhood Business (NB) to Industrial (I). If the existing “*metal recycling*” business is indeed “*grandfathered*,” then no change in zoning is necessary.

Of critical concern is that should the site be rezoned, the *next* owner could propose a *different* industrial use (much like the proposed Asphalt Facility on a parcel along SR-169, which was the subject of a successful rezoning request through the D.I. process). [Note: The site in question was not evaluated earlier this year in KC DPER’s *Cedar River Sites Industrial Moratorium (CRSIM) Study* as part of the KC Council’s Asphalt Facility discussions, because it was not zoned “*Industrial*.”]

BACKGROUND

The D.I. specifically refers to the adjoining site to the south and its “*I*” zoning as justification for the site in question to be rezoned to “*I*”. Attached is the final Zoning and Subdivision Examiner’s Decision and the BALD Report *124-88-R*— (Note: The Building and Land Development Division is the predecessor to present-day DPER), which supported the 1989 rezone of the adjoining site to “*I-P*” (“*I*” zoned, but with a *P-suffix*—which imposed express limitations on future use).

The “*I-P*” zoning for the adjacent site was adopted by the KC Council as Ordinance 8865 and incorporated into subsequent Comprehensive Plans (and *Tahoma-Raven Heights Subarea Plan* by Ordinance 12824 in 1997). The uses of that “*I-P*” zoned site are limited to those allowed in the Regional Business (RB) zone and “*vehicle interior refurbishing and re-upholstering*.”

DISCUSSION

The 1989 rezone was *unique* and cannot, and should not, constitute grounds for rezoning the site in question from “*NB*” to a general “*I*” without any *P-suffix* to substantially limit its future use. The attached BALD Report gives an extensive history of this area and land uses that existed in that vicinity for many years. D.I. #4’s assertion that a “*rezone of their property to ‘I’ - Industrial would be consistent with the zoning and use of the property to the south*” simply is not accurate.

We remain highly skeptical and very concerned that a rezone to a generic “*I*” could result in another debacle, as has been encountered with the proposed Asphalt Facility on a parcel along SR-169. As with the former rezone of that parcel to simply a generic “*I*”, rezoning of the site to allow lawful continuation of an *existing nonconforming use* has severe and, perhaps, unintended consequences, where such rezone is not limited in scope to allow only that particular existing use and any other uses that are in fact consistent with such existing use. In fact, since the existing business can continue under *existing* zoning, no rezone is necessary.

Finally, any proposed site-specific rezone (e.g., from “*NB*” to “*I*”) *inconsistent* with the KC Comprehensive Plan (KCCP) must be considered and resolved **first** through a Hearing Examiner following a public hearing (KCC 20.20.020(E) and KCC 20.22). Annual amendments to the KCCP are deemed *legislative*; whereas, a site-specific rezone is *quasi-judicial* and must be reviewed as a Type 4 permit application. Clearly, an annual D.I. request should not be part of any *bifurcated* process (i.e., KC Council amends zoning designation, refers it to Hearing Examiner, who, sends recommendation back to KC Council for a final decision).

RECOMMENDATION

D.I. #4 should be denied.

Docket Item (D.I.) #4
Location: 18407 SR-169
Parcel ID Nos.: 3223069052 and 3223069070

“Reclassify zoning on two parcels from NB (Neighborhood Business) to I (Industrial). The land use would remain Rural Area. Combined size is 3.54 acres. The purpose for the request is to provide consistency with the actual land use activity (recycling center) that has been in operation for over 25 years. An industrial use (grandfathered) – a metal recycling facility. The use and zoning will be consistent with what is actually developed in the immediate vicinity and on these specific properties.”

INTRODUCTION

The D.I. states the site’s existing business is an “*industrial use*” that is “*grandfathered.*” The D.I. request is to rezone the site from Neighborhood Business (NB) to Industrial (I). If the existing “*metal recycling*” business is indeed “*grandfathered,*” then no change in zoning is necessary.

Of critical concern is that should the site be rezoned, the *next* owner could propose a *different* industrial use (much like the proposed Asphalt Facility on a parcel along SR-169, which was the subject of a successful rezoning request through the D.I. process). [Note; The site in question was not evaluated earlier this year in KC DPER’s *Cedar River Sites Industrial Moratorium (CRSIM) Study* as part of the KC Council’s Asphalt Facility discussions, because it was not zoned “*Industrial.*”]

BACKGROUND

The D.I. specifically refers to the adjoining site to the south and its “*I*” zoning as justification for the site in question to be rezoned to “*I*”. Attached is the final Zoning and Subdivision Examiner’s Decision and the BALD Report 124-88-R— (Note: The Building and Land Development Division is the predecessor to present-day DPER), which supported the 1989 rezone of the adjoining site to “*I-P*” (“*I*” zoned, but with a *P-suffix*—which imposed express limitations on future use).

The “*I-P*” zoning for the adjacent site was adopted by the KC Council as Ordinance 8865 and incorporated into subsequent Comprehensive Plans (and *Tahoma-Raven Heights Subarea Plan* by Ordinance 12824 in 1997). The uses of that “*I-P*” zoned site are limited to those allowed in the Regional Business (RB) zone and “*vehicle interior refurbishing and re-upholstering.*”

DISCUSSION

The 1989 rezone was *unique* and cannot, and should not, constitute grounds for rezoning the site in question from “*NB*” to a general “*I*” without any *P-suffix* to substantially limit its future use. The attached BALD Report gives an extensive history of this area and land uses that existed in that vicinity for many years. D.I. #4’s assertion that a “*rezone of their property to ‘I’ - Industrial would be consistent with the zoning and use of the property to the south*” simply is not accurate.

We remain highly skeptical and very concerned that a rezone to a generic “*I*” could result in another debacle, as has been encountered with the proposed Asphalt Facility on a parcel along SR-169. As with the former rezone of that parcel to simply a generic “*I*”, rezoning of the site to allow lawful continuation of an *existing nonconforming use* has severe and, perhaps, unintended consequences, where such rezone is not limited in scope to allow only that particular existing use and any other uses that are in fact consistent with such existing use. In fact, since the existing business can continue under *existing* zoning, no rezone is necessary.

Finally, any proposed site-specific rezone (e.g., from “*NB*” to “*I*”) *inconsistent* with the KC Comprehensive Plan (KCCP) must be considered and resolved **first** through a Hearing Examiner following a public hearing (KCC 20.20.020(E) and KCC 20.22). Annual amendments to the KCCP are deemed *legislative*; whereas, a site-specific rezone is *quasi-judicial* and must be reviewed as a Type 4 permit application. Clearly, an annual D.I. request should not be part of any *bifurcated* process (i.e., KC Council amends zoning designation, refers it to Hearing Examiner, who, sends recommendation back to KC Council for a final decision).

RECOMMENDATION

D.I. #4 should be denied.

Attachment: Final Zoning and Subdivision Examiner’s Decision and the BALD Report 124-88-R, 1989.

**2020 Docket Items to the KCCP
Comments**

D.I. Request #2—Fletcher (past Metal Recycling Facility at 18407 Renton-Maple Valley Rd [SR-169], just south of the Cedar Grove Rd intersection)

This is a *re-submittal* of a 2018 request. However, in this case, the requester specifically asks for: *“the opportunity to sit down with the councilman and staff to discuss the merits of this request.”* The GMVUAC submitted formal comments to King County on the original 2018 D.I. Request recommending it be rejected (see attached).

The 2020 D.I. Request remains the same as that rejected by the County in 2018: change zoning from Neighborhood Business (NB) to Industrial (I). The site has been cleared of much of its past business and possibly in anticipation of a zoning change or to be sold? Clearly, a zoning change could greatly increase the value of the property.

It is our understanding that a *“site-specific”* amendment needs to wait a total of three years before re-submittal. The original submittal was less than two years ago in 2018.

We completely support the Executive’s excellent rationale for recommending rejection of this request in 2018.

We request the Executive to recommend this D.I. Request, again, be firmly rejected.

2020 Docket Items to the KCCP Comments

D.I. Request #5—Rainier Christian School (just NW of Lk Desire in an unincorporated Urban area)

This property is directly adjacent to the GMVUAC's western border. The request is to use the 4:1 program to take the ~34.5-ac, RA-2.5 zoned site and adopt urban-designated development of R-6 (6 DUs/ac) over 20% of the site (~7 ac), thereby creating ~41 lots.

Our biggest issue is this entails extending sewer lines from the Urban Growth Area into the Rural Area to serve the projected ~41 home sites. Although the requester states there is an existing sewer line that extends through the site to serve the existing school, that line should be tightlined (as specified in the King County School Siting Task Force which convened in 2011-2012—GMVUAC member, Peter Rimbos, served on the Task Force). We expect the requestor cannot achieve the density that would accompany the requested R-6 zoning with septic systems and, thus, needs extension of sewer lines. Extending sewer lines in to the Rural Area would violate *County-Wide Planning Policy (CPP) DP-17c* [*“Can be efficiently provided with urban services and does not require supportive facilities located in the Rural Area”*].

One of the GMVUAC's bedrock principles is to *“Keep the Rural Area rural”* and one very strong way to do that is to not extend sewer lines into the Rural Area. King County policy agrees with this and it was a heavy determinator during the School Siting Task Force deliberations and recommendations.

In addition, a direct access road is required to be extended from the from the Urban Growth Area. The only existing road (174th Ave SE) to serve the school enters from the southeast, all in the Rural Area, from Lake Desire Dr.

Finally, the City of Renton would have to designate this area as part of its Potential Annexation Areas (PAAs), according to *CPP DP-17g* [*“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.”*]. The City of Renton already has several designated PAAs. One of which lies directly adjacent to the west of this area. For many years the City has chosen *not* to annex any of these PAAs, nor do we expect it would do so here, even if the city designated it as a PAA, thus defeating the purpose of requiring the sub sect of the 4:1 to be part of a designated PAA.

We request the Executive to recommend this D.I. Request be rejected, in part, due to the need for sewer line extensions into the Rural Area and the strong possibilities that the City of Renton, although it might designate it as part of its many PAAs, would have no real intention of annexing it in the future.

January 6, 1989

OFFICE OF THE ZONING AND SUBDIVISION EXAMINER
KING COUNTY, WASHINGTON

REPORT AND RECOMMENDATION TO THE KING COUNTY COUNCIL.

SUBJECT: Building and Land Development File No. 124-88-R
Proposed Ordinance No. 88-871

BRICE E. WILLINGHAM
CG to ML-P

West side of Renton-Maple Valley Road, 160 feet
south of S.E. 184th (if extended)

SUMMARY OF RECOMMENDATIONS:

Division's Preliminary:	Approve ML-P subject to conditions
Division's Final:	Approve ML-P subject to conditions
Examiner:	Approve ML-P subject to conditions (modified)

PRELIMINARY REPORT:

The Building and Land Development Division's Preliminary Report on Item No. 124-88-R was received by the Examiner on November 30, 1988.

PUBLIC HEARING:

After reviewing the Building and Land Development Division's Report, examining available information on file with the application and visiting the property and surrounding area, the Examiner conducted a public hearing on the subject as follows:

The hearing on Item No. 124-88-R was opened by the Examiner at 10:30 a.m. on December 22, 1988 in Hearing Room No. 2, 3600 - 136th Place S.E., Bellevue, Washington, and adjourned at 11:10 a.m. and administratively continued until January 3, 1989, 4:30 p.m. Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the office of the Zoning and Subdivision Examiner.

FINDINGS, CONCLUSIONS & RECOMMENDATION: Having reviewed the record in this matter, the Examiner now makes and enters the following:

MASTER COPY

FININGS:

1. General Information:

STR: S32-T23-R5

This is a request for zone reclassification from CG to ML-P in order to enable continued operation and expansion of an existing vehicle upholstery and interior refurbishing business on a 1.37 acre site located on the west side of Renton/Maple Highway, approximately 160 feet south of S. E. 184th Street (if that street were extended).

2. In 1986, King County issued a building permit for the existing principal structures. The permit specified that the buildings would be used for "upholstery shop" purposes. Exhibit No. 16.
3. Except as noted above in Finding 2, the facts, analysis and recommendation presented in the Division of Building and Land Development Preliminary Report dated December 22, 1988 (published November 30, 1988) are uncontested and they are incorporated here by reference. A copy of the Division of Building and Land Development report will be attached to the copies of the examiner's report which are submitted to the King County Council.

CONCLUSIONS:

1. Based upon the whole record, and according substantial weight to the determination of environmental significance made by the Division of Building and Land Development, it is concluded that approval of the subject action as recommended below, would not constitute a major action significantly affecting the quality of the environment. All evidence of environmental impact relating to the proposed action and reasonable alternatives to the proposed action have been included in the review and consideration of the subject action.
2. Considering the authorization of public improvements affecting this property (SR 169, including 1993 signalization of the Maple Valley/Cedar Grove intersection), as well as other circumstances affecting the subject property (including continued nonconforming industrial use of two abutting properties and County issuance of a building permit specifying the existing use), it is concluded that the proposed reclassification as recommended below would carry out and help to implement the goals and objectives of the Comprehensive Plan, the Zoning Code and other policies and objectives for the growth of King County. The requested use will not be unreasonably incompatible with, or detrimental to, affected properties and the general public, and will be consistent with KCC 20.24.190.

RECOMMENDATION:

APPROVE ML-P with the following conditions of "P-suffix" site plan approval (reference KCC 21.46.150 through 21.46.200):

- A. Uses on the subject property shall be limited to the following:

- (1) Any use permitted in the CG classification (KCC 21.30; General Commercial).

Action of the Council Final. The action of the Council approving or adopting a recommendation of the Examiner shall be final and conclusive unless within twenty (20) days from the date of the action an aggrieved party or person applies for a writ of certiorari from the Superior Court in and for the County of King, State of Washington, for the purpose of review of the action taken.

MINUTES OF THE DECEMBER 22, 1988 PUBLIC HEARING ON BALD FILE NO. 124-88-R:

Robert Stanley Titus was the Hearing Examiner in this matter. Those participating in the hearing were Mr. and Mrs. Brice Willingham.

The following exhibits were presented and entered into the record:

- Exhibit No. 1 Building and Land Development Division Preliminary Report, dated December 22, 1988
- Exhibit No. 2 Rezone Application, dated October 10, 1988
- Exhibit No. 3 Determination of Nonsignificance effective November 15, 1988
- Exhibit No. 4 Five Building and Land Development Division photographs dated November 8, 1988
- Exhibit No. 5 Site Plan with Fire Engineer's notation
- Exhibit No. 6 Letter from Brice Willingham, dated November 9, 1988
- Exhibit No. 7 Letter from Department of Fisheries, dated November 19, 1988
- Exhibit No. 8 Letter from METRO, dated November 29, 1988
- Exhibit No. 9 Memo from Craig Larsen of Community Planning, dated November 30, 1988
- Exhibit No. 10 Letter from J. L. Lutz of the Washington State Department of Transportation
- Exhibit No. 11 500 Foot Radius Notice, dated November 16, 1988
- Exhibit No. 12 Affidavit of Posting, dated November 10, 1988
- Exhibit No. 13 Preliminary Site Plan (Plat & Paving Plan)
- Exhibit No. 14 Examiner's Report and Building and Land Development Division Report in BALD File No. 301-73-P
- Exhibit No. 15 Assessor's Map of SE1/4 S32-T23-R6
- Exhibit No. 16 Willingham application for Building Permit No. 103910, dated February 13, 1986

3758D;RST:ja 124-88-R

PARKS, PLANNING AND RESOURCES DEPARTMENT
 BUILDING AND LAND DEVELOPMENT DIVISION
 PRELIMINARY REPORT TO THE ZONING AND SUBDIVISION EXAMINER
 DECEMBER 22, 1988 - PUBLIC HEARING

APPLICANT: BRICE E. WILLINGHAM FILE NO. 124-88-R
 Proposed Ordinance No. 88-871

I. INTRODUCTION:

A. GENERAL INFORMATION:

Owner: Brice E. Willingham
 20008 - 244th Ave. S.E.
 Maple Valley, WA 98038
 Phone: 432-9867

Location: West side of Renton-Maple Valley Road,
 160 feet south of S.E. 184th (if
 extended).

STR: 32-23-6

Request: CG to ML-P

Agencies Contacted:

Washington State Department of Fisheries
 Washington State Department of Wildlife
 Washington State Department of Transportation
 Washington State Department of Ecology
 Washington State Parks and Recreation
 King County Fire District No. 43
 METRO
 King County Traffic Division
 Issaquah Planning Department
 King County Health Department
 King County Parks Division
 King County Planning Division

B. SUMMARY OF ACTION:

This is a request for a rezone CG to ML-P to permit an existing vehicle upholstery and interior refurbishing business on a 1.37-acre site. A 2500-square-foot concrete wall and steel-framed building and a 546-square-foot single-story wood frame "caretaker's" residence exist on the site. The applicant is proposing a second 2500-square-foot steel-framed building. A site plan has been submitted.

C. **KCC 21.32.010 Purpose of classification.** The purpose of this classification and its application is to provide for the location of and grouping of industrial activities and uses involving the processing, handling and creating of products, and research and technological processes, all as distinguished from major fabrication, and uses which are largely devoid of nuisance factors, hazard or exceptional demands upon public facilities and services. A further purpose is to apply zoning protection to the industries so located by prohibiting the intrusion of residential and institutional uses and all commercial enterprise, except those which serve as accessory to the needs and convenience of such industries, thus establishing a pattern of land use advantageous to the specialized needs of the uses permitted in this classification. (Res. 25789 (1600, 1963).

KCC 21.32.020 Permitted uses. The following uses only are permitted and specifically provided and allowed by this chapter:

A. Any use first permitted in the C-G classification provided however a dwelling shall be permitted on the same

lot or site on which an industrial use is located when the dwelling is used exclusively by a caretaker or superintendent of such enterprise and his family.

...(D) Upholstering.

D. STATE ENVIRONMENTAL POLICY ACT/BACKGROUND:

1. The Manager of the Building and Land Development Division (BALD) issued a determination of non-significance (DNS) (see Attachment 1) on November 15, 1988. A DNS indicates that environmental impacts from the proposal are not anticipated to be significant. Therefore, an Environmental Impact Statement (EIS) is not required.

2. The subject property was zoned CG under File 301-73-P. The file no longer exists. The Division's report and the Examiner's report on the case, however, do not indicate that a specific use for the property was discussed or planned at that time.

Prior to the CG zoning the subject property was zoned SE under the Maple Valley Area Zoning in 1969. A rezone (File 308-72-P) from SE to CG was also granted by the Council on property immediately to the northwest.

3. The applicant applied for and was issued a building permit (#103910) for two buildings on the site. Staff notes that the bus refurbishing use was not known at that time and that the January 21, 1986 Environmental Checklist for the building permit described the buildings to be used for "general commercial" uses. The permit approved B-2 (office) buildings when both B-1 (storage/maintenance) and B-2 should have been indicated. One building (on the corner of the site) was built before the permit expired. A renewal (#108467) was applied for on the second building. The renewal is on hold pending resolution of this rezone request.

4. Uses that are first permitted in a M-H zone (a junk yard and equipment storage yard) are present on either side of the subject property. The underlying zoning on both sites is CG. The non-conforming MH uses have existed on these sites for over 20 years and have shown no sign of being discontinued. CG zoning was approved for the site of the junk yard northwest of the subject property in 1972 (File 308-72-P). The Tahoma/Raven Heights Community Plan retained CG zoning on both the subject property and the two properties with MH uses without acknowledging the existence of those uses. Staff notes, after viewing aerials, that prior to development of the upholstery use the subject property appears to have been vacant.

II. ISSUE ANALYSIS:

This analysis is based upon the responses of the agencies of jurisdiction and other reviewing public agencies; citizens and community organizations; a field inspection of the project site; and information submitted by the applicant.

A. UTILITIES AND PUBLIC SERVICES:

1. Sewer and Water: The subject property is served by a septic system. The Seattle-King County Department of Public Health approved an application for an individual sewage disposal system for an upholstery shop on the site on May 26, 1985 (see Attachment 2).

Water service is provided to the site via a community well shared with three other parties. Water flow is unknown; however, the buildings are exempt from King County Fire Engineering requirements per Ordinance No. 5828, Part 4, Section 4.

B. TRAFFIC AND TRANSPORTATION:

King County Code 21.49 (Road Adequacy Standards) does not require rezones to comply with Level-of-Service (LOS) standards. The standards, however, do not limit the authority of King County to deny or approve with conditions:

A. Zone reclassification requests based on traffic impacts, or

B. Proposed developments or zone reclassifications if King County determines a hazard to public health, safety, or welfare would result from direct traffic impacts without roadway or intersection improvements, regardless of LOS, or

C. Proposed developments reviewed under the authority of the Washington State Environmental Policy Act (Ord. 7544 { 12, 1986).

The subject property fronts on Renton-Maple Valley Highway, a state highway. A highway access permit is therefore required. King County Traffic and Planning and Washington State Department of Transportation (WSDOT) had no comments on the proposal.

C. ENVIRONMENT:

The site is flat and covered with impervious surface over approximately 50% of the site. The King County Sensitive Areas Map Folio does not indicate the presence of any sensitive features on the site. The Cedar River is approximately 800 feet north of the site. The site is topographically constrained by a hill immediately to the west.

D. 1985 COMPREHENSIVE PLAN AND TAHOMA/RAVEN HEIGHTS COMMUNITY PLAN:

In accord with Ordinance No. 7178, Section 2, C-1, the following Comprehensive Plan and Tahoma/Raven Heights policies are cited:

1. The subject property is located within the "Urban Areas" designation of the 1985 Comprehensive Plan.

2. Comprehensive Plan 1985 Policies CI-108, CI-228, CI-231, CI-232, and F-215:

a. CI-108: King County should encourage a wide range of commercial and industrial development in Urban Activity Centers, and should provide for small-scale retail stores, offices and services in Community and Neighborhood Centers. Commercial

and industrial development should occur primarily in compact centers.

COMMENT: The intent of Policy CI-108 is to encourage the location of industrial development in compact centers (i.e. Urban and Rural Activity Centers). However, it does not, by the use of the word "primarily," preclude industrial development outside of Urban Activity Centers. The subject property is located in the "Urban Area" as designated by the 1985 Comprehensive Plan. As noted previously (Section I, D-2), CG zoning has existed on and adjacent to the site since 1973. The nonconforming MH uses present on the adjacent CG-zoned properties have been in existence for 20 to 25 years. The CG zoning which exists in the vicinity is an approximately 8-acre strip fronting on Renton-Maple Valley Road (SR 169).

b. CI-228: Individual separate industrial sites may be permitted in Urban Areas when adequate facilities and services can be provided, adverse impacts on adjacent land uses and the natural environment are mitigated, and when these sites are located to provide a suitable core for a future Urban Activity Center.

COMMENT: As noted in the comment to CI-108, the subject property is located in an Urban Area. CI-228 serves to elaborate upon CI-108 by specifically allowing industrial development outside of "activity centers" providing adverse impacts can be mitigated and the location provides a core for a future activity center. Although the site may not be part of a future Urban Activity Center, the property is located within a core of CG-zoned property which currently accommodates long-standing, nonconforming MH type uses.

c. CI-231: Industrial development should be designed to be compatible with adjoining uses. Off-site impacts such as noise, odors, light, and glare should be prevented through pollution control measures, setbacks, landscaping, and other techniques. Unsightly views of parking, loading, and storage areas should be screened from neighboring office retail and residential uses.

d. CI-232: Industrial development should have direct access from arterials or freeways. Access points should be combined and limited in number to allow smooth traffic flow on arterials. Access through residential areas should be avoided.

COMMENT: As noted in the comments to CI-108 and CI-228, the land uses surrounding the subject property are MH. The applicant has submitted a site plan. Policy CI-231 could be implemented with the addition of a "P" suffix requiring site plan approval per KCC 21.46.150 through 21.46.200 to the rezone. In reference to Policy CI-232, the right-of-way for SR 169 is located adjacent to the property on the northeast. As noted previously, a State Highway Access Permit is also required for the proposal.

3. T/RH Plan Policies 23, 24, 25, and 26:
- a. T/RH #23: Existing commercial sites located outside of designated centers should be allowed to develop to the limits of the present zoning; however, expansions should not be allowed.
 - b. T/RH #24: Future industrial development should be encouraged unless proven incompatible with surrounding land use and densities.
 - c. T/RH #25: Industrial development should be located where a full range of urban/suburban services are available, including water supply, sewers, solid waste disposal, road access, public transit, and an adequate level of police and fire protection.
 - d. T/RH #26: Industrial development should be given special site review to ensure that all local impacts are mitigated.

COMMENT: T/RH Policies 23, 24, 25, and 26 provide a general location criteria for general commercial and industrial uses in the T/RH planning area. That criteria places a size limit on existing commercial sites outside of designated centers and calls for a compatibility test for industrial development. Compatibility includes such factors as environmental impact and the availability of urban/suburban services. Both factors are discussed in Section II (A-C) of this report.

III. OTHER CONSIDERATIONS:

- A. KCC 20.12.070 Community plan amendments -
Criteria for advancing revision schedule: A study to determine the need for revision of one or more community plans shall be undertaken by the Department of Parks, Planning, and Resources in cooperation with the policy development commission if appropriate when the Council adopts a finding that one of the following criteria is present:
- A. Development activity is substantially greater than anticipated in the plan, as indicated by:
 - 1. County-wide or community plan area total residential unit construction as measured by building permits and by annual subdivision activity as measured by number of lots created or by acreage, is one hundred percent higher for twelve consecutive months than the average level for the previous three years, or
 - 2. County-wide or community plan area total annual vacant land consumption is occurring at a rate of one hundred percent higher for twelve consecutive months than the average rate for the previous three years;
 - B. In the review of a request for a zone reclassification, planned unit development, subdivision, or unclassified use permit, the Council finds that the request is inconsistent with an adopted community plan, but circumstances affecting the area in which the proposal is located may have undergone changes substantially and materially different from those anticipated or contemplated by the community plan, and that the impacts from the changed circumstances make consideration of a plan revision necessary. The application shall be denied without prejudice or deferred at the request of the applicant until the Department of Parks, Planning, and Resources completes a study to

determine the need for a plan revision, and a plan revision, if any, is adopted by the Council.

C. Issues of current concern to area residents or the county, including but not limited to: policy conflicts due to subsequent comprehensive plan amendments, regional service or facility needs, annexations, or other circumstances not anticipated in the community plan make it necessary to consider a revision to one or more community plans. (Ord. 4305 (4, 1979.)

KCC 20.24.180 Examiner findings. When the examiner renders a decision or recommendation, he shall make and enter findings of fact and conclusions from the record which support his decision, and the findings and conclusions shall set forth and demonstrate the manner in which the decision or recommendation is consistent with, carries out, and helps implement applicable state laws and regulations; and the regulations, policies, objectives, and goals of the comprehensive plan, the community plans, the sewerage general plan, the zoning code, the subdivision code, and other official laws, policies, and objectives of King County and that the recommendation or decision will not be unreasonably incompatible with or detrimental to affected properties and the general public. (Ord. 4461 (9, 1979: Ord. 263 Art. 5) 14, 1969.)

KCC 20.24.190 Additional examiner findings - Reclassifications and shoreline redesignations. When the examiner issues a recommendation regarding an application for a reclassification of property or for a shoreline environment redesignation, the recommendation shall include additional findings which support the conclusion that at least one of the following circumstances applies:

A. The property is potentially zoned for the reclassification being requested and conditions have been met which indicate the reclassification is appropriate; or

B. An adopted community plan or area zoning specifies that the property shall be subsequently considered through an individual reclassification application; or

C. Where a community plan has been adopted but subsequent area zoning has not been adopted, that the proposed reclassification or shoreline redesignation is consistent with the adopted community plan; or

D. The applicant has demonstrated with substantial evidence that:

1. Since the last previous area zoning or shoreline environment designation of the subject property, authorized public improvements, permitted private development or other conditions or circumstances affecting the subject property have undergone substantial and material change not anticipated or contemplated in the community plan or area zoning;

2. The impacts from the changed conditions or circumstances affect the subject property in a manner and to a degree different than other properties in the vicinity such that area rezoning or redesignation is not appropriate; and

3. The requested reclassification or redesignation is required in the public interest. (Ord. 4461 Sec. 10, 1979.)

COMMENT: The MH uses which exist on properties adjacent to the subject site (see I, D-4) were established 20 to 25 years ago and are considered legal, nonconforming uses. The Tahoma/Raven Heights Community Plan does not recognize the existence of these uses, instead retaining the CG zone on both properties. The presumption on the part of the community plan is that such non-

BRICE E. WILLINGHAM
FILE NO. 124-88-R

conforming uses will eventually move or go out of business, thus freeing up the properties for conforming uses.

B. The CG zone (KCC 21.30.030) accommodates assembly, fabrication, and heavy repair uses. Some of these uses include boat building (which may include fibreglassing), tire rebuilding, recapping, and retreading, laboratories, and machine shops. In a recent administrative decision, the Manager of BALD allowed an artificial marble sink and sill manufacturer in the CG zone, comparing the use to the fibreglassing operation one might find in boat building (see Attachment 3).

C. The 1987 Standard Industrial Classification (SIC) Manual is the statistical classification standard which underlies all "establishment-based" federal economic statistics classified by industry type. The SIC covers all economic activities and defines industries in accordance with the composition and structure of the economy. The SIC is useful in the subject case to help define whether or not a manufacturing use would be established on the site if the request were approved. The SIC classifies automotive upholstery repair under Top, Body, and Upholstery Repair Shops and Paints Shops (SIC Industry #7532). SIC 7532 is part of SIC Division I - Services, which is defined as follows:

"This division includes establishments primarily engaged in providing a wide variety of services for individuals, business, and government establishments, and other organizations. Hotels and other lodging places; establishments providing personal, business, repair, and amusement services; health, legal, engineering, and other professional services; educational institutions; membership organizations, and other miscellaneous services, are included.

Establishments which provide specialized services closely allied to activities covered in other divisions are classified in such divisions."

Service uses are generally found in the CG zone per KCC 21.03.020. The list of permitted services in the CG zone, however, currently does not include upholstery.

IV. CONCLUSIONS AND RECOMMENDATIONS:

A. CONCLUSIONS:

1. No significant environmental impacts are expected to occur from continued use of the site for bus re-upholstery and interior refurbishing.

2. The request is consistent with the 1985 Comprehensive Plan, specifically Policies CI-108 and CI-228 which allow for individual industrial locations in the Urban Area when adverse environmental impacts can be mitigated (see Conclusion 1, above). Policy CI-232 has already been fulfilled by the nature of the location of the subject property on a major arterial. Policy CI-231 should be implemented with the addition of a P-Suffix condition.

3. The request is inconsistent with the Tahoma/Raven Heights Community Plan land use map and Area Zoning which designates the subject property for general commercial uses (upholstery is first permitted in the

M-L per KCC 21.32.020(D)). The request, however, does not conflict with T/RH Policies 23, 24, 25, and 26 cited in this report.

4. The bus upholstery/interior refurbishing use was apparently established under false pretenses with the issuance of a commercial building permit in 1986. The plans and environmental checklist submitted to BALD, and upon which the permit was issued, did not portray the current use. If an error has been made, it has been on the part of the applicant who did not accurately portray the intended use for the property at the time of building permit submittal.

5. Circumstances affecting the subject property have undergone substantial and material change not anticipated or contemplated in the community plan or area zoning. Moreover, the impacts from the changed circumstances affect the subject property in a manner and to a degree different from other properties in the vicinity such that area rezoning or redesignation is not appropriate. The changed circumstances have occurred as a result of the continuing use of the CG-zoned properties adjacent to the subject property for MH uses (see Section III.A.).

6. The use of the subject property for vehicle re-upholstery and interior refurbishing is no more intense than uses permitted in the CG zone. In fact, there are uses in the CG zone (e.g. boat building) which are more intense and pose a greater likelihood of environmental impact than the existing use. An alternative to an ML rezone would be to amend the CG zone to allow upholstery as an outright use.

7. The subject property is uniquely affected by the adjacent MH uses. These uses were not addressed during the T/RH plan update process and have only become an issue with this application.

8. The Department feels that a plan revision study is not required given the isolation of the subject property, due to the adjacent MH type uses and the hill to the west of the property. Given the long-term nature of the adjacent MH type uses, it is unlikely that ML zoning would be expanded to those properties.

B. RECOMMENDATION:

1. Approve ML-P with the following post-effective conditions:

a. Limit the use to the upholstery/vehicle interior refurbishing as proposed by the applicant.

b. A site plan shall be submitted for review by BALD at the time of building permit approval. The site plan shall reflect the proposed uses of the existing and any future buildings, in addition to landscaping and parking requirements of the zoning code.

8865

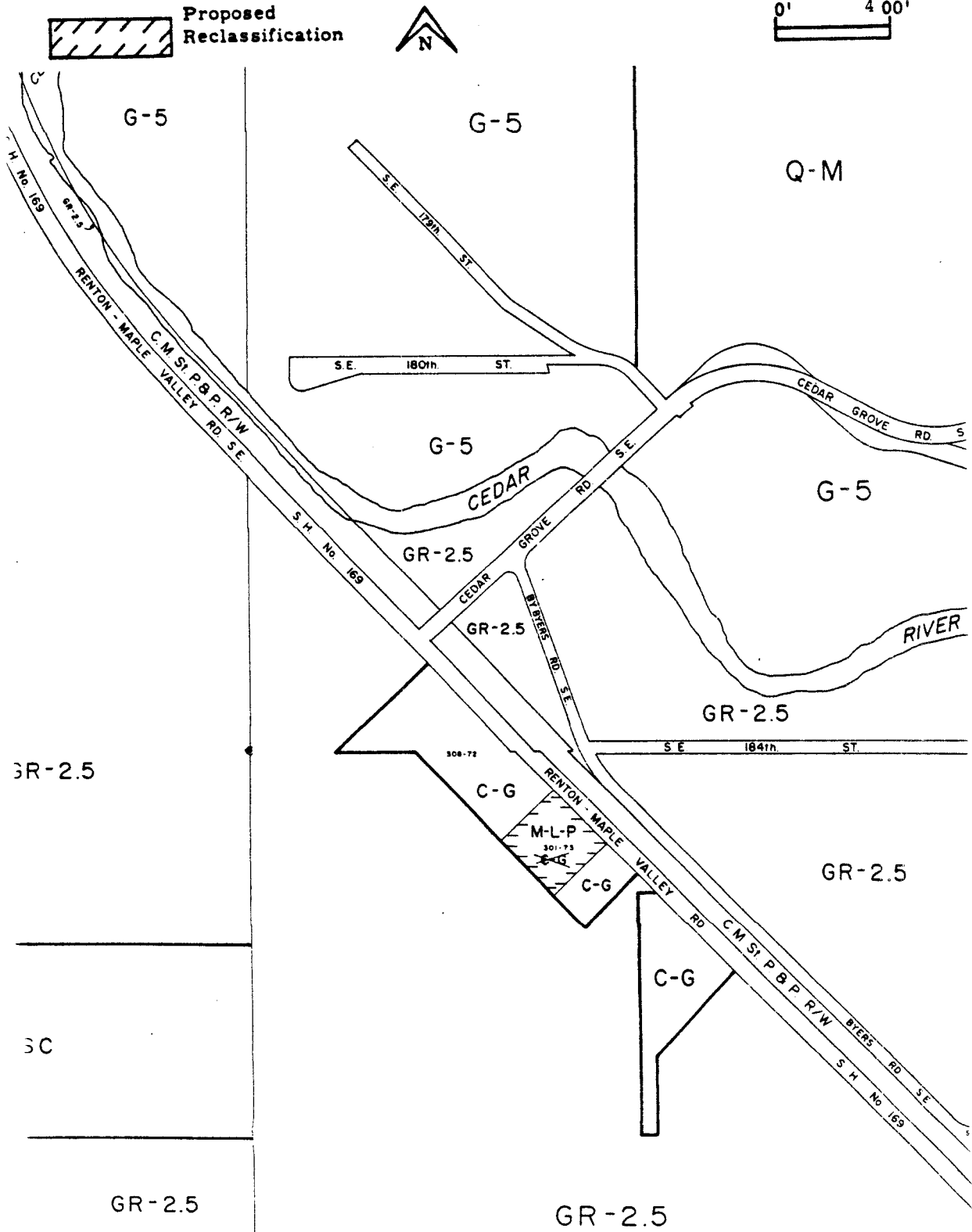
BRICE E. WILLINGHAM
FILE NO. 124-88-R

TRANSMITTED to parties listed hereafter:

Brice E. Willingham
20008 - 244th Ave. S.E., Maple Valley, WA 98038
Paul Reitenbach, Community Planning
Larry Kirchner, Seattle-King County Dept. of Public Health

APPLICANT: BRICE WILLI AM
REQUEST: C-G to M-L-P
STR: 32-23-6

FILE 124-88-R
Appendix B





King County
Building & Land Development Division
Parks, Planning and Resources Department
3600 - 136th Place Southeast
Bellevue, Washington 98006-1400

8865

November 10, 1988
Determination of Non-Significance

Effective Determination Date: November 15, 1988

File: 124-88-R Willingham Rezone

Proponent: Brice E. (Gene) Willingham
20008 244th Ave. SE
Maple Valley, WA 98038
432-9867

Proposal Description:
The rezone of 1.37 acres from CG (General Commercial) to MLP (Light Manufacturing with Provisions) zones. The business will be the refurbishing and upholstering of the interiors of charter and intercity buses. This is the legalization of an existing illegal use.

Location: 18415-19 Renton-Maple Valley Rd (SR169), on the west side of the Renton-Maple Valley Rd, 160' south of SE 184th, if extended.

STR: 32-23-06

Mitigation under SEPA for this proposal includes:
1. Provide permanent protection of the drainfield; such as a log wheel-stops, fence, Type I landscape strip, or 6" extruded curb. This protection shall permanently prevent parking in this area.

Conditions:
1. Approval of this rezone does not constitute site plan approval. The information submitted does not allow BALD to review for building code requirements. The building permit issued for building #1 may have to be amended for the change in use of the building.

The Building and Land Development Division has determined that an environmental impact statement (EIS) is not required under RCW 43.21C, WAC 197-11, and KCC 20.44. This decision was made after review of a completed environmental checklist, other information on file at the Division's office, and mitigation proposed and/or required as part of this project. The proposal or required mitigation is now part of the proposed action. The conditions and/or agreements are deemed necessary to mitigate environmental impacts identified during the environmental review process.

Any interested party may submit written comments on this proposal. Written comments or appeals will be accepted until November 30, 1988

Any appeal shall state with specificity the reasons why the determination should be reversed. ALL APPEALS MUST BE ACCOMPANIED BY A NON-REFUNDABLE \$50.00 FILING FEE.

Attachment 1

COMMERCIAL
RECEIVED
OCT 10 1988

SEATTLE KING COUNTY DEPARTMENT OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH SERVICE

124 88 R

B.L.D.C. & LAND DEVELOPMENT

SITE APPLICATION FOR INDIVIDUAL SEWAGE DISPOSAL SYSTEM
(Submit 5 copies of application with 3 copies of plans)

(This accompanies the building permit application and is prerequisite to the issuance of the Individual Sewage Disposal System Permit. Acceptance of plan expires one year from date of acceptance. Using this plan to secure a building permit constitutes agreement to adhere to the requirements of the plan.)

NOTE: If the property is within the boundaries of a sewer service area, it will be necessary to obtain written permission from the sewerage authority allowing use of an individual sewage disposal system.

Approximate Location of Property - Street Address 18711 Maple Valley Hiway

Addition or Subdivision Attached Lot _____ Block _____
(Or attach legal description) Sewer Service Area Yes _____ No Reserve Required _____ 50% 100%

Type of Building: New Single Family Residence (No. Bedrooms _____)
Shop & Office Existing Other (Specify) Upholstrey Shgp

North End	10501 Meridian Ave. N. Seattle 98133	363-4765
Eastside	2424 156 N.E., Bellevue 98004	885-1278 or 747-1760
Southwest	3001 N.E. 4th Street, Renton 98055	328-2620-296-4900
Central	10821 8th S.W. 98146	244-6400
	172 20th Ave. Seattle 98122	625-2763

Owner Brice Willingham Street Address 20008 244th Ave. S.E.
 City-Zip Code M.V. Wn 98038 Phone 432-9867
 Builder Owner Street Address _____
 City-Zip Code _____ Phone _____
 Designer Ed Harwood Street Address 18422 S.E. 394th St.
 City-Zip Code Auburn 98002 Phone 833-5262

Soil Log Tests (Describe soils encountered preferably by SCS soil classification system). Minimum depth 48 inches.

Hole No. 1 0"-48" Sand & Gravel (Type 1)
 Hole No. 2 Same
 Hole No. 3 Same
 Hole No. 4 Same

Evidence of seasonal Water Table. (Probable minimum distance from ground surface) None

Source of Domestic Water Supply Cedar Inn Comm. Water Supply

Percolation Tests (Fall in minutes per inch, bottom 6 inches of test hole) 1.0 M/P/I for design

Hole No.	Depth	Average Rate	Length of Time Soaked	
			T.	P.F.P.S.P.
Hole No. 1	36"	1.0		
Hole No. 2	"	"		
Hole No. 3	"	"		
Hole No. 4	"	"		
Hole No. 5	"	"		
Hole No. 6	"	"		

(For additional remarks or comments attach letter in triplicate or utilize unused spaces around drawing on reverse side of application.)

Signature - Designer Ed Harwood ED HARWOOD Cert. #62 Date of test 6/20/85

VALID FOR 24 MONTHS FROM DATE OF APPROVAL
RECEIVED

DO NOT WRITE BELOW THIS LINE. (To be filled in by Health Department) Note: Existing well (District Office Use)
Accepted Dina Christensen 6/20/85 to be considered prior to installation permit release

Not Accepted _____ (Date) _____ (District Sanitarian)
COMMERCIAL SOUTHEAST DISTRICT OFFICE

Attachment 2

8865

King County
Building & Land Development Division
Parks, Planning and Resources Department
3600 - 136th Place Southeast
Bellevue, Washington 98006-1400

November 3, 1988

FILE COPY

Mr. Mickey Conlin
c/o Tiffany Marble Works
10025 - 16th Avenue South
Seattle, WA 98146

RE: Application C88-1279 (11618 Des Moines Memorial Dr. South)

Dear Mr. Conlin:

I have reviewed your application with Jerry Marbett and Jerry Balcom.

Your proposed use, which I understand is custom culture marble business, is consistent with the purpose of the general commercial classification (21.30.010) and is likely to be of relatively less impact than some of the more intensive uses that are permitted (i.e., boat building, paint and carpenter shops and tire recapping).

The M-L zone, under permitted uses (21.32.020), does use language that describes the materials that you use, but I am further persuaded that your intensity of use (5 employees) and production of one and one-half now to three bathrooms a day maximum (approximately) would be less intensive than many of the uses that are permitted in the CG zone.

This letter then will serve as authority to complete your plans to move into your new location.

The request for more information contained in Herb Haines' September 30, 1988 letter must be answered and reflected in the final plans you prepare for our subsequent issuance, as well as any other applicable code(s).

Attachment 3



2020 Docket Report
King County Comprehensive Plan
June 2020

I. About the Docket Process

The King County Docket was established in 1998 in accordance with Revised Code of Washington 36.70A.470 in order to provide an opportunity for residents of the County to register comments on the *King County Comprehensive Plan* and the associated development regulations. The Docket process, as adopted in King County Code 20.18.140, is available to the public to identify a deficiency (i.e., an absence of required or potentially desirable contents) or to propose changes to the Comprehensive Plan's policies, area-wide land use designations, development regulations, and site-specific land use and zoning. For Docket submittals that require a site-specific change in a land use designation or zoning classification, submitters may be referred to the appropriate process for requesting these changes.¹

The Docket process is open continuously and, once a year, the items registered in the previous twelve months are considered. Submittals are compiled into a **Docket Submittals Report**² that is made available via the Comprehensive Plan website and email list. Following this, Executive staff classifies whether each Docket is appropriate for the annual update (which allows primarily technical updates, corrections, and amendments that do not require substantive changes to policy language) or the four-year or eight-year updates (wherein all changes may be considered). This classification guides whether the Docket item could be included in the following year's Comprehensive Plan update.³

Following submittal and classification, the next phase includes analysis by County departments, outreach to the proponent, determining the appropriate mechanism for public engagement (dependent on the type and scale of the submittal), and coordination with relevant entities such as adjacent cities or special purpose districts, again dependent on the submittal.

On the last business day of April, the Executive transmits a **Docket Report** with analysis and recommendations to the County Council. Due to the COVID-19 pandemic, the transmittal in 2020 has been delayed by sixty days.

¹ King County Code 20.18.050 and 21A.44.060

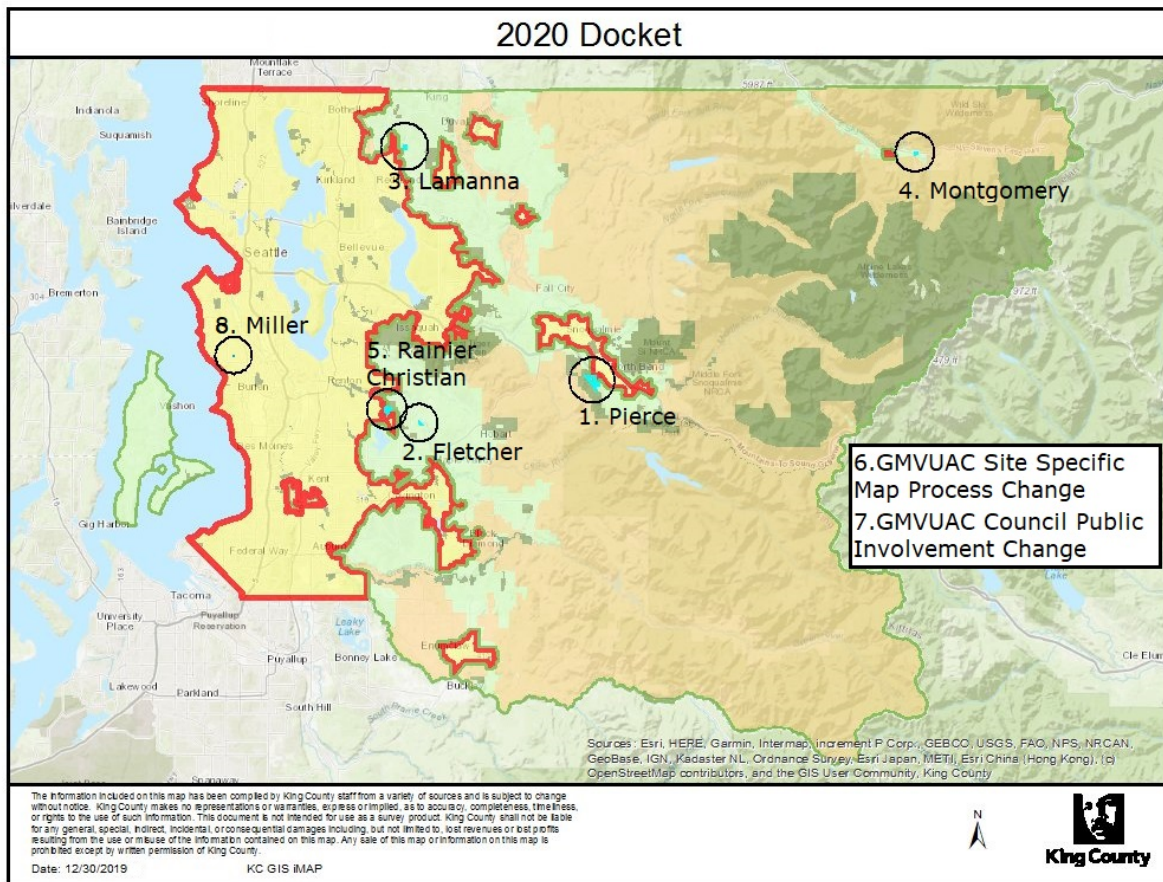
² Link to Docket webpage: <https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/king-county-comprehensive-plan/amend/docket.aspx>

³ King County Code 20.18.140 and 20.18.030

The Council then includes all submitters of Docket items in the mailing list for the relevant County Council meetings, and notifies them of any other opportunities for public testimony, as it considers the submittals. For Docket changes that are not recommended by the Executive, the proponent may petition the County Council during its legislative review process.

II. Summary of Submittals

King County received eight Docket submittals for consideration in the 2020 Docket process by the deadline of December 31, 2019. The complete set of submitted materials for the 2020 Docket process can be found in the 2020 Docket Submittals Report.⁴ The following map identifies the location of the 2020 Docket items.



III. Submittals and Recommendations

The following lists the Docket submitter(s), identifies the County Council district, and includes the Docket submittal. This is accompanied by discussion and analysis of the relevant issues including

⁴ Link to webpage: <https://www.kingcounty.gov/~media/depts/executive/performance-strategy-budget/regional-planning/Comprehensive-Plan/2020-Docket-Submittals-Report.aspx>

classification, background information, policy review, and concludes with an Executive recommendation.

Docket Item	Council District	Submittal, Background and Recommendation
1. Mr. & Mrs. Pierce	3	<p>Submittal: Request to use Four to One Program in order to change a portion of two parcels adjacent to the City of North Bend from Rural Area to Urban, and to permanently protect the remainder as King County owned open space. Parcel numbers are 1723089006 and 2607740120.</p> <p>Discussion: This is a request to amend the urban growth area boundary through use of the Four to One program. Four to One submittals are eligible to be considered in an annual update. The Four to One Program is a discretionary land use map amendment process. Information on the Four to One Program can be found at:</p> <p style="text-align: center;">https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/king-county-comprehensive-plan/amend/4to1.aspx</p> <p>One eligibility criteria is that the adjacent city agrees to add the new urban land that would be created into their Potential Annexation Area. In cases where the city is the provider of services, they would need to be supportive of providing urban services to serve the new urban development. Relevant provisions state the following:</p> <p style="padding-left: 40px;">20.18.170.D. states that proposals adjacent to incorporated area or potential annexation areas shall be referred to the affected city and special purpose districts for recommendations.</p> <p style="padding-left: 40px;">Countywide Planning Policy DP-17(g) requires an agreement between King County and the city or town that the area will be added to the city's Potential Annexation Area.</p> <p>The relevant city for this Four to One is North Bend, and the City provided a letter stating that it does not support this proposal (see attachment). The City has concerns regarding the impacts to environmentally sensitive areas of the site, impacts on nearby open space, the inability of the parcel to support urban levels of density, and concerns regarding the provision of water, sewer, emergency, and other services.</p> <p>Executive Recommendation: Based on these issues, this Docket request is not supported by the Executive.</p>

Docket Item	Council District	Submittal, Background and Recommendation
2. Mr. & Mrs. Fletcher	9	<p>Submittal: Request to change land use and zoning on two parcels on the Renton-Maple Valley Road near the Cedar Grove Natural Area from Neighborhood Business to Industrial. Parcel numbers are 3223069070 and 3223069052.</p> <p>Discussion: This is a request for land use and zoning change. This Docket request is identical to what was submitted by the property owner in 2018. That request was deemed not eligible for consideration in an annual amendment as it would require substantive updates to Comprehensive Plan policies. Additionally, the previous request was not supported for a number of reasons, and these are stated in the 2018 Docket Report, which can be viewed at:</p> <p style="text-align: center;">https://www.kingcounty.gov/~media/depts/executive/performance-strategy-budget/regional-planning/Comprehensive-Plan/2018_Docket_Report.ashx</p> <p>King County Code 20.18.050.K.1. states that a site-specific land use map amendment, which is what is requested in this Docket, may not be initiated unless at least three years have elapsed since Council adoption or review of the current designation for the property. Limited exceptions to this restriction, such as a change in circumstances, exist in code. The conditions on the subject parcel and the circumstances in the surrounding area have not materially changed since 2018.</p> <p>Executive Recommendation: Based on these issues, this request is not eligible to be considered until 2024, which is when the eight-year cycle update will occur.</p>
3. Peter Lamanna	3	<p>Submittal: Request to change speed limits from 35 to 25 mph on Bear Creek Road NE and NE 132nd Street between Avondale Road NE and NE 133rd Street to address traffic conditions, lack of law enforcement, and safety.</p> <p>Discussion: This is a request for a change to posted speed limits on a road segment in the Bear Creek area. While this request is eligible to be considered in an annual update, the Comprehensive Plan does not direct speed limits and therefore is not the appropriate mechanism for considering this change.</p> <p>That said, King County uses criteria based on the Washington State Model Traffic Ordinance (RCW 46.04; WAC 303-308), the King County Code, crash history, and the Manual on Uniform Traffic Control Devices (MUTCD) in the evaluation of posted speed limits. The MUTCD is a Federal Highway Administration document, which has been adopted by most public agencies and provides guidelines for traffic control devices and pavement markings.</p>

Docket Item	Council District	Submittal, Background and Recommendation
		<p>The locations in question were evaluated by the Road Services Division’s Traffic Engineering Section for changes to the posted speed limits using said criteria. As a result of the investigation it was determined a change to the existing posted speed limit was not justified.</p> <p>Executive Recommendation: Based on these citations, there are currently no plans to lower the speed limit.</p>
4. Mr. & Mrs. Montgomery	3	<p>Submittal: Request to change land use and zoning on one parcel outside of the City of Skykomish from Rural Area 2.5 to Urban Residential 12, in order to allow for a cluster village of small homes and Recreational Vehicle parking. Parcel number is 3026129019.</p> <p>Discussion: This Docket requests an urban area zoning designation on a Rural Area parcel; this is not allowed under the King County Comprehensive Plan or King County Code. Allowing this would require substantive changes to existing Comprehensive Plan policies and therefore this request is not eligible to be considered in an annual update. The following text addresses the substantive issues raised by this request.</p> <p>The subject parcel is zoned Rural Area 2.5, which is a designation established to recognize typically smaller parcel in the Rural Area that existed at the time the first Growth Management Act Comprehensive Plan was adopted by King County in 1994. The policies and text related to Rural Area 2.5 zoning are provided below.</p> <p>Although King County intends to retain low residential densities in the Rural Area, residential development has occurred in the past on a wide variety of lot sizes. Both existing homes on small lots and rural infill on vacant, small lots contribute to the variety of housing choices in the Rural Area. In some cases, however, rural-level facilities and services (e.g. on-site sewage disposal, individual water supply systems) may not permit development of the smallest vacant lots. Policy R-309 recognizes that some of the Rural Area has already been subdivided at a density greater than one lot per five acres (for example, parts of the shoreline of Vashon-Maury Island) when the original 1994 Comprehensive Plan was adopted, and applied a zoning category to <i>just those properties in existence at that time</i>. Zoning to implement policies R-306 through R-309 has been applied through subarea and local plans and area zoning maps. <i>(emphasis added)</i></p> <p>R-309 The RA-2.5 zone has generally been applied to Rural Areas with an existing pattern of lots below five</p>

Docket Item	Council District	Submittal, Background and Recommendation
		<p>acres in size that were created prior to the adoption of the 1994 Comprehensive Plan. These smaller lots may still be developed individually or combined, provided that applicable standards for sewage disposal, environmental protection, water supply, roads and rural fire protection can be met. A subdivision at a density of one home per 2.5 acres shall only be permitted through the Transfer of Development Rights from property in the designated Rural Forest Focus Areas. The site receiving the density must be approved as a Transfer of Development Rights receiving site in accordance with the King County Code. Properties on Vashon-Maury Island shall not be eligible as receiving sites.</p> <p>This policy reflects the designation of the RA-2.5 zone to the lots that existed prior to adoption of the 1994 Comprehensive Plan and it establishes guidance for how these lots are to be realized. Meaning, to realize the RA-2.5 density, the purchase of a transferable development right is required. Given the size of the parcel, it may be possible to add more than one unit and that would be clarified through discussions with the Department of Local Services – Permitting Division.</p> <p>Executive Recommendation: Rural Area 2.5 zoning is the densest Rural Area zoning classification, and the request to allow greater densities would not be consistent with the Comprehensive Plan. Among others, one inconsistency is that greater levels of density typically require public sewer system service and this is not allowed in the Rural Area, except in very limited exceptions. Based on this, this Docket request would not be supported by the Executive.</p> <p>Additional Information: Options other than what was requested may exist for this parcel. Under the RA-2.5 zoning designation, the property may have the potential to create one additional lot using a Transfer of Development Rights program. Also, one of the allowed uses under this zoning is for a Recreational Vehicle (RV) park, subject to approval of a Conditional Use Permit (CUP) and with the following conditions:</p> <p style="padding-left: 40px;">KCC21A.08.040: Recreational vehicle parks are subject to the following conditions and limitations:</p> <ol style="list-style-type: none"> a. The maximum length of stay of any vehicle shall not exceed one hundred eighty days during a three-hundred-sixty-five-day period; b. The minimum distance between recreational vehicle pads shall be no less than ten feet; and

Docket Item	Council District	Submittal, Background and Recommendation
		<p>c. Sewage shall be disposed in a system approved by the Seattle-King County health department.</p> <p>The definition of an RV park is as follows:</p> <p style="padding-left: 40px;">KCC21A.06.965 Recreational vehicle parks: the use of land upon which two or more recreational vehicle sites, including hook up facilities, are located for occupancy by the general public of recreational vehicles as temporary living quarters for recreation or vacation purposes. (Ord. 10870 § 233, 1993).</p> <p>Last, the subject parcel is within the landslide hazard area and at the time of a future proposed subdivision application, the Permitting Division can require an assessment of geological risk associated with landslide areas.</p>
5. Rainier Christian School	9	<p>Submittal: Request to use Four to One Program to change a portion of one parcel in the Fairwood unincorporated urban area from Rural Area to Urban, and to permanently protect the remainder as King County owned open space. Parcel number is 2523059086.</p> <p>Discussion: This is a request to amend the urban growth area boundary through use of the Four to One program. Four to One submittals are eligible to be considered in an annual update.</p> <p>The Four to One Program is a discretionary land use map amendment process. The core purpose of the program is to create a continuous band of open space alongside the 1994 urban growth area boundary. This core purpose has existed since the creation of the program in 1994. To support this core purpose, the Four to One Program has not approved a Four to One proposal directly adjacent to the new urban area created by a previous Four to One. This avoids a domino effect of urban growth area expansions.</p> <p>Directly adjacent to the proposed site for this Four to One proposal is the Glacier Ridge/McGarvey Park Four to One project, which was approved in 1994 and resulted in approximately 100 new acres of urban area. This urban area remains unincorporated today. The Four to One proposal in the 2020 Docket would further extend the new urban land that was created with the previous Four to One. This is not consistent with the core purpose of the program, and could establish a precedent antithetical the program's desired outcomes. This area was considered for redesignation to urban in 2004 and 2012 and, in both cases, was denied.</p> <p>In addition, there may be site challenges that would preclude urban levels of development. The parcel was formerly used by the United States Department of Defense as a missile base. The full record of cleanup of the site is not available to the County and there is a risk that contamination</p>

Docket Item	Council District	Submittal, Background and Recommendation
		<p>may still exist. The site was transferred to the United States Department of Education, and there are records that a covenant may exist that precludes use for anything other than educational purposes.</p> <p>Executive Recommendation: Based on these factors, this Four to One is not supported by the Executive.</p>
6. Greater Maple Valley Unincorporated Area Council	9 & 3	<p>Submittal: Request for procedural change to require the King County Council to prepare and publish responses to the public comments that it receives on the King County Executive's Executive Recommended Comprehensive Plan updates.</p> <p>Discussion: This request is for a procedural change that would not necessarily require a change to policies and is therefore eligible for consideration in an annual update. The Executive and Legislative branch work to meet the Growth Management Act goals for early and continuous public engagement. Documentation of the update process is provided with every major update in an appendix that is entitled <i>Summary of Public Outreach for the Development of the King County Comprehensive Plan Update</i>. This appendix lists dates of meetings, groups involved or consulted, and estimates of overall involvement.</p> <p>Since 2012, the Executive has supplemented this appendix with a companion document that shows outreach materials such as postcards or e-newsletters, mailings, meeting summaries, and this includes the full set of written comments along with written responses.</p> <p>The Council process is legislative, and there is a permanent record of each meeting when the Comprehensive Plan is discussed, including agendas and minutes, with oral and written comments. There is also a video of each meeting that includes presentations, public testimony, and Council discussions.</p> <p>Executive Recommendation: The Executive branch and the Legislative branch each manage their own portion of Comprehensive Plan update process. It will be for the Council to decide if this request is supported during its stages of the process.</p>
7A. Greater Maple Valley Unincorporated Area Council	9 & 3	<p>Submittal: Request for procedural changes to require Site-Specific Land Use Map Amendments be reviewed through the Type 4 Quasi-Judicial Hearing Examiner process, and not be allowed to be considered legislatively through the Comprehensive Plan process. As part of this, require that land use and zoning changes that affect the same parcel be considered together, rather than bifurcated with zoning going through the hearing examiner process and land use going through the Comprehensive Plan process.</p>

Docket Item	Council District	Submittal, Background and Recommendation
		<p>Discussion: This request is for a procedural change that would not necessarily require a change to policies and is therefore eligible for consideration in an annual update. Under the Growth Management Act, land use decisions are legislative actions. In King County, changes to land use designations are exclusively legislative decisions that are enacted through updates to the Comprehensive Plan's Land Use Map. Portions of the land use process, such as zoning reclassifications, may be delegated to administrative processes, but even these are ultimately brought to the County Council for legislative action.</p> <p>As noted in King County Code Title <i>20.20.20 Classifications of Land Use Decision Processes</i>, land use permit decisions are classified into four types, based on who makes the decision, whether public notice is required, whether a public hearing is required before a decision is made, and whether administrative appeals are provided. Type 4 decisions are quasi-judicial decisions made by the County Council based on the record established by the hearing examiner.</p> <p>Given this, it appears that the request is to require hearing examiner review of all land use changes prior to Council action. This approach raises issues. The hearing examiner's purpose, as defined in King County Code 20.22.020, is to consider and apply adopted county policies and regulations. The hearing examiner is required to separate the application of regulatory controls from the legislative planning process. Hearing examiner decisions are to be based on adopted King County codes and policies, state statutes, regulations, and appellate court decisions. An example of this role is described in King County Code 20.22.150, wherein the examiner issues a recommendation regarding an application for a zone reclassification of property and the recommendation is based on the Comprehensive Plan, subarea plans, subarea studies, or area zoning studies. This makes clear that the hearing examiner ensures fair application of adopted provisions, not the creation of new provisions.</p> <p>Given that planning and comprehensive planning processes by their nature involve making discretionary decisions to potentially alter adopted codes and policies (while of course guided by state statutes and regulations), requiring the hearing examiner to make these types of discretionary recommendations appears inconsistent with their defined role. Further, the typical planning process is for the Executive branch to manage the planning function, develop, and transmit planning recommendations to Council for their consideration, refinement, and adoption.</p> <p>Executive Recommendation: Based on these factors, this request is not supported.</p>

Docket Item	Council District	Submittal, Background and Recommendation
7B. Greater Maple Valley Unincorporated Area Council	9 & 3	<p>Submittal: Request for procedural changes to expressly provide that site-specific land use proposals cannot be added as a last minute amendment by the King County Council during its consideration of a Comprehensive Plan update.</p> <p>Executive Recommendation: As noted previously, the Executive branch and the Legislative branch each manage their own portion of Comprehensive Plan update process. Council will decide if this request is supported during its stages of the process.</p>
8. Richard Miller	8	<p>Submittal: Request to change land use and zoning on one parcel in the North Highline Unincorporated Urban Area from Urban Residential Medium to Urban Planned Development, and from R-8 (8 units per acre) to R-48 (48 units per acre) zoning. Parcel number is 0623049298.</p> <p>Discussion: This request relates to the North Highline urban unincorporated area, which is currently undergoing a subarea land use planning process. Additionally, the parcel is directly adjacent to a parcel that is being considered for a substantial upzone that is part of the Comprehensive Plan 2020 update. Links to both of these are as follows:</p> <p style="padding-left: 40px;">North Highline Subarea Planning: https://www.kingcounty.gov/depts/local-services/permits/planning-regulations/community-service-area-land-use-subarea-plans/north-highline.aspx</p> <p style="padding-left: 40px;">2020 Update – Area Studies (see Area Study 3): https://www.kingcounty.gov/~media/depts/executive/performance-strategy-budget/regional-planning/2020-Comprehensive-Plan-Update/2020-Exec-Recommended-Plan/Area_LandUse_Zoning_Studies-2020Update.ashx</p> <p>Executive Recommendation: Given the land use focus of the subarea planning process, and the intent to look at zoning, land use, property-specific development conditions, and special district overlays in each of the subareas, the Executive recommends that this request be considered within the subarea planning process and this change is not recommended until such process occurs.</p>

IV. For More Information

For questions regarding this report, please contact Ivan Miller, Comprehensive Planning Manager, at 206-263-8297, or ivan.miller@kingcounty.gov.

V. Public Comments on 2020 Docket Submittals

The following public comments were submitted on the Docket Submittals following the release of the 2020 Docket Submittals Report.

- Letter from City of North Bend

VI. Attachments

The King County Code requires that the transmittal of the Docket Report to the County Council shall include copies of the docket requests and supporting materials submitted by the proponents and copies of the executive response that was issued to the proponents. Compliance with this is met through inclusion of the following two attachments:

- A. Public Comments
- B. Docket Submittals Report, January 2020
- C. Letters to Docket Proponents, June 2020

Supporting Materials for 2020 Docket Report

King County Comprehensive Plan

June 2020

2020 Docket Report
King County Comprehensive Plan
June 2020

Public Comment

1. Letter from City of North Bend
2. Comments from Greater Maple Valley Unincorporated Area Council on Docket items 4 (Fletcher) and 5 (Rainier Christian School)

January 10, 2020



Ivan Miller
Comprehensive Planning Manager
King County Executive's Office of Performance Strategy and Budget

RE: King County 2020 Docket for Mr. and Mrs. Pierce

Ivan,

It was great to talk on the phone January 9, 2020 with you. The City of North Bend (City) was notified January 3, 2020 that a docket was submitted to King County adjacent to the City and outside the City's Urban Growth Area (UGA). The request is to use the Four-to-One Program to change a portion of two parcels adjacent to the City from Rural Area to Urban, and to permanently protect the remainder as King County owned open space. The Tax ID numbers are 1723089006 and 2607740120. The City has several concerns and constraints identified below. The Pierce docket is not supported by the City because of the number of unsurmountable issues and additionally the proposal does not appear to meet the provisions outlined in the Four-to-One program.

There are numerous concerns with proposing clustered development (of potentially 40 homes) adjacent to the Forester Woods neighborhood:

1. The project area is identified on City of North Bend Critical Area Ordinance Figures 3 and 5 (which uses King County GIS data) as having extensive Debris Flow Hazard and Five (5) Type F streams with 115' buffers on both sides. According to the Streams map alone the area proposed for urban density is almost entirely within Type F Stream buffers.
2. The City's Waste Water Treatment Plant does not have capacity for more residential growth for at least 3 years or more while improvements are made. The City supports consistency with the Growth Management Act (GMA) by not extending public sewer outside the Urban Growth Boundary.
3. The City has many concerns with our ability to supply mitigation water and must limit service to existing properties within the City before annexing or extending water service beyond our corporate limits.
4. This property is not only located outside City Limits, it is also outside the City's UGA. The City has existing UGA areas with no immediate plans or desire for annexation at this time. The City's UGA identified by the State and adopted in 1994 has not changed and the City supports expanding our existing UGA prior to any increase in the UGA.
5. Viewshed impacts with further residential development towards existing open spaces would be a concern to the City and likely the Mountains to Sound Greenway Trust. The City, Si View Metropolitan Park District, King County and the Trust For Public Land purchased nearly 32 acres of land slated for development nearby for development of Tennant Trailhead Park.

These parcels include 0823089049, -018 and -014. The City is proud of the continuous public ownership that connects North Bend to Rattlesnake Mountain.

6. The State's Boundary Review Board would have to approve expansion of the City UGA. This area has never been considered by the City as a desirable area for UGA expansion. This proposal is likely inconsistent with many goals and policies of the City (and County) Comprehensive Plans and Policies, including City Policy LU- 1.3 to locate residential land uses in environmentally unconstrained areas and City Policy LU- 9.6 which supports annexation only within identified UGA areas. The City's Comprehensive Plan Goal 8 and Policies calls for protection for people and property from the risks and negative effects of unstable slopes and landslide areas and Policy 8.4 calls for the City to work with the County to restrict development in landslide hazard areas and their flow paths.
7. If pre-annexation zoning were applied, The City would likely assign CLDR (constrained low density residential 2 units per acre zoning) and with the numerous environmental constraints development at that density is unlikely. This appears to go directly against the King County Four to One Criteria which states that new urban land shall have a minimum density of 4- dwelling units per acre and be served directly and sufficiently free of environmental constraints in order to allow urban densities.

Thank you for consideration of our comments. Please keep us informed as this goes through King County review.



Rob McFarland, Mayor
City of North Bend
(425) 888-7625
RMcFarland@northbendwa.gov

Cc: Mark Rigos, P.E. Public Works Director/Interim City Administrator
David Miller, CED Director, City
Jamie Burrell, Senior Planner, City

**2020 Docket Items to the KCCP
Comments**

D.I. Request #2—Fletcher (past Metal Recycling Facility at 18407 Renton-Maple Valley Rd [SR-169], just south of the Cedar Grove Rd intersection)

This is a *re-submittal* of a 2018 request. However, in this case, the requester specifically asks for: *“the opportunity to sit down with the councilman and staff to discuss the merits of this request.”* The GMVUAC submitted formal comments to King County on the original 2018 D.I. Request recommending it be rejected (see attached).

The 2020 D.I. Request remains the same as that rejected by the County in 2018: change zoning from Neighborhood Business (NB) to Industrial (I). The site has been cleared of much of its past business and possibly in anticipation of a zoning change or to be sold? Clearly, a zoning change could greatly increase the value of the property.

It is our understanding that a *“site-specific”* amendment needs to wait a total of three years before re-submittal. The original submittal was less than two years ago in 2018.

We completely support the Executive’s excellent rationale for recommending rejection of this request in 2018.

We request the Executive to recommend this D.I. Request, again, be firmly rejected.

“Reclassify zoning on two parcels from NB (Neighborhood Business) to I (Industrial). The land use would remain Rural Area. Combined size is 3.54 acres. The purpose for the request is to provide consistency with the actual land use activity (recycling center) that has been in operation for over 25 years. An industrial use (grandfathered) – a metal recycling facility. The use and zoning will be consistent with what is actually developed in the immediate vicinity and on these specific properties.”

INTRODUCTION

The D.I. states the site’s existing business is an “*industrial use*” that is “*grandfathered.*” The D.I. request is to rezone the site from Neighborhood Business (NB) to Industrial (I). If the existing “*metal recycling*” business is indeed “*grandfathered,*” then no change in zoning is necessary.

Of critical concern is that should the site be rezoned, the *next* owner could propose a *different* industrial use (much like the proposed Asphalt Facility on a parcel along SR-169, which was the subject of a successful rezoning request through the D.I. process). [Note; The site in question was not evaluated earlier this year in KC DPER’s *Cedar River Sites Industrial Moratorium (CRSIM) Study* as part of the KC Council’s Asphalt Facility discussions, because it was not zoned “*Industrial.*”]

BACKGROUND

The D.I. specifically refers to the adjoining site to the south and its “*I*” zoning as justification for the site in question to be rezoned to “*I*”. Attached is the final Zoning and Subdivision Examiner’s Decision and the BALD Report 124-88-R— (Note: The Building and Land Development Division is the predecessor to present-day DPER), which supported the 1989 rezone of the adjoining site to “*I-P*” (“*I*” zoned, but with a *P-suffix*—which imposed express limitations on future use).

The “*I-P*” zoning for the adjacent site was adopted by the KC Council as Ordinance 8865 and incorporated into subsequent Comprehensive Plans (and *Tahoma-Raven Heights Subarea Plan* by Ordinance 12824 in 1997). The uses of that “*I-P*” zoned site are limited to those allowed in the Regional Business (RB) zone and “*vehicle interior refurbishing and re-upholstering.*”

DISCUSSION

The 1989 rezone was *unique* and cannot, and should not, constitute grounds for rezoning the site in question from “*NB*” to a general “*I*” without any *P-suffix* to substantially limit its future use. The attached BALD Report gives an extensive history of this area and land uses that existed in that vicinity for many years. D.I. #4’s assertion that a “*rezone of their property to ‘I’ - Industrial would be consistent with the zoning and use of the property to the south*” simply is not accurate.

We remain highly skeptical and very concerned that a rezone to a generic “*I*” could result in another debacle, as has been encountered with the proposed Asphalt Facility on a parcel along SR-169. As with the former rezone of that parcel to simply a generic “*I*”, rezoning of the site to allow lawful continuation of an *existing nonconforming use* has severe and, perhaps, unintended consequences, where such rezone is not limited in scope to allow only that particular existing use and any other uses that are in fact consistent with such existing use. In fact, since the existing business can continue under *existing* zoning, no rezone is necessary.

Finally, any proposed site-specific rezone (e.g., from “*NB*” to “*I*”) *inconsistent* with the KC Comprehensive Plan (KCCP) must be considered and resolved **first** through a Hearing Examiner following a public hearing (KCC 20.20.020(E) and KCC 20.22). Annual amendments to the KCCP are deemed *legislative*; whereas, a site-specific rezone is *quasi-judicial* and must be reviewed as a Type 4 permit application. Clearly, an annual D.I. request should not be part of any *bifurcated* process (i.e., KC Council amends zoning designation, refers it to Hearing Examiner, who, sends recommendation back to KC Council for a final decision).

RECOMMENDATION

D.I. #4 should be denied.

Attachment: Final Zoning and Subdivision Examiner’s Decision and the BALD Report 124-88-R, 1989.

2020 Docket Items to the KCCP Comments

D.I. Request #5—Rainier Christian School (just NW of Lk Desire in an unincorporated Urban area)

This property is directly adjacent to the GMVUAC's western border. The request is to use the 4:1 program to take the ~34.5-ac, RA-2.5 zoned site and adopt urban-designated development of R-6 (6 DUs/ac) over 20% of the site (~7 ac), thereby creating ~41 lots.

Our biggest issue is this entails extending sewer lines from the Urban Growth Area into the Rural Area to serve the projected ~41 home sites. Although the requester states there is an existing sewer line that extends through the site to serve the existing school, that line should be tightlined (as specified in the King County School Siting Task Force which convened in 2011-2012—GMVUAC member, Peter Rimbos, served on the Task Force). We expect the requestor cannot achieve the density that would accompany the requested R-6 zoning with septic systems and, thus, needs extension of sewer lines. Extending sewer lines in to the Rural Area would violate *County-Wide Planning Policy (CPP) DP-17c* [*“Can be efficiently provided with urban services and does not require supportive facilities located in the Rural Area”*].

One of the GMVUAC's bedrock principles is to *“Keep the Rural Area rural”* and one very strong way to do that is to not extend sewer lines into the Rural Area. King County policy agrees with this and it was a heavy determinator during the School Siting Task Force deliberations and recommendations.

In addition, a direct access road is required to be extended from the from the Urban Growth Area. The only existing road (174th Ave SE) to serve the school enters from the southeast, all in the Rural Area, from Lake Desire Dr.

Finally, the City of Renton would have to designate this area as part of its Potential Annexation Areas (PAAs), according to *CPP DP-17g* [*“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.”*]. The City of Renton already has several designated PAAs. One of which lies directly adjacent to the west of this area. For many years the City has chosen *not* to annex any of these PAAs, nor do we expect it would do so here, even if the city designated it as a PAA, thus defeating the purpose of requiring the sub sect of the 4:1 to be part of a designated PAA.

We request the Executive to recommend this D.I. Request be rejected, in part, due to the need for sewer line extensions into the Rural Area and the strong possibilities that the City of Renton, although it might designate it as part of its many PAAs, would have no real intention of annexing it in the future.

2020 Docket Report
King County Comprehensive Plan
June 2020

Attachment

A. Docket Submittals Report, January 2020



2020 Docket Submittals Report

King County Comprehensive Plan
January 2020

I. BACKGROUND

The King County Docket was established in 1998 in accordance with Revised Code of Washington 36.70A.470, and codified at King County Code 20.18.140. The Docket provides an opportunity for the public to register comments on the *King County Comprehensive Plan* and the associated development regulations. The County responds to each item registered on the docket, providing a feedback loop, as required by RCW 36.70A.470. Docket forms are available on the County website and at several county departments. The docket is open continuously with a deadline of December 31 for submitting docketed comments for consideration in the Comprehensive Plan update process. By the last business day of April, a Docket Report with executive responses and recommendations is released.

The information in the Docket Submittals Report includes the complete set of materials submitted by Docket proponents. Providing the Docket Submittals Report to the public early in the process, and even before substantive analysis has occurred, allows for more transparent communication regarding the issues that the County is being asked to consider.

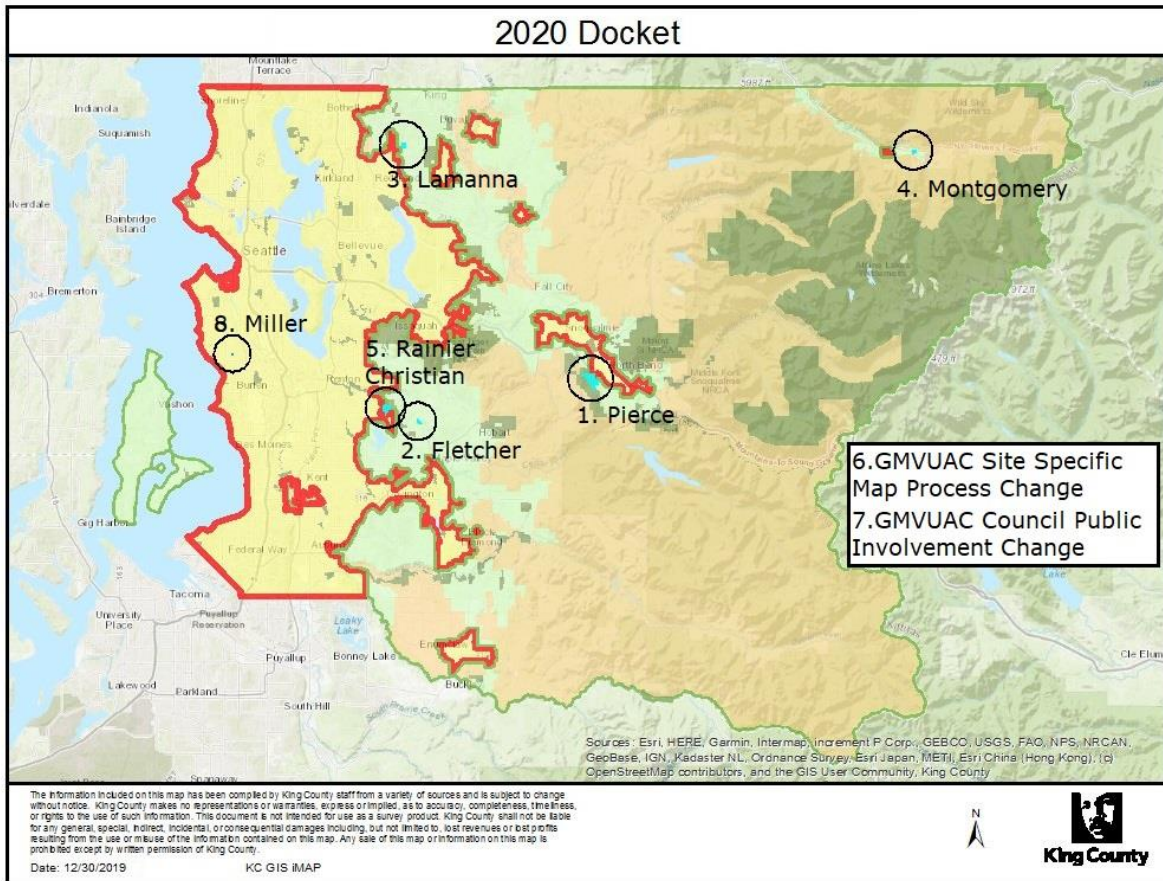
II. OVERVIEW OF SUBMITTALS

The following items were received by King County by the deadline of December 31, 2019 for consideration in the 2020 Docket process.

#	Name	Brief Summary
1	Mr. & Mrs. Pierce	Request to use Four to One Program to change a portion of two parcels adjacent to the City of North Bend from Rural Area to Urban, and to permanently protect the remainder as King County owned open space. Parcel numbers are 1723089006 and 2607740120.
2	Mr. & Mrs. Fletcher	Request to change land and zoning on two parcels on the Renton-Maple Valley Road near the Cedar Grove Natural Area from Neighborhood Business to Industrial. Parcel numbers are 3223069070 and 3223069052.
3	Peter Lamanna	Request to change speed limits from 35 to 25 mph on Bear Creek Road NE and NE 132nd Street between Avondale Road NE and NE 133rd Street to address traffic conditions, lack of law enforcement, and safety.
4	Mr. & Mrs. Montgomery	Request to change land use and zoning on one parcel outside of the City of Skykomish from Rural Area 2.5 to Urban Residential 12 in order to allow for a cluster village of small homes and Recreational Vehicle parking. Parcel number is 3026129019.

#	Name	Brief Summary
5	Rainier Christian School	Request to use Four to One Program to change a portion of one parcel in the Fairwood unincorporated urban area from Rural Area to Urban, and to permanently protect the remainder as King County owned open space. Parcel number is 2523059086.
6	Greater Maple Valley Unincorporated Area Council	Request for procedural change to require the King County Council to prepare and publish responses to the public comments that it receives on the King County Executive's Executive Recommended Comprehensive Plan updates.
7	Greater Maple Valley Unincorporated Area Council	Request procedural changes to: A. Require Site-Specific Land Use Map Amendments be reviewed through the Type 4 Quasi-Judicial Hearing Examiner process, and not be allowed to be considered legislatively through the Comprehensive Plan process. As part of this, require that all land use and zoning changes should be considered together, rather than bifurcated with zoning going through the hearing examiner process and land use going through the Comprehensive Plan process. B. Expressly provide that site-specific land use proposals cannot be added as a last minute amendment by the King County Council during its consideration of a Comprehensive Plan update.
8	Richard Miller	Request to change land and zoning on one parcel in the North Highline Unincorporated Urban Area from Urban Residential Medium to Urban Planned Development, and R-8 to R-48 zoning. Parcel number is 0623049298.

The following map identifies the location of the 2020 Docket items.



III. SUBMITTALS

The tables below include all of the information provided with the Docket submittal. For clarity and context purposes, but not analytical purposes at this stage in the process, maps are provided by the County that show the vicinity of the area, an aerial photo, the Comprehensive Plan land use designation, and the zoning classification. If special district overlays or property-specific development conditions apply, these are provided as well.

<p>Docket Request # 1: Pierce</p> <p>Name of Requestor(s): Lucas and Jennifer Pierce</p> <p>Council District: #3</p> <p>Summary Category: Urban Growth Area Amendment through Four to One Program</p> <p>Submitted Request</p> <p>The request is to rezone and reclassify the land use on parcels 1723089006 and 2607740120 from Rural Area 5 (RA-5) and Rural Area 10P (RA-10P) to Urban Residential 4 (R-4) and from Rural Area land use to Urban Residential Medium land use using the Four-to-One program. The request changes a broad Growth Management Act land category from Rural to Urban for a 10 acre portion of the subject property. Expansion of the North Bend Urban Growth Area (UGA) boundary to include the portion of the subject property proposed for urban development is also requested using the Four-to-One program.</p>
--

Docket Request # 1: Pierce**Address**

Undeveloped land – no address. Near North Bend. The subject property can be viewed from the 1-90 corridor above the Forster Woods subdivision in North Bend. Exit 31 off I-90. The subject property is to the southwest of, and contiguous with, the North Bend UGA and city limits. Parcel Identification Numbers are 1723089006, 2607740120.

Submitted Background Information

The parcel is slightly larger than **166 acres** and is triangularly shaped. Two sides are contiguous with the Urban Growth Area and the city limits of North Bend. The third side backs up to RMSA.

This proposed amendment would permanently protect and provide public access to 156 acres of land adjacent to Rattlesnake Mountain Scenic Area (RMSA). The 156 acres to be dedicated as open space has many beautiful resources including unobstructed views of Mt. Si, an unused trailhead that connects to the Rattlesnake Ridge trail system, old growth and second growth forest, natural wildlife habitat, and environmentally sensitive areas.

This amendment limits future development on open land and environmentally sensitive land. Future development would be clustered into a smaller 10 acre parcel, preserving environmental features that would otherwise be impacted. By clustering development at urban densities, the development impacts are reduced, and the provision of urban services (water and sewer) are possible. With the remaining 10 acres, we propose to extend the Forster Woods neighborhood with compatible residential development. The existing roads and utilities are stubbed to the subject property line. We are working with the City of North Bend to design the project and mitigate impacts to allow for their support of expanding the UGA and providing urban services.

Property-Specific Development Condition: There is an existing property development condition, which is SV-P36: Development Clustered on 50 acres (see Appendices A for a visual). Given this condition, this Four-to-One proposal is to cluster more densely. The allowed development area of 50 acres will be treated as its own Four-to-One site, with preservation of 80% (40 acres) and urban residential development of 20% (10 acres). To comply with SV-P36 and the Four-to-One program criteria, all residential lots will be clustered on the lower 10 acres of the property adjacent to the Forster Woods development. A twenty-five foot native growth protection buffer will be placed on all property boundaries adjacent to any urban development. The remainder of the parcel will be voluntarily dedicated upon final plat approval as permanent open space and shall remain in a natural state.

Roads: Parcel 1723089006 has two roads through the Forster Woods subdivision that dead end at the subject property, and parcel 2607740120 has one road within the UGA. In order to access the existing City public rights-of-way from the subject property, the roads would need to traverse the existing Native Growth Protection Buffer. The impacts to the buffer would be minimized and impacts mitigated. With respect to critical areas, King County's Critical Area Regulations allow road crossings in critical areas, either as an allowed alteration or as an alteration exception. In these circumstances, appropriate mitigation is required. The current SV-P36 overlay of 50 acres clustered would require a road 3600 feet long that would have five stream crossings and would traverse the area that would be set aside as permanent open space and maintain in a natural state. A stated purpose of the 10 acre clustering of future development is to avoid disturbing environmentally sensitive portions of the site. Additionally, Forster Woods roads are public rights-of-way, which are maintained by the city. Due to the grades of the existing roads, the City has had challenges plowing the snow in the winter. Knowing this, we will design road grades can be plowed by City apparatus. If this is not feasible, we will make the roads private and arrange for private maintenance and plowing of the road by the HOA.

Water: The location of the Pierce's property is at the outside of the City of North Bend's current water service area (See Appendix B). We will work with the City to expand the service area to include the 10 acres, which can be done in conjunction with amendments to the City's Comprehensive Plan and Water Service Plan. The City has indicated that there is sufficient water capacity to expand the water service area to include the proposed development. However, the elevations of the 10 acres may require an additional water tank to ensure adequate pressure for fire flow. The need for a water tank

Docket Request # 1: Pierce

will be determined through the preliminary plat process. If necessary, it will be designed and constructed to all applicable City standards. Expanding the City's water service area prevents the need to install individual exempt wells throughout the property for a non-clustered residential development. This reduces impacts to groundwater resources and the environmentally sensitive portions of the site.

Storm Water: Development of the 10 acres will require a stormwater plan designed to the current standards. Forster Woods' retention ponds are currently at maximum capacity and have overflowed onto the roads in the past. As part of this Four-to-One proposal, we will work with the City to evaluate the possibility of expanding the Forster Woods retention ponds to correct the existing deficiencies and to provide capacity for additional flows from the developed 10 acres.

Sewer: North Bend does not currently have sufficient sewer capacity to serve the developed 10 acres. The City is in the process of designing a wastewater treatment plant expansion to increase capacity. The design is anticipated to be completed to the 50% level in late 2020 to allow the development of a cost estimate. The cost estimate and funding proposal will be presented to City Council in early 2021. If approved, the expansion would be complete and operational by late 2023. Given the scale of the four-to-one project, the timing of the wastewater treatment plant expansion is not an issue for us. We prefer to wait for sewer to be available than to design up to 16 individual septic fields, which would have a negative environmental impact. Once sewer becomes available, North Bend can expect to earn a minimum of \$26,000 connection fees per unit and \$140 in monthly user fees to fund the project's proportional share costs of the wastewater treatment plant expansion (see Appendix C).

Trail Head: In alignment with North Bend's mission to provide outdoor recreation for residents and visitors, this proposal provides an easement for a future trailhead for public access to RMSA. Current access to RMSA is limited with two entry points currently located outside of the city to the north and south. This would expand public access to RMSA from the City of North Bend (see Appendix D).

There is no significant effect on adjoining parcels as the adjacent residential area has the same zoning as is proposed for these parcels. The proposed clustered residential development is consistent with the existing development in Forster Woods.

This change is compatible with the surrounding area as we would extend the existing Forster Woods neighborhood. We believe Forster Woods was originally designed to include the Pierce's property in a later phase and are working with the city public records department to confirm this. The proposed clustered development significantly reduces the environmental impacts from the currently permitted development of the 50 acres based on SV-P36 to 10 acres. Homes would have beautiful views of Mt. Si and we estimate will sell at a higher price point than the homes in Forster Woods. These homes would therefore increase the value of the homes in Forster Woods.

The parcel meets the following criteria to be considered for the Four-to-One program:

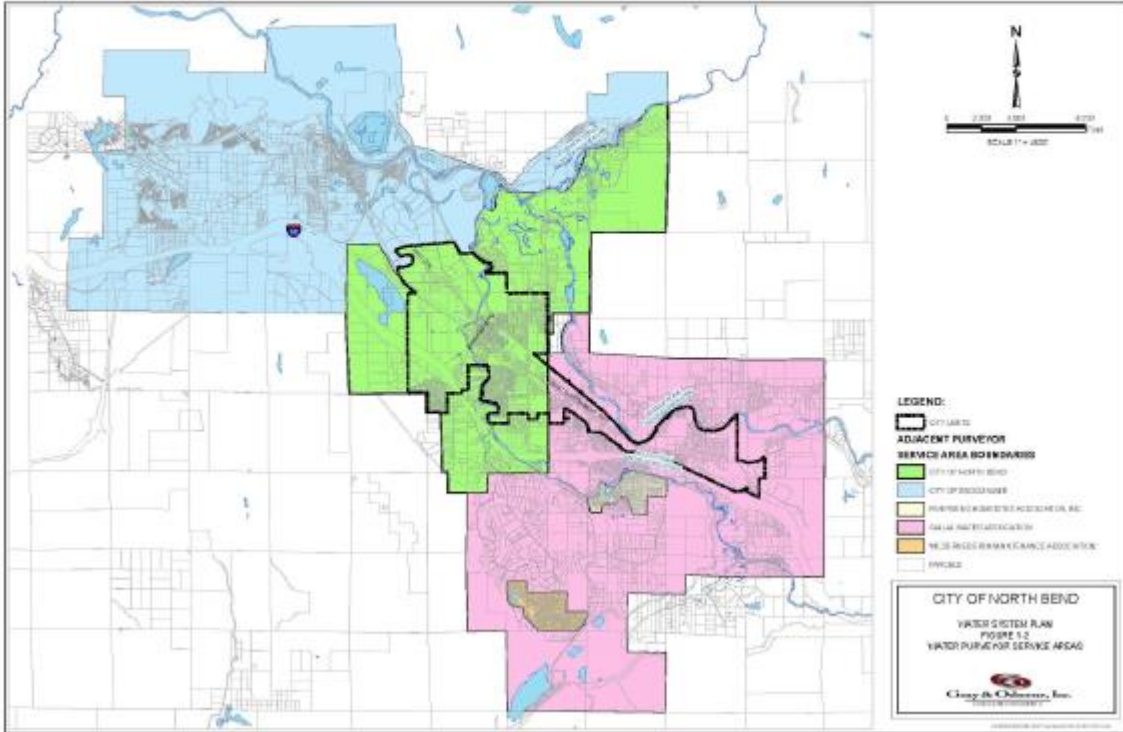
- Is not zoned agriculture
- Is Physically contiguous to the existing Urban Growth area
- Is not in an existing band of continuous space
- Could be served by sewers and other urban services
- Could have urban facilities provided directly from the urban area and no cross the open space or rural area
- Is greater than 20 acres

Appendix A: Rough Map of Lower 50 Acres described in SV-P36



Appendix B: Water Service Area

WATER SYSTEM SERVICE AREA BOUNDARIES



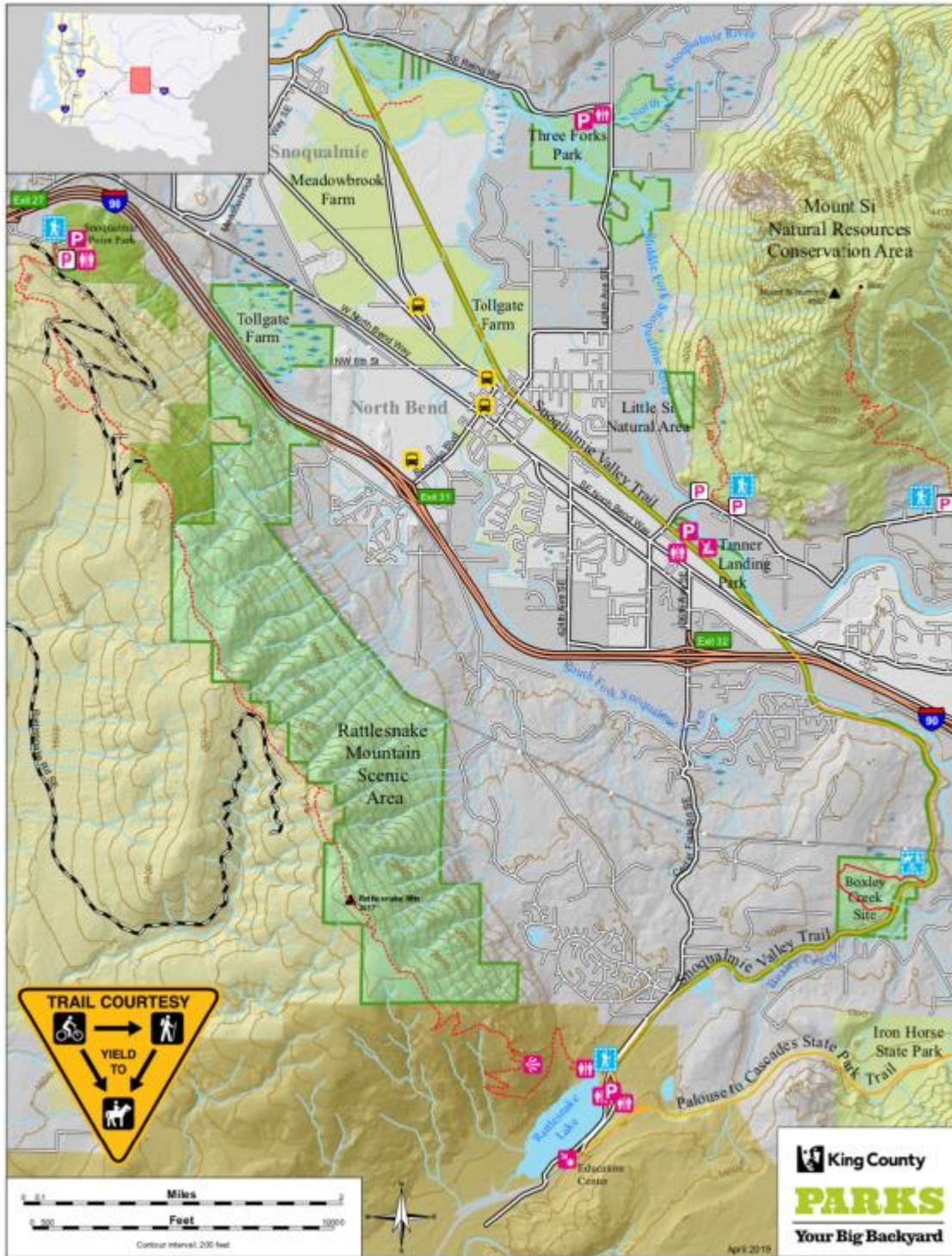
Docket Request # 1: Pierce

Appendix C: North Bend Water & Sewer Fees from 2013

North Bend Rates Water & Sewer Fees		Zemp Property	
		One Time Charges	Monthly
Water	Per unit		
	3/4" GFC	6,160.00	
	3/4" Meter	252.95	
		\$ 6,412.95	One Time Charge Per unit
	Monthly Charge		58.63 Per month 1.59 Per month - 1st 1 CM of water
Sewer			
	3/4" GFC	5,230.00	
	ULID #5	TBD	Needs to be determined
	Monthly Charge		68.77 Per month 0.73 Per month - 1st 10 CM of water
Stormwater Utility			
	GFC Base Charge	765.78	per unit
	Monthly Charge		12.36 Per month
Floodplain Development Permit			
		154.00	initial fees
School Impact Fees		8,688.48	per unit
Fire Impact Fees		622.25	per unit
Park Impact Fees		4,054.00	per unit
Transportation Impact Fees		666.82	per unit
		\$ 26,534.28	One Time Charge Per unit
			\$ 140.76 Monthly Charge

Docket Request # 1: Pierce

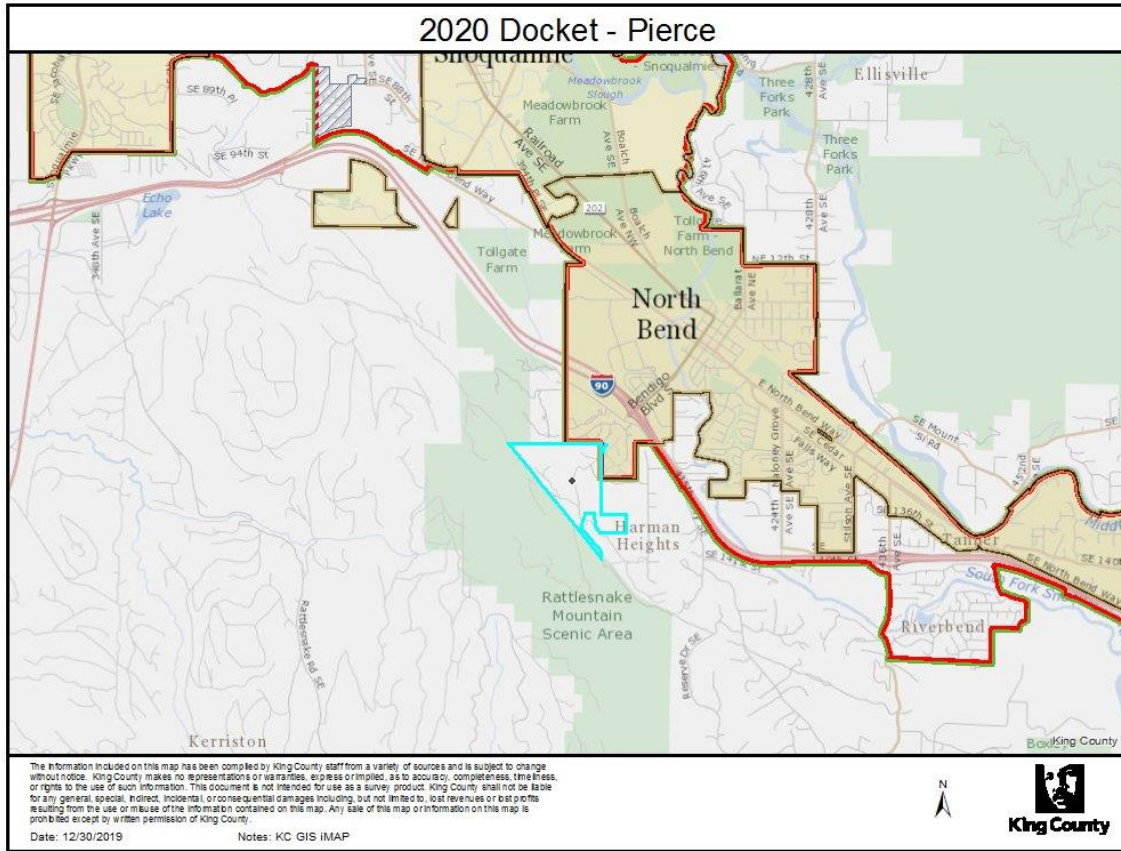
Appendix D: Current Trailmap of RMSA



Docket Request # 1: Pierce

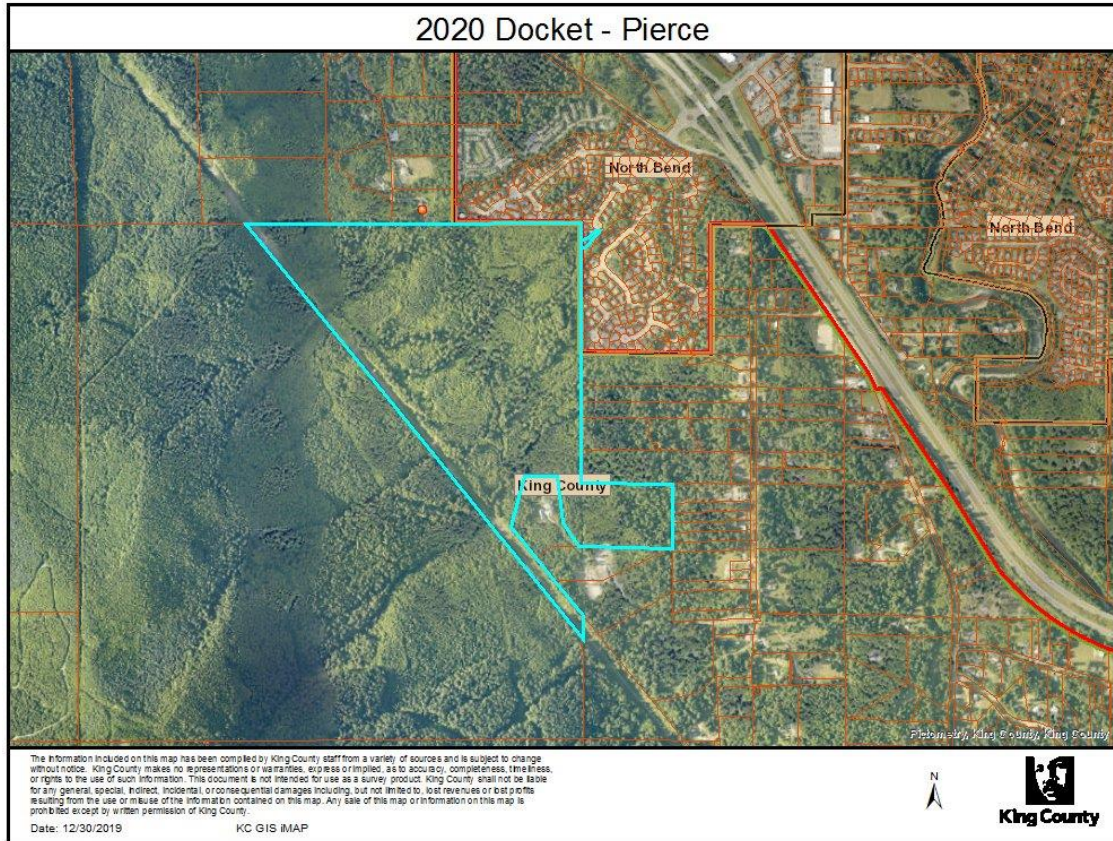
County Maps of Docket Area (parcels highlighted in blue)

Vicinity:



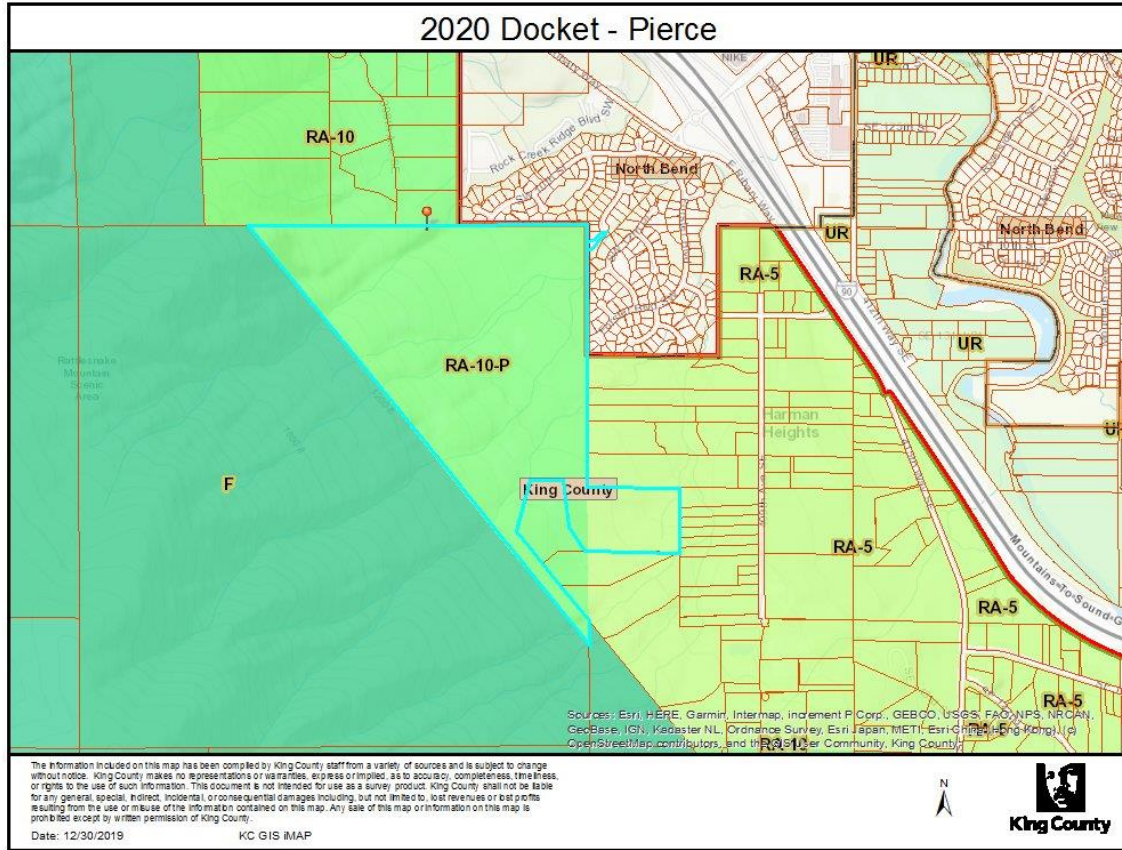
Docket Request # 1: Pierce

Aerial Photo:



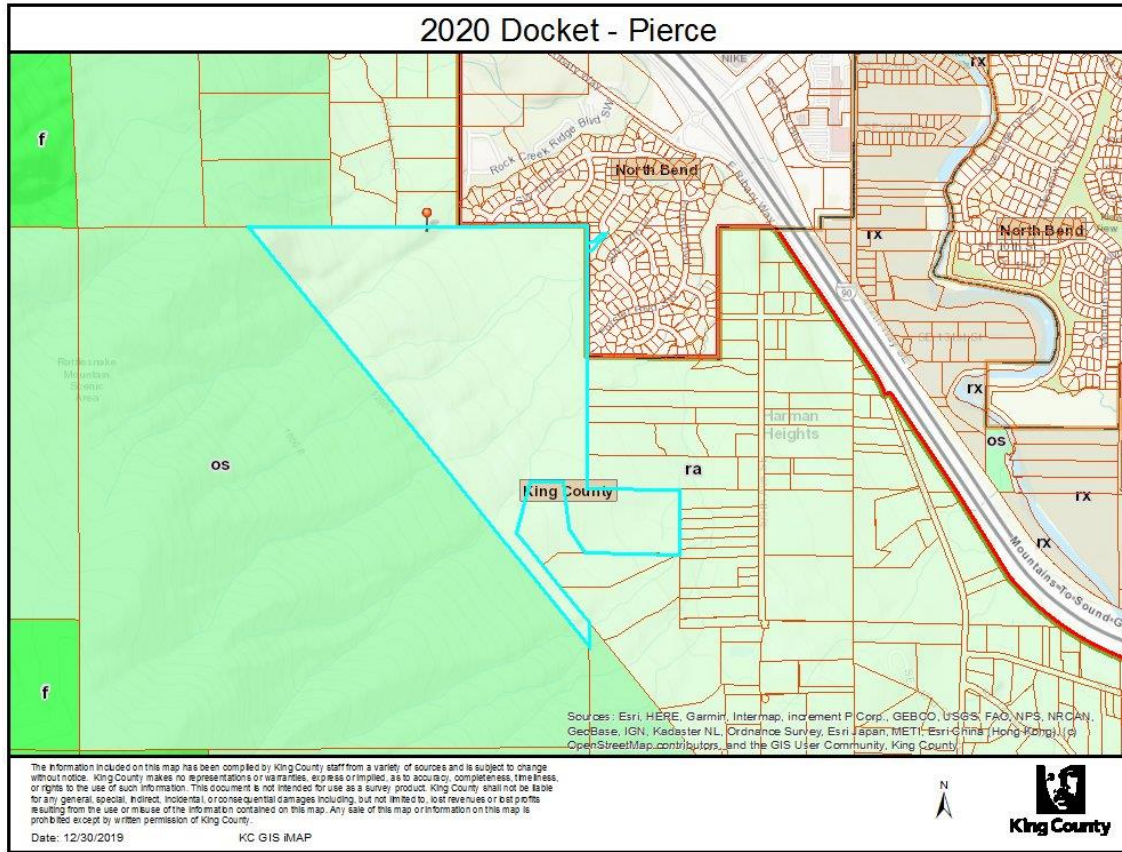
Docket Request # 1: Pierce

Zoning:



Docket Request # 1: Pierce

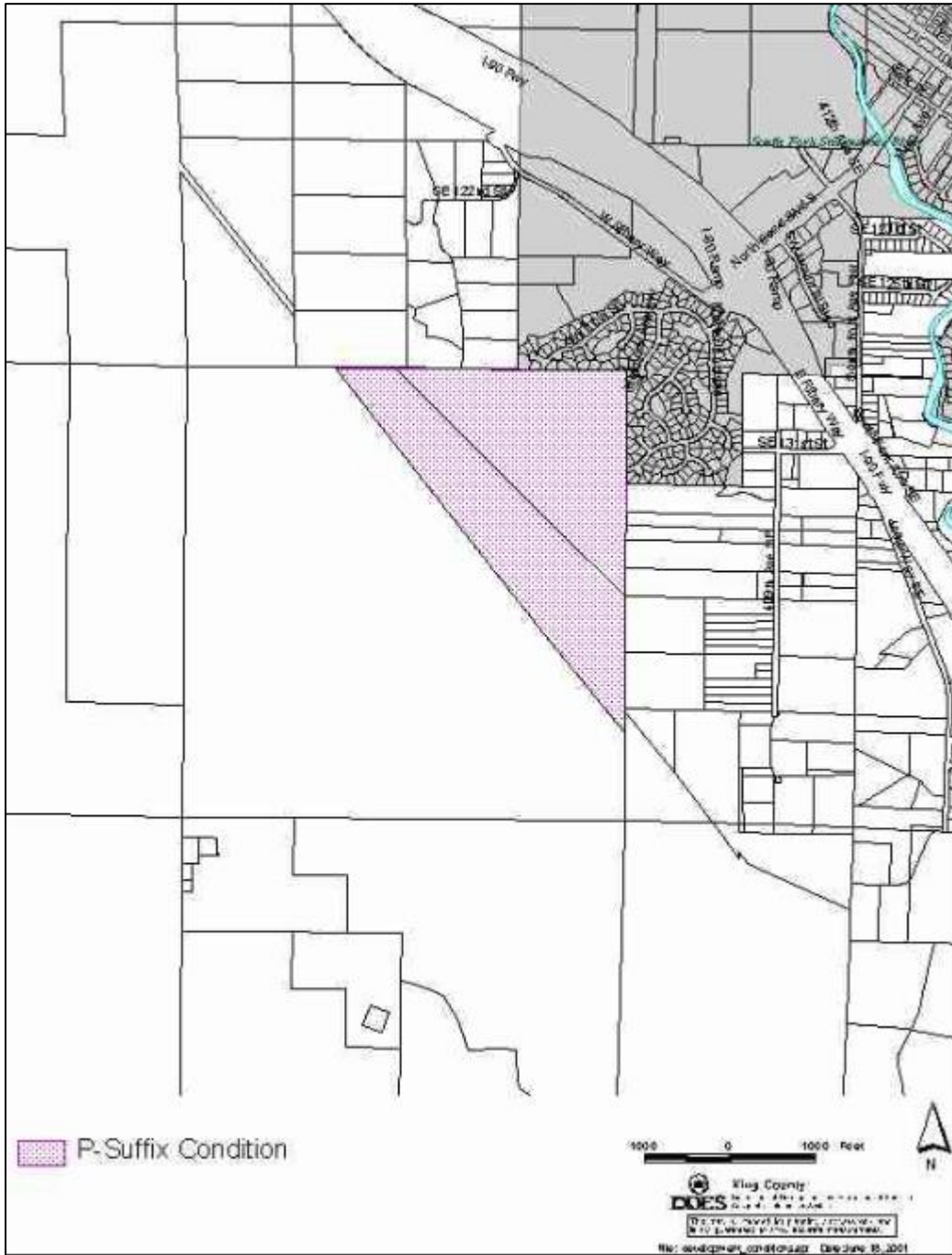
Land Use:



Docket Request # 1: Pierce

Property Specific Development Condition SV-P36: Development Clustered on 50 acres

<https://www.kingcounty.gov/depts/local-services/permits/property-research-maps/property-specific-development-conditions/Psuffix/SnoqualmieValley/SV-P36.aspx>



Docket Request # 2: Fletcher

Name of Requestor(s): Michael and Linda Fletcher

Council District: #9

Summary Category: Land Use and Zoning Change

Docket Request # 2: Fletcher

Submitted Request

Request to change the current zoning and land use designation from Neighborhood Commercial (NB) to Industrial (I). Combined size is 3.54 acres. Although this request was denied in 2018, we appreciate the opportunity to sit down with the councilman and staff to discuss the merits of this request.

Address

18407 Renton-Maple Valley Highway, Maple Valley, WA 98038. Parcel identification numbers 3223069052 and 3223069070

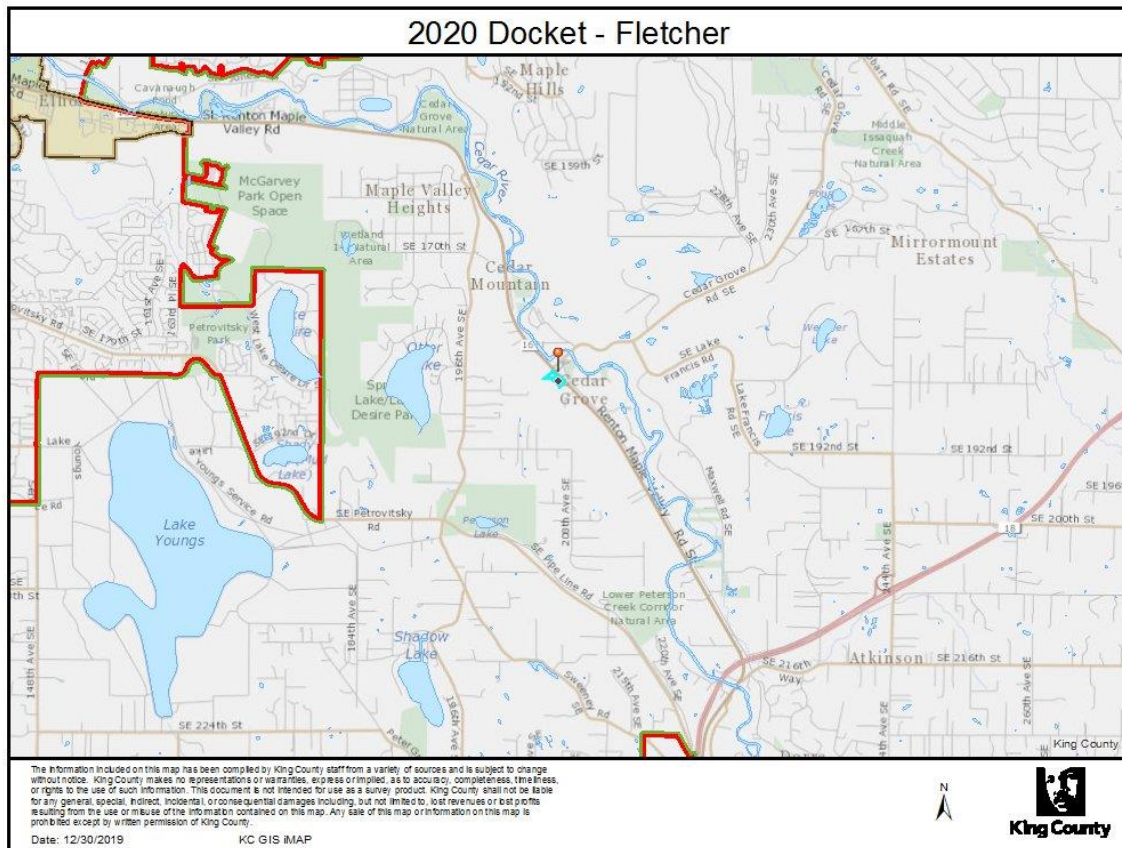
Submitted Background Information

This change is consistent with the adjacent property and current use of the land. The proposed use of the parcel is industrial (grand-fathered). Metal recycling facility which has been there for 25 years. This change will have no affect on adjoining properties to the south which are also industrial zoned land and the current use if for industrial uses. The use and zoning will be consistent with what is actually developed in the immediate vicinity and on these specific parcels. These properties have been functioning as a metal recycling facility for over 25 years.

County Maps of Docket Area (parcels highlighted in blue)

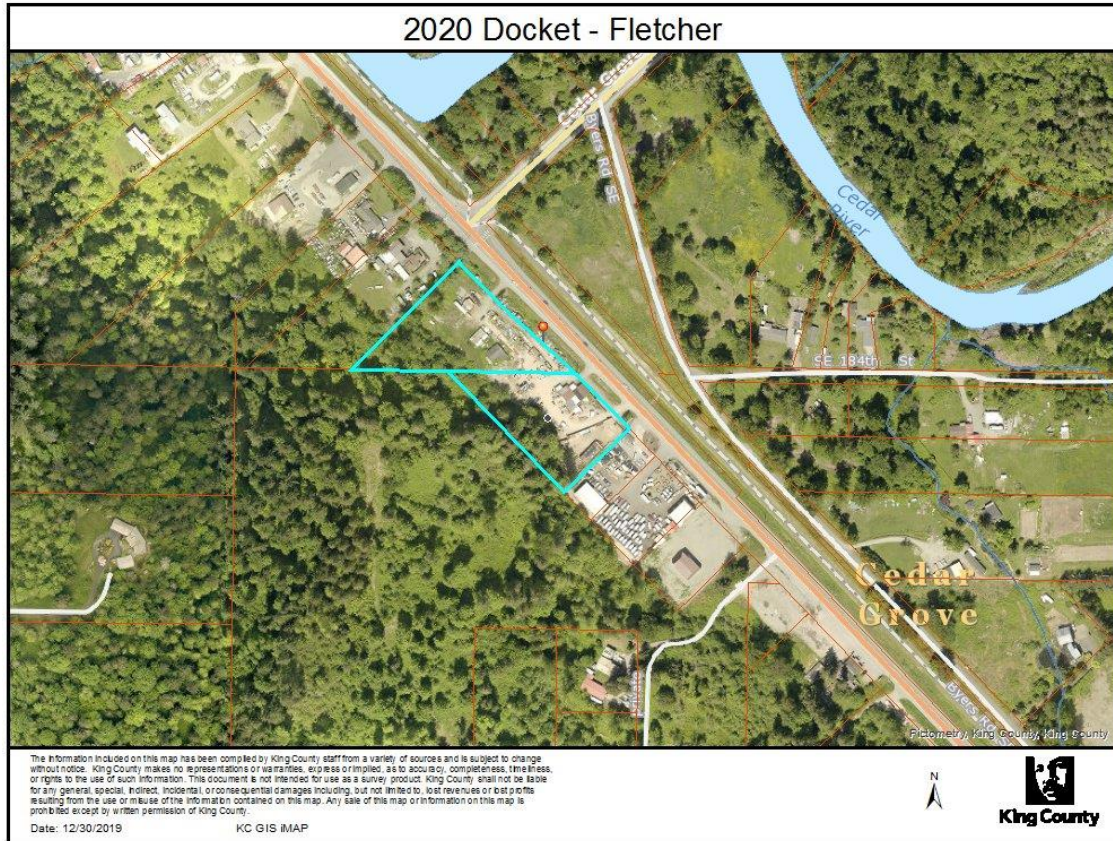
Link to 2018 Docket Report: https://www.kingcounty.gov/~media/depts/executive/performance-strategy-budget/regional-planning/Comp%20Plan/Dockets/4_2018_Docket_Report.ashx

Vicinity:



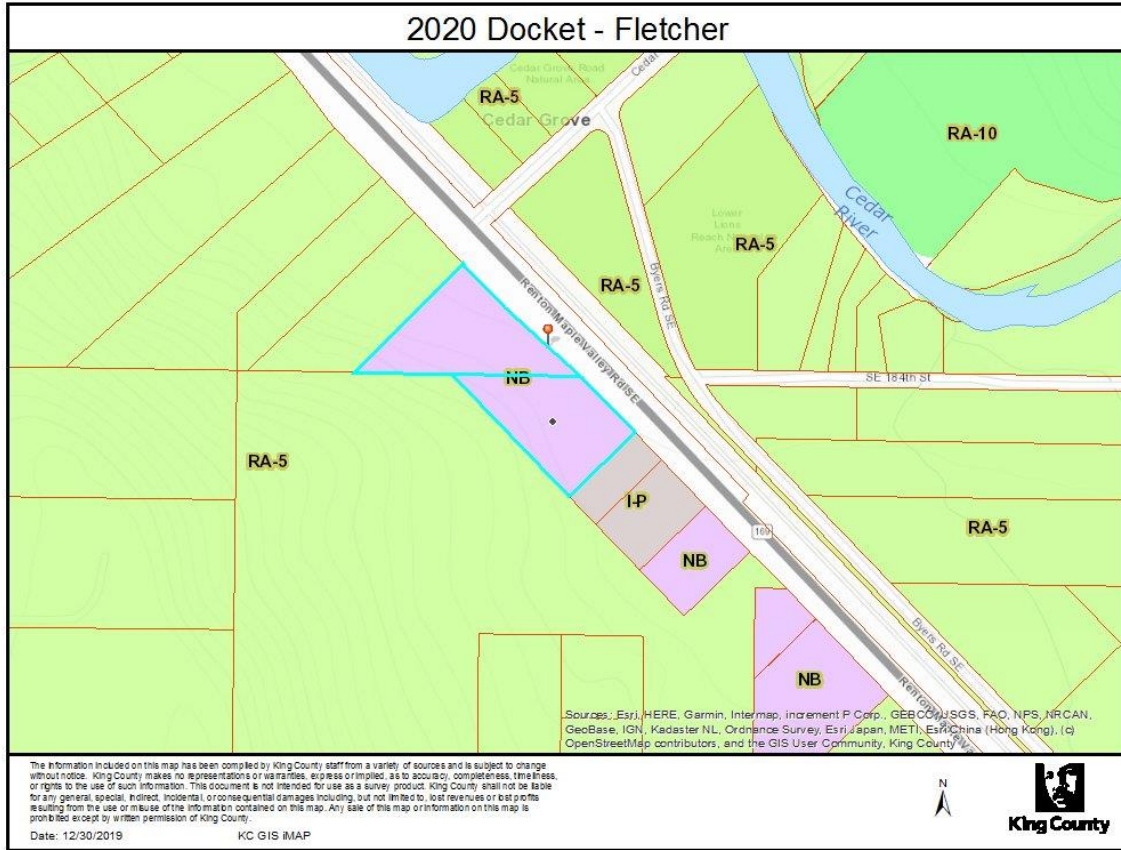
Docket Request # 2: Fletcher

Aerial Photo:



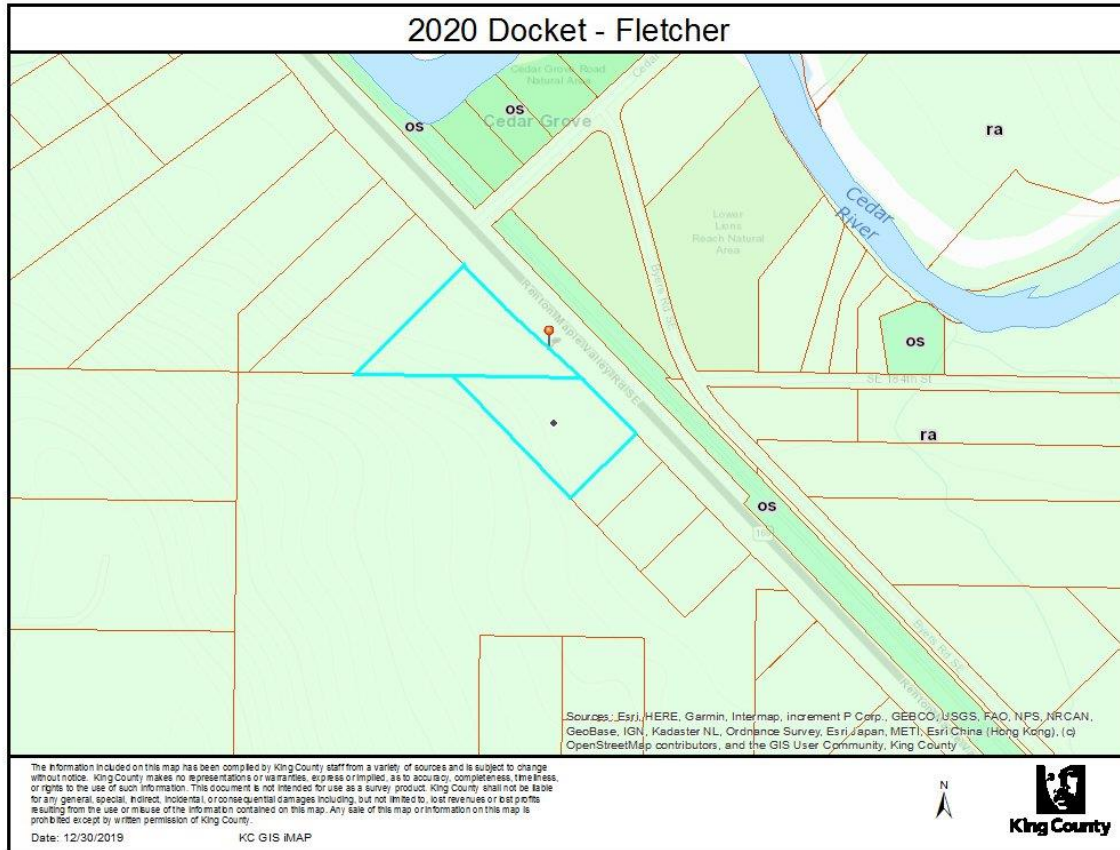
Docket Request # 2: Fletcher

Zoning:



Docket Request # 2: Fletcher

Land Use:



Docket Request # 3: Lamanna

Name of Requestor(s): Peter Lamanna

Council District: #3

Summary Category: Transportation – Revise speed limit on road

Submitted Request

The requested change is to change the speed limits from 35 to 25 mph on Mink Road NE, Bear Creek Road NE and NE 132nd St.

Address

n/a. Location of roads as noted above. This includes Bear Creek Road NE and NE 132nd Street between Avondale Road NE and NE 133rd Street, including the curved section west of the Woodinville Fire and Rescue Station.

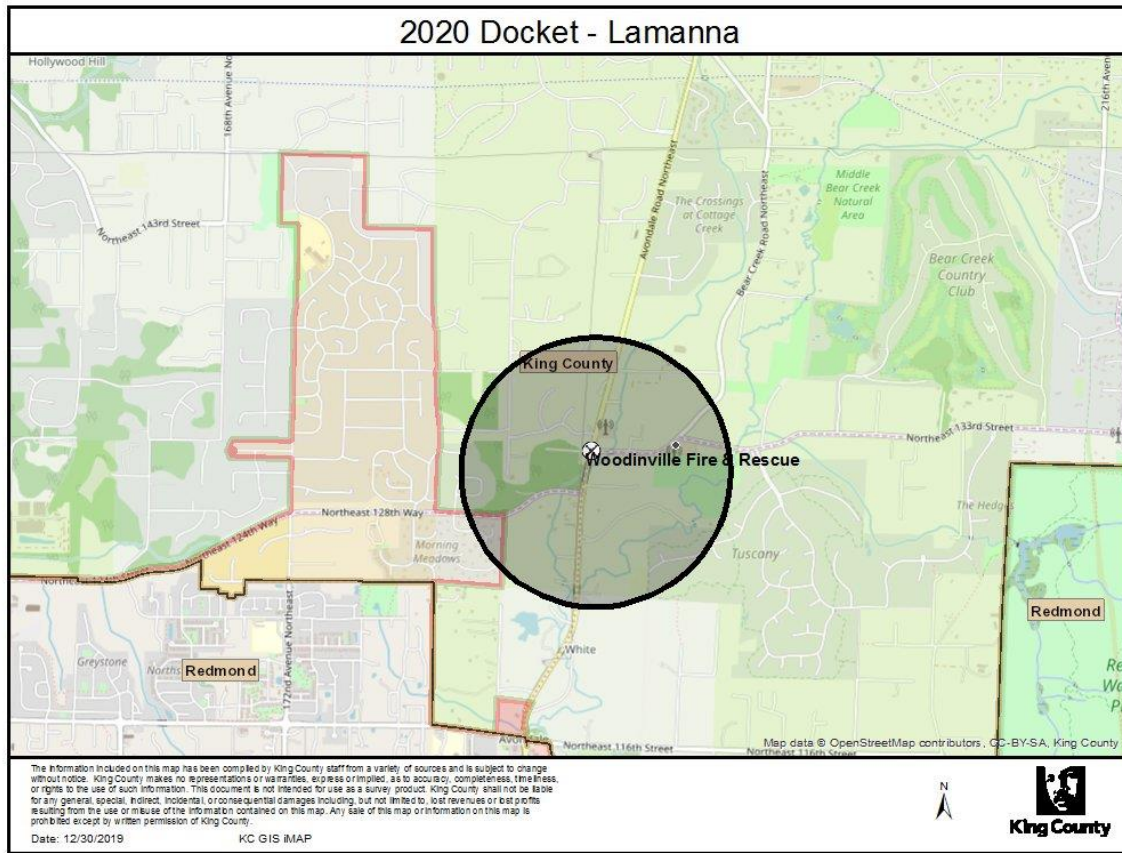
Submitted Background Information

This amendment is needed because traffic conditions are very dangerous and no law enforcement has been provided despite many requests over many years. This is consistent with the Growth Management Act as it will address current concurrency along with the traffic volumes and speeds that exist on residential roads.

Docket Request # 3: Lamanna

County Maps of Docket Area

Vicinity:



Docket Request # 4: Montgomery

Name of Requestor(s): Kyle and Courtney Montgomery

Council District: #3

Summary Category: Land Use and Zoning Change. Would require an urban growth area amendment.

Submitted Request

Request to redesignate the land use from RA 2.5 to R12. The total acreage is 8.71. This would allow us to develop cluster villages of small homes as well as RV parking. Our goal would be to have two cluster villages of up to 10 homes sized 300sqft to 600sqft. Additionally, we would like to provide RV parking with full hook up capabilities.

Address

Undeveloped land – no address. Near Skykomish. Parcel Identification Number #3026129019.

Submitted Background Information

The proposed use of the parcel would be for affordable residential living, short term rentals for tourists, and RV parking for travelers. Impact on adjoining parcels will be minimal. People turning off Hwy 2 to Foss Road will increase traffic a bit for the Foss Road. However, the entrance to our property is large and the road could handle the extra traffic.

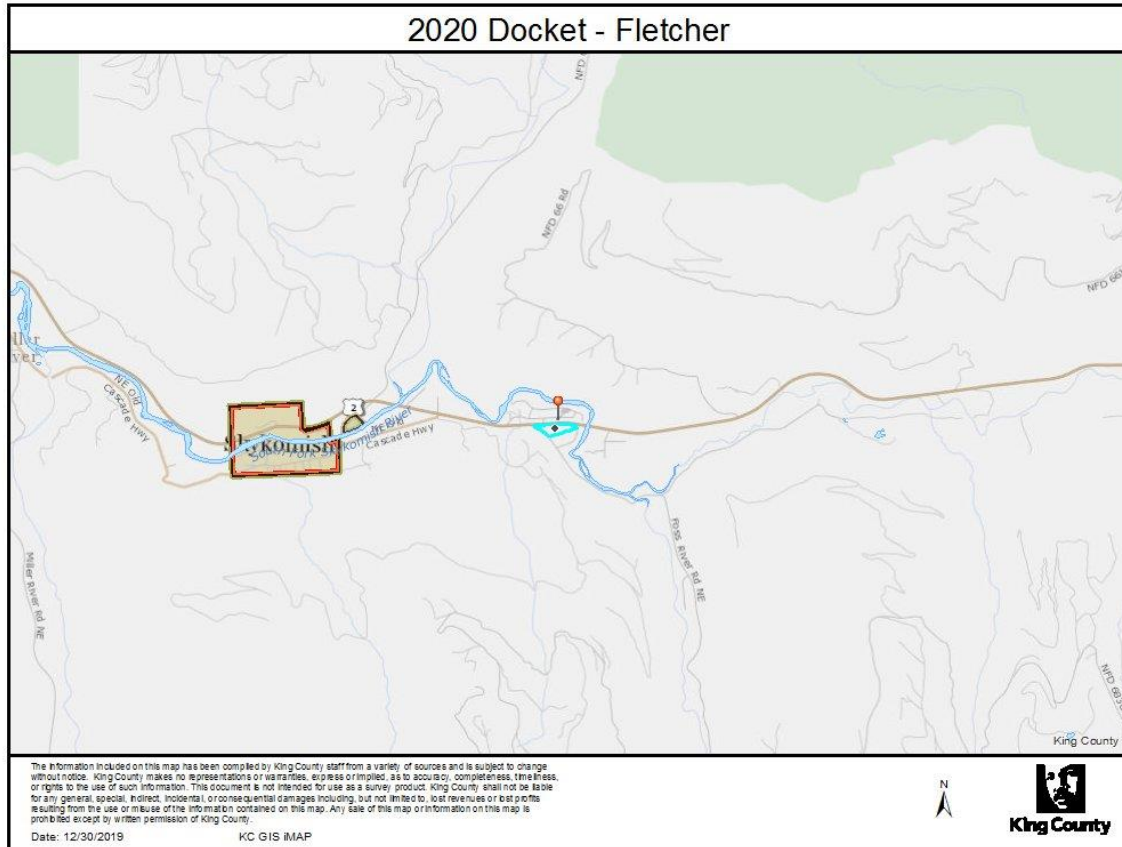
Docket Request # 4: Montgomery

The surrounding area is mostly all second homes and vacation rentals. We would like to increase the availability for people to live near the town of Skykomish and Stevens Pass Mountain Resort at affordable rates. If people can live and work closer to their jobs, we can get more money and people to help the town of Skykomish's economy. Since the purchase of Stevens Pass Mountain Resort by Vail, lodging has been much harder for full time and seasonal workers and vacationers. We feel that we can fill that void. Additionally, providing year round rv parking for skiiers, moutain bikers, hikers, and tourists will help to stimulate the local economy as well.

The parcel is a total of 8.7 acres. A large portion is an easement for PSE power lines as well as a few undesignated critical areas. Upon designation of these, our usable space will decrease to probably 4 acres, of which a large portion will be used for the on-site septic. This is why we have chosen the new R12 designation.

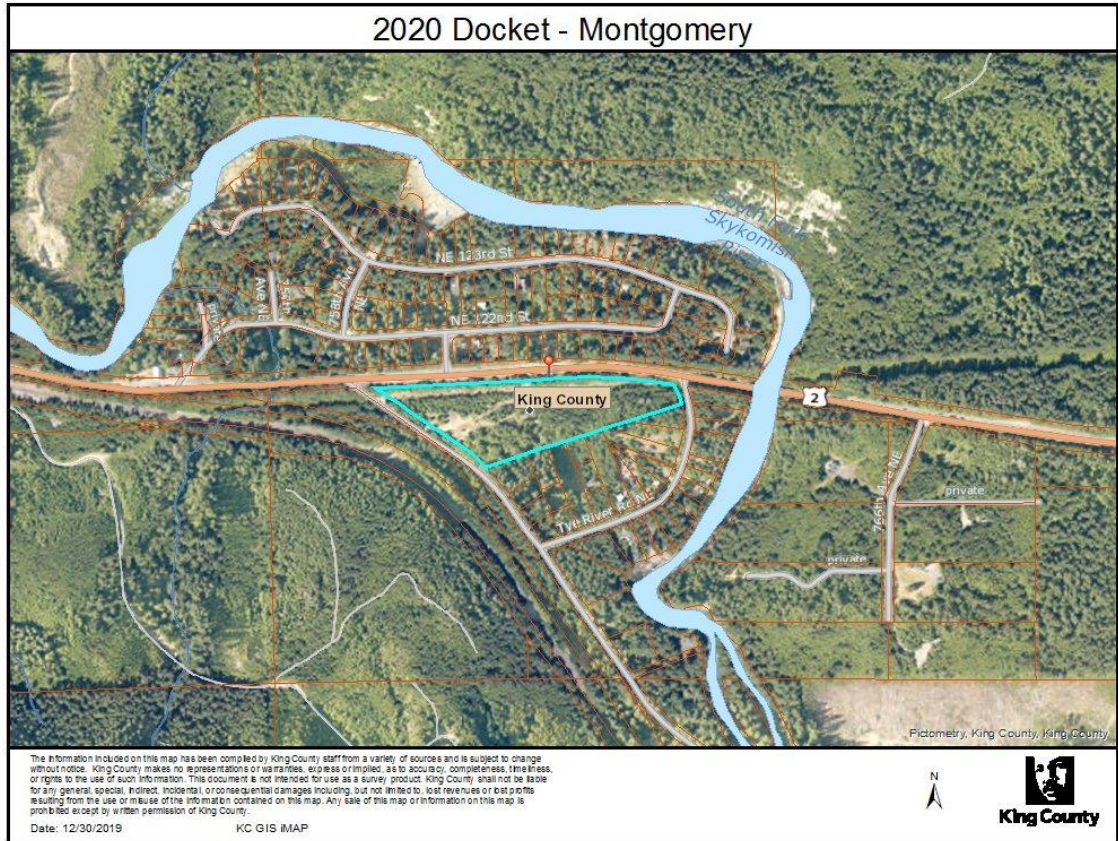
County Maps of Docket Area (parcel highlighted in blue)

Vicinity:



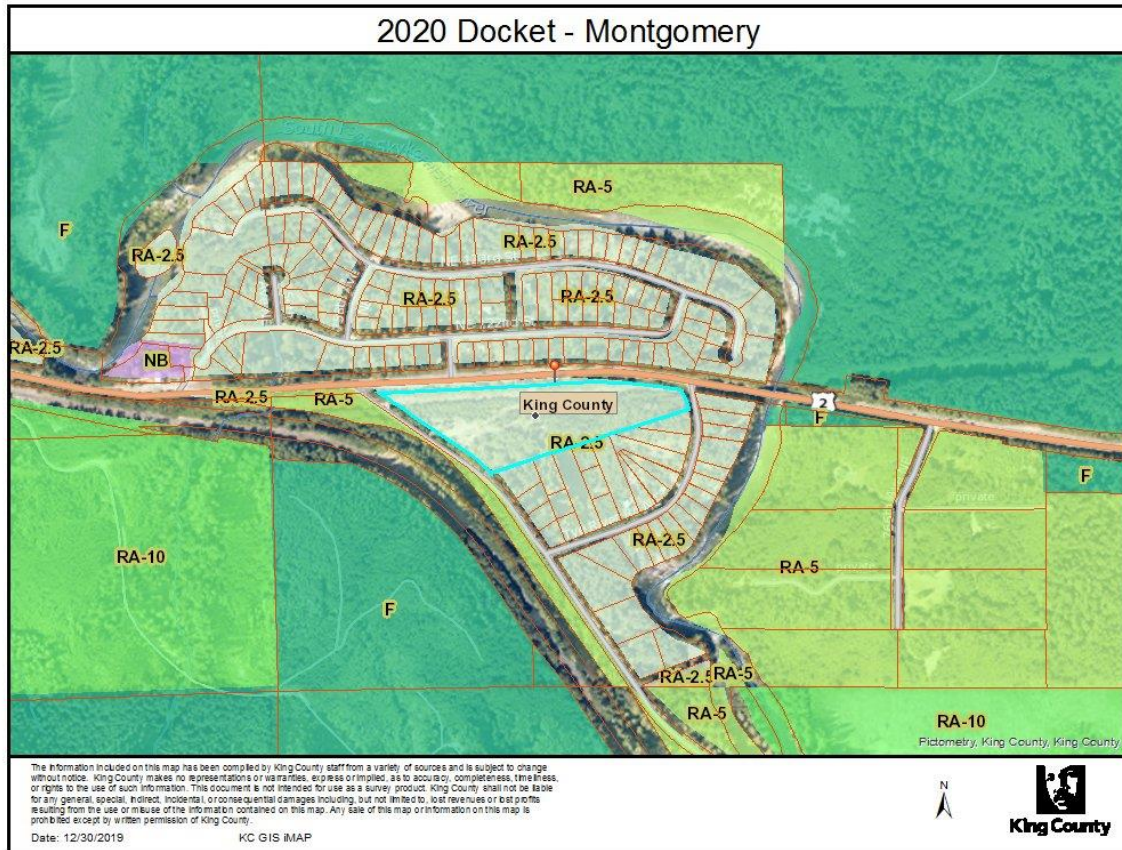
Docket Request # 4: Montgomery

Aerial Photo:



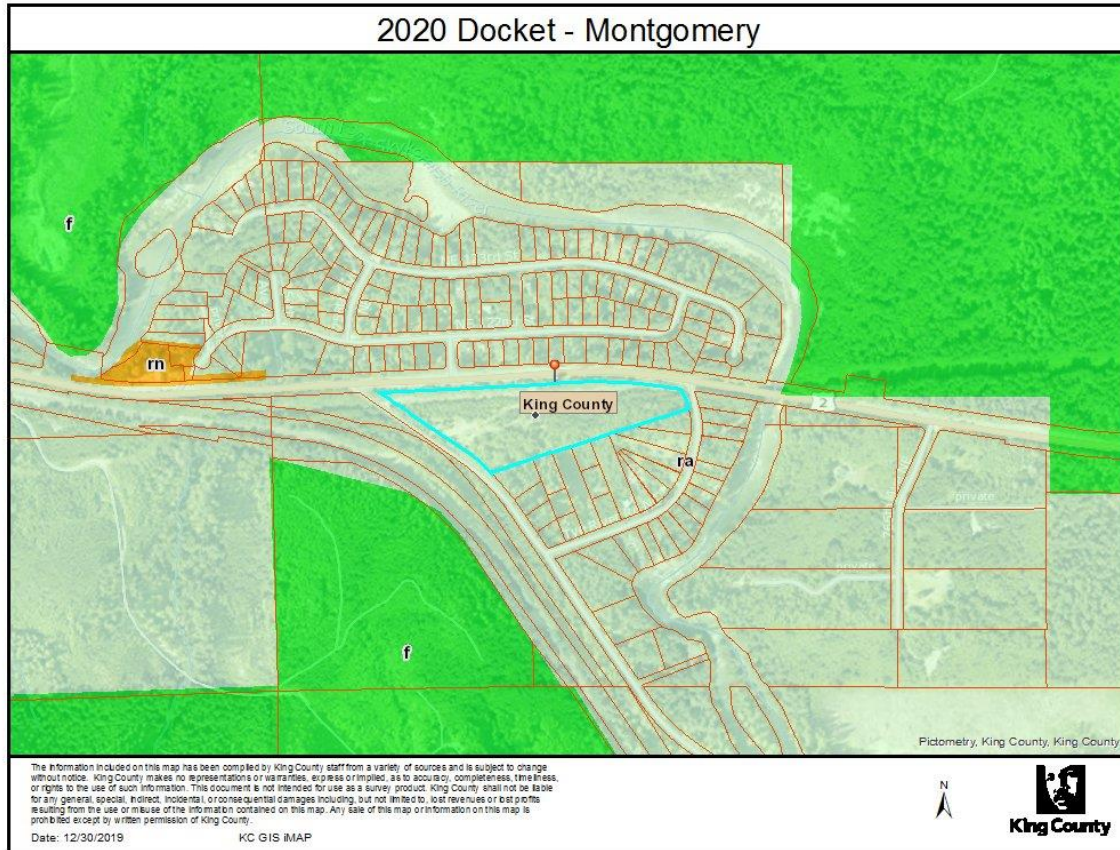
Docket Request # 4: Montgomery

Zoning:



Docket Request # 4: Montgomery

Land Use:



Docket Request # 5: Rainier Christian School

Name of Requestor(s): Rainier Christian School

Council District: #9

Summary Category: Urban Growth Area Amendment through Four to One Program

Submitted Request

Request to use the Four to One Program for this property. The site is approximately 34.5 acres with RA-2.5 zoning. The request would adopt the urban designated development to the west of R-6 (6 Dwelling Units Per Acre) over 20 percent of the site (6.9 acres). The net yield would be 6.9 acres x 6 DU/AC, equaling 41.4 or 41 lots. The actual size of the developable area/net yield will be determined once a formal survey is completed during the platting phase.

Address

Parcel # 2523059086.

Submitted Background Information

As outlined on the county's web page, staff reviews each 4:1 option on a case-by-case with determining factors on what is acceptable. The following is a list of the requirements with a response as to how this project qualifies:

Proposed New Urban Lands:

Docket Request # 5: Rainier Christian School

1. Minimum Parcel size is 20 acres.

Response: *The site is approximately 34.5 acres.*

2. Proposals that are adjacent to cities or potential annexation areas are referred to the affected city as well as service providers such as special purpose districts for review and recommendation.

Response: *The adjacent properties to the west are in un-incorporated King County; thus, this there would be no recommendation from a city (Renton). We have spoken with Cedar River Water and Sewer District and that have indicated that this is within their jurisdiction and there is capacity utilizing existing mains from the west adjacent to the site. There already is a 2" sewer line that extends through the site to serve the existing school. The water is right at the property line in 168th Terrace SE which is access to the existing well serving the area. (Note: The District is not able to issue water and sewer certificated to properties within "Rural" areas unless otherwise directed by King County. Once there is an indication that the property may undergo developing the site with 4:1 and the urban boundary is moved—then water and sewer certificates will be issued for the development. Please see enclosed exhibits from the District.)*

3. The land is no larger than necessary to promote compact development, can be efficiently provided with urban services, and follows topographical features and/or natural boundaries to allow urban service provision.

Response: *The location of the proposed development is immediately adjacent to the existing neighborhood to the west. In fact, there is proposed lots on 168th Terrace SE which is already a public street. All services (water, sewer, storm, dry utilities) are in 168th Terrace SE and SE 166th Street (entrance to the site). The remaining property to be permanent open space is well-treed with some topographical variations. (Note: A portion of this area has been disturbed but is not suitable for construction a subdivision. Also, there is the possibility of Coal Mines within the proposed permanent open space that makes it unsuitable for development.)*

4. The land is contiguous to the 1994 adopted urban growth boundary with minor exceptions allowed for critical areas and park/open space.

Response: *The property is adjacent to the following zoning areas:*

- *North: RA-2.5*
- *South: R-6*
- *East: RA-10*
- *West: R-6*

As noted, the property is adjoined to urban development to the south and north. Therefore, it is consistent with this requirement.

5. Proposals are evaluated using the following criteria: fish and wildlife habitat and for endangered and threatened species; open space connections; wetlands, stream corridors, ground water and water bodies; unique natural biological, cultural, historical, or archeological resources; size of open space dedications and connections to other open space dedications along the urban growth boundary.

Response: *In reviewing the critical areas folio online, the only critical area that has been identified is a potential for coal mines in the south easterly portion of the site—away from where the proposed development would occur. The property is set on a small knoll that slopes in all directions. Lake Desire is southeast less than a ¼-mile offsite. There are no known*

Docket Request # 5: Rainier Christian School

endangered or threatened species of flora or fauna on the property. No identification of cultural, historical, or archeological resources are known to be onsite. As proposed, the permanent open space will be to the east and south and would abut Petrovitsky Park to provide continued connection(s).

6. The new urban land shall have a minimum density of 4-dwelling units per acre, be served directly (i.e. without crossing open space or rural area) by sewers and other efficient urban services and facilities.

Response: *The proposed developed portion would adopt the adjacent urban zoning of R-6, or 6 dwelling units per acre. Again, access to the property is from SE 166th Street and 168th Terrace SE—existing public/urban right-of-way. Water, sewer, storm, dry utilities (power, gas, phone, cable, etc.) are within these roads and would be able to be extended to the proposed subdivision. (Note: SE 166th Street alignment will need to cross the adjacent property with ½-street improvements. This land is not in the gross area calculations and is also owned by the proponent of this request.)*

7. The new urban land is limited to residential development.

Response: *The proposed development will be a residential subdivision.*

8. Land is sufficiently free of environmental constraints in order to allow urban densities.

Response: *Again, there are no known environmental constraints on the property. Once this is approved for moving forward, professionals will be retained to verify there are no environmental issues within the proposed developed area.*

9. Drainage facilities to serve the new urban land shall be located within the urban portion of the site.

Response: *As shown, the proposed drainage facility will be located at the southeast corner of SE 166th Street and 168th Terrace SE within the proposed urban area. (Note: Actual size and location will be determined during the platting process but will remain within the newly classified urban area.)*

10. Roads serving the new urban land shall not be counted as required open space.

Response: *Agreed—proposed roads to serve the development are either offsite or within the allowed urban area.*

Proposed Open Space Lands:

11. The new open space land preserves high quality habitat, critical areas or unique features that contribute to a band of permanent open space along edge of urban growth line.

Response: *Again, the majority of the land be designated for permanent open space is heavily treed and “aligns” with Petrovitsky Park and McGarvey Park Open Space—a band of open space to the north, south, east, and west along the urban growth line.*

12. Proposals are evaluated using the following criteria: quality of habitat, connections to regional open space, protection of water resources, unique features, generally configured to connect with adjacent open space; size and connection to UGA.

Docket Request # 5: Rainier Christian School

Response: Again, 27.6 acres of the total 35.5 acres will remain in permanent open space. This space is north of Petrovitsky Park and adjacent to McGarvey Park Open Space (north, south and east). Thus, this large open space area ties into a regional open space area and creates a band of permanent open space for no further development.

13. The new open space land is to be dedicated to King County at final formal plat.

Response: Agreed.

14. The new open space land retains its Rural Area designation and is used primarily for natural area or passive recreation site purposes and not for urban-serving facilities.

Response: Agreed.

15. The new open space land should be configured to connect with open spaces on adjacent properties with at least a portion of open space surrounding the new urban land.

Response: The newly created open space will abut along the south and east edges of the new development.

16. The new open space land should be configured to connect with open spaces on adjacent properties with at least a portion of open space surrounding the new urban land.

Response: The newly created open space will abut along the south and east edges of the new development.

17. The minimum depth of the new open space land shall be one-half of the buffer width, with minor exceptions, and generally follow the urban growth area boundary

Response: There are no required buffer widths so this is not applicable. The proposed open space does follow along the existing urban growth boundary.

18. Other Minor uses are allowed on the new open space land.

Response: None are proposed at this time, but it would make sense to allow a trail system throughout the treed forest.

Resource Lands:

19. Four-to-Ones cannot re-designate existing Resource Lands to urban land.

Response: Not applicable.

20. The new open space lands can be zoned to Resource Lands and used for farming or forestry.

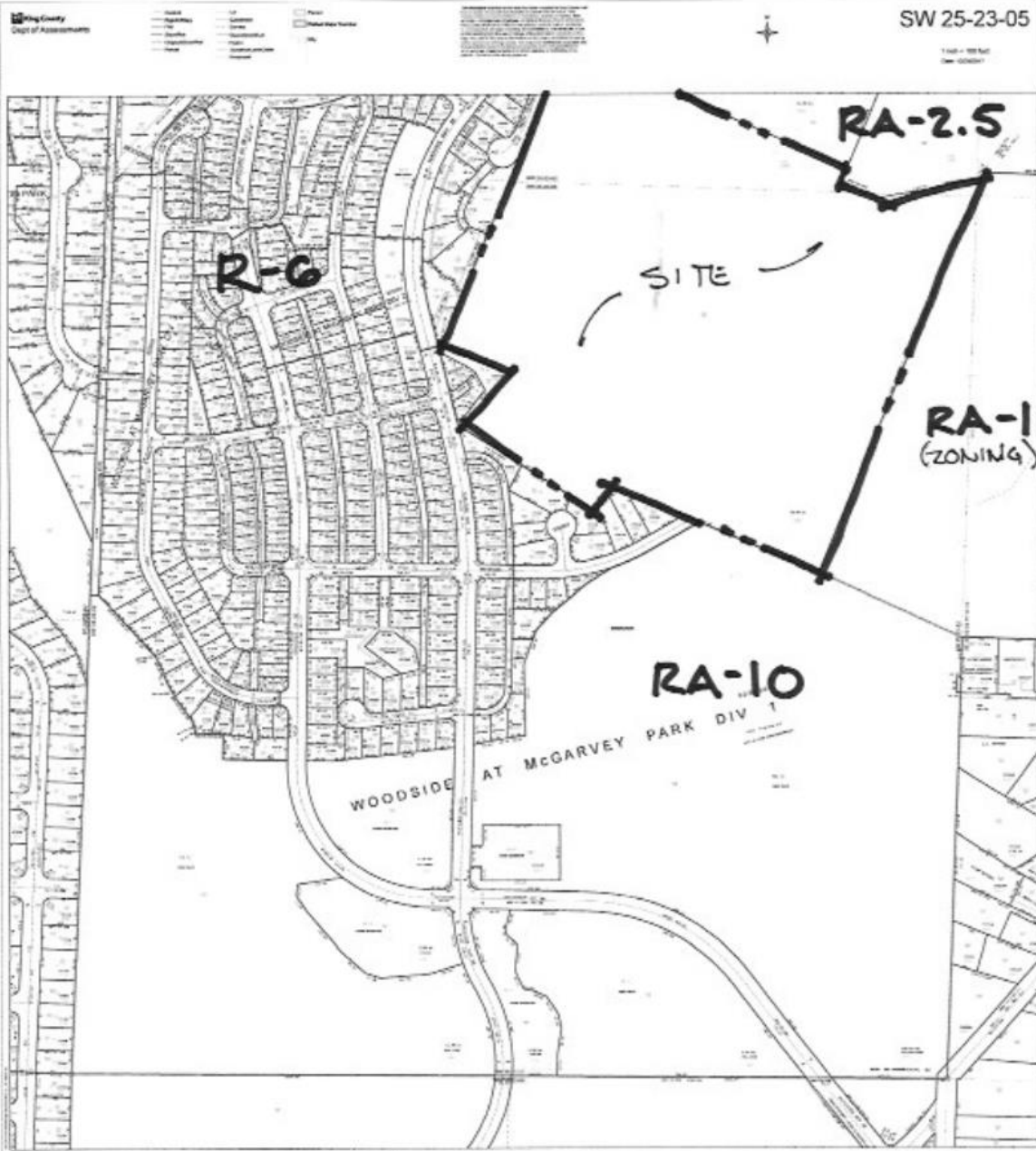
Response: Not applicable.

Other:

21. Affordable housing may be required in some projects.

Response: This site is fairly remote and away from urban centers that would be more suitable for affordable housing.

Docket Request # 5: Rainier Christian School



RAINIER CHRISTIAN SCHOOLS
4:1 PROGRAM REQUEST - ASSESSOR'S MAP

Docket Request # 5: Rainier Christian School



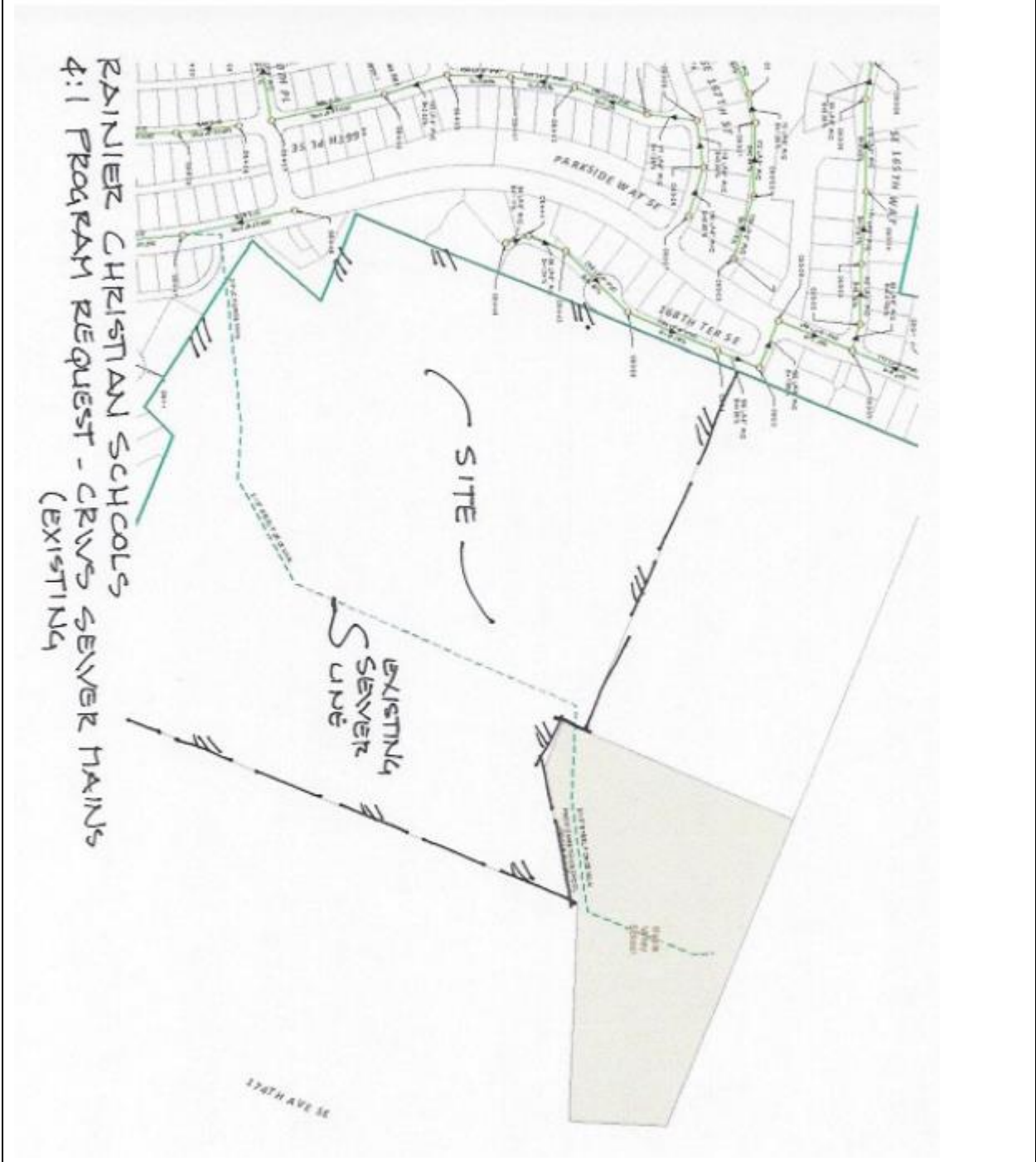
Docket Request # 5: Rainier Christian School

RAINIER CHRISTIAN SCHOOLS
4:1 PROGRAM REQUEST - CEDAR RIVER SERVICE (WATER + SEWER)
AREA BOUNDARY



Docket Request # 5: Rainier Christian School

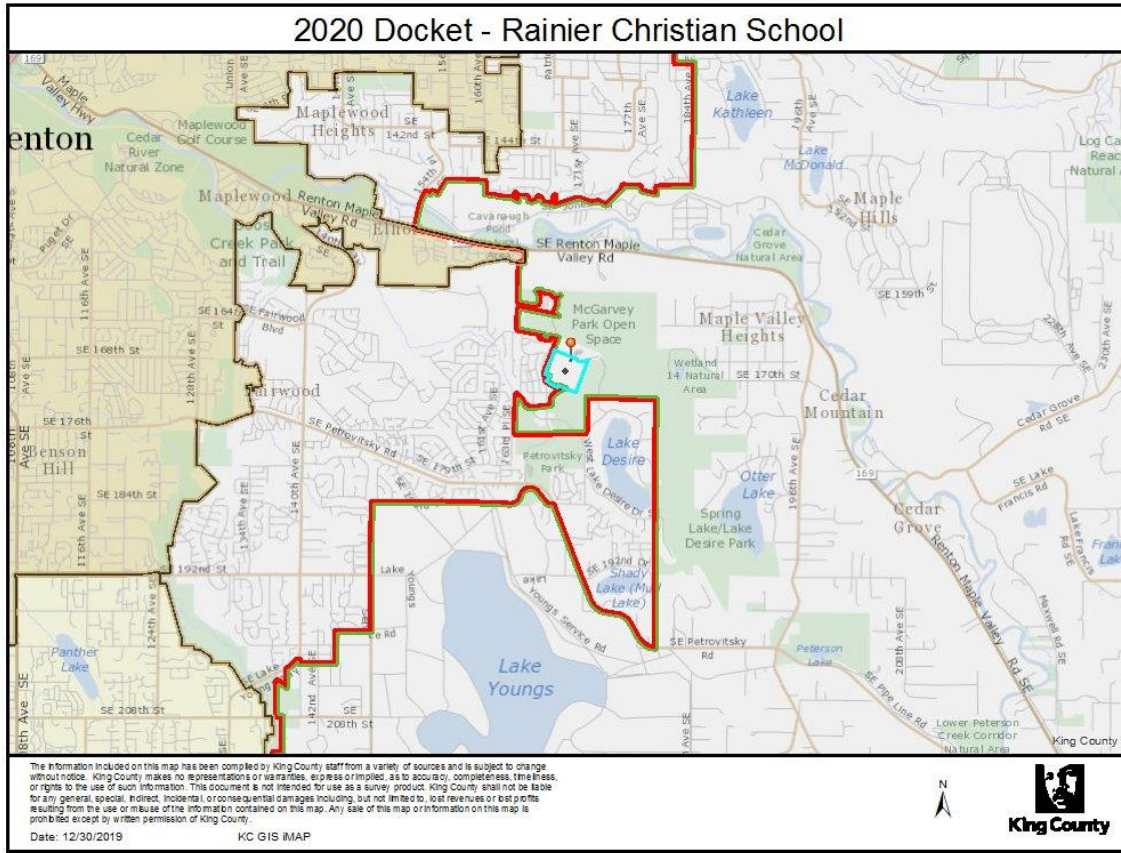




Docket Request # 5: Rainier Christian School

County Maps of Docket Area (parcel highlighted in blue)

Vicinity:

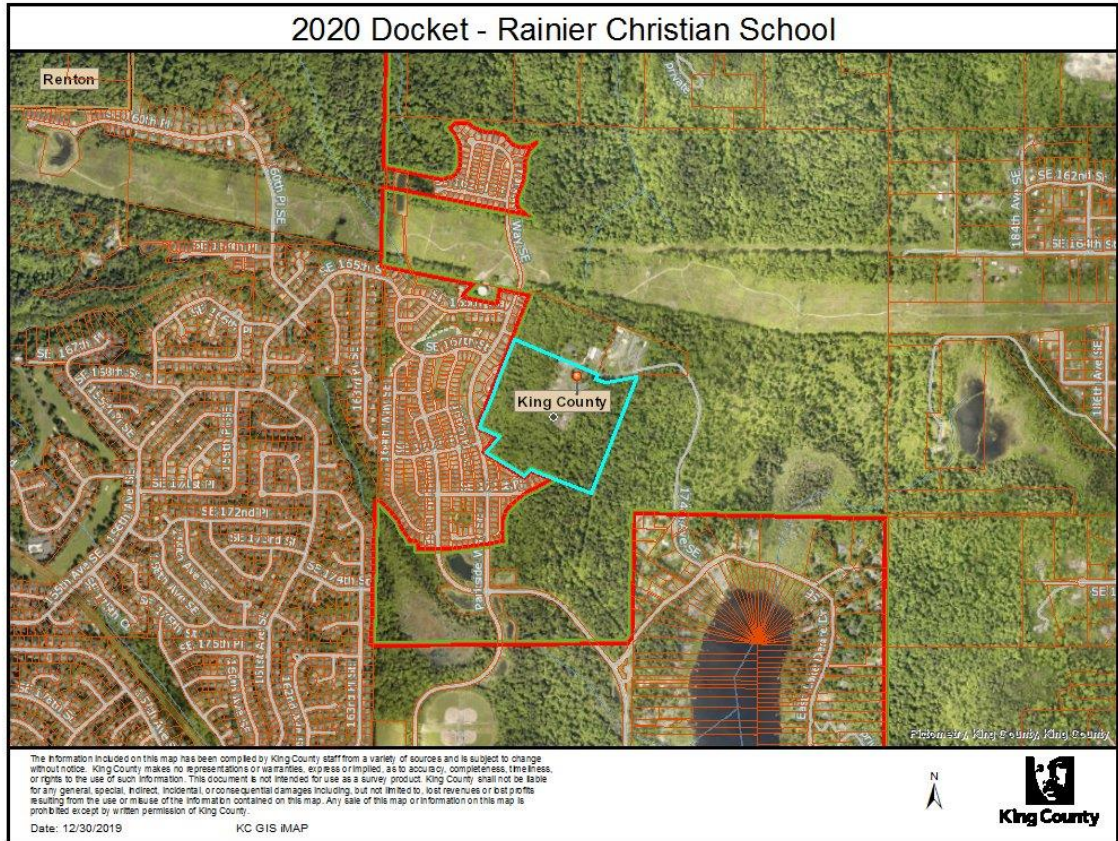


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Date: 12/30/2019 KC GIS MAP

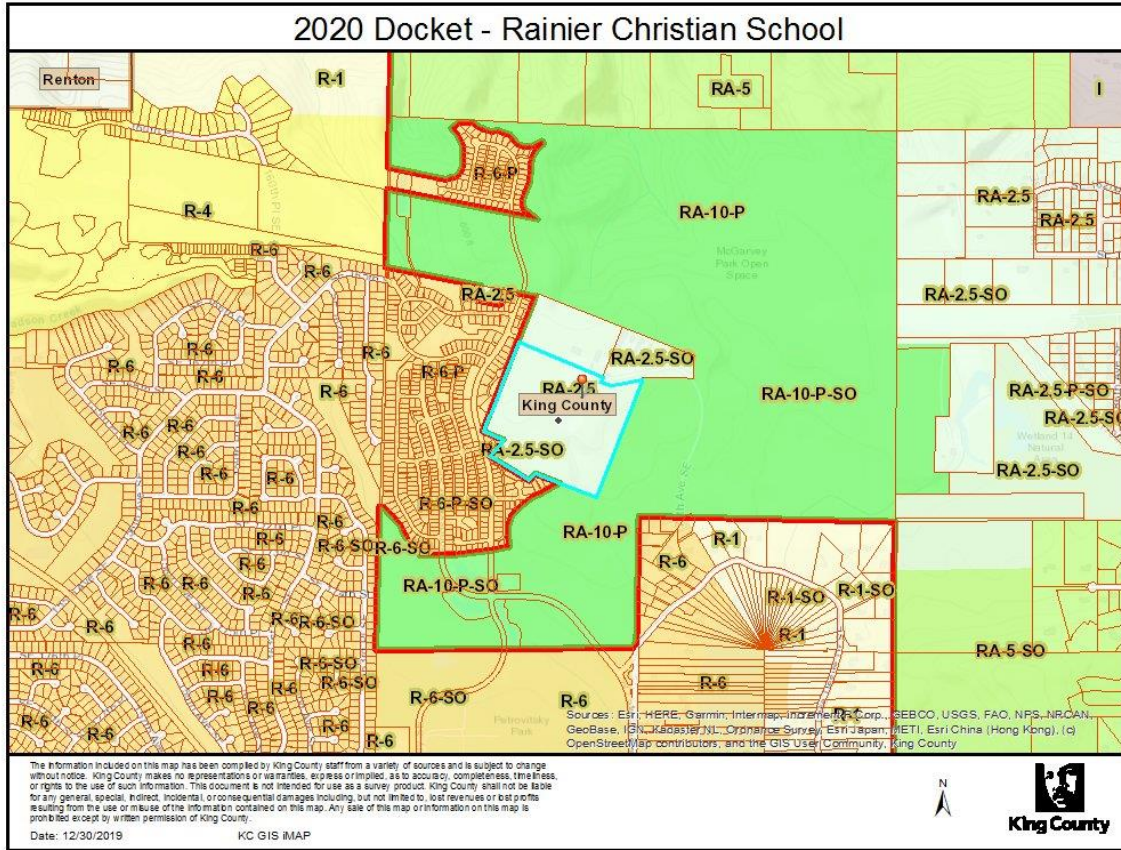
Docket Request # 5: Rainier Christian School

Aerial Photo:



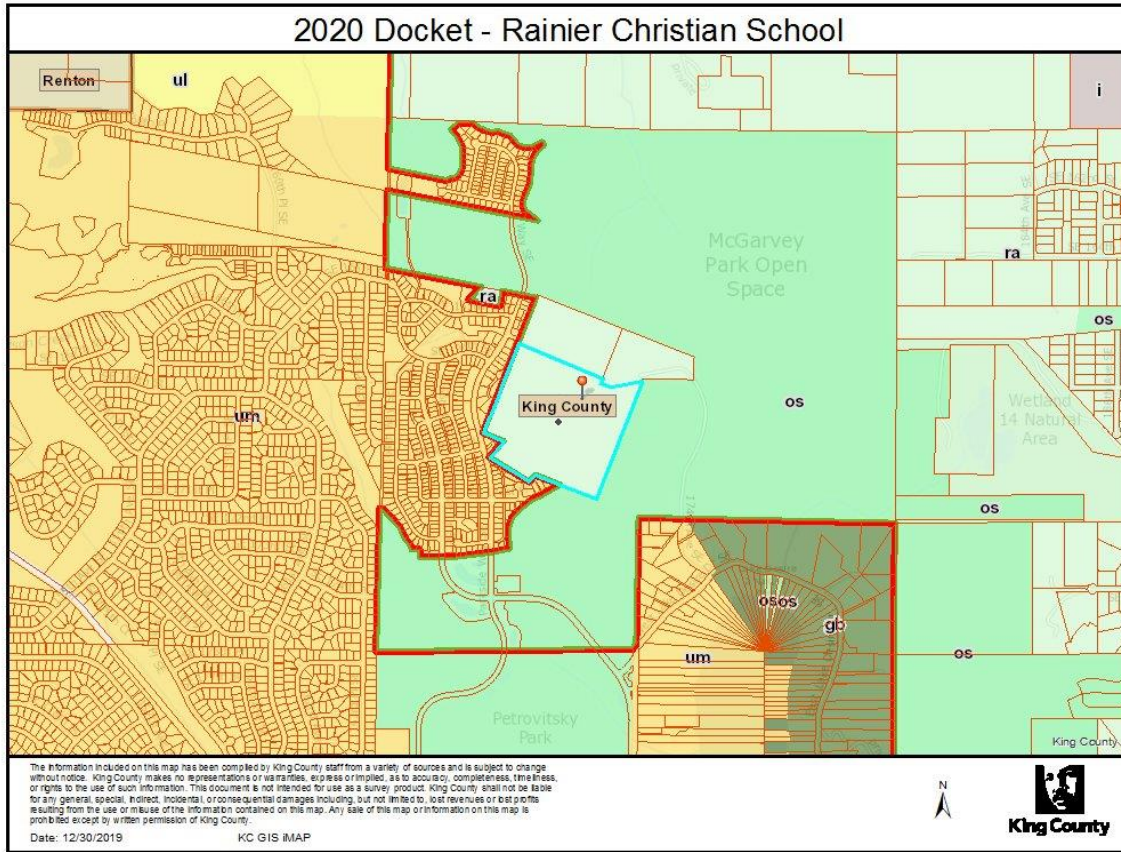
Docket Request # 5: Rainier Christian School

Zoning:



Docket Request # 5: Rainier Christian School

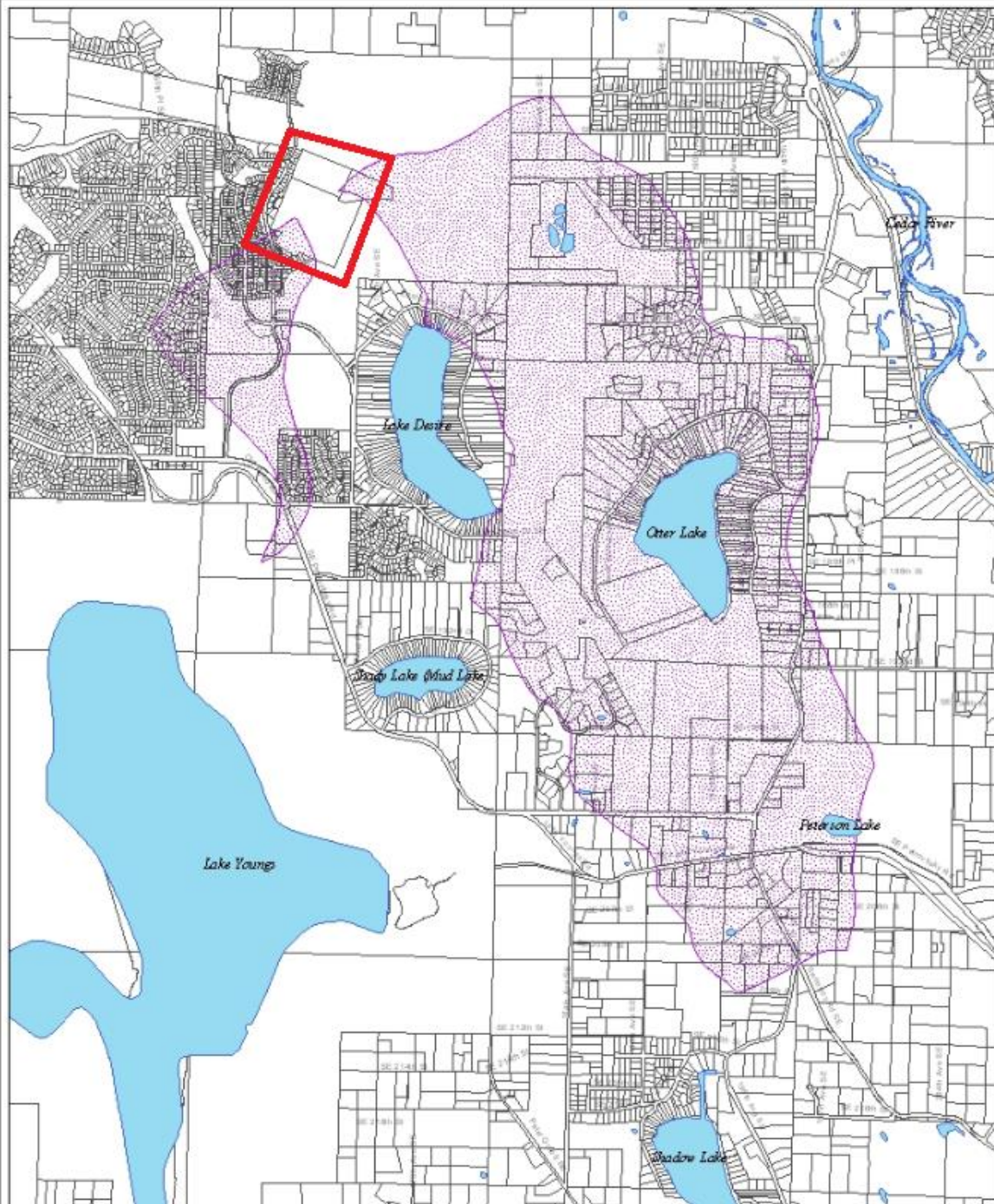
Land Use:



Docket Request # 5: Rainier Christian School

Special District Overlay SO-180: Wetland Management Area SDO

<https://www.kingcounty.gov/depts/local-services/permits/property-research-maps/property-specific-development-conditions/SDO/SO-180.aspx>



**SO-180: Wetland Management Area
Special District Overlay, Map 2 of 2**

 Special District Overlay

 King County

1,000 500 0 1,000
feet

The information included on this map has been compiled by King County and their liability is limited and is subject to change without notice. King County makes no representation or warranty, express or implied, as to accuracy, timeliness, completeness, or rights in the use of such information. King County shall not be liable for any general, special, indirect, or consequential damages, including, but not limited to, the expense of the public, including that the use or misuse of the information contained on this map. Any use of the map or information on this map is prohibited by the provisions of King County.

Docket Request # 6: Greater Maple Valley UAC

Name of Requestor(s): Greater Maple Valley Unincorporated Area Council (GMVUAC)

Council District: Primarily in #9, with a small portion in #3

Summary Category: Procedural Change to County Council Planning Processes

Submitted Request

Request for procedural change to require the King County Council to prepare and publish responses to Public Comments it receives on King County Executive’s proposed Executive Recommended Comprehensive Plan Updates.

Address

n/a. These are countywide procedural changes.

Submitted Background Information

Responses currently prepared and published by King County Executive’s Office on the Public Review Drafts (PRDs) have proven helpful to the Public. Currently, after the Public provides comments on the Executive’s proposed King County Comprehensive Plan (sent to the King County Council on 10/1), the King County Council reviews them prior to finalizing and approving the King County Comprehensive Plan Update by 6/30 of the next year—a 9-mo review period, which provides plenty of time to issue responses to Public comments.

Currently, the KC Council does not publish its responses to the Public comments it receives. Consequently, at this point, we believe the KC Council should publish its responses to better close the cycle and meet its obligations of its King County Comprehensive Plan Update Public Participation Program.

The Growth Management Act calls for a clear, rigorous, and continuous Comprehensive Plan Update Public Participation Program. Public comment/Government response cycles are critical to achieving same.

Docket Request # 7: Greater Maple Valley UAC

Name of Requestor(s): Greater Maple Valley Unincorporated Area Council (GMVUAC)

Council District: Primarily in #9, with a small portion in #3

Summary Category: Procedural Changes to Site-Specific Land Use Map Amendment Process

Submitted Request

The King County Code should be amended so that any “site-specific land use amendment coupled with zone reclassification” cannot be reviewed and considered as part of the annual King County Comprehensive Plan Docket Item process (or, for that matter, any other King County Comprehensive Plan Docket update process). Such site specific applications must go through the Type 4 permit review process before the Hearing Examiner. Moreover, the Code amendment must expressly provide that such site specific proposals cannot be added as a last minute amendment made by the King County Council during its consideration of a King County Comprehensive Plan Docket Update.

Address

n/a. These are countywide procedural changes.

Submitted Background Information

Introduction: The current Docket Process allows an applicant to submit a singular request for a site specific land use amendment and zone reclassification. Current practice regarding such a coupled request is to bifurcate it with the King County Council legislatively addressing the land use amendment while the Hearing Examiner conducts a public hearing in a quasi-judicial review of the zone reclassification, making recommendations back to the Council. This bifurcated process has the appearance of unfairness and probable bias, as the premature legislative consideration of a land use amendment could unfairly influence and be outcome determinative of the zone reclassification resulting

Docket Request # 7: Greater Maple Valley UAC

in a dramatic change in land use and zoning of a specific site contrary to the public interest and the goals and objectives of the Growth Management Act. Such requests should neither be bifurcated nor be subject to the Docket Process; site-specific requests for both a land use amendment and zone reclassification must go through the *Type 4 permit review process* before the Hearing Examiner—to include a Public Hearing—for a recommendation to the King County (KC) Council regarding any changes to the KCCP and zoning.

Background KC Comprehensive Plan (2018 Updated Version)

The Docket Process is discussed and defined in the following sections of the current adopted KC Comprehensive Plan (updated through 2018):

- Chapter 1, Part II, Section H (at p. 1-11)
- Chapter 12, Part II (at pp. 12-4 – 12-5) / Policy I-205
- Glossary (at p. G-7)

Site-specific *Land Use Amendment* and *Zone Reclassification* are discussed in the following sections of the current adopted KC Comprehensive Plan (updated through 2018):

- Chapter 1, Part II, Section F (at p. 1-9) / Policy RP-116
- Chapter 3, Part III, Section B (at p. 3-17) / Policy R-304
- Chapter 11, Part B (at p. 11-5)

KC Code The following sections of the King County Code should be appropriately amended to incorporate the provisions of this Docket Request:

- KC Code 20.08.160 (zone reclassification)
- KC Code 20.08.170 (land use amendment)
- KC Code 20.18.130 (Council amendment)
- KC Code 20.18.140 (docket request process)
- KC Code 20.20.020(E) (land use decision types)

Docket Request # 8: Miller

Name of Requestor(s): Richard Miller

Council District: #8

Summary Category: Land Use and Zoning Change.

Submitted Request

Request to change land use designation from Urban Residential Medium (with R-8 zoning) to Urban Planned Development (with R-48 zoning).

Address

835 SW 108th Street, King County. Parcel Identification Number #0623049298.

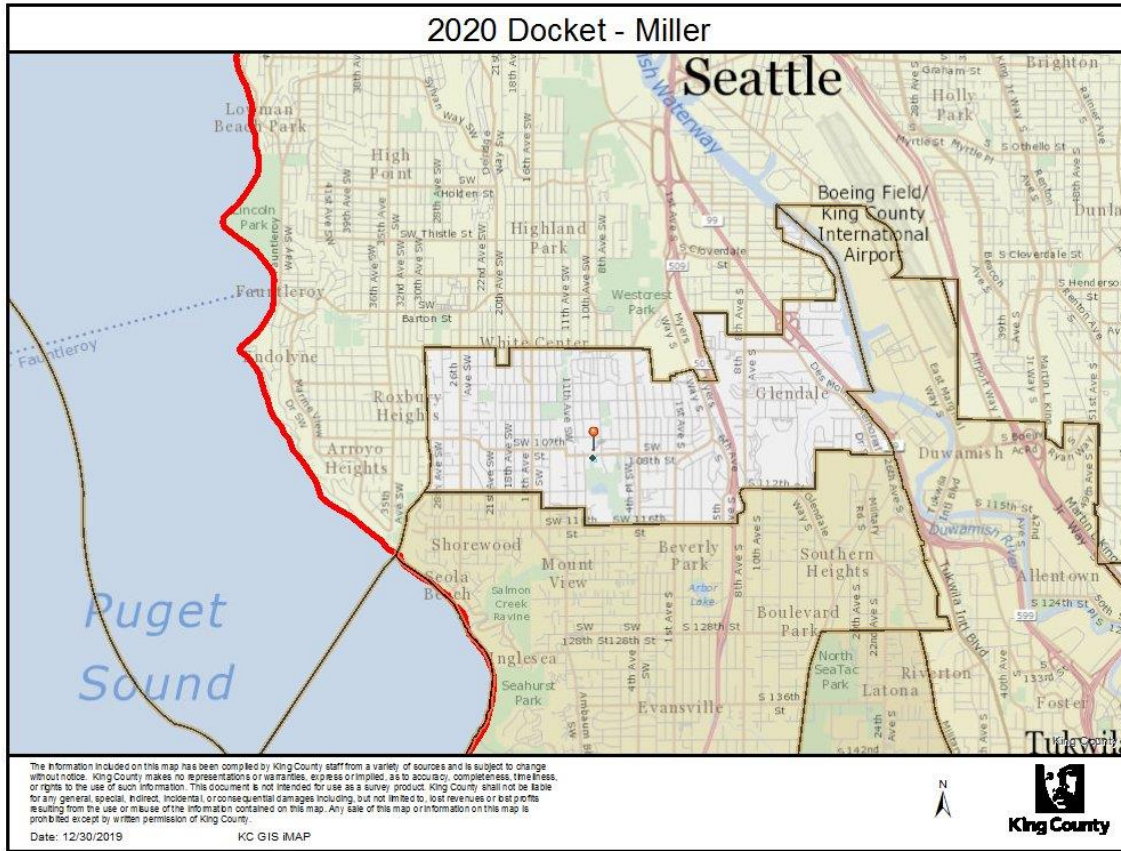
Submitted Background Information

Proposed use is high-density residential multi-family development. This is consistent with adjoining planned development, multiple family King County project (known locally as the "White Center Hub"). The property location meets all UGA and comprehensive plan guidelines for high density, as planned development on adjacent King County property indicate. This change is consistent with Comprehensive Plan policy U-124.

Docket Request # 8: Miller

County Maps of Docket Area (parcel highlighted in blue)

Vicinity:



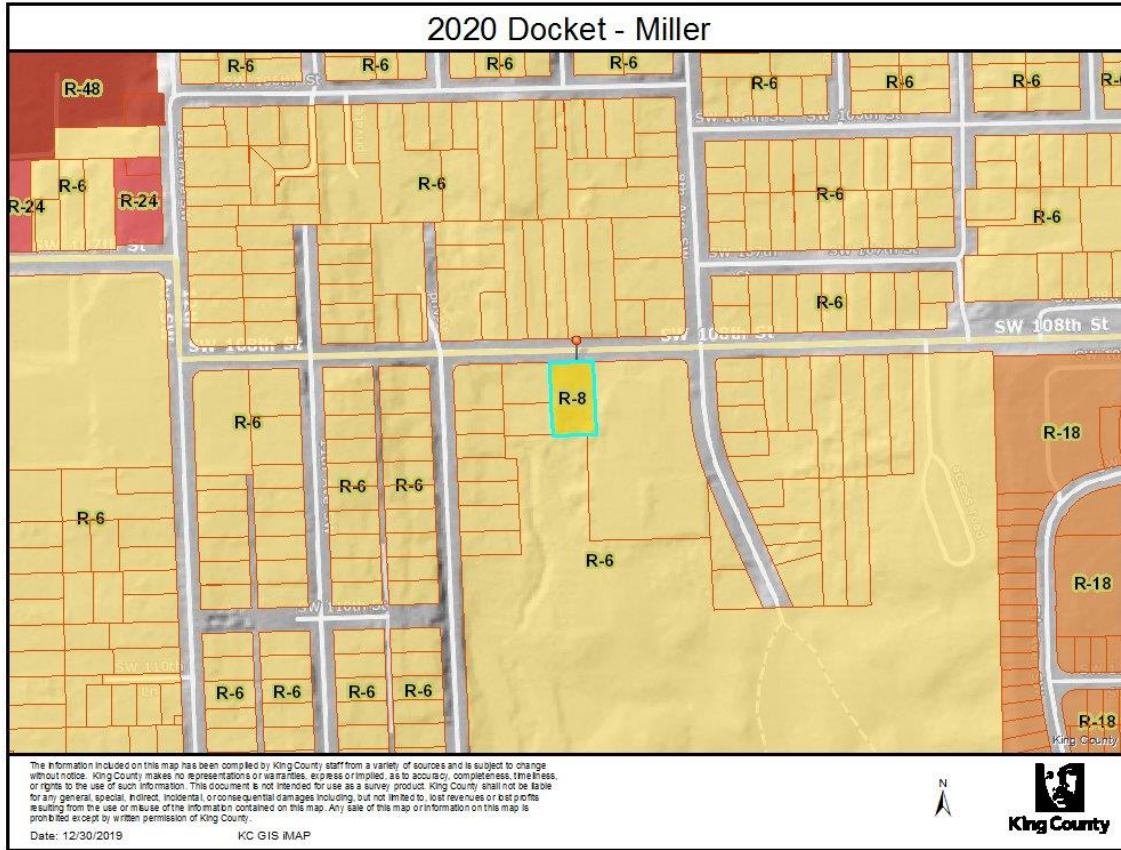
Docket Request # 8: Miller

Aerial Photo:



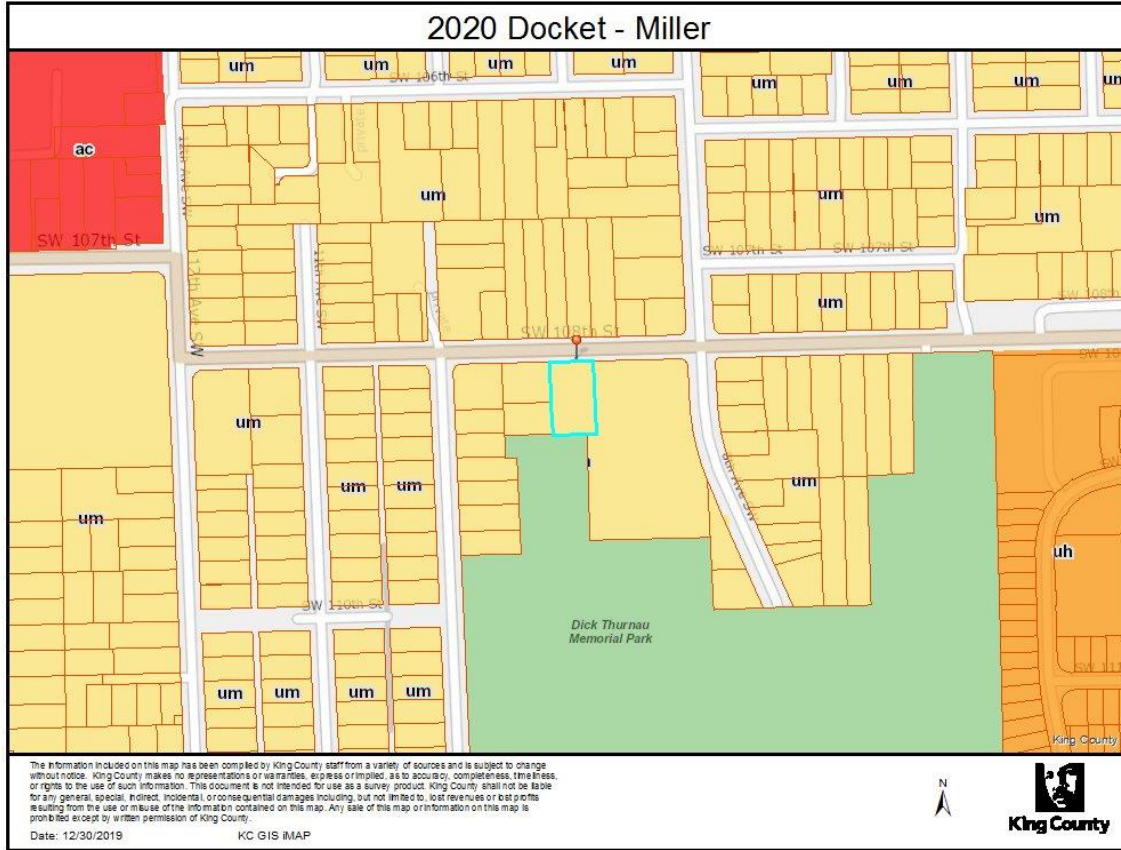
Docket Request # 8: Miller

Zoning:



Docket Request # 8: Miller

Land Use:



III. FOR MORE INFORMATION

The purpose of the Docket Submittals Report is to provide notification regarding the proposals that have submitted. The report is posted shortly after the Docket deadline of December 31, and is therefore released prior to conducting analysis of the request(s).

Contact Ivan Miller, Comprehensive Plan Manager, 206-263-8297, and ivan.miller@kingcounty.gov.

2020 Docket Report
King County Comprehensive Plan
June 2020

Attachment

B. Letters to Docket Proponents, June 2020



King County

Office of Performance, Strategy and Budget

401 5th Ave. Suite 800

Seattle, WA 98104

206-263-9600 TTY Relay: 711

June 30, 2020

Lucas and Jennifer Pierce
no address- undeveloped parcel
jennifer.a.little@gmail.com

Dear Mr. and Mrs. Pierce,

Thank you for participating in this year's Docketing process for the King County Comprehensive Plan. The Docket process¹ is available to the public to identify a deficiency (i.e., an absence of required or potentially desirable contents) or to propose changes to the Comprehensive Plan's policies, area-wide land use designations, development regulations, and site-specific land use and zoning. The Docket process is open continuously and, once a year, the items registered in the previous twelve months are compiled into the Docket Report with Executive branch recommendations. This is transmitted to the King County Council for their review and consideration

Submittal: Request to use Four to One Program in order to change a portion of two parcels adjacent to the City of North Bend from Rural Area to Urban, and to permanently protect the remainder as King County owned open space. Parcel numbers are 1723089006 and 2607740120.

Discussion: This is a request to amend the urban growth area boundary through use of the Four to One program. Four to One submittals are eligible to be considered in an annual update. The Four to One Program is a discretionary land use map amendment process. Information on the Four to One Program can be found at:

¹ Docket Process website: <http://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/king-county-comprehensive-plan/amend/docket.aspx>, and Docket Process in the King County Code: https://aqua.kingcounty.gov/council/clerk/code/23_Title_20.pdf, at 20.18.140

<https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/king-county-comprehensive-plan/amend/4to1.aspx>

One eligibility criteria is that the adjacent city agrees to add the new urban land that would be created into their Potential Annexation Area. In cases where the city is the provider of services, they would need to be supportive of providing urban services to serve the new urban development. Relevant provisions state the following:

20.18.170.D. states that proposals adjacent to incorporated area or potential annexation areas shall be referred to the affected city and special purpose districts for recommendations.

Countywide Planning Policy DP-17(g) requires an agreement between King County and the city or town that the area will be added to the city's Potential Annexation Area.

The relevant city for this Four to One is North Bend, and the City provided a letter stating that it does not support this proposal (see attachment). The City has concerns regarding the impacts to environmentally sensitive areas of the site, impacts on nearby open space, the inability of the parcel to support urban levels of density, and concerns regarding the provision of water, sewer, emergency, and other services.

Executive Recommendation: Based on these issues, this Docket request is not supported by the Executive.

Please note that the Docket Report, in accordance with King County Code Title 20.18, will be sent to the King County Council on the last business day in April. Due to the covid pandemic, this has been extended to the last business day in June. At that time, you have the option to petition the Council to consider this Docket change, which has not been recommended by the Executive.

If you have further questions or concerns, please contact Ivan Miller, Comprehensive Plan Manager, at (206) 263-8297 or via email at ivan.miller@kingcounty.gov.

Pierce

June 2020

Page 3

Again, thank you for participating in this year's Docketing process.

Sincerely,

A handwritten signature in black ink that reads "Lauren Smith". The signature is written in a cursive style with a large, prominent "L" and "S".

Lauren Smith

Director of Regional Planning

Office of Performance, Strategy and Budget

cc: Jim Chan, Director, Department of Local Service – Permitting Division
Ivan Miller, Comprehensive Plan Manager, Office of Performance, Strategy and Budget



King County

Office of Performance, Strategy and Budget

401 5th Ave. Suite 800

Seattle, WA 98104

206-263-9600 TTY Relay: 711

June 30, 2020

Michael and Linda Fletcher
18407 Renton-Maple Valley Highway
Maple Valley, WA 98038

Dear Mr. and Mrs. Fletcher,

Thank you for participating in this year's Docketing process for the King County Comprehensive Plan. The Docket process¹ is available to the public to identify a deficiency (i.e., an absence of required or potentially desirable contents) or to propose changes to the Comprehensive Plan's policies, area-wide land use designations, development regulations, and site-specific land use and zoning. The Docket process is open continuously and, once a year, the items registered in the previous twelve months are compiled into the Docket Report with Executive branch recommendations. This is transmitted to the King County Council for their review and consideration

Submittal: Request to change land use and zoning on two parcels on the Renton-Maple Valley Road near the Cedar Grove Natural Area from Neighborhood Business to Industrial. Parcel numbers are 3223069070 and 3223069052.

Discussion: This is a request for land use and zoning change. This Docket request is identical to what was submitted by the property owner in 2018. That request was deemed not eligible for consideration in an annual amendment as it would require substantive updates to Comprehensive Plan policies. Additionally, the previous request was not supported for a number of reasons, and these are stated in the 2018 Docket Report, which can be viewed at:

¹ Docket Process website: <http://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/king-county-comprehensive-plan/amend/docket.aspx>, and Docket Process in the King County Code: https://aqua.kingcounty.gov/council/clerk/code/23_Title_20.pdf, at 20.18.140

https://www.kingcounty.gov/~media/depts/executive/performance-strategy-budget/regional-planning/Comprehensive-Plan/2018_Docket_Report.ashx

King County Code 20.18.050.K.1. states that a site-specific land use map amendment, which is what is requested in this Docket, may not be initiated unless at least three years have elapsed since Council adoption or review of the current designation for the property. Limited exceptions to this restriction, such as a change in circumstances, exist in code. The conditions on the subject parcel and the circumstances in the surrounding area have not materially changed since 2018.

Executive Recommendation: Based on these issues, this request is not eligible to be considered until 2024, which is when the eight-year cycle update will occur.

Please note that the Docket Report, in accordance with King County Code Title 20.18, will be sent to the King County Council on the last business day in April. Due to the covid pandemic, this has been extended to the last business day in June. At that time, you have the option to petition the Council to consider this Docket change, which has not been recommended by the Executive.

If you have further questions or concerns, please contact Ivan Miller, Comprehensive Plan Manager, at (206) 263-8297 or via email at ivan.miller@kingcounty.gov.

Again, thank you for participating in this year's Docketing process.

Sincerely,



Lauren Smith
Director of Regional Planning
Office of Performance, Strategy and Budget

cc: Jim Chan, Director, Department of Local Service – Permitting Division

Fletcher

June 2020

Page 3

Ivan Miller, Comprehensive Plan Manager, Office of Performance, Strategy and Budget



King County

Office of Performance, Strategy and Budget

401 5th Ave. Suite 800

Seattle, WA 98104

206-263-9600 TTY Relay: 711

June 30, 2020

Peter Lamanna
14045 Bear Creek RD NE
Woodinville, WA 98077

Dear Mr. Lamanna,

Thank you for participating in this year's Docketing process for the King County Comprehensive Plan. The Docket process¹ is available to the public to identify a deficiency (i.e., an absence of required or potentially desirable contents) or to propose changes to the Comprehensive Plan's policies, area-wide land use designations, development regulations, and site-specific land use and zoning. The Docket process is open continuously and, once a year, the items registered in the previous twelve months are compiled into the Docket Report with Executive branch recommendations. This is transmitted to the King County Council for their review and consideration

Submittal: Request to change speed limits from 35 to 25 mph on Bear Creek Road NE and NE 132nd Street between Avondale Road NE and NE 133rd Street to address traffic conditions, lack of law enforcement, and safety.

Discussion: This is a request for a change to posted speed limits on a road segment in the Bear Creek area. While this request is eligible to be considered in an annual update, the Comprehensive Plan does not direct speed limits and therefore is not the appropriate mechanism for considering this change.

¹ Docket Process website: <http://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/king-county-comprehensive-plan/amend/docket.aspx>, and Docket Process in the King County Code: https://aqua.kingcounty.gov/council/clerk/code/23_Title_20.pdf, at 20.18.140

That said, King County uses criteria based on the Washington State Model Traffic Ordinance (RCW 46.04; WAC 303-308), the King County Code, crash history, and the Manual on Uniform Traffic Control Devices (MUTCD) in the evaluation of posted speed limits. The MUTCD is a Federal Highway Administration document, which has been adopted by most public agencies and provides guidelines for traffic control devices and pavement markings.

The locations in question were evaluated by the Road Services Division's Traffic Engineering Section for changes to the posted speed limits using said criteria. As a result of the investigation it was determined a change to the existing posted speed limit was not justified.

Executive Recommendation: Based on these citations, there are currently no plans to lower the speed limit.

Please note that the Docket Report, in accordance with King County Code Title 20.18, will be sent to the King County Council on the last business day in April. Due to the covid pandemic, this has been extended to the last business day in June. At that time, you have the option to petition the Council to consider this Docket change, which has not been recommended by the Executive.

If you have further questions or concerns, please contact Ivan Miller, Comprehensive Plan Manager, at (206) 263-8297 or via email at ivan.miller@kingcounty.gov.

Again, thank you for participating in this year's Docketing process.

Sincerely,



Lauren Smith
Director of Regional Planning
Office of Performance, Strategy and Budget

cc: Jim Chan, Director, Department of Local Service – Permitting Division

Ivan Miller, Comprehensive Plan Manager, Office of Performance, Strategy and Budget



King County

Office of Performance, Strategy and Budget

401 5th Ave. Suite 800

Seattle, WA 98104

206-263-9600 TTY Relay: 711

June 30, 2020

Kyle and Courtney Montgomery
no address- undeveloped parcel
kandcmonty@comcast.net

Dear Mr. and Mrs. Montgomery,

Thank you for participating in this year's Docketing process for the King County Comprehensive Plan. The Docket process¹ is available to the public to identify a deficiency (i.e., an absence of required or potentially desirable contents) or to propose changes to the Comprehensive Plan's policies, area-wide land use designations, development regulations, and site-specific land use and zoning. The Docket process is open continuously and, once a year, the items registered in the previous twelve months are compiled into the Docket Report with Executive branch recommendations. This is transmitted to the King County Council for their review and consideration

Submittal: Request to change land use and zoning on one parcel outside of the City of Skykomish from Rural Area 2.5 to Urban Residential 12, in order to allow for a cluster village of small homes and Recreational Vehicle parking. Parcel number is 3026129019.

Discussion: This Docket requests an urban area zoning designation on a Rural Area parcel; this is not allowed under the King County Comprehensive Plan or King County Code. Allowing this would require substantive changes to existing Comprehensive Plan policies and therefore this request is not eligible to be considered in an annual update. The following text addresses the substantive issues raised by this request.

¹ Docket Process website: <http://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/king-county-comprehensive-plan/amend/docket.aspx>, and Docket Process in the King County Code: https://aqua.kingcounty.gov/council/clerk/code/23_Title_20.pdf, at 20.18.140

The subject parcel is zoned Rural Area 2.5, which is a designation established to recognize typically smaller parcel in the Rural Area that existed at the time the first Growth Management Act Comprehensive Plan was adopted by King County in 1994. The policies and text related to Rural Area 2.5 zoning are provided below.

Although King County intends to retain low residential densities in the Rural Area, residential development has occurred in the past on a wide variety of lot sizes. Both existing homes on small lots and rural infill on vacant, small lots contribute to the variety of housing choices in the Rural Area. In some cases, however, rural-level facilities and services (e.g. on-site sewage disposal, individual water supply systems) may not permit development of the smallest vacant lots. Policy R-309 recognizes that some of the Rural Area has already been subdivided at a density greater than one lot per five acres (for example, parts of the shoreline of Vashon-Maury Island) when the original 1994 Comprehensive Plan was adopted, and applied a zoning category to *just those properties in existence at that time*. Zoning to implement policies R-306 through R-309 has been applied through subarea and local plans and area zoning maps. *(emphasis added)*

R-309 The RA-2.5 zone has generally been applied to Rural Areas with an existing pattern of lots below five acres in size that were created prior to the adoption of the 1994 Comprehensive Plan. These smaller lots may still be developed individually or combined, provided that applicable standards for sewage disposal, environmental protection, water supply, roads and rural fire protection can be met. A subdivision at a density of one home per 2.5 acres shall only be permitted through the Transfer of Development Rights from property in the designated Rural Forest Focus Areas. The site receiving the density must be approved as a Transfer of Development Rights receiving site in accordance with the King County Code. Properties on Vashon-Maury Island shall not be eligible as receiving sites.

This policy reflects the designation of the RA-2.5 zone to the lots that existed prior to adoption of the 1994 Comprehensive Plan and it establishes guidance for how these lots are to be realized. Meaning, to realize the RA-2.5 density, the purchase of a transferable development right is

required. Given the size of the parcel, it may be possible to add more than one unit and that would be clarified through discussions with the Department of Local Services – Permitting Division.

Executive Recommendation: Rural Area 2.5 zoning is the densest Rural Area zoning classification, and the request to allow greater densities would not be consistent with the Comprehensive Plan. Among others, one inconsistency is that greater levels of density typically require public sewer system service and this is not allowed in the Rural Area, except in very limited exceptions. Based on this, this Docket request would not be supported by the Executive.

Additional Information: Options other than what was requested may exist for this parcel. Under the RA-2.5 zoning designation, the property may have the potential to create one additional lot using a Transfer of Development Rights program. Also, one of the allowed uses under this zoning is for a Recreational Vehicle (RV) park, subject to approval of a Conditional Use Permit (CUP) and with the following conditions:

KCC21A.08.040:

Recreational vehicle parks are subject to the following conditions and limitations:

- a. The maximum length of stay of any vehicle shall not exceed one hundred eighty days during a three-hundred-sixty-five-day period;
- b. The minimum distance between recreational vehicle pads shall be no less than ten feet; and
- c. Sewage shall be disposed in a system approved by the Seattle-King County health department.

The definition of an RV park is as follows:

KCC21A.06.965 Recreational vehicle parks: the use of land upon which two or more recreational vehicle sites, including hook up facilities, are located for occupancy by the general public of recreational vehicles as temporary living quarters for recreation or vacation purposes. (Ord. 10870 § 233, 1993).

Last, the subject parcel is within the landslide hazard area and at the time of a future proposed subdivision application, the Permitting Division can require an assessment of geological risk associated with landslide areas.

Montgomery

June 2020

Page 4

Please note that the Docket Report, in accordance with King County Code Title 20.18, will be sent to the King County Council on the last business day in April. Due to the covid pandemic, this has been extended to the last business day in June. At that time, you have the option to petition the Council to consider this Docket change, which has not been recommended by the Executive.

If you have further questions or concerns, please contact Ivan Miller, Comprehensive Plan Manager, at (206) 263-8297 or via email at ivan.miller@kingcounty.gov.

Again, thank you for participating in this year's Docketing process.

Sincerely,

A handwritten signature in black ink that reads "Lauren Smith". The signature is written in a cursive, flowing style.

Lauren Smith

Director of Regional Planning

Office of Performance, Strategy and Budget

cc: Jim Chan, Director, Department of Local Service – Permitting Division
Ivan Miller, Comprehensive Plan Manager, Office of Performance, Strategy and Budget



King County

Office of Performance, Strategy and Budget

401 5th Ave. Suite 800

Seattle, WA 98104

206-263-9600 TTY Relay: 711

June 30, 2020

Bruce Kelly, President
Rainier Christian Schools
16700 174th Ave SE
Renton, WA 98058

Dear Mr. Kelly,

Thank you for participating in this year's Docketing process for the King County Comprehensive Plan. The Docket process¹ is available to the public to identify a deficiency (i.e., an absence of required or potentially desirable contents) or to propose changes to the Comprehensive Plan's policies, area-wide land use designations, development regulations, and site-specific land use and zoning. The Docket process is open continuously and, once a year, the items registered in the previous twelve months are compiled into the Docket Report with Executive branch recommendations. This is transmitted to the King County Council for their review and consideration

Submittal: Request to use Four to One Program to change a portion of one parcel in the Fairwood unincorporated urban area from Rural Area to Urban, and to permanently protect the remainder as King County owned open space. Parcel number is 2523059086.

Discussion: This is a request to amend the urban growth area boundary through use of the Four to One program. Four to One submittals are eligible to be considered in an annual update.

The Four to One Program is a discretionary land use map amendment process. The core purpose of the program is to create a continuous band of open space alongside the 1994 urban growth

¹ Docket Process website: <http://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/king-county-comprehensive-plan/amend/docket.aspx>, and Docket Process in the King County Code: https://aqua.kingcounty.gov/council/clerk/code/23_Title_20.pdf, at 20.18.140

area boundary. This core purpose has existed since the creation of the program in 1994. To support this core purpose, the Four to One Program has not approved a Four to One proposal directly adjacent to the new urban area created by a previous Four to One. This avoids a domino effect of urban growth area expansions.

Directly adjacent to the proposed site for this Four to One proposal is the Glacier Ridge/McGarvey Park Four to One project, which was approved in 1994 and resulted in approximately 100 new acres of urban area. This urban area remains unincorporated today. The Four to One proposal in the 2020 Docket would further extend the new urban land that was created with the previous Four to One. This is not consistent with the core purpose of the program, and could establish a precedent antithetical the program's desired outcomes. This area was considered for redesignation to urban in 2004 and 2012 and, in both cases, was denied.

In addition, there may be site challenges that would preclude urban levels of development. The parcel was formerly used by the United States Department of Defense as a missile base. The full record of cleanup of the site is not available to the County and there is a risk that contamination may still exist. The site was transferred to the United States Department of Education, and there are records that a covenant may exist that precludes use for anything other than educational purposes.

Executive Recommendation: Based on these factors, this Four to One is not supported by the Executive.

Please note that the Docket Report, in accordance with King County Code Title 20.18, will be sent to the King County Council on the last business day in April. Due to the covid pandemic, this has been extended to the last business day in June. At that time, you have the option to petition the Council to consider this Docket change, which has not been recommended by the Executive.

If you have further questions or concerns, please contact Ivan Miller, Comprehensive Plan Manager, at (206) 263-8297 or via email at ivan.miller@kingcounty.gov.

Rainier Christian School

June 2020

Page 3

Again, thank you for participating in this year's Docketing process.

Sincerely,

A handwritten signature in black ink that reads "Lauren Smith". The signature is written in a cursive, flowing style.

Lauren Smith

Director of Regional Planning

Office of Performance, Strategy and Budget

cc: Jim Chan, Director, Department of Local Service – Permitting Division
Ivan Miller, Comprehensive Plan Manager, Office of Performance, Strategy and Budget



King County

Office of Performance, Strategy and Budget

401 5th Ave. Suite 800

Seattle, WA 98104

206-263-9600 TTY Relay: 711

June 30, 2020

Peter Rimbo, Secretary
Greater Maple Valley Unincorporated Area Council
no organizational address
info@gmvuac.org

Dear Mr. Rimbo,

Thank you for participating in this year's Docketing process for the King County Comprehensive Plan. The Docket process¹ is available to the public to identify a deficiency (i.e., an absence of required or potentially desirable contents) or to propose changes to the Comprehensive Plan's policies, area-wide land use designations, development regulations, and site-specific land use and zoning. The Docket process is open continuously and, once a year, the items registered in the previous twelve months are compiled into the Docket Report with Executive branch recommendations. This is transmitted to the King County Council for their review and consideration

The Greater Maple Valley UAC submittal included three separable requests; each is listed and discussed below, with an Executive Recommendation for each.

Submittal #1: Request for procedural change to require the King County Council to prepare and publish responses to the public comments that it receives on the King County Executive's Executive Recommended Comprehensive Plan updates.

Discussion: This request is for a procedural change that would not necessarily require a change to policies and is therefore eligible for consideration in an annual update. The Executive and

¹ Docket Process website: <http://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/king-county-comprehensive-plan/amend/docket.aspx>, and Docket Process in the King County Code: https://aqua.kingcounty.gov/council/clerk/code/23_Title_20.pdf, at 20.18.140

Legislative branch work to meet the Growth Management Act goals for early and continuous public engagement. Documentation of the update process is provided with every major update in an appendix that is entitled *Summary of Public Outreach for the Development of the King County Comprehensive Plan Update*. This appendix lists dates of meetings, groups involved or consulted, and estimates of overall involvement.

Since 2012, the Executive has supplemented this appendix with a companion document that shows outreach materials such as postcards or e-newsletters, mailings, meeting summaries, and this includes the full set of written comments along with written responses.

The Council process is legislative, and there is a permanent record of each meeting when the Comprehensive Plan is discussed, including agendas and minutes, with oral and written comments. There is also a video of each meeting that includes presentations, public testimony, and Council discussions.

Executive Recommendation: The Executive branch and the Legislative branch each manage their own portion of Comprehensive Plan update process. It will be for the Council to decide if this request is supported during its stages of the process.

Submittal #2: Request for procedural changes to require Site-Specific Land Use Map Amendments be reviewed through the Type 4 Quasi-Judicial Hearing Examiner process, and not be allowed to be considered legislatively through the Comprehensive Plan process. As part of this, require that land use and zoning changes that affect the same parcel be considered together, rather than bifurcated with zoning going through the hearing examiner process and land use going through the Comprehensive Plan process.

Discussion: This request is for a procedural change that would not necessarily require a change to policies and is therefore eligible for consideration in an annual update. Under the Growth Management Act, land use decisions are legislative actions. In King County, changes to land use designations are exclusively legislative decisions that are enacted through updates to the Comprehensive Plan's Land Use Map. Portions of the land use process, such as zoning reclassifications, may be delegated to administrative processes, but even these are ultimately brought to the County Council for legislative action.

As noted in King County Code Title 20.20.20 *Classifications of Land Use Decision Processes*, land use permit decisions are classified into four types, based on who makes the decision, whether

public notice is required, whether a public hearing is required before a decision is made, and whether administrative appeals are provided. Type 4 decisions are quasi-judicial decisions made by the County Council based on the record established by the hearing examiner.

Given this, it appears that the request is to require hearing examiner review of all land use changes prior to Council action. This approach raises issues. The hearing examiner's purpose, as defined in King County Code 20.22.020, is to consider and apply adopted county policies and regulations. The hearing examiner is required to separate the application of regulatory controls from the legislative planning process. Hearing examiner decisions are to be based on adopted King County codes and policies, state statutes, regulations, and appellate court decisions. An example of this role is described in King County Code 20.22.150, wherein the examiner issues a recommendation regarding an application for a zone reclassification of property and the recommendation is based on the Comprehensive Plan, subarea plans, subarea studies, or area zoning studies. This makes clear that the hearing examiner ensures fair application of adopted provisions, not the creation of new provisions.

Given that planning and comprehensive planning processes by their nature involve making discretionary decisions to potentially alter adopted codes and policies (while of course guided by state statutes and regulations), requiring the hearing examiner to make these types of discretionary recommendations appears inconsistent with their defined role. Further, the typical planning process is for the Executive branch to manage the planning function, develop, and transmit planning recommendations to Council for their consideration, refinement, and adoption.

Executive Recommendation: Based on these factors, this request is not supported.

Submittal #3: Request for procedural changes to expressly provide that site-specific land use proposals cannot be added as a last minute amendment by the King County Council during its consideration of a Comprehensive Plan update.

Executive Recommendation: As noted previously, the Executive branch and the Legislative branch each manage their own portion of Comprehensive Plan update process. Council will decide if this request is supported during its stages of the process.

Please note that the Docket Report, in accordance with King County Code Title 20.18, will be sent to the King County Council on the last business day in April. Due to the covid pandemic,

Greater Maple Valley UAC

June 2020

Page 4

this has been extended to the last business day in June. At that time, you have the option to petition the Council to consider this Docket change, which has not been recommended by the Executive.

If you have further questions or concerns, please contact Ivan Miller, Comprehensive Plan Manager, at (206) 263-8297 or via email at ivan.miller@kingcounty.gov.

Again, thank you for participating in this year's Docketing process.

Sincerely,

Lauren Smith

Director of Regional Planning

Office of Performance, Strategy and Budget

cc: Jim Chan, Director, Department of Local Service – Permitting Division
Ivan Miller, Comprehensive Plan Manager, Office of Performance, Strategy and Budget



King County

Office of Performance, Strategy and Budget

401 5th Ave. Suite 800

Seattle, WA 98104

206-263-9600 TTY Relay: 711

June 30, 2020

Richard Miller
835 SW 108th Street
King County, WA

Dear Mr. Miller,

Thank you for participating in this year's Docketing process for the King County Comprehensive Plan. The Docket process¹ is available to the public to identify a deficiency (i.e., an absence of required or potentially desirable contents) or to propose changes to the Comprehensive Plan's policies, area-wide land use designations, development regulations, and site-specific land use and zoning. The Docket process is open continuously and, once a year, the items registered in the previous twelve months are compiled into the Docket Report with Executive branch recommendations. This is transmitted to the King County Council for their review and consideration

Submittal: Request to change land use and zoning on one parcel in the North Highline Unincorporated Urban Area from Urban Residential Medium to Urban Planned Development, and from R-8 (8 units per acre) to R-48 (48 units per acre) zoning. Parcel number is 0623049298.

Discussion: This request relates to the North Highline urban unincorporated area, which is currently undergoing a subarea land use planning process. Additionally, the parcel is directly adjacent to a parcel that is being considered for a substantial upzone that is part of the Comprehensive Plan 2020 update. Links to both of these are as follows:

¹ Docket Process website: <http://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/king-county-comprehensive-plan/amend/docket.aspx>, and Docket Process in the King County Code: https://aqua.kingcounty.gov/council/clerk/code/23_Title_20.pdf, at 20.18.140

North Highline Subarea Planning: <https://www.kingcounty.gov/depts/local-services/permits/planning-regulations/community-service-area-land-use-subarea-plans/north-highline.aspx>

2020 Update – Area Studies (see Area Study 3):
https://www.kingcounty.gov/~media/depts/executive/performance-strategy-budget/regional-planning/2020-Comprehensive-Plan-Update/2020-Exec-Recommended-Plan/Area_LandUse_Zoning_Studies-2020Update.ashx

Executive Recommendation: Given the land use focus of the subarea planning process, and the intent to look at zoning, land use, property-specific development conditions, and special district overlays in each of the subareas, the Executive recommends that this request be considered within the subarea planning process and this change is not recommended until such process occurs.

Please note that the Docket Report, in accordance with King County Code Title 20.18, will be sent to the King County Council on the last business day in April. Due to the covid pandemic, this has been extended to the last business day in June. At that time, you have the option to petition the Council to consider this Docket change, which has not been recommended by the Executive.

If you have further questions or concerns, please contact Ivan Miller, Comprehensive Plan Manager, at (206) 263-8297 or via email at ivan.miller@kingcounty.gov.

Again, thank you for participating in this year's Docketing process.

Sincerely,



Lauren Smith
Director of Regional Planning
Office of Performance, Strategy and Budget

Miller

June 2020

Page 3

cc: Jim Chan, Director, Department of Local Service – Permitting Division
Ivan Miller, Comprehensive Plan Manager, Office of Performance, Strategy and Budget



2022 Docket Submittals Report

King County Comprehensive Plan
January 2022

I. BACKGROUND

The King County Docket was established in 1998 in accordance with Revised Code of Washington 36.70A.470 and codified at King County Code 20.18.140. The Docket provides an opportunity for the public to register comments on the *King County Comprehensive Plan* and the associated development regulations. The County responds to each item registered on the docket, providing a feedback loop, as required by RCW 36.70A.470. Docket forms are available on the County website and at several county departments. The docket is open continuously with a deadline of December 31 for submitting docketed comments for consideration in the Comprehensive Plan update process. By the last business day of April, a Docket Report with executive responses and recommendations is released.

The information in the Docket Submittals Report includes the *complete set* of materials as they were submitted by the proponent. Providing the Docket Submittals Report to the public early in the process, and even before substantive analysis has occurred, allows for more transparent communication regarding the issues that the County is being asked to consider.

II. OVERVIEW OF SUBMITTALS

The following items were received by King County by the deadline of December 31 for consideration in this year's Docket process.

#	Name	Brief Summary
Area Specific Map Changes		
1	Eric Hudson	Cedar River Critical Aquifer Recharge Area Maps Request to revise the County's Critical Aquifer Recharge Area (CARA) maps in the Cedar River Valley area for consistency with the United State Environmental Protection Agency (EPA) definitions.
2	Eric Hudson	Cedar River Area Industrial Rezone Request to change zoning on one parcel (the Lakeside Industries property) near the Cedar River, reverting it from its current Industrial zone to Rural Area 5. Request includes a land use designation change from Industrial to Rural Area.

#	Name	Brief Summary
3	Ashwin Padmanabhan	Sammamish Area Residential Rezone Request to change zoning on one unincorporated urban parcel in the Swan Lake Potential Annexation Area near the City of Sammamish from Urban Residential 1 to Urban Residential 4. Request includes a land use designation change from Urban Residential Low to Urban Residential Medium.
4	Jennifer Potter & Rusty Willoughby	Vashon Island Rezone to Neighborhood Business Request to change zoning on one parcel on Vashon Island from Rural Area 5 to Neighborhood Business to allow for a retail store. Request includes a land use designation change from Rural Area to Neighborhood Business.
5	Scarcella Brothers Inc.	East Auburn Area Industrial Rezone Request to change zoning on nine rural parcels near the Pacific Raceways Site near the City of Auburn from Rural Area 5 to Industrial to allow for light industrial uses, including warehousing, distribution, manufacturing, etc. Request includes a land use designation change from Rural Area to Industrial.
6	Sean Foley	Maple Valley Area Split Parcel Rezone Request to change zoning on one rural parcel near the City of Maple Valley from split zoning (Rural Area 5 and Neighborhood Business) to solely Neighborhood Business. Request includes a land use designation change from Rural Area to Neighborhood Business.
7	Richard Miller	North Highline Residential Rezone Request to change zoning on one unincorporated urban parcel in the North Highline Potential Annexation Area from Urban Residential 8 to Urban Residential 24. Request includes a land use designation change from Urban Residential Medium to Urban Residential High.
Policy, Text, and Code		
8	Seven Unincorporated Area Councils: Greater Maple Valley Unincorporated Area Council (GMVUAC); Enumclaw Plateau Community Association (EPCA); Green Valley/Lake Holm Association (GV/LHA); Soos Creek Area Response (SCAR); Upper Bear Creek Unincorporated Area Council (UBCUAC); Hollywood Hills Association (HHA); Green River Coalition (GRC); and	Materials Processing in Rural Area Request to revise King County Code <i>21A.06.742 Materials Processing Facility</i> to prohibit industrial-scale earth, construction and demolition materials processing, but still allow vegetation and organic materials processing, in the Rural Area.

#	Name	Brief Summary
	Friends of Sammamish Valley (FofSV)	
9	Seven Unincorporated Area Councils: Greater Maple Valley Unincorporated Area Council (GMVUAC); Enumclaw Plateau Community Association (EPCA); Green Valley/Lake Holm Association (GV/LHA); Soos Creek Area Response (SCAR); Upper Bear Creek Unincorporated Area Council (UBCUAC); Hollywood Hills Association (HHA); Green River Coalition (GRC); and Friends of Sammamish Valley (FofSV)	Periodic Review and Reclamation Process Request to revise King County Code 21A.22.050 [Mineral Extraction] <i>Periodic Review</i> to require that the review process include the reclamation phase of a mineral extraction (i.e., mining) operation and closure.

III. SUBMITTALS

The tables below include all the information provided with the Docket submittal. For clarity and context, but not analytical purposes at this stage in the process, maps are provided by the County that show the vicinity of the area, an aerial photo, the Comprehensive Plan land use designation, the zoning classification, and where relevant the elevations. If special district overlays or property-specific development conditions are present, these are provided as well.

Docket Request # 1: Cedar River Critical Aquifer Recharge Area Maps

Name of Requestor(s): Eric Hudson

Council District: #9

Summary Category: Sensitive Areas Map Change

Submitted Request

The Critical Aquifer Recharge Area in KC maps for The Cedar Valley Sole Source Aquifer is not in sync with the EPA description of the aquifer, and the CARA needs to be expanded. As described in the EPA Federal Register docket attached (Federal Register Volume 53 No. 191 10/3/1988; FRL-3457-7; FR Docket 88-22621), the Cedar Valley Aquifer is recharged by precipitation which lands on the entire Cedar Valley SSA surface. However, the current King County CARA map shows only a portion of the Cedar Valley SSA area as CARA. The EPA mapping application shows the SSA area is much larger than shown on the King County CARA maps. url: <https://www.epa.gov/dwssa/map-sole-source-aquifer-locations>

See highlighted text in Federal Register listing and image files attached.

Since a Sole Source Aquifer is, by definition, a Critical Aquifer, and the recharge area for the Cedar Valley SSA is described as precipitation on the surface area of the Cedar Valley SSA, the entire surface area of the Cedar Valley sole source aquifer should be listed as CARA in King County data. So please update the King County CARA maps to be in sync with the EPA description so that the aquifer can be protected. Thank you.

Address/Parcel Identification Number

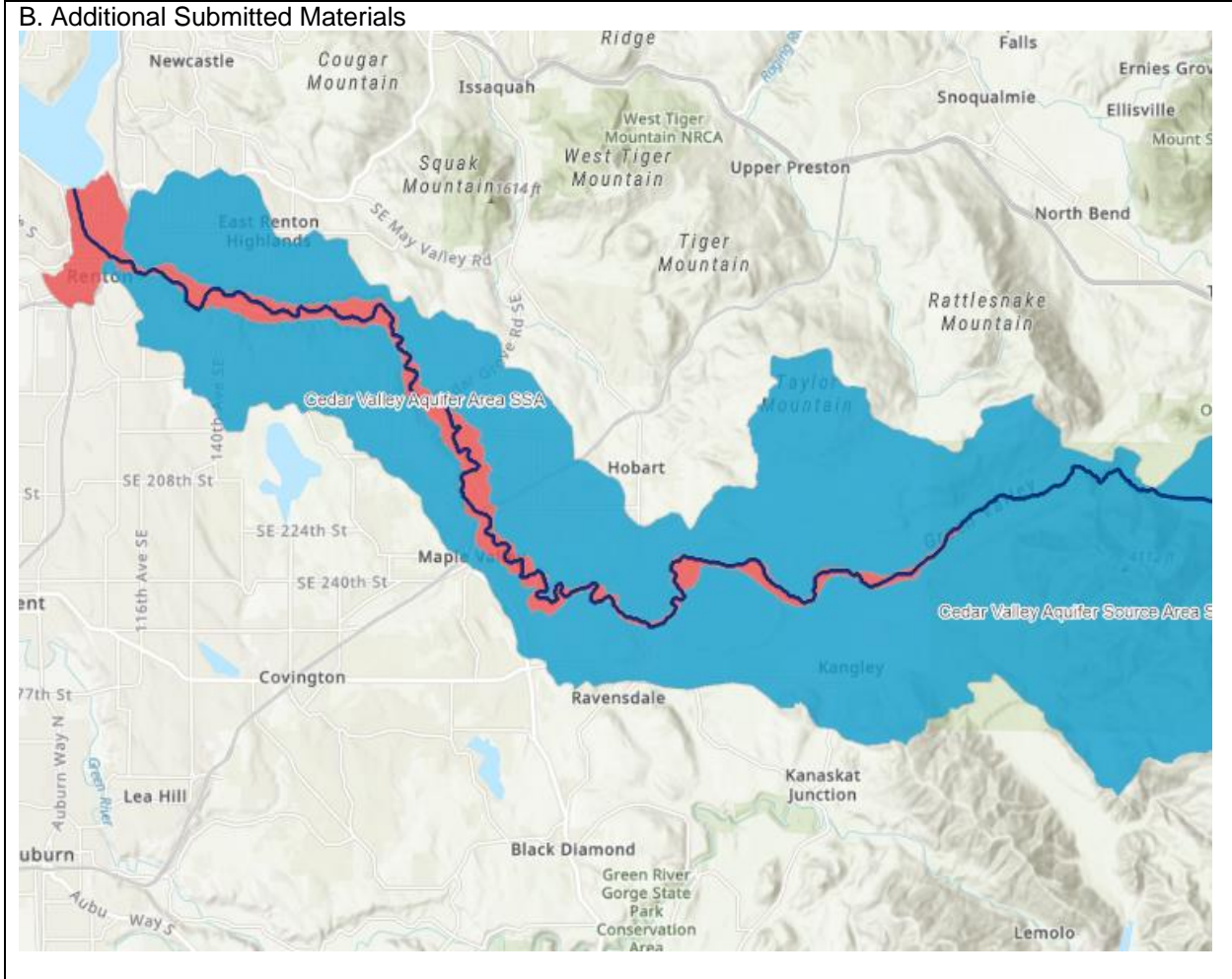
n/a

Submitted Background Information

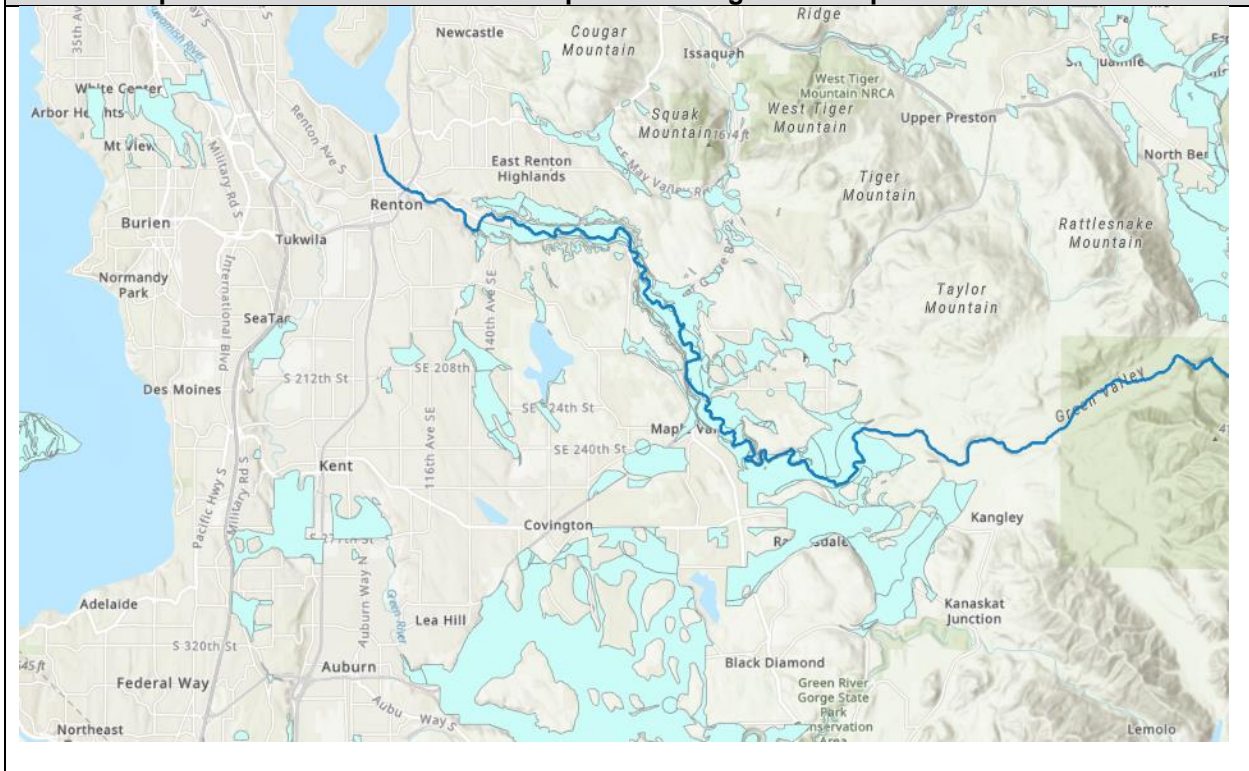
A. Docket Form Answers

Why amendment is needed or useful?	For the protection of the Cedar Valley Sole Source Aquifer
How is this amendment consistent with the Growth Management Act?	This corrects an error or oversight in an important Critical Aquifer Area, and designation of Critical Aquifers is required by the act

B. Additional Submitted Materials



Docket Request # 1: Cedar River Critical Aquifer Recharge Area Maps



physically distinct. The Seattle-King County Department of Public Health supported the proposed designation. The Seattle Water Department requested that EPA meet with the Department to discuss the implications of sole source designation.

In response to comments from the King County Geologist, EPA requested that the city of Renton submit an economic analysis for the Covington Drift Plain similar to one presented in the petition for the Renton Highlands. The additional information provided by the county was submitted to the city of Renton for that purpose. The analysis shows that adequate ground-water resources may be obtained from glacial outwash aquifers beneath the Covington Drift Plain but are economically infeasible according to EPA guidelines. EPA agrees that the surface water resources and the shallow ground-water resources of the Cedar Valley drainage basin are hydrologically connected. For this reason, EPA has incorporated the entire Cedar River drainage basin into the streamflow source area.

EPA has contacted the Seattle Water Department and will meet with the Department to discuss the sole source aquifer program and ground-water protection in general. The letter from the Seattle-King County Department of Public Health did not request or require a response.

VI. Summary

Today's action only affects the Cedar Valley Aquifer and its streamflow source area in King County, Washington. This action provides a review process to ensure that necessary ground-water protection measures are incorporated into federal financially-assisted projects.

Robie G. Russell,

Regional Administrator.

Date: June 8, 1988.

[FR Doc. 88-22621 Filed 9-30-88; 8:45 am]

BILLING CODE 6560-50-M

[FRL-3457-8]

Sole Source Designation of the Lewiston Basin Aquifer, Asotin and Garfield Counties, WA, and Nez Perce and Lewis Counties, ID

AGENCY: U.S. Environmental Protection Agency.

ACTION: Final determination.

SUMMARY: Pursuant to section 1414(e) of the Safe Drinking Water Act, the Region 10 Administrator of the U.S.

Environmental Protection Agency (EPA) has determined that the Lewiston Basin Aquifer in parts of Idaho and Washington, is the principal source of drinking water for the Lewiston Basin and that the aquifer, if contaminated, would create a significant hazard to public health. As a result of this action, federal financially-assisted projects proposed in the project review area will be subject to EPA review to ensure that these projects are designed and constructed so that they do not create a significant hazard to public health.

EFFECTIVE DATE: This determination shall be promulgated for purposes of judicial review at 1:00 p.m. Eastern time on October 17, 1988.

ADDRESSES: The data upon which these findings are based are available to the public and may be inspected during normal business hours at the Asotin County Library, Main Branch, Sixth and Chestnut, Clarkston, Washington, Asotin County Library, Heights Branch, 2036 Fourth Avenue, Clarkston, Washington; Nez Perce County Library, Lapwai Branch, 103 Main Street, Lapwai, Idaho; Lewiston City Library, Tscemicum Branch, 428 Thaine Road, Lewiston, Idaho; Lewiston City Library, Carnegie Branch, Pioneer Park, Lewiston, Idaho; EPA Idaho Operations Office, 422 West Washington Street, Boise, Idaho; and EPA Region 10 Library, 1200 Sixth Avenue, Seattle, Washington.

FOR FURTHER INFORMATION CONTACT: Jonathan Williams at (206) 442-1541 or FTS 399-1541.

SUPPLEMENTARY INFORMATION: Notice is hereby given that pursuant to section 1424(e) of the Safe Drinking Water Act [42 U.S.C., 300f, 300h-3(e), Pub. L. 93-523] the Region 10 Administrator of the U.S. Environmental Protection Agency has determined that the Lewiston Basin Aquifer located in Asotin and Garfield Counties, Washington, and Nex Perce and Lewis Counties, Idaho, is the principal source of drinking water for much of the aquifer service area. Pursuant to section 1424(e), federal financially-assisted projects proposed for construction in the project review area will be subject to EPA review.

I. Background

Section 1424(e) of the Safe Drinking Water Act states: "If the Administrator determines, on his own initiative or upon petition, that an area has an aquifer which is the sole or principal drinking water source for the area and which, if contaminated, would create a significant hazard to public health, he shall publish notice of that determination in the *Federal Register*.

After the publication of such notice, no commitment for federal financial assistance [through a grant, contract, loan guarantee, or otherwise] may be entered into for any project which the Administrator determines may contaminate such aquifer through a recharge zone so as to create a significant hazard to public health, but a commitment for federal financial assistance may, if authorized under another provision of the law, be entered into to plan or design the project to assure that it will not so contaminate the aquifer."

On December 27, 1987, the Region 10 Office of the U.S. Environmental Protection Agency (EPA) received a petition from the Asotin County Public Utility District (PUD) requesting that EPA designate the "Russell Aquifer" as a sole source aquifer. The PUD provided additional information through a revised petition which was received by EPA on February 1, 1988.

The "Russell Aquifer" was defined as the upper 800 feet of the Grande Ronde Formation within the Lewiston Basin by a hydrogeological report published in 1980. EPA has combined the Grande Ronde Formation with other water-bearing rocks of the Lewiston Basin and labeled the aquifer system as the Lewiston Basin Aquifer.

In order to obtain public comment, EPA distributed a press release on May 4, 1988, stating that (1) the EPA Regional Office was considering designation of the Lewiston Basin Aquifer as a sole source aquifer, (2) a Resource Document summarizing the bases for the proposal was available for review, (3) public comments were being requested, and (4) a public hearing was to be held on May 17, 1988. Legal notices, announcing distribution of the Resource Document, the public hearing, and the closure date for public comment, were printed in the Lewiston Tribune on May 9, 1988, and the Clarkston Valley American on May 11, 1988. The public hearing was held in Clarkston, Washington, as scheduled, and the public comment period remained open until June 2, 1988.

On May 31, 1988, EPA received a letter from the Idaho Water Resource Board which requested a 60 day extension of the public comment period. EPA granted the request. An additional public meeting was conducted in Lewiston, Idaho on July 19, 1988. Written testimony was received through August 5, 1988.

II. Basis For Determination

Among the determinations which the Regional Administrator must make in connection with the designation of an

Name	Case No.	Date	No. of applicants	Total refund
Earl H. Forsch et al.	RF272-24601	8/2/88	169	\$3,631
Johnny F. Mastny et al.	RF272-24802	8/4/88	141	3,844
Town of Farmington et al.	RF272-7725	8/5/88	6	924

Dismissals

The following submissions were dismissed:

Name	Case No.
Andy's Texaco	RF265-2168
B. Zaitz and Sons Co.	RF272-58379
Bangor Hydro-Electric Co.	RF272-56282
Blair Oil Co.	RF265-399
Boulevard Getty	RF265-1199
Boyetown Area School District	RF272-45090
Carl W. Valentini	RF272-47273
Century Furniture Company	RF272-9644
Charlie & Dale Pettijohn	RF265-2598
Cherry Hill Getty	RF265-2599
Circle Getty	RF265-2082
City of Mesquite	RF265-2182
Claycomb Skelly Service	RF272-58101
Cousin's Getty	RF265-1142
D&P Getty	RF265-1014
Demers & Sons Citgo	RF265-1003
Don's Travel Inn	RF265-633
Ervin C. Cahlin	RF265-684
Halbur Oil Company	RF265-1157
Harman's Getty	RF265-516
Honokaa Hospital	RF265-2391
Howard Butane Propane Co., Inc.	RF265-2578
J. Fred Smith Skelly	RF265-795
J.P. Oil Company	RF272-56215
Jeffery Oil Company	RF193-193
John's Getty Servicer	RF265-1849
Kohala Hospital	RF265-2600
Latham-Roberts Company	RF265-2601
Leland Community Unit School District #1	RF265-1542
Pardee Oil Company	RF265-1543
Penco Oil Company	RF265-1545
Rosewall's Getty	RF265-2272
Roy Matheos Skelly	RF272-56219
Samuel Mahelons Memorial Hospital	RF272-54624
Southern Union Co.	RF272-51865
Stanley Morris Oil Company	RF265-1795
State of Hawaii Deags	RF265-1397
Valley Oil Company	RF265-909
Viking Truck Stop, Inc.	RF265-2032
Vulcan Steam Forging Co.	RF265-2033
Zimmerman Getty	RF265-2034
Zumbro Planting Co., Inc.	RF272-56222

Copies of the full text of these decisions and orders are available in the Public Reference Room of the Office of Hearings and Appeals, Room 1E-234, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except

federal holidays. They are also available in *Energy Management: Federal Energy Guidelines*, a commercially published loose leaf reporter system.

George B. Breznay,
Director, Office of Hearings and Appeals.
September 7, 1988.

[RF Doc. 88-22723 Filed 9-30-88; 8:45 am]
BILLING CODE 6450-01-M

Western Area Power Administration

Boulder Canyon Project Proposed Power Rate

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice of extension of consultation and comment period for a proposed power rate adjustment.

SUMMARY: The Western Area Power Administration (Western) announced in the *Federal Register* published June 22, 1988 (53 FR 23446), a proposed adjustment of the rates for power and energy from the Boulder Canyon Project (BCP). In that notice, Western scheduled a public information forum for June 30, 1988, with the consultation and comment period to end August 8, 1988. Western also stated that consideration would be given to an extension of the consultation and comment period if requested by customers or interested parties.

Western received several requests for an extension of 45 days to the originally published consultation and comment period. The basis for the extension was to allow all interested parties an opportunity to review and analyze a new energy forecast, a new method of forecasting future replacement requirements, and new rate calculations.

After reviewing those requests for extension, Western concurred with the requests and rescheduled for September 7, 1988, the public comment forum previously scheduled for July 22, 1988. In addition, the ending date of the consultation and comment period was changed to September 22, 1988. This was noticed in the *Federal Register* at 53 FR 29065, August 2, 1988.

An additional public comment forum has been scheduled. This will allow time for Western to further provide information and for the customers and other interested parties to prepare their

comments. Also, the consultation and comment period has been extended.

DATES: The consultation and comment period which began with the notification of the BCP rate adjustment (53 FR 23446, June 22, 1988) will end November 14, 1988. A public comment forum will be held at 10 a.m. on October 28, 1988.

ADDRESSES: The public comment forum will be held at the Boulder City Area Office, 3 miles south on Buchanan Road, Boulder City, Nevada, on the dates and times cited above. Written comments may be sent to: Mr. Thomas A. Hine, Area Manager, Boulder City Area Office, Western Area Power Administration, P.O. Box 200, Boulder City, NV 89005, (702) 477-3255.

FOR FURTHER INFORMATION CONTACT: Mr. Earl W. Hodge, Assistant Area Manager for Power Marketing, Boulder City Area Office, Western Area Power Administration, P.O. Box 200, Boulder City, NV 89005, (702) 477-3255.

Issued at Golden, Colorado, September 23, 1988.

William H. Clagett,
Administrator.
[FR Doc. 88-22721 Filed 9-30-88; 8:45 am]
BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL-3457-7]

Sole Source Designation of the Cedar Valley Aquifer, King County, WA

AGENCY: U.S. Environmental Protection Agency.

ACTION: Final determination.

SUMMARY: Pursuant to section 1424(e) of the Safe Drinking Water Act, the Region 10 Administrator of the U.S. Environmental Protection Agency (EPA) has determined that the Cedar Valley Aquifer in King County, Washington is the principal source of drinking water for the area and that the aquifer, if contaminated, would create a significant hazard to public health. As a result of this action, federal financially-assisted projects constructed in the project review area will be subject to EPA review to ensure that these projects are design and constructed so that they do

not create a significant hazard to public health.

EFFECTIVE DATE: This determination shall be promulgated for purposes of judicial review at 1:00 p.m. Eastern time on October 17, 1988.

ADDRESSES: The data upon which these findings are based are available to the public and may be inspected during normal business hours at the Renton City Library, 100 Mill Ave., Renton Washington; King County Library, Maple Valley Branch, 23730 Maple Valley Rd. SE, Maple Valley, Washington; King County Library, Fairwood Branch, 17009 140th SE, Renton, Washington, and EPA Region 10 Library, 1209 Sixth Avenue, Seattle, Washington.

FOR FURTHER INFORMATION CONTACT: Jonathan Williams at (206) 442-1541 or FTS 399-1541.

SUPPLEMENTARY INFORMATION: Notice is hereby given that pursuant to section 1424(e) of the Safe Drinking Water Act [42 U.S.C., 300f, 300h-3(e), Pub. L. 93-523] the Region 10 Administrator of the U.S. Environmental Protection Agency has determined that the Cedar Valley Aquifer located in King County, Washington is the principal source of drinking water for the aquifer service area. Pursuant to section 1424(e), federal financially-assisted projects proposed for construction in the project review area will be subject to EPA review.

I. Background

Section 1424(e) of the Safe Drinking Water Act states: "If the Administrator determines, on his own initiative or upon petition, that an area has an aquifer which is the sole or principal drinking water source for the area and which, if contaminated, would create a significant hazard to public health, he shall publish notice of that determination in the Federal Register. After the publication of such notice, no commitment for federal financial assistance [through a grant, contract, loan guarantee, or otherwise] may be entered into for any project which the Administrator determines may contaminate such aquifer through a recharge zone so as to create a significant hazard to public health, but a commitment for federal financial assistance may, if authorized under another provision of the law, be entered into to plan or design the project to assure that it will not so contaminate the aquifer."

On March 3, 1988, the city of Renton, Washington, submitted a petition requesting that EPA designate the Cedar Valley Aquifer as a sole source aquifer. The petition states that the city of

Renton initiated a program to protect its principal source of drinking water in 1983, and considers sole source designation a step which "would support the goals of the aquifer protection program already underway." In order to obtain public comment, EPA issued a press release on May 2, 1988, which stated that (1) the EPA Regional Office was considering designation of the Cedar Valley Aquifer as a sole source aquifer, (2) copies of the petition and a complementary summary document were available for review, (3) a public hearing was scheduled for May 26, 1988, and (4) public comment was sought through June 2, 1988. Legal notices, announcing the availability of the petition and summary document, announcing the public hearing, and requesting public comment until June 2, 1988, were printed in the Valley Daily News (Renton Edition), the Seattle Times, and the Seattle Post-Intelligencer, on May 9, 1988.

II. Basis For Determination

Among the determinations which the Regional Administration must make in connection with the designation of an area under section 1424(e) are: (1) Whether the aquifer is the sole or principal sources of drinking water in the area, and (2) whether, if contaminated, a significant hazard to public health would result. Based on the information available to this Agency, the Regional Administrator has made the following findings, which are the bases for the determination noted above.

1. The Cedar Valley Aquifer supplies at least 80 percent of the drinking water used in the aquifer service area, and possibly almost 90 percent.

2. No economically feasible alternative drinking water sources, as defined by EPA guidelines, exist within the area or nearby.

3. Since the aquifer represents the principal source of drinking water for the aquifer service area, contamination of the aquifer would pose a significant hazard to public health.

III. Description of the Cedar Valley aquifer

(Information in this section represents an unfootnoted summary of material from: *Support Document for Designation of the Cedar Valley Aquifer as a Sole Source Aquifer*, issued in September of 1988 by the Region 10 Office of Ground Water.)

The Cedar Valley Aquifer consists of recent (post-Vashon glaciation) alluvium deposited by the Cedar River. These sand and gravel deposits cover the low-lying areas of the Cedar River Valley to

a depth of less than 100 feet. The aquifer thickness ranges from 70 to 90 feet within the city of Renton wellfield. The alluvium overlies unconsolidated glacial deposits which, in turn, overlie folded and faulted Eocene to Oligocene sedimentary rocks.

The aquifer materials extend upgradient (east) almost continuously upstream to Cedar Falls. Downgradient (northwest, west, and southwest) from Renton, the sand and gravel deposits fan radially outward and become complexly interlayered with finer-grained material of the ancestral Cedar River Delta before grading into the fine-grained sediments associated with Lake Washington and the Dawamish Valley. Laterally, the aquifer materials abutt against older strata along steep walls of the Cedar River Valley.

Water moves easily through the sand and gravel deposits which form a large portion of the Cedar Valley Aquifer. Water-filled pore space between sand and gravel clasts occupy about 25 percent of the aquifer volume. Ground water in the Renton wellfield area generally moves at the rapid rate of about 20 feet per day. Movement of up to 160 feet per day may occur locally. Groundwater moves down gradient through the aquifer in a direction which parallels the general course of the Cedar River.

Aquifer recharge originates as precipitation over the approximately 186 square mile Cedar River drainage area. Rainfall around Renton averages about 39 inches each year, and evaporation only consumes 16 to 22 inches annually. Therefore, 17 to 23 inches of precipitation each year becomes runoff or infiltrates to the ground-water system. Precipitation rates are even higher, and evaporation rates lower, in the higher elevation areas of the drainage basin.

Aquifer recharge occurs from precipitation upon the aquifer surface, subsurface inflow from adjoining strata, surface runoff and seepage from the valley walls, and the Cedar River. No studies which attempt to calculate the relative amounts of recharge from these sources have been published. Water which reaches the surface of the aquifer generally infiltrates easily to the water table because of the preponderance of coarse-grained material in the valley fill. Likewise, sand and gravel within the saturated portion of the valley fill will readily accept water from adjoining strata (although some of the bounding strata will not transmit water easily). Relatively little water enters the aquifer from bounding strata where the aquifer has cut into bedrock or glacial till. In

contrast, saturated glacial outwash units in contact with the valley fill may transmit great amounts of water to the aquifer. Recharge from the Cedar River probably only occurs during flood stage upstream of the bedrock narrows (about 1 mile east of I-405) judging from water levels in wells near the river.

Downstream from the bedrock narrows, the river is inferred to recharge the aquifer since the river level is generally 5 to 10 feet above the water table.

The difference between surface and ground water elevations in the Renton area suggests that a hydrologic impediment exists locally beneath the Cedar River. In fact, thin layers of peat and clay have been reported near the surface on some borehole logs. Pumping tests for the city of Renton indicate that ground water in the wellfield area moves as in a semi-confined aquifer. Pump test results also suggest that pumping the well field influences ground-water movement on the opposite side of the Cedar River rather than drawing water directly from the river. Ultimately, however, the Cedar River and the aquifer both depend upon precipitation within the Cedar River drainage basin for their recharge.

Ground water from the Cedar Valley Aquifer naturally discharges to the Cedar River above the bedrock narrows, and to Lake Washington and the Duwamish River as underflow. Artificial discharge from the aquifer occurs mostly from the city of Renton's production wells. The city of Renton's wells, all located within a one quarter square mile area, pump at an average rate of 4375 gallons per minute (6.3 million gallons per day). The city reports that water levels in its wells generally drop less than five feet each summer and rebound completely during the winter months. No studies which attempt to calculate the relative amounts of discharge from the aquifer have been published.

The aquifer boundaries correspond to the areal extent of the post-Vashon alluvium of the lower Cedar River Valley. The aquifer materials, deposited by the Cedar River and tributary drainages, occur almost continuously between Renton and Cedar Falls, a distance of about 25 miles. In the Renton area, these Quaternary deposits are labeled Qac and Qas on a 1:24,000 scale map, published by the U.S. Geological Survey, which extends from the western margin of the aquifer to about three miles east of Renton. Outcrop relationships strongly suggest that these aquifer materials also occur beneath artificial fill which covers much of the low-lying areas of Renton. Therefore, areas in Renton mapped as covered by

artificial fill are considered part of the aquifer area. Further upstream, the aquifer materials are labeled Quaternary alluvium (Qa) on a 1:24,000 scale maps of the Maple Valley and Hobart Quadrangles contained in a thesis at the University of Washington. Still further upstream, the aquifer materials are labeled Quaternary alluvium (Qa) on a 1:250,000 scale generalized geologic map of King County published by the U.S. Geological Survey.

Since water which recharges the Cedar Valley Aquifer may originate as precipitation anywhere in the Cedar Valley drainage basin, the streamflow source area includes the entire Cedar Valley drainage. In order to prevent federal financially-assisted projects from contaminating ground water, the project review area coincides with the boundaries of the streamflow source area.

Ground water withdrawn from the aquifer by the city of Renton has historically exceeded the public water supply quality standards established by the Washington Department of Social and Health Services (DSHS) and the U.S. Environmental Protection Agency (EPA). Recently, ground-water contamination has been observed in monitoring wells within Renton although not in any of the city's operating water supply wells. Monitoring wells have documented elevated levels of benzene suspected to have originated from leaking underground gasoline storage tanks.

The Cedar Valley Aquifer is highly vulnerable to contamination in the Renton area because of the shallow depth to ground water and the high number of potential sources of contamination in the urbanized area overlying the aquifer. Upgradient (east) of Renton, the lower population density presents fewer potential sources of contamination, but the water level generally lies closer to the surface. Potential sources of contamination include underground storage tank failure, improper storing, handling, or disposal of hazardous materials, accidental spills of hazardous material transported across the aquifer, septic tank effluent, storm runoff, pesticides, and chemical fertilizers. Numerous potential sources of contamination also exist off the surface of the aquifer but within the lower Cedar Valley drainage area. Since the Cedar River and the Cedar Valley Aquifer are hydrologically connected, sources which present a threat to the water quality of the river may also pose a threat to the aquifer.

The city of Renton has identified six potential alternative sources of drinking

water: The Cedar River, Green River, Lake Washington, Seattle Water Department, and glacial outwash aquifers beneath the Renton Highlands and Covington Drift Plain. Surface water appropriation restrictions prevent the city from developing the Cedar River, Green River, or Lake Washington as a source of municipal water. Developing ground-water resources within the Renton Highlands and Covington Drift Plain might provide an adequate alternative supply, but would likely double the typical ratepayer's water bill. The city of Renton petition states that the Seattle Water Department cannot guarantee enough water to replace that now consumed from the aquifer.

IV. Project Review

When the EPA publishes a determination for a sole or principal drinking water source, the consequence is that no commitment for federal financial assistance may be made if the Administrator finds that the federal financially-assisted project may contaminate the aquifer through a recharge zone so as to create a significant hazard to public health [Safe Drinking Water Act section 1424(e), 42 U.S.C. 300h-3(e)]. In many cases, these federal financially-assisted projects may also be analyzed in a National Environmental Policy Act (NEPA) document, 42 U.S.C. 4332 (2)(c).

To streamline EPA's review of the possible environmental impacts upon designated aquifers, when an action is analyzed in a NEPA document, the two reviews will be consolidated, and both authorities will be cited. The EPA review under the Safe Drinking Water Act of federal financially-assisted projects potentially affecting sole or principal source aquifers will be included in the EPA review of any NEPA document accompanying the same federal financially-assisted project. The letter transmitting EPA's comments on the final Environmental Impact Statement to the lead agency will be the vehicle for informing the lead agency of EPA's actions under section 1424(e).

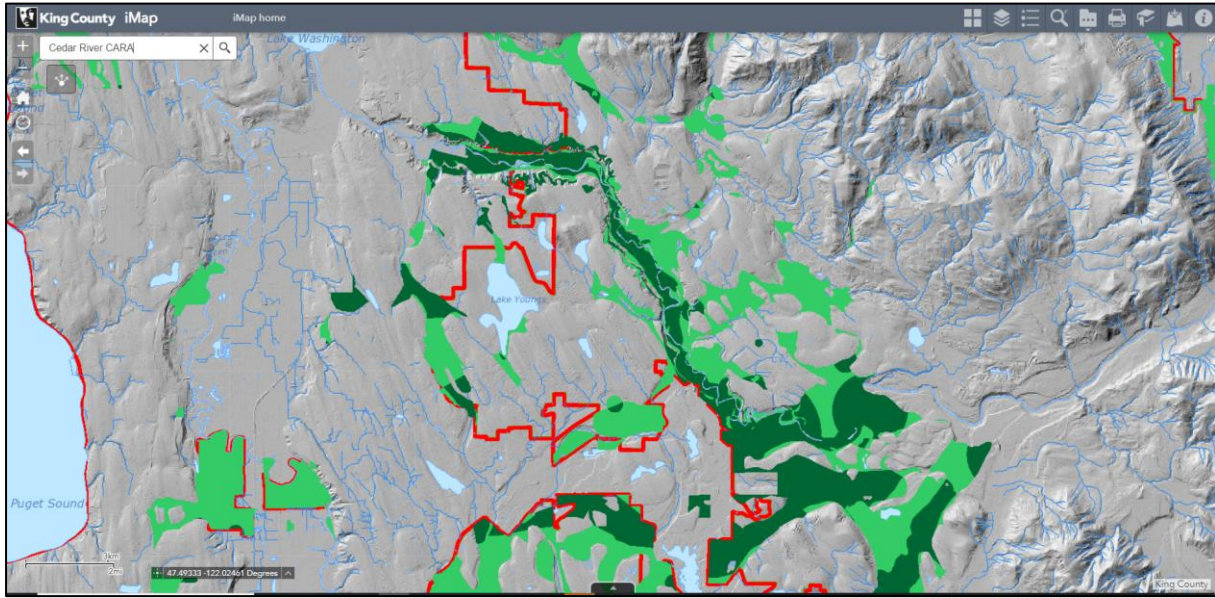
V. Discussion of Public Comment

Comments were received from the King County Geologist, the Seattle Water Department, and the Seattle-King County Health Department. The County Geologist, an employee of a branch of the Public Works Department, submitted additional geological and hydrological information about nearby areas, and pointed out that the legal separation between surface and ground-water resources in the area should not be construed to mean that the resources are

Docket Request # 1: Cedar River Critical Aquifer Recharge Area Maps

County Map of Docket Area

Vicinity:



Aerial:
n/a

Zoning:
n/a

Land Use:
n/a

Elevations:
n/a

Property Specific Development Conditions and Special District Overlays:
n/a

Docket Request # 2: Cedar River Area Industrial Rezone**Name of Requestor(s):** Eric Hudson**Council District:** #9**Summary Category:** Land Use and Zoning Map Change**Submitted Request**

This amendment is to correct a deficiency, but it is urgent as the deficiency is resulting in a threat of harm to the Cedar River and KC residents.

This amendment will help protect the Cedar River from pollution, and to protect ordinary KC Citizens from an imminent health threat.

This is also to be consistent with the KCCP objectives and GMA requirements per RCW 36.70A, which states that Industrial sites should not be located outside the urban growth area. KC Code grants the KCCP hierarchical authority over development regulations.

KC Code was violated in 2008 when the KC Council enacted a noncompliant site-specific zoning change to designate one parcel Industrial outside the rural area, effectively breaking up a rural area zone along the Cedar River and causing risk to adjacent properties. More detailed explanation on attached page.

Address/Parcel Identification Number

Parcels 1923069011, 1923069013, 1923069026, 1923069016, 1923069017

Note: Parcel 1923069026 is the only one proposed for changing the zoning. The parcel is approximately 25 acres.

Submitted Background Information**A. Docket Form Answers**

Why amendment is needed or useful?	For compliance with the GMA RCW 36.70A.
How is this amendment consistent with the Growth Management Act?	This corrects a deficiency in the zoning and creates a continuous zone of RA-5 parcels across from the Cedar River, restoring the zoning to 1994-2008 to comply with the GMA and KCCP. Some relevant policies in the KCCP are attached. This change restores the zoning to RA-5, compliant with the GMA objectives regarding limitation of Industrial land uses in the rural area.
Requested Change and Rationale	Create a continuous RA-5 zone among the 5 parcels, for the protection of the Cedar River and compliance with the GMA.
Proposed Uses of Parcel	existing compliant uses apply.
How will change affect adjoining parcels?	It will enhance compatibility with surrounding parcels and preserve rural character.
How is change compatible with the surrounding area?	It restores the zoning as it should be, RA-5, which was grandfathered in from 1994-2008.
Additional information?	This deficiency correction will protect the Cedar River and Rural Area.

B. Additional Submitted Materials

I may not be the property owner of parcel 1923069026, but those who live in a community and are impacted by potential property uses should be able to request zoning changes that are compliant with the Comprehensive Plan. The earth belongs to everyone and every living thing that inhabits it. To grant property owners greater rights will ultimately result in granting the rich greater rights than the poor.

In 2008, the process used to rezone Parcel 1923069026 from RA-5 to Industrial was noncompliant with KC Code, and the GMA.

The 2008 SEPA addendum did not have any analysis as required by the GMA and related state laws. The amendment contradicted KC staff recommendations to leave the zoning at RA-5. The amendment was done at the last possible committee meeting 8/5/2008 after 7 months of public meetings had already been held. so, BMA public participation requirements were violated.

In addition, KC Code Title 20 requires hearing examiner review of site-specific rezones and in 2008 there was no hearing examiner review.

The current zoning of Industrial contradicts the policies listed below as well as the principles of the KCCP in general. RA-5 will still allow Landscaping materials processing to be done on the property, which is what Sunset Materials did.

This request is just to update paperwork to be in sync with the true and legal zoning of RA-5.

Thank you.

- R-514 Development regulations for new industrial development in the Rural Area shall require the following:
- a. Greater setbacks, and reduced building height, floor/lot ratios, and maximum impervious surface percentage standards in comparison to standards for urban industrial development;
 - b. Maximum protection of sensitive natural features, especially salmonid habitat and water quality;
 - c. Building and landscape design that respects the aesthetic qualities and character of the Rural Area, and provides substantial buffering from the adjoining uses and scenic vistas;
 - d. Building colors and materials that are muted, signs that are not internally illuminated, and site and building lighting that is held to the minimum necessary for safety;
 - e. Heavier industrial uses, new industrial uses producing substantial waste byproducts or wastewater discharge, or new paper, chemical and allied products manufacturing uses in the urban industrial zone shall be prohibited; and
 - f. Industrial uses requiring substantial investments in infrastructure such as water, sewers or transportation facilities, or facilities that generate substantial volumes of heavy gross weight truck trips, shall be reduced in size to avoid the need for public funding of the infrastructure.

- R-515 Existing industrial uses in the Rural Area outside of Rural Towns, the industrial area on the King County-designated historic site along State Route 169 or the designated industrial area adjacent to the Rural Neighborhood Commercial Center of Preston shall be zoned rural residential but may continue if they qualify as legal, nonconforming uses.

Hello,

Attached I've submitted a docket request to correct a deficiency in the KCCP, and correct the paperwork to properly show RA-5 zoning near the Cedar River as it was from 1994-2008.

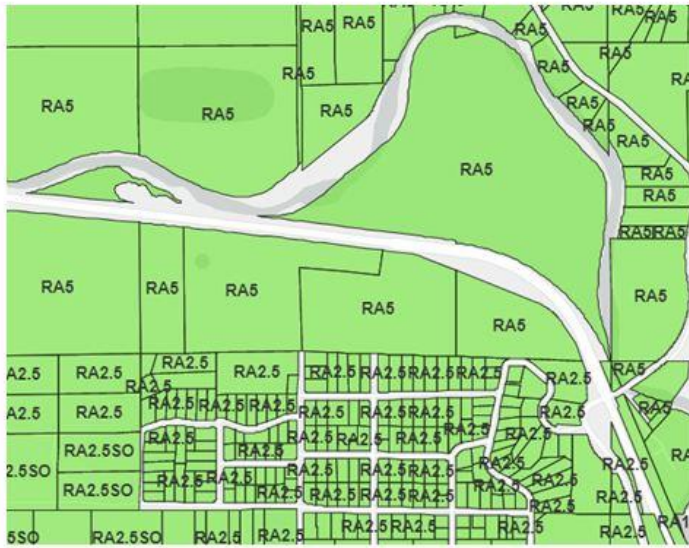
Below, I've corrected the zoning map in the Cedar River vicinity to show the zoning as RA-5, as it properly and rightfully should be since KC Code was violated when it was changed previously.

Besides a noncompliance, this deficiency is also an imminent public health threat and a risk to the environment, since potentially harmful land uses can be allowed, or at least perceived to be allowed, by the improperly enacted Industrial zoning.

Please make this update to correct this deficiency in the KCCP for the protection of the environment and human health.

Thank you for doing your difficult job for which you receive inadequate support from the KC Council and KC gov leadership.

Eric Hudson, P.E.
License 29785



All,

I would like to add that it even says in the letter DDES sent to Martin Durkan on 10/18/2006 (attached) that a site-specific rezone "must be reviewed by the King County Hearing Examiner"

Below is a snip from the letter

There was no hearing examiner review, therefore the amendment to change to Industrial zoning was invalid.

The neighbors living around the proposed Cedar River Asphalt Plant have rights also. Don't just protect corporations.

The right of the neighbors to life should come before the right of Lakeside to profit

THE ZONING IS RA-5. DENY THE PERMIT.

Please be aware that Site Specific Land Use Amendments must be reviewed by the King County Hearing Examiner, who must hold a hearing and produce a written report to the King County Council. The Council may then consider the site-specific land use amendment during consideration of the next major update of the King County Comprehensive Plan in 2008.

Docket Request # 2: Cedar River Area Industrial Rezone



**King County
Department of Development
and Environmental Services**
900 Oakesdale Avenue Southwest
Renton, WA 98055-1219

October 18, 2006

Martin Durkan Jr.
330 SW 43rd Street, # 357
Renton, WA 98055

Dear Mr. Durkan:

Thank you for participating in this year's docketing process. We appreciate hearing from you on your proposed change to the King County Comprehensive Plan (KCCP).

In your docket you requested that 25.3 acres of land owned by Goodnight Properties Inc., which you represent, be redesignated from Rural to Industrial.

The following King County Comprehensive Plan policies and text are applicable to your request:

R-412 New industrial uses in the Rural Area shall be permitted only in Rural Towns and in the designated industrial area adjacent to the Rural Neighborhood of Preston.

In order to preserve rural character and protect sensitive natural features, new rural industrial development needs to be of a scale and nature that is distinct from urban industrial development. The scale and intensity and many of the uses allowed in urban industrial development are not appropriate for rural industrial areas. The following policy applies to all new industrial development in the Rural Area.

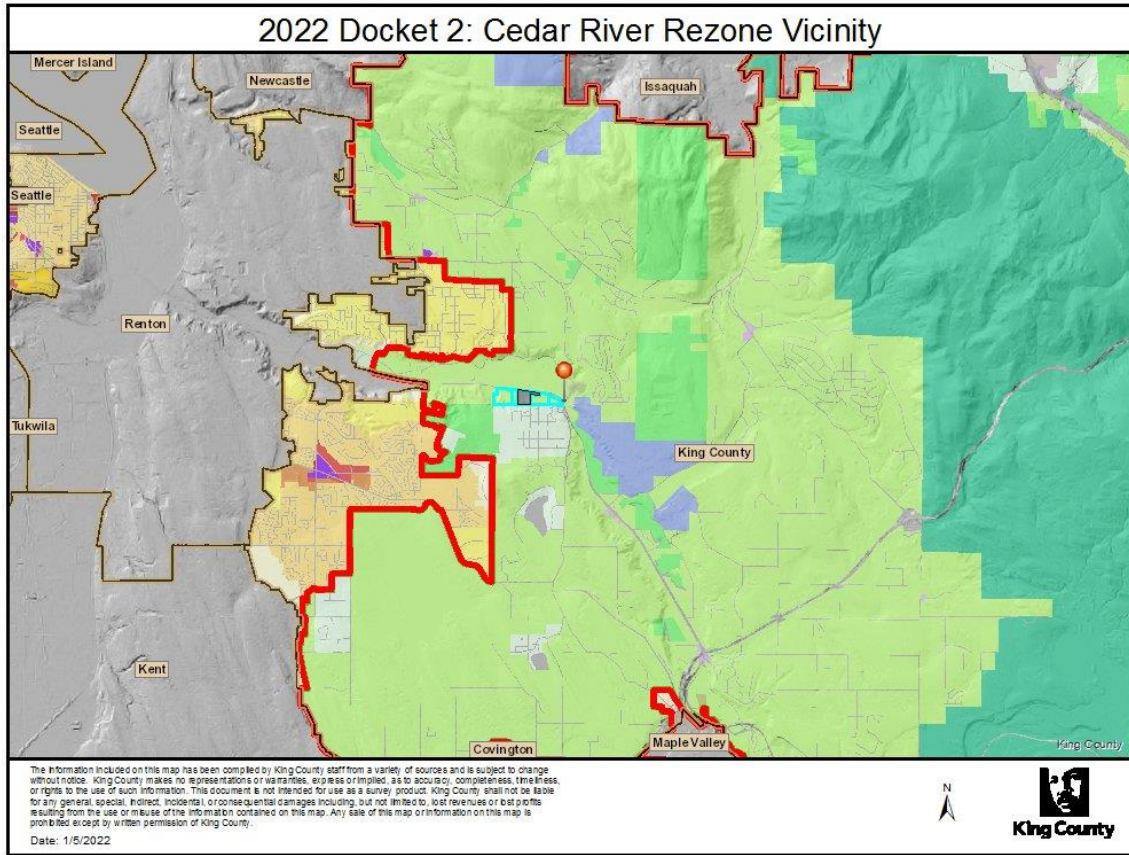
R-413 Development regulations for nonvested industrial development in the Rural Area shall require the following:

- a. Greater setbacks, and reduced building height, floor/lot ratios, and maximum impervious surface percentage standards in comparison to standards for urban industrial development.
- b. Maximum protection of sensitive natural features, especially salmonid habitat and water quality.
- c. Building and landscape design that respects the aesthetic qualities and

Docket Request # 2: Cedar River Area Industrial Rezone

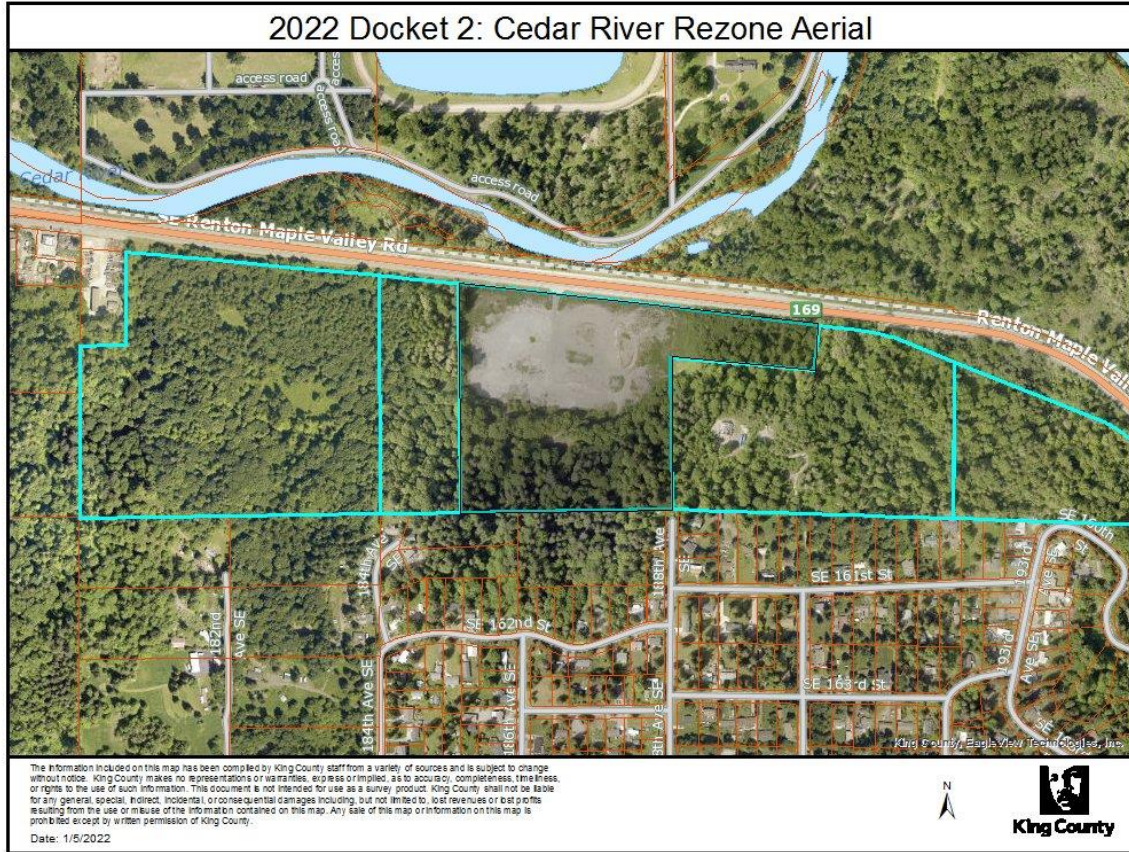
County Maps of Docket Area (parcels highlighted in blue)

Vicinity:



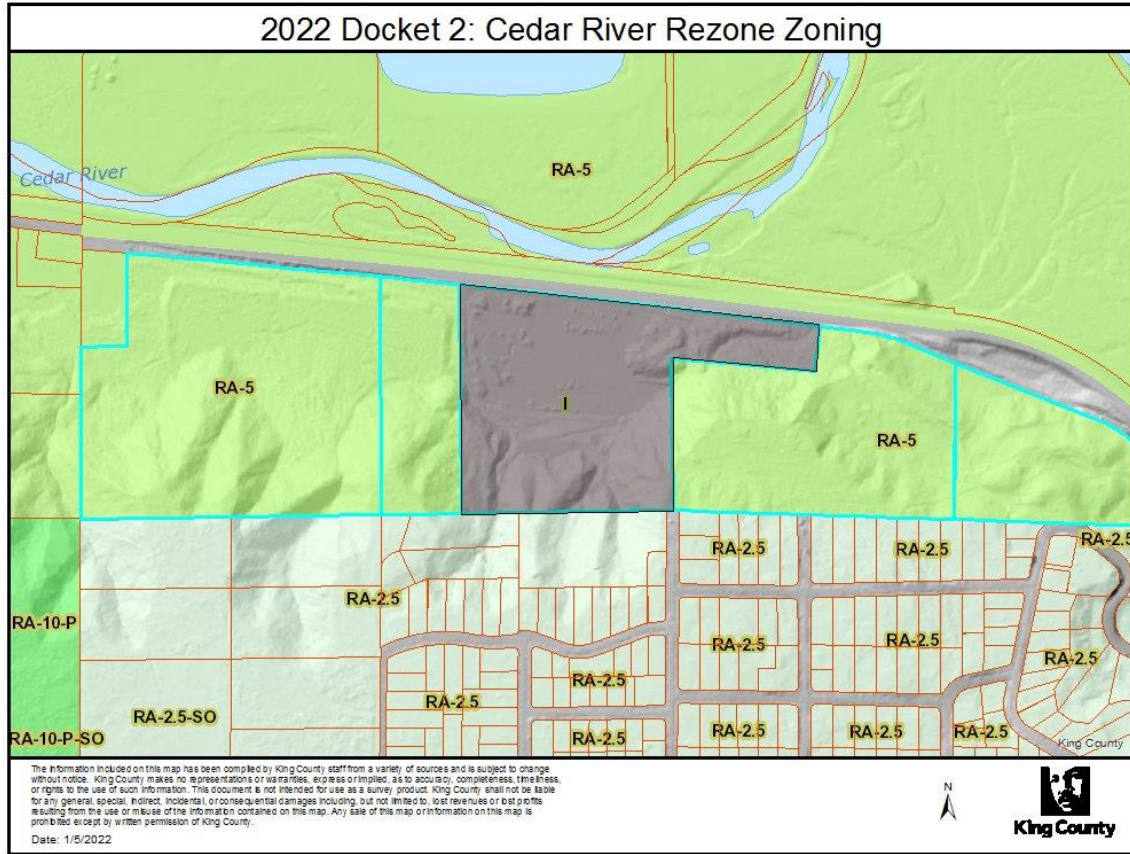
Docket Request # 2: Cedar River Area Industrial Rezone

Aerial:



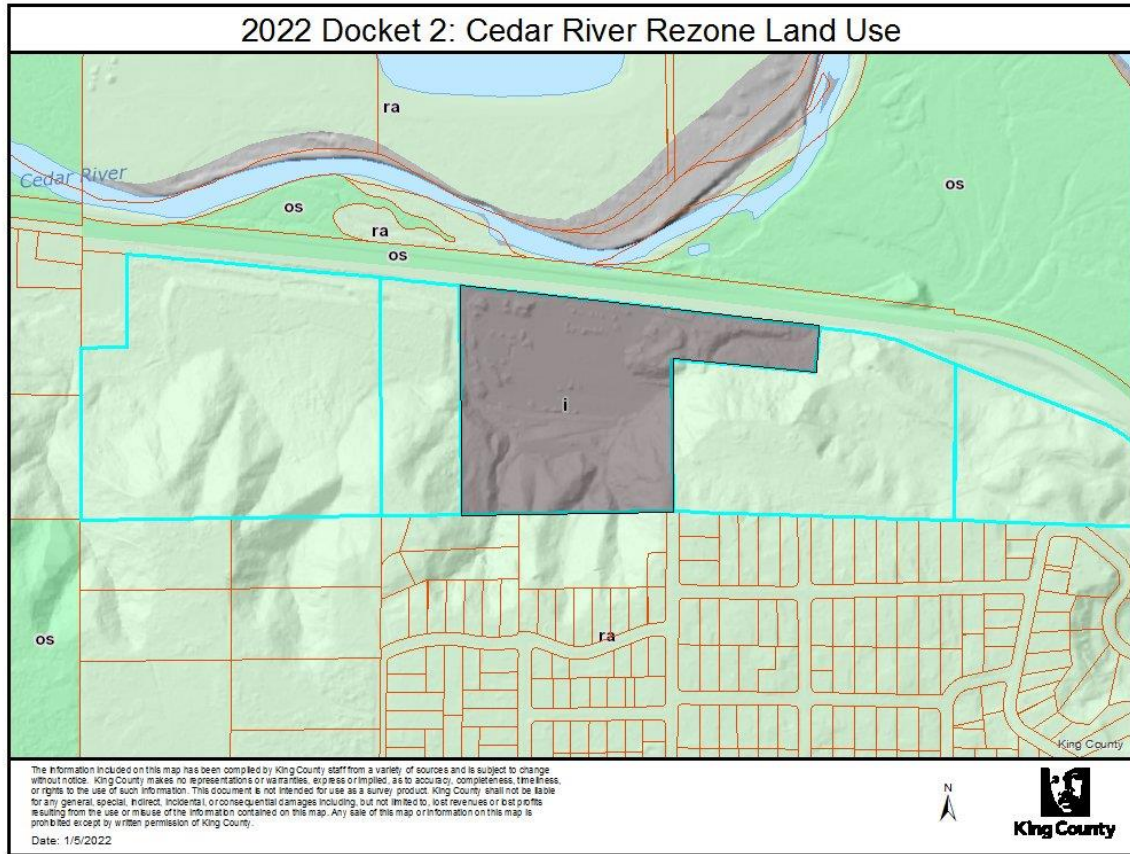
Docket Request # 2: Cedar River Area Industrial Rezone

Zoning:



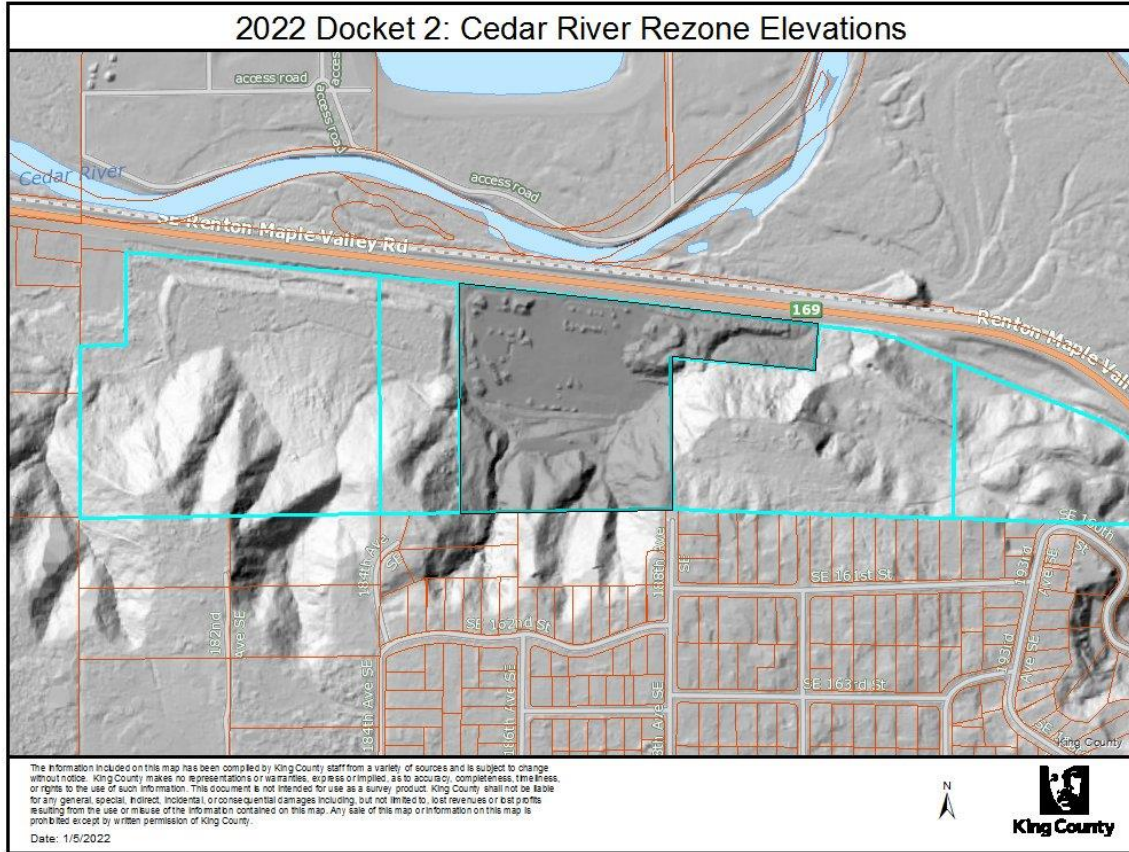
Docket Request # 2: Cedar River Area Industrial Rezone

Land Use:



Docket Request # 2: Cedar River Area Industrial Rezone

Elevations



Property Specific Development Conditions and Special District Overlays:
n/a

Docket Request # 3: Sammamish Area Residential Rezone	
Name of Requestor(s): Ashwin Selka Padmanabhan Council District: #3 Summary Category: Land Use and Zoning Map Change	
Submitted Request Redesignation to Medium Residential/Rezone to R-4P. Total acres are 1.21.	
Address/Parcel Identification Number 2625069099	
Submitted Background Information A. Docket Form Answers	
Why amendment is needed or useful?	New environmental information allowing in-fill density in UGA
How is this amendment consistent with the Growth Management Act? ¹	Please see "B. Additional Submitted Materials" below.
Requested Change and Rationale	The Applicant is requesting a land use designation change (from Low to Medium) and zoning classification change (from R-1 to R-4). The property abuts R-4 zoned properties to the west, which exhibit the same environmental characteristics as the subject site.
Proposed Uses of Parcel	The Applicant hopes to go through a 2-lot short plat process with the County. If approved, the Applicant plans to remove the existing home and construct two new homes for multi-generational family use.
How will change affect adjoining parcels	The properties adjacent to the west are zoned R-4. Those neighboring sites are similar in characteristics and are zoned to allow for even greater development than the Applicant hopes to pursue. The parcels abutting the property on the north and east are also zoned R1-P and currently have comparable single-family residences on-site. The property directly south of the subject site (across NE 18th St; also zoned R1-P) possesses a large estate home and ADU.
How is change compatible with the surrounding area	There are presently three different development actions on NE 18th Street and within a 1/4 mile of the subject site. The development happening in this area will significantly increase the density, reducing the rural characteristics that are present now.

¹ Revised Code of Washington, 36.70A and related chapters

B. Additional Submitted Materials



Date: June 3rd, 2021

To: King County Office of Performance, Strategy and Budget - Comprehensive Planning Manager

From: Encompass Engineering & Surveying on behalf of Ashwin Padmanabhan

Re: Answer to Docket Form Section III Question 3

APPLICANT

Ashwin Selka Padmanabhan
1316 270th Lane SE
Sammamish, WA 98075
s.p.ashwin@gmail.com
317-371-7827

FINDINGS AND CONCLUSIONS FOR THE REDESIGNATION AND REZONING OF THE SUBJECT PROPERTY:

1. Findings: Density Guidance
 - a. The Growth Management Act (GMA) is a series of state statutes that requires rapidly growing counties and cities to manage their population growth through utilization of Comprehensive Plans.
 - b. Of primary importance is encouraging urban growth within the Urban Growth Boundary to reduce urban sprawl (RCW 36.70A.110).
 - c. The GMA states that zoning densities can be increased to accommodate “reasonable land market supply factor” (RCW 36.70A.110(2)).
 - d. The GMA further guides density and development locations by specifying that urban growth should be located in areas “already characterized by urban growth with adequate public facility and service capabilities” (RCW 36.70A.110(3)).
 - e. The King County Comprehensive Plan RP-203 states the County “shall continue to support the reduction of sprawl by focusing growth and future development in the Urban Grown Areas” (2020 Comprehensive Plan Update, page 1-18).
 - f. One such in-fill area is within the East Sammamish Subarea Plan. While most of this area has been incorporated in the City of Sammamish, the subject property’s neighborhood remains in unincorporated King County, immediately adjacent to the Sammamish city limits, and will eventually become incorporated into the City of Sammamish.
 - g. This neighborhood exemplifies the description in the GMA of areas in which to locate density. Northeast 18th Street is already built, the utilities are already available in the right-of-way, and services are available locally in downtown Sammamish, 1.5 miles to the southwest of the subject property.
2. Findings: Environmental Information - Availability
 - a. When an environmental area is delineated, an edge is established.

Western Washington Division
165 NE Juniper St., Ste 201, Issaquah, WA 98027
Phone: (425) 392-0250 Fax: (425) 391-3055

Eastern Washington Division
407 Swiftwater Blvd, Cle Elum, WA 98922
Phone: (509) 674-7433 Fax: (509) 674-7419

www.EncompassES.net

Docket Request # 3: Sammamish Area Residential Rezone

Padmanabhan Redesignation and Rezone

Answer to Section III Question 3

06-03-2021

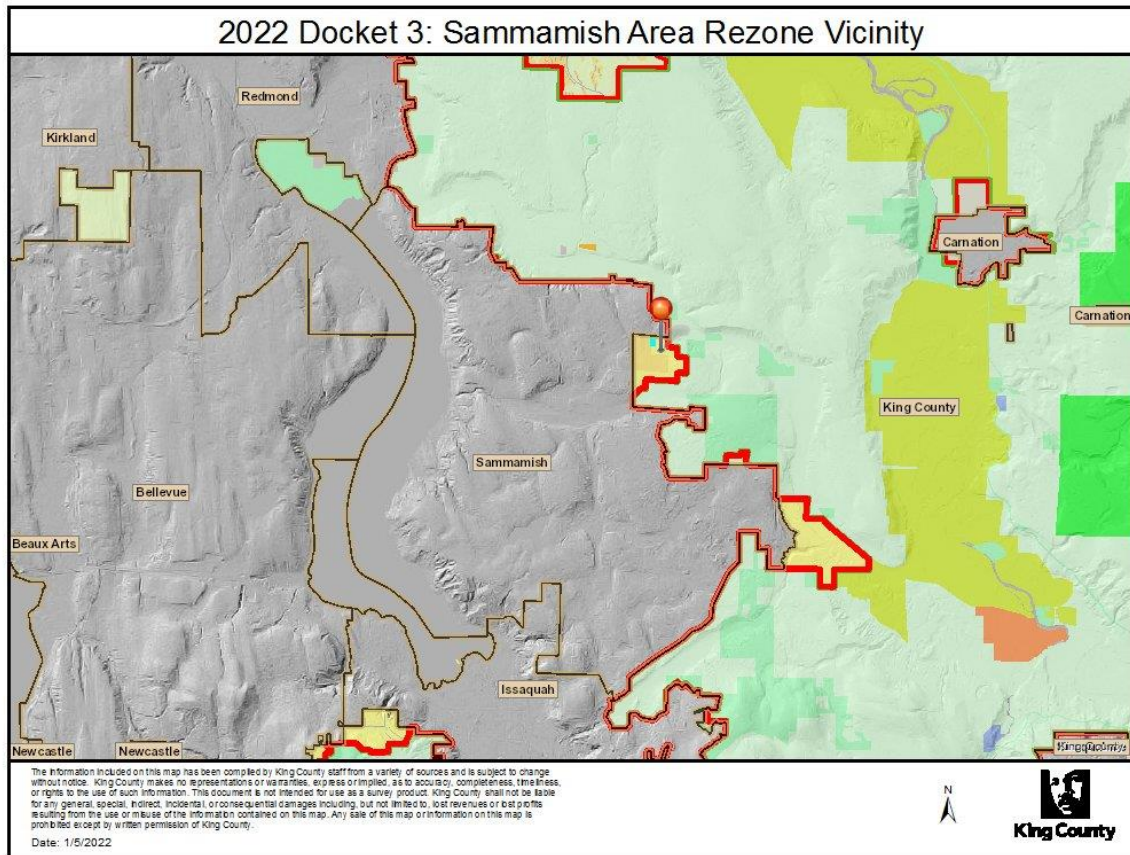
Page 2 of 2

- b. From this edge, there is a buffer or an area of lower development established at a certain distance from the delineated edge of the protected area.
 - c. In the case of the subject property, the area of lower development is not established at a certain distance from the delineated edge. Instead, it conforms to the remainder of the Township-Range in which the protected area is located.
 - d. While arbitrary, this would make sense if the resources, access, or time to establish the exact location of the buffer edge were not available when crafting regulations. In particular, it is unlikely that the County would be allowed access to the privately held properties adjacent to the newly protected area if the process would devalue the property and create unbuildable areas.
 - e. Instead, a general area would be established as a place holder until the County could require additional environmental study through a development application by the owner of the property. This is consistent with land use planning required in the Land Use Element of the Comprehensive Plan.
 - f. However, as information becomes available, these maps require updating.
 - g. In preparation for this rezone application, the applicant retained the services of a consulting biologist, who has prepared an environmental assessment of the property.
 - h. This assessment shows that there are no wetlands or streams on the property as mapped by King County iMap. These features are located on neighboring properties along NE 18th St where more dense development is under construction.
 - i. The subject property has some small areas of wetland buffer, the protection of which is already provided in the King County's development regulations, while meeting the density and dimensional requirements for short platting.
3. Conclusion:
- a. New environmental information shows that both density and protection can be achieved in this location.
 - b. Redesignation and Rezoning of this property to Medium Residential and R-4 supports the objectives of the Growth Management Act by achieving in-fill density in an Urban Growth Area while protecting environmentally sensitive spaces.
 - c. Therefore, the King County Comprehensive Plan instructs the County to approve the redesignation and rezoning request.

Docket Request # 3: Sammamish Area Residential Rezone

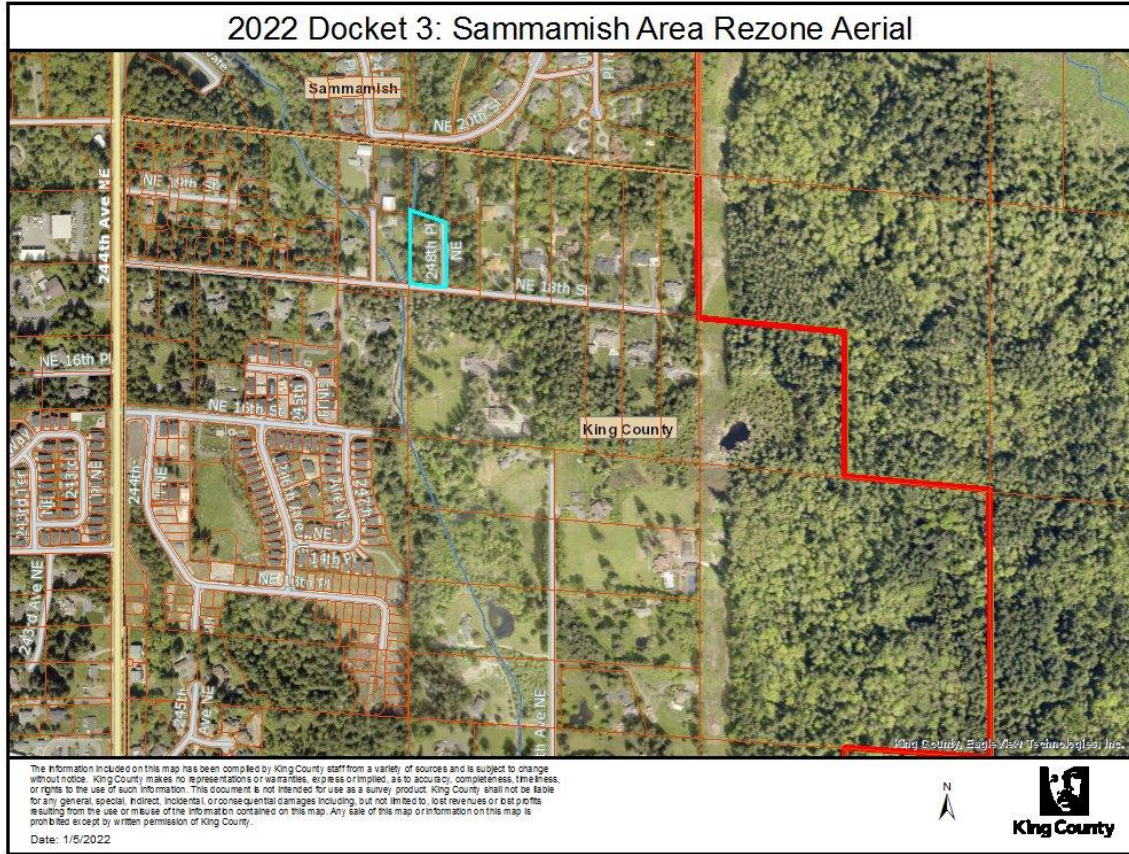
County Maps of Docket Area (parcels highlighted in blue)

Vicinity:



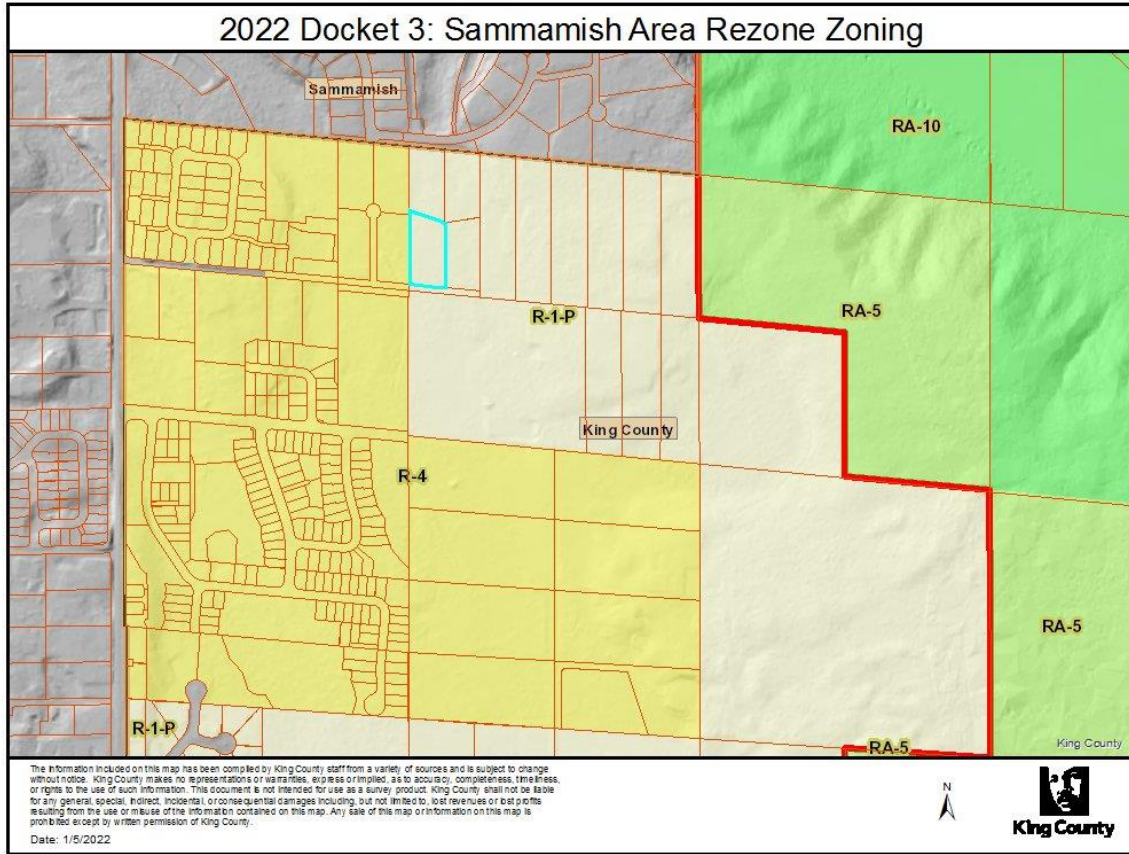
Docket Request # 3: Sammamish Area Residential Rezone

Aerial:



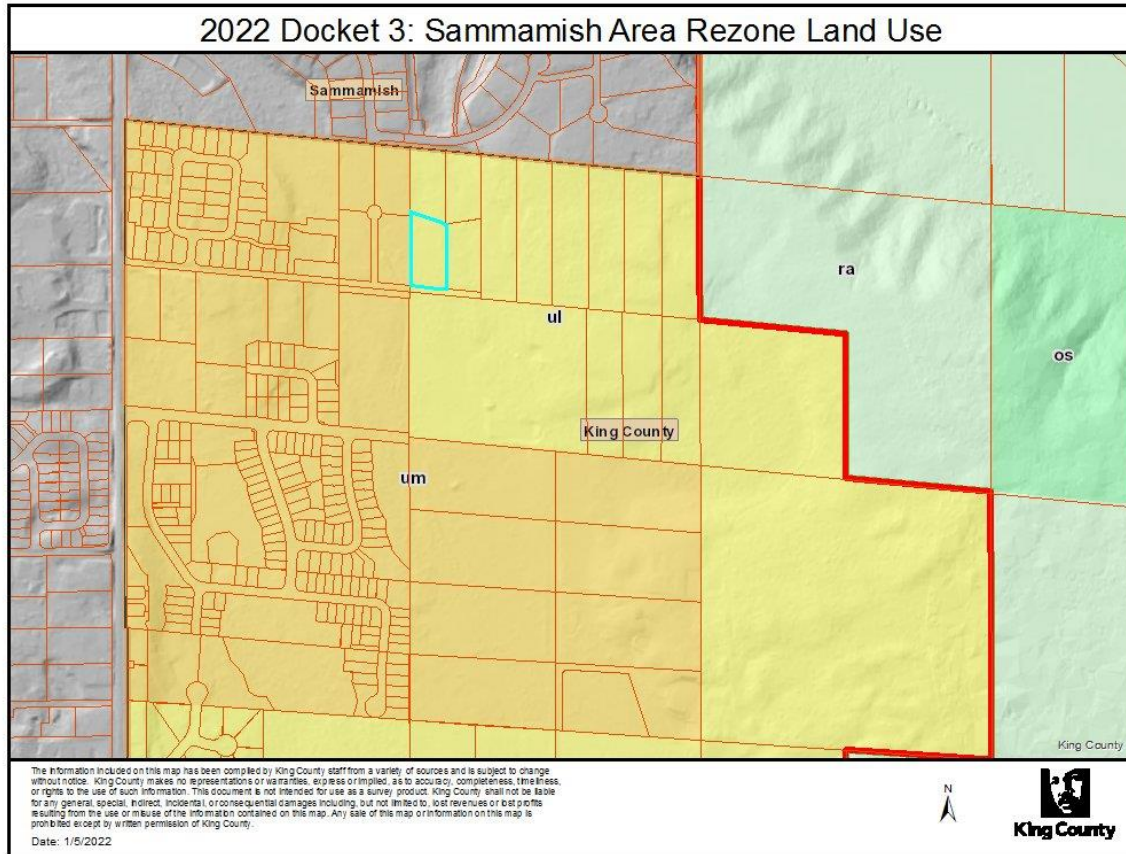
Docket Request # 3: Sammamish Area Residential Rezone

Zoning:



Docket Request # 3: Sammamish Area Residential Rezone

Land Use:



Property Specific Development Conditions and Special District Overlays:

Properties in this area are subject to development condition ES-P20:

- Description: Wildlife Corridor/Urban Separator.
- Date: Established on August 18, 1997, and amended subsequently by ordinances 13307 (1997), 13232 (1998), and 15028 (2004).
- Summary: Permanent open space for wildlife corridors and urban separators shall be secured through lot clustering on all parcels of land located within the East Sammamish Community Planning Area.
- Link: <https://kingcounty.gov/depts/local-services/permits/property-research-maps/property-specific-development-conditions/Psuffix/EastSammamish/ES-P20.aspx>
- Link to Map: https://kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/Psuffix-SDO-and-DPA-maps/scans/dc_es-p20.ashx?la=en

Docket Request # 4: Vashon Island Rezone to Neighborhood Business

Name of Requestor(s): Jennifer Potter and Rusty Willoughby

Council District: #8

Summary Category: Land Use and Zoning Map Change

Submitted Request

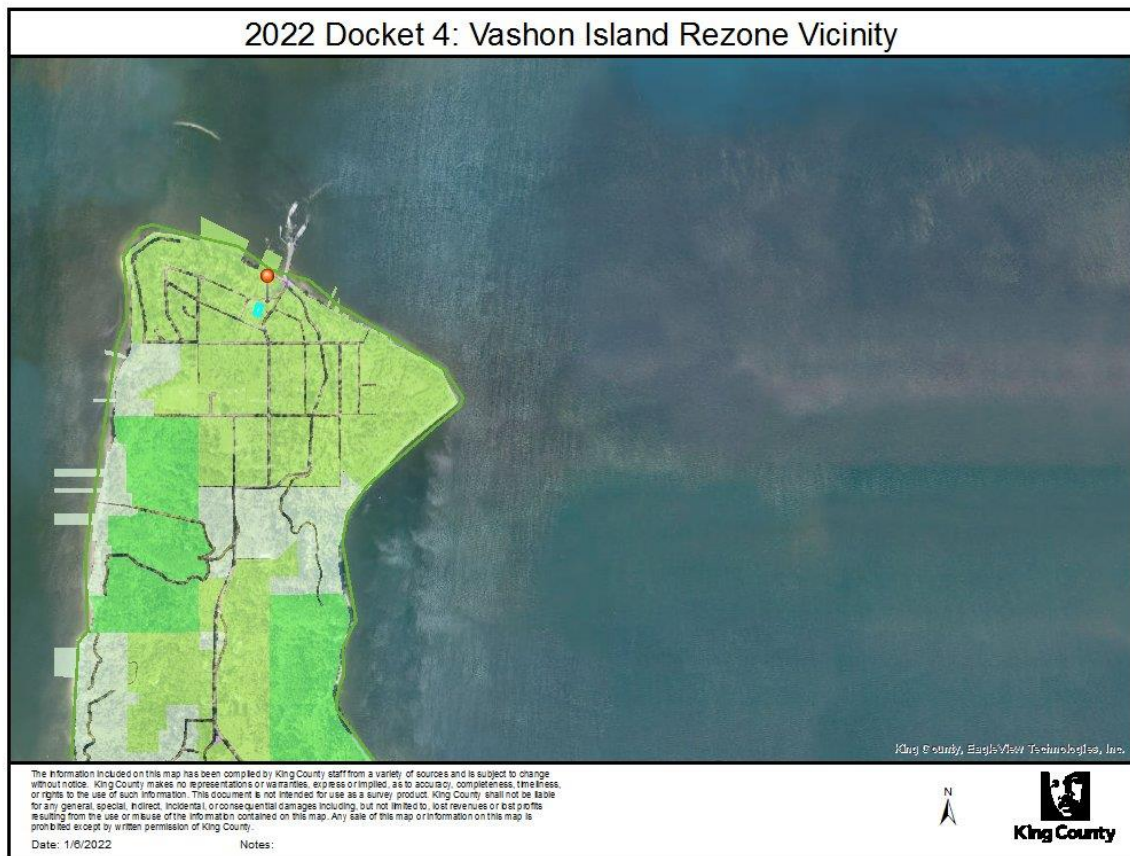
Rezone property from Rural Area-5 to Neighborhood Business to allow former Grange Hall to be used for retail sales such as a neighborhood market.

Address/Parcel Identification Number

8887000660

County Maps of Docket Area (parcels highlighted in blue)

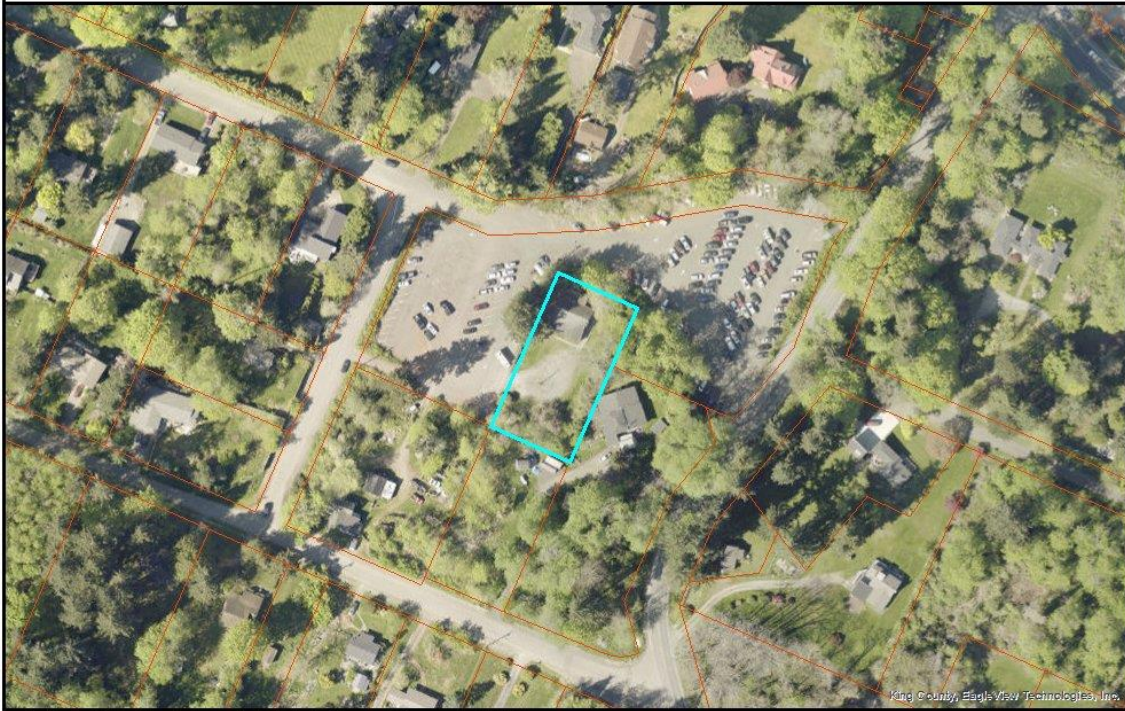
Vicinity:



Docket Request # 4: Vashon Island Rezone to Neighborhood Business

Aerial:

2022 Docket 4: Vashon Island Rezone Aerial



King County, EagleView Technologies, Inc.

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Date: 1/6/2022

Notes:



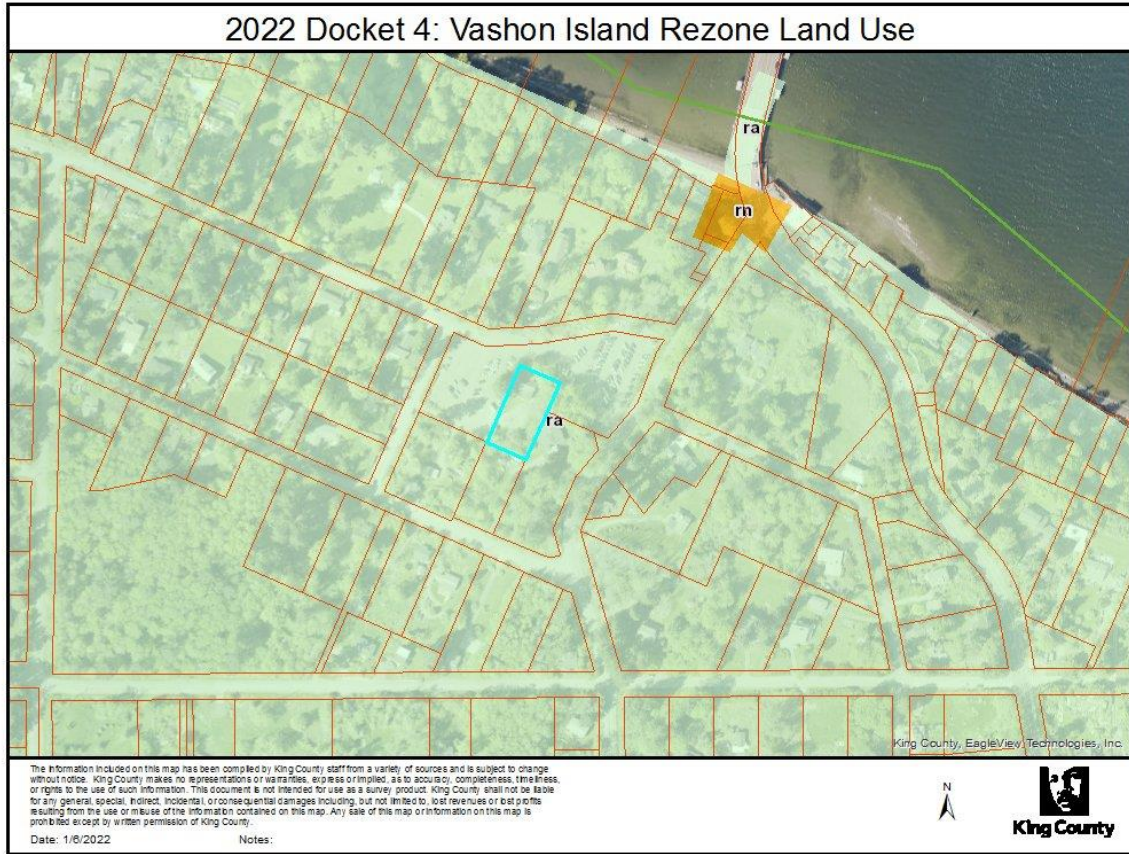
Docket Request # 4: Vashon Island Rezone to Neighborhood Business

Zoning:



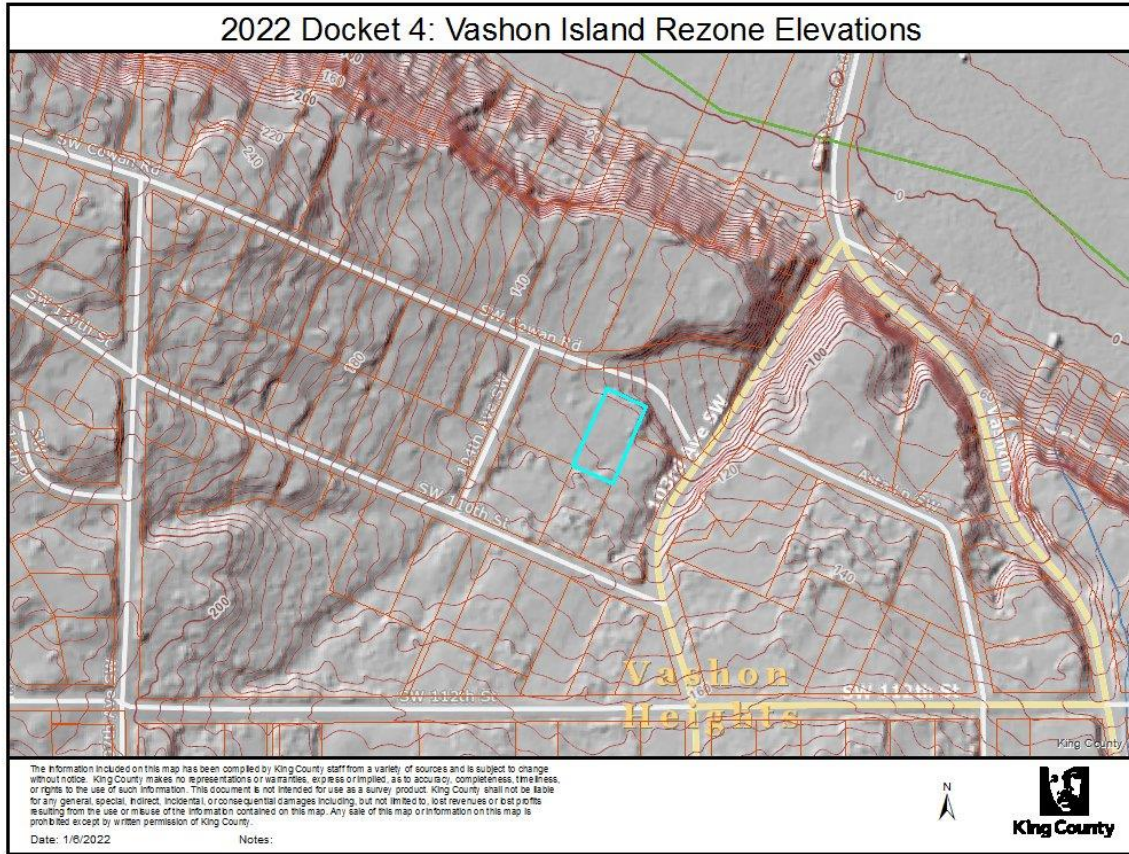
Docket Request # 4: Vashon Island Rezone to Neighborhood Business

Land Use:



Docket Request # 4: Vashon Island Rezone to Neighborhood Business

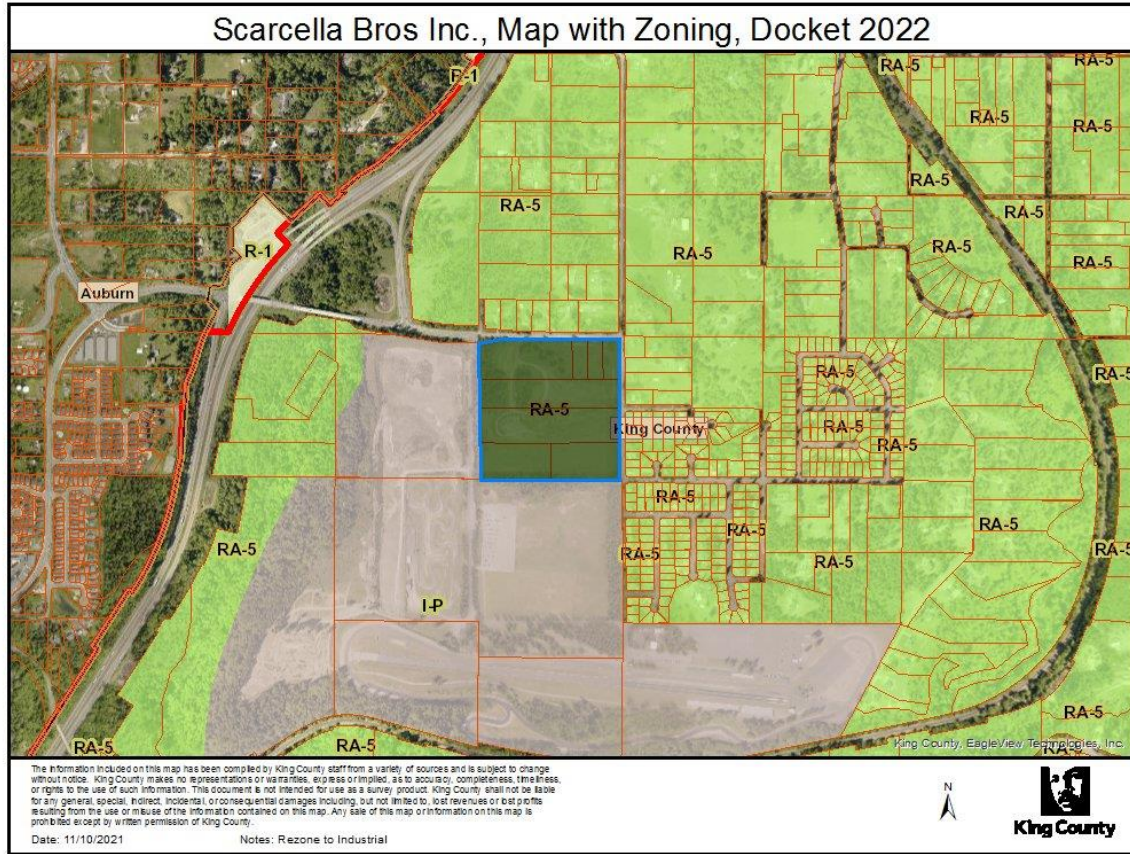
Elevations:



Property Specific Development Conditions and Special District Overlays:
n/a

Docket Request # 5: East Auburn Area Industrial Rezone	
Name of Requestor(s): Scarsella Bros Inc. Council District: #9 Summary Category: Land Use and Zoning Map Change	
Submitted Request Change land use and zoning to Industrial.	
Address/Parcel Identification Number East Kent (adjacent to Pacific Raceways Site). Parcel Numbers: 102105-9098, 102105-9097, 102105-9076, 102105-9047, 102105-9036, 102105-9036, 102105-9033, 102105,9056, 102105-9051	
Submitted Background Information	
A. Docket Form Answers	
Is there a Special District Overlay or Property Development Condition?	No. But one is likely to be required (as with neighboring property) to allow for industrial development in this location.
Requested Change and Rationale	Redesignate and rezone 38.59 acres currently RA-5 to I (Industrial) with a P-suffix requiring either a UGA expansion or a specific development conditions in conjunction with the Soos Creek Community Plan. Owners would like to see property developed for additional employment in East Kent central to housing concentrations in Auburn, Kent, Covington, Maple Valley and Black Diamon. Property is adjacent to the Urban Growth Boundary and within one-half (1/2) mile of ingress/egress to Highway 18. Property could support industrial uses, including manufacturing and warehousing/distribution.
Proposed Uses of Parcel	Light industrial uses, including warehousing, distribution, manufacturing, etc.
How will change affect adjoining parcels?	Adjacent parcels include the Pacific Raceway and some rural residential development. The proposal would draw additional traffic to the area (at different times than the raceway), but development of site is not likely to impact adjacent parcels as appropriate buffers, setbacks, etc. would be imposed by existing code.
How is change compatible with the surrounding area?	Proposed change is located on the edge of the existing urban boundary and is adjacent to a raceway. Appropriate buffers, landscaping and other typical code requirements can ensure compatibility with the surrounding area.

B. Additional Submitted Materials



Scarcella Bros Inc., Docket 2022



King County, Engineering & Planning, Inc.

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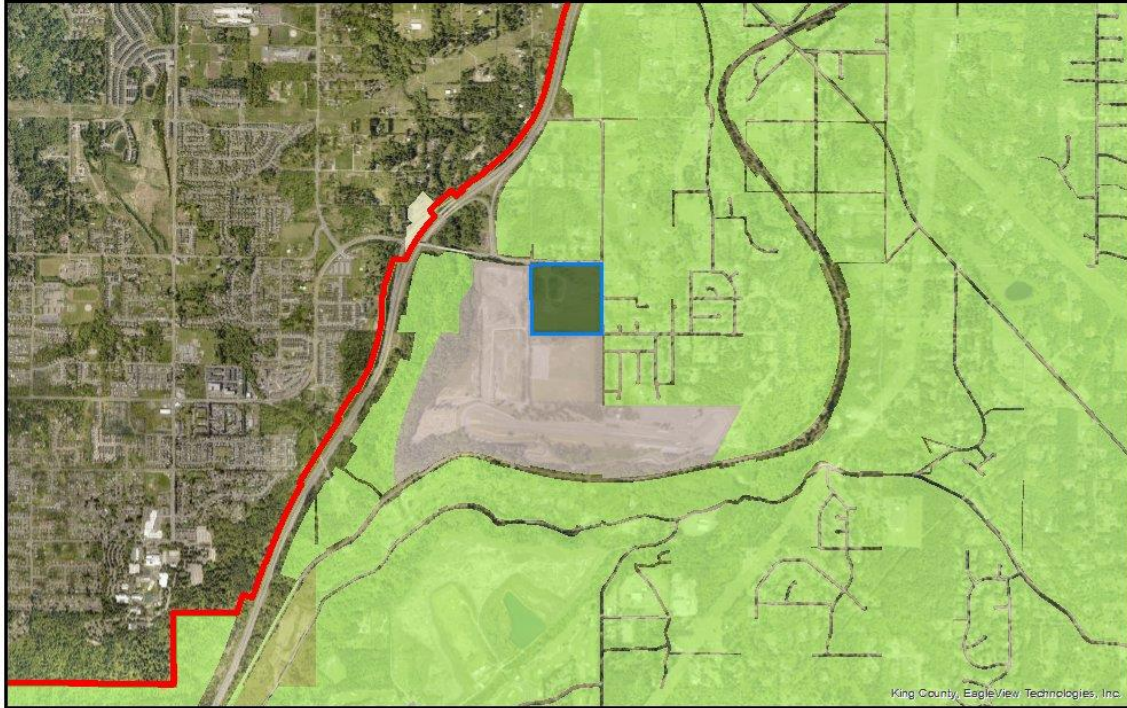
Date: 11/10/2021

Notes: Rezone to Industrial



Docket Request # 5: East Auburn Area Industrial Rezone

Scarcella Bros Inc., Vicinity Map with Zoning, Docket 2022



King County, EagleView Technologies, Inc.

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Date: 11/10/2021

Notes: Rezone to Industrial



Property Specific Development Conditions and Special District Overlays:
n/a

Docket Request # 6: Maple Valley Area Split Parcel Rezone

Name of Requestor(s): Sean Foley, property owner
Council District: #9
Summary Category: Land Use and Zoning Map Change

Submitted Request

This request is to change the zoning designation of the property (parcel# 2752200005) from a split RA-5/NB-P to be fully zoned as NB (Neighborhood Business).

Address/Parcel Identification Number

2752200005. Parcel is 1.01 acres.

Submitted Background Information

A. Docket Form Answers

<p>Why is this amendment needed?</p>	<p>This amendment is needed to bring this parcel into compatibility with the adjacent properties that are zoned as Neighborhood Business, a zone the County has identified already fits the subject property but due to its split zone (RA-5/NB-P) is limited for commercial development because of an irregular and abnormal boundary. This amendment is also needed to bring the property into compliance with the King County Municipal Code.</p>
<p>What are the expected or desired outcomes of this change?</p>	<p>The expected/desired outcome of this change will remove a split zoned parcel and helps the parcel better match the surrounding uses that are also zoned NB thus creating a fully established Neighborhood Business commercial area for the community. With this change the parcel and existing business would be brought into compliance with the King County Municipal Code.</p>
<p>What are the positive or negative impacts of this change?</p>	<p>Positives from this change will produce a more comprehensive Neighborhood Business area that already serves numerous people in the community. As an existing produce stand that has grown alongside the community, a fully zoned NB parcel will help a local small business continue to grow and provide fresh fruits and vegetables to the community and by all accounts, the available produce is as organic as the growth in the community around it. By providing local produce, this small business provides seasonal jobs in addition to helping people feel better connected to their community and geography. As a rural area a local produce stand helps alleviate food desert concerns as they do not have to rely on imported goods or for affordable and nutritious foods. This business has been in operation for more than 20 years and its success in the community is evidenced by its growth from the community that has supported and relied on it. A change for this parcel only provides positives to its community. Additionally, As the business on this parcel has grown unpermitted development occurred. As such a change to the parcels zoning would mitigate concerns of non-compliance to better free up King County resources. A change to a fully NB zoned parcel would ease the process in bringing the existing community produce business into compliance with King County standards. Negative impacts if this rezone and designation is denied would mean the local produce stand that serves the community would have to significantly scale back its business thus preventing the local community from fresh and affordable fruits and vegetables.</p>

Docket Request # 6: Maple Valley Area Split Parcel Rezone

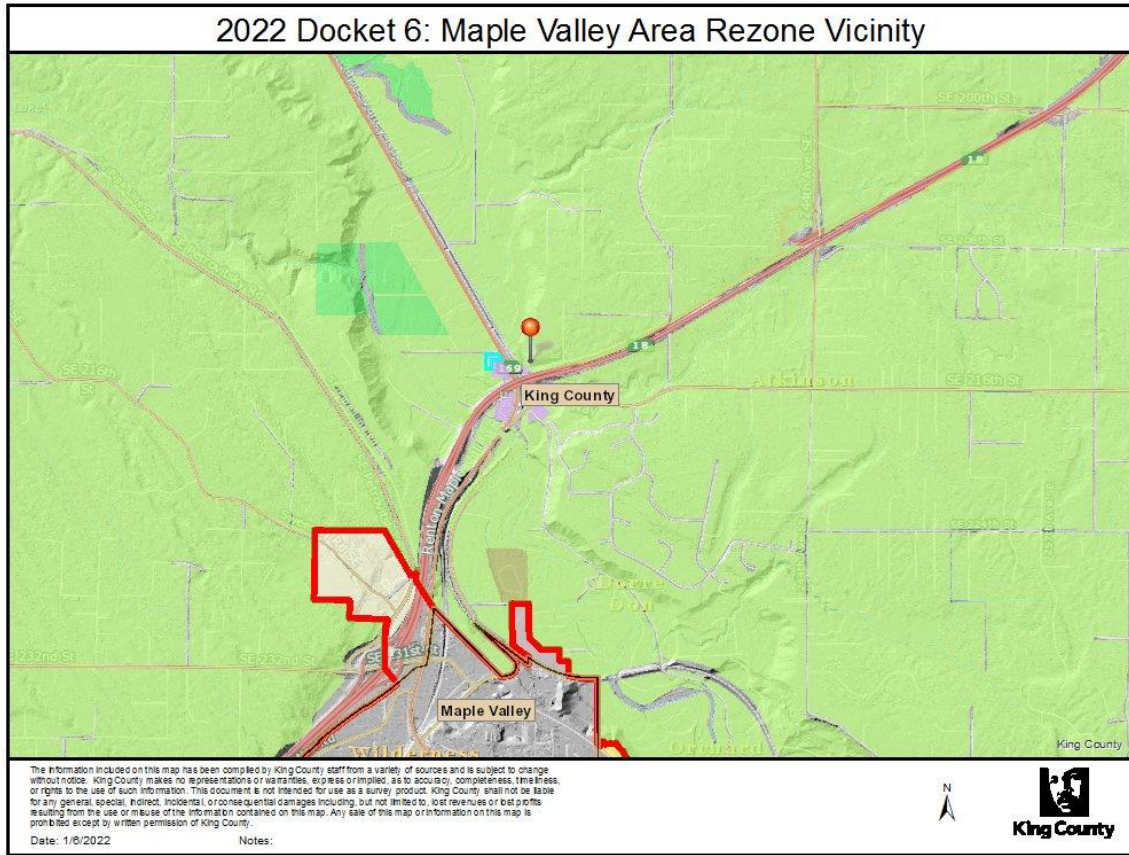
<p>How is this amendment consistent with the Growth Management Act?</p>	<p>This amendment is consistent with RCW 36.70A.070(5)(b); (c)(ii); (d)(i); and(C)(iv) among others for Rural Development. (5)(b) - A rezoned parcel to NB helps accommodate rural economic advancement in an area not characterized by urban growth and as s permitted use of a produce stand is consistent with rural character. (c)(ii) - A fully zoned NB parcel would assure visible compatibility of rural development with the surrounding area (as a split zoned parcel, King County has already identified this parcel as an area considered Neighborhood Business). This requested change would fully implement the County vision for this property and area) (d)(i) - The rural element allows for limited areas of intensive rural development. As an existing commercial development, a fully zoned NB promotes infill for an area the county has already identified as a commercial space and any potential further development or redevelopment of the property. (C)(iv) - Development use, the existing local produce stand, is consistent with the character of the existing area and conforms to the new use (that was already identified by the county), of a Neighborhood Business. As such setting the NB zone along an established parcel line is a logical outer boundary of more intensive development that was illogically established by the County and did not preserve the character of the existing community, conform to physical boundaries, and did not prevent an irregular and abnormal boundary.</p>
<p>Is there a Special District Overlay or Property Development Condition?</p>	<p>Subject Parcel has a -P Suffix for property-specific development standards as indicated on the King County iMAP zoning layer</p>
<p>Requested Change and Rationale</p>	<p>Change the Split Zoned RA-5/NB-P Parcel to a single NB zone. fully zoned will bring the property into consistency with the neighboring adjacent properties and further allow for commercial development. As a currently split zoned parcel, commercial development is limited for a local produce business that has been in operation and grown substantially over the years in tandem with the community.</p>
<p>Proposed Uses of Parcel</p>	<p>Neighborhood Business for local produce stand.</p>
<p>How will change affect adjoining parcels?</p>	<p>This will bring the property into a fully zoned Neighborhood Business parcel that is in line with all neighboring parcels on Renton-Maple Valley Rd.</p>
<p>How is change compatible with the surrounding area?</p>	<p>The adjacent parcels on Renton-Maple Valley Rd are all fully zoned NB. The subject property is the only split zoned parcel in the vicinity. The requested change will ensure full compatibility with the surrounding area and establish a full NB area.</p>

B. Additional Submitted Materials
 The requester submitted 41 pages of additional materials. These are included at the end of the Docket Submittals Report as Attachment A.

Docket Request # 6: Maple Valley Area Split Parcel Rezone

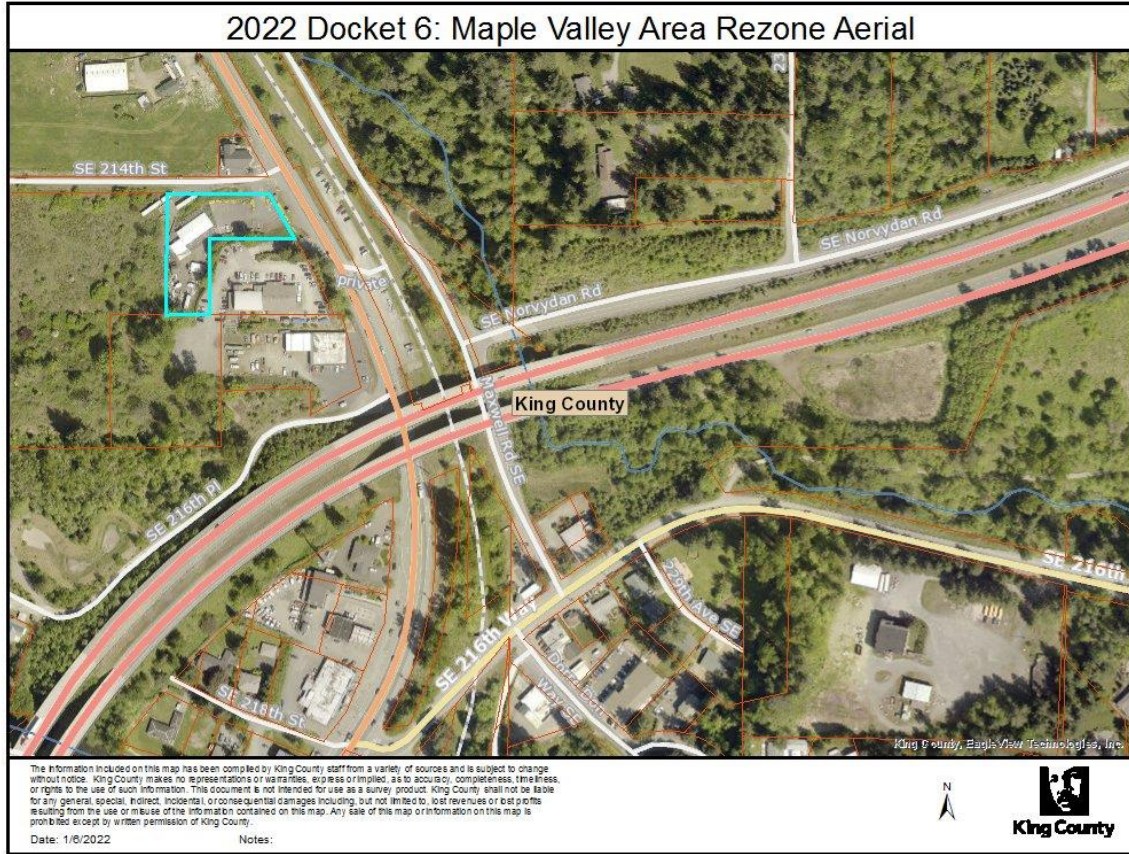
County Maps of Docket Area (parcels highlighted in blue)

Vicinity:



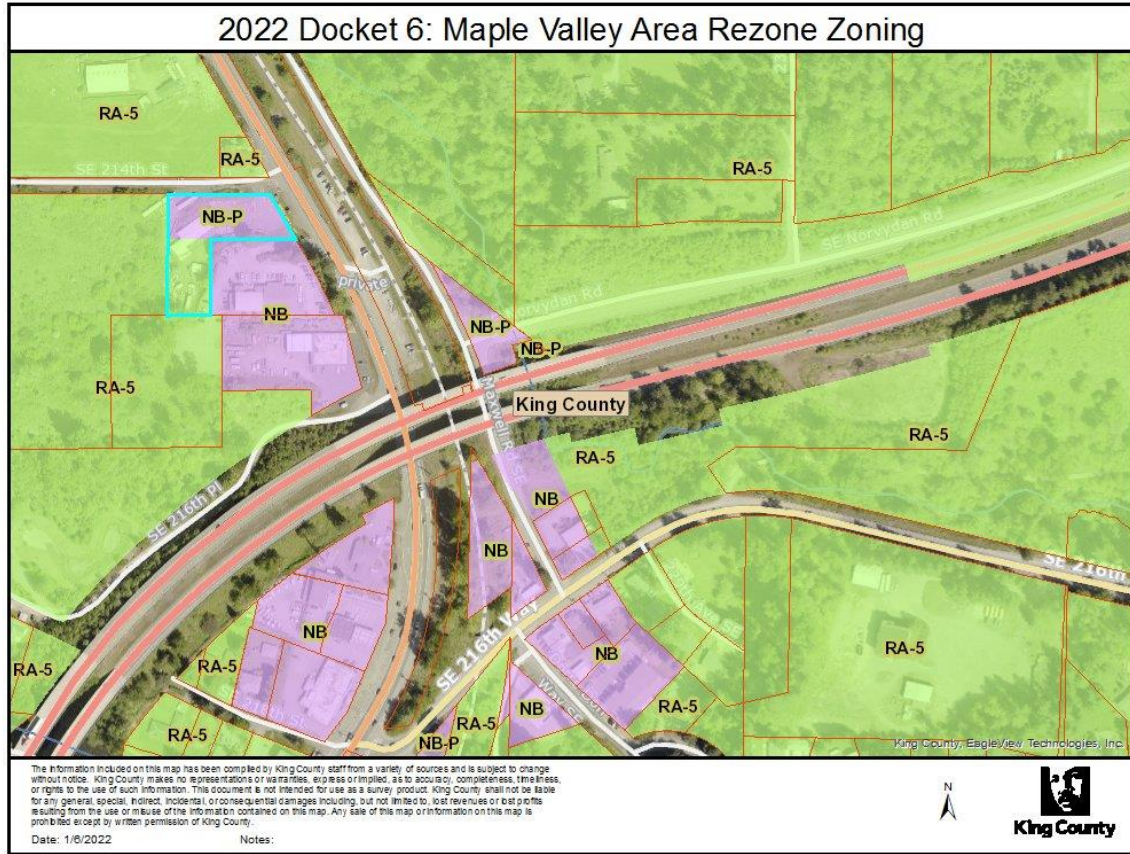
Docket Request # 6: Maple Valley Area Split Parcel Rezone

Aerial:



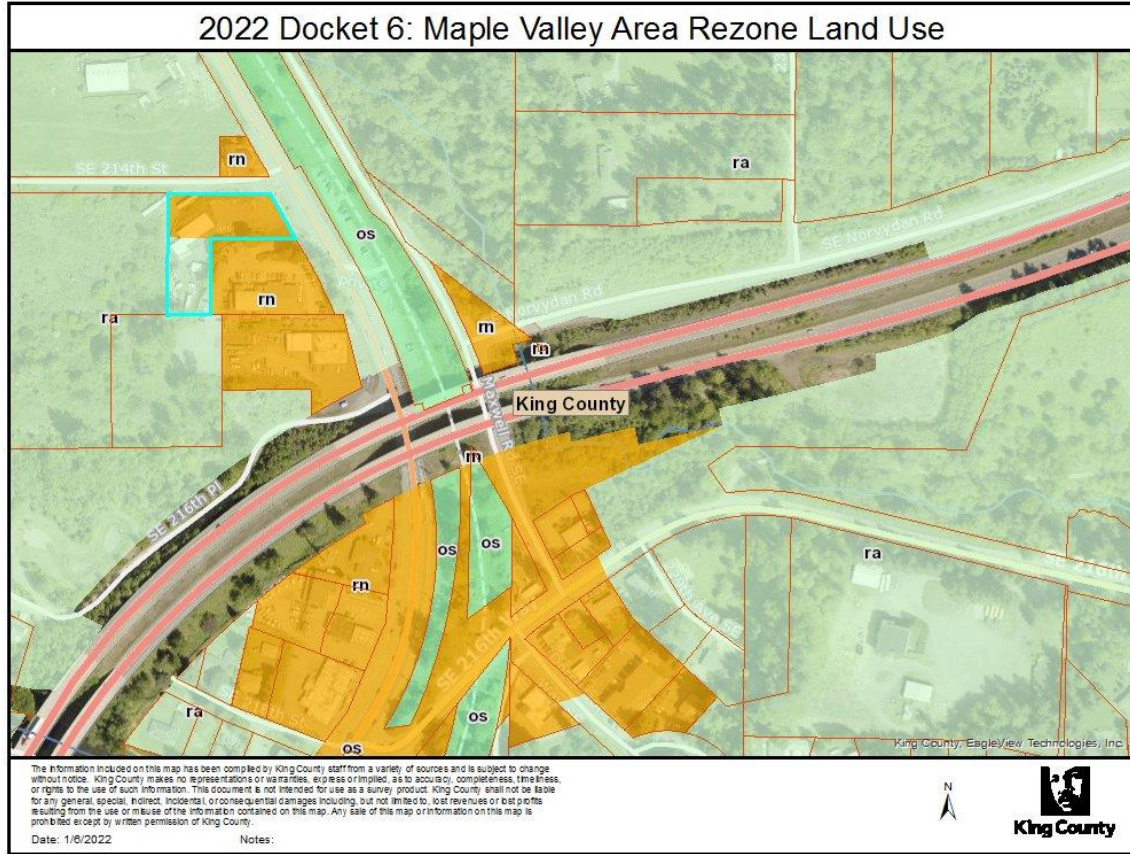
Docket Request # 6: Maple Valley Area Split Parcel Rezone

Zoning:



Docket Request # 6: Maple Valley Area Split Parcel Rezone

Land Use:



Property Specific Development Conditions and Special District Overlays:

A development condition applies to only this property TR-P22: 284-79R.

- Date: Established on August 18, 1997 by Ordinance 12824.
- Summary: The building to be 2,500 square feet or less in floor area.
- Link: <https://kingcounty.gov/depts/local-services/permits/property-research-maps/property-specific-development-conditions/Psuffix/TahomaRavenHeights/TR-P22.aspx>
- Link to Map: <https://kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/Psuffix-SDO-and-DPA-maps/scans/tr-p22.ashx?la=en>

Docket Request # 7: North Highline Residential Rezone

Name of Requestor(s): Richard Miller

Council District: #8

Summary Category: Land Use and Zoning Map Change

Submitted Request

Request to change zoning on one unincorporated urban parcel in the North Highline Potential Annexation Area from Urban Residential 8 to Urban Residential 24. Request includes a land use designation change from Urban Residential Medium to Urban Residential High.

Address/Parcel Identification Number

0623049298

Submitted Background Information

A. Docket Form Answers

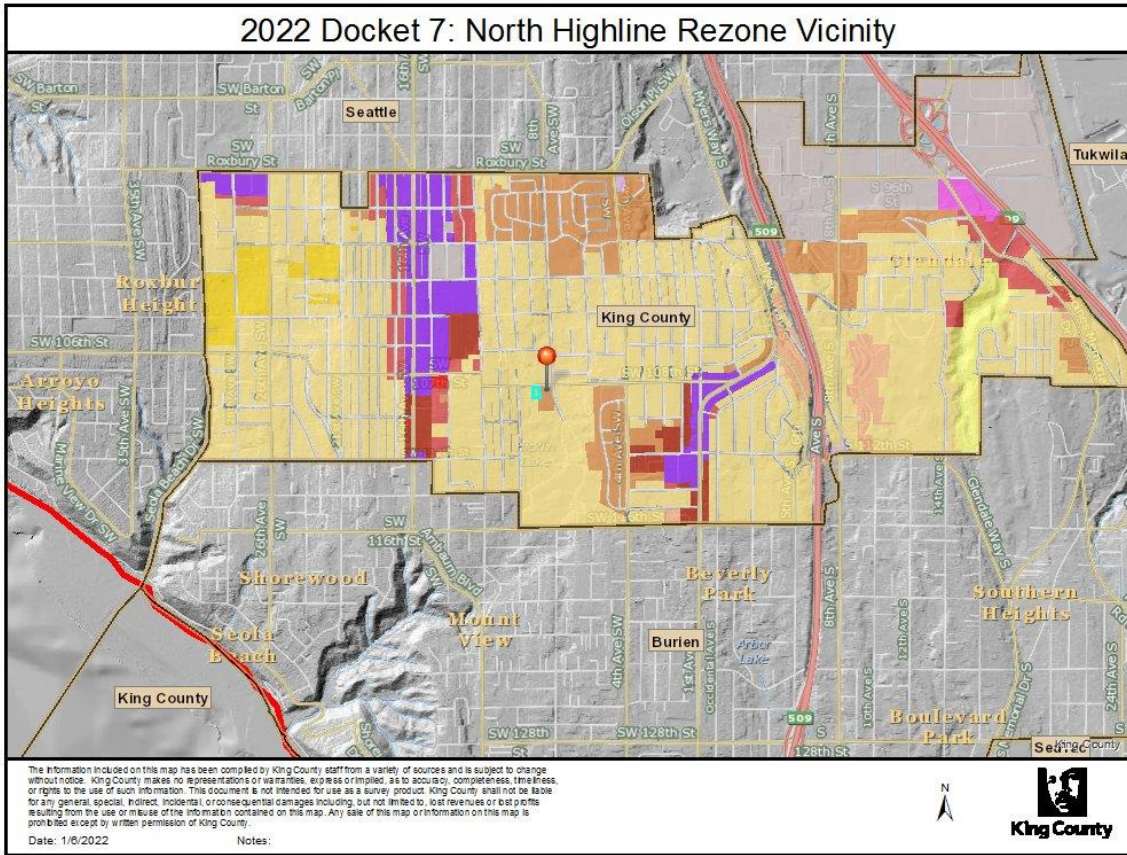
Requested Change or Rationale	Urban residential high. Comprehensive Plan Policies U-114, U-118, U-121, U-141,U-142
Proposed Use of Parcel	Apartment or townhouse
How will parcel affect adjoining parcels	Will not affect
How is change compatible with the surrounding area?	Site borders 4 story 76-unit complex

B. Additional Submitted Materials

None.

Docket Request # 7: North Highline Residential Rezone
County Maps of Docket Area (parcels highlighted in blue)

Vicinity:



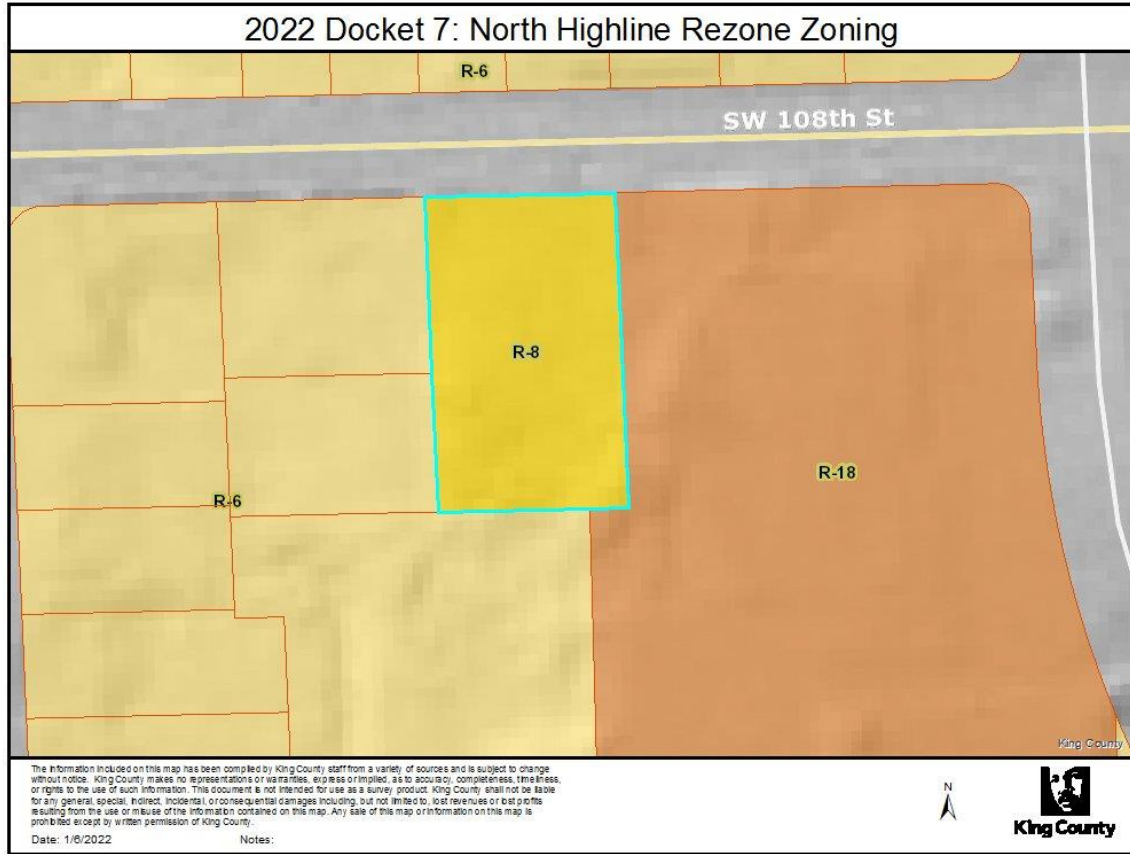
Docket Request # 7: North Highline Residential Rezone

Aerial:



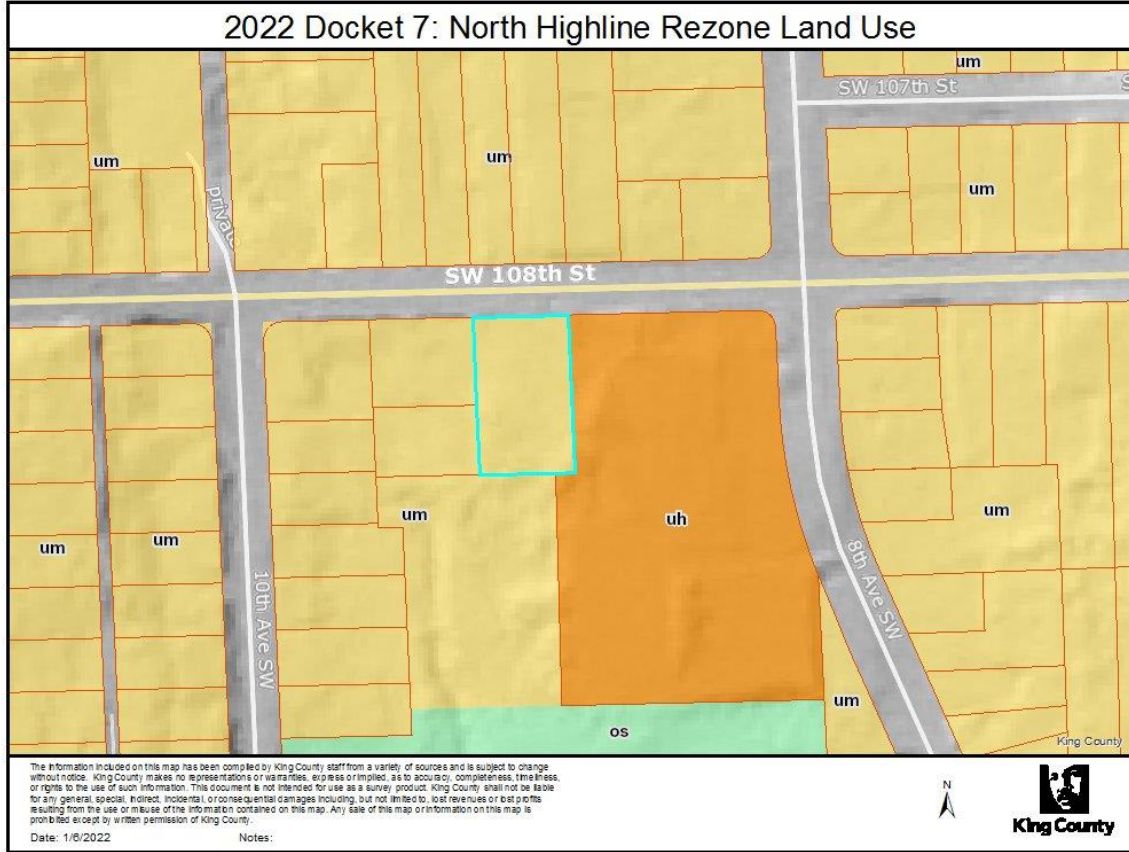
Docket Request # 7: North Highline Residential Rezone

Zoning:



Docket Request # 7: North Highline Residential Rezone

Land Use:



Property Specific Development Conditions and Special District Overlays:
n/a

Docket Request # 8: Materials Processing in Rural Area

Name of Requestor(s): Seven Unincorporated Area Councils: Greater Maple Valley Unincorporated Area Council (GMVUAC); Enumclaw Plateau Community Association (EPCA); Green Valley/Lake Holm Association (GV/LHA); Soos Creek Area Response (SCAR); Upper Bear Creek Unincorporated Area Council (UBCUAC); Hollywood Hills Association (HHA); Green River Coalition (GRC); and Friends of Sammamish Valley (FofSV)

Council District: Multiple

Request: See Additional Submitted Materials below.

Summary Category: Policy, Text, and Code Change

Address/Parcel Identification Number: n/a

Submitted Background Information

A. Docket Form Answers

n/a

Docket Request # 8: Materials Processing in Rural Area

B. Additional Submitted Materials

KCCP Docket Item Request

Requesting Organizations: The Greater Maple Valley Unincorporated Area Council (GMVUAC); Enumclaw Plateau Community Association (EPCA); Green Valley/Lake Holm Association (GV/LHA); Soos Creek Area Response (SCAR); Upper Bear Creek Unincorporated Area Council (UBCUAC); Hollywood Hills Association (HHA); and Friends of Sammamish Valley (FofSV).

Introduction

King County Code Title 21A.06.742 Materials processing facility allows industrial-scale operations, such as “materials processing facilities,” in the Rural Area:

“21A.06.742 Materials processing facility. Materials processing facility:

A. A site or establishment, not accessory to a mineral extraction or sawmill use, that is primarily engaged in crushing, grinding, pulverizing or otherwise preparing earth materials, vegetation, organic waste, construction and demolition materials or source separated organic materials and that is not the final disposal site; and

B. A site or establishment lawfully established before October 10, 2004, as an interim recycling facility for processing source separated, organic materials.”

This Code section, which allows industrial-scale operations, such as “materials processing facilities,” in the Rural Area, is flawed. It is inconsistent with basic Rural Area policies elsewhere in the *King County Comprehensive Plan (KCCP)*. It is one of many unintended and irreversible consequences such a broad brush approach to Mining (M) and Industrial (I) zoning has on Rural Area. Clearly, there is a need for “M” and “I” land-uses to be addressed in a more strategic way, e.g., by congregating such uses in areas where road capacity is adequate and water quality, citizen safety, noise, and air quality are all properly mitigated. Industrial-scale facilities simply do not belong in the Rural Area.

To be consistent with PSRC’s *VISION 2050*, the *Countywide Planning Policies (CPPs)*, and the *KCCP* there should be no industrial-scale operations, including industrial-scale farming or industrial-scale livestock operations, located or allowed in the Rural Area (see Background below).

It is the law that King County Code must be consistent with and implement *KCCP* policies, not vice versa—it is not the Code that drives *KCCP* Policies, rather *KCCP* Policies drive the Code to be consistent with and conform to same. It is neither illegal, nor contrary to the State’s Growth Management Act, for *KCCP* Policies to direct certain land uses to particular areas of the County, so as to be *compatible* with surrounding land uses, especially in the Rural Area (our emphases):

RCW 36.70A.011: “The legislature finds that this chapter is intended to recognize the importance of rural lands and rural character to Washington’s economy, its people, and its environment, while respecting regional differences. Rural lands and rural-based economies enhance the economic desirability of the state, help to preserve traditional economic activities, and contribute to the state’s overall quality of life. . . . [T]he legislature finds that in defining its rural element under RCW 36.70A.070(5), a county should foster land use patterns and develop a local vision of rural character that will: Help preserve rural-based economies and traditional rural lifestyles; encourage the economic prosperity of rural residents; foster opportunities for small-scale, rural-based employment and self-employment; permit the operation of rural-based agricultural, commercial, recreational, and tourist businesses that are consistent with existing and planned land use patterns; be compatible with the use of the land by wildlife and for fish and wildlife habitat; foster the private stewardship of the land and preservation of open space; and enhance the rural sense of community and quality of life.”

On September 4, 2019, the Executive issued *Executive Order: LUD-12-2-EO: Clean Water Health Habitat*. The EO stated (in part), that (our emphases):

Docket Request # 8: Materials Processing in Rural Area

"King County has implemented protective land use policies and active habitat restoration programs, yet continued habitat loss, stormwater pollution, and toxics have resulted in critically endangered orca and declining salmon runs, threatening our shared natural heritage and Tribes' ability to exercise treaty rights;...

King County's forests, rivers, lakes, wetlands, shorelines, estuaries, and marine waters are connected systems that require an integrated and coordinated approach;...

...develop King County-wide 30-year water quality and habitat goals based on the best environmental outcomes believed possible as part of the Clean Water, Healthy Habitat Strategic Plan."

Clearly, King County Code Title 21A.06.742 Materials processing facility is not consistent with Executive Order: LUD-12-2-EO.

To be clear, we have no problem with the processing of organic materials for reuse, which is beneficial for all. However, what we do have problems with are *industrial-scale operations* being located in the Rural Area.

Request

The KC Code should be amended as follows to meet the KCCP Policies regarding the Rural Area:

"21A.06.742 Organic Materials processing facility. Materials processing facility:

A. A site or establishment, not industrial in scale nor accessory to a mineral extraction or sawmill use, that is primarily engaged in crushing, grinding, pulverizing or otherwise preparing earth materials, vegetation, organic waste, construction and demolition materials or source separated organic materials and that is not the final disposal site; and

B. A site or establishment lawfully established before October 10, 2004, as an interim recycling facility for processing source separated, organic materials."

Above, we call for such "facilities" to process only "organic materials" and call for the elimination of "facilities" that are "industrial in scale" and that process "earth materials" (e.g., mining materials) or "construction and demolition materials."

Background

VISION 2050 (adopted October 2020)

Maintaining Rural Area character and siting of industrial-scale operations are discussed in:

MPP-DP-32: "Contribute to improved ecological functions and more appropriate use of rural lands by minimizing impacts through innovative and environmentally sensitive land use management and development practices."

MPP-DP-37: "Ensure that development occurring in rural areas is rural in character and is focused into communities and activity areas."

MPP-DP-41: "Establish best management practices that protect the long-term integrity of the natural environment, adjacent land uses, and the long-term productivity of resource lands."

CPPs (2012 as amended in 2016; currently undergoing a major update in 2021)

Docket Request # 8: Materials Processing in Rural Area

Maintaining Rural Area character and siting of industrial-scale operations are discussed in:

EN-1: *"Incorporate environmental protection and restoration efforts into local comprehensive plans to ensure that the quality of the natural environment and its contributions to human health and vitality are sustained now and for future generations."*

DP-45: *"Limit growth in the Rural Area to prevent sprawl and the overburdening of rural services, reduce the need for new rural infrastructure, maintain rural character, and protect the natural environment."*

KCCP (adopted July 2020)

Maintaining Rural Area character and siting of industrial-scale operations are discussed in:

Chapter 3. **RURAL AREAS AND NATURAL RESOURCE LANDS**, Part I. Rural Area (our emphases):

"Preserving rural King County plays a key role in ensuring a continuing variety of landscapes, maintaining the diverse communities that often portray the rural legacy, and supporting the evolving rural economic opportunities for the county and its residents. ... Rural Areas and rural-based economies contribute to the range of choices and enhance the quality of life of all county residents. ... King County is committed to sustaining rural economic clusters and rural character. ... The glacial soils and terrain that give King County its natural beauty also create significant environmentally critical areas, such as steep, erodible slopes, wetlands and groundwater recharge areas. Maintenance of tree cover, natural vegetation and wetlands are critical to the continued functioning of the ecosystem and preservation of rural character. The interplay of forest cover, soils and water are essential to watershed health, ensuring adequate unpolluted groundwater recharge, stormwater runoff flow control and pollution reduction, carbon sequestration and habitat functions. Conserving Rural Areas and Natural Resource Lands in King County is integral to providing diversity in lifestyle choices; sustaining farming, livestock, and forestry economies; protecting environmental quality and wildlife habitat; providing recreation opportunities and maintaining a link to the county's resource-based heritage."

Chapter 3. **RURAL AREAS AND NATURAL RESOURCE LANDS**, Part V. Rural Commercial Centers, Section D. Non-Resource Industrial Uses and Development Standards in the Rural Area:

Policy R-512: *"The creation of new Industrial-zoned lands in the Rural Area shall be limited to those that have long been used for industrial purposes, do not have potential for conversion to residential use due to a historic designation and that may be accessed directly from State Route 169."*

Docket Request # 9: Periodic Review and Reclamation Process

Name of Requestor(s): Seven Unincorporated Area Councils:
Greater Maple Valley Unincorporated Area Council (GMVUAC); Enumclaw Plateau Community Association (EPCA); Green Valley/Lake Holm Association (GV/LHA); Soos Creek Area Response (SCAR); Upper Bear Creek Unincorporated Area Council (UBCUAC); Hollywood Hills Association (HHA); Green River Coalition (GRC); and Friends of Sammamish Valley (FofSV)

Council District: Multiple

Request: See Additional Submitted Materials below.

Summary Category: Policy, Text, and Code Change

Address/Parcel Identification Number: n/a

Submitted Background Information

A. Docket Form Answers
n/a

B. Additional Submitted Materials



King County

KCCP Docket Item Request

Requesting Organizations: The Greater Maple Valley Unincorporated Area Council (GMVUAC); Enumclaw Plateau Community Association (EPCA); Green Valley/Lake Holm Association (GV/LHA); Soos Creek Area Response (SCAR); Upper Bear Creek Unincorporated Area Council (UBCUAC); Hollywood Hills Association (HHA); Green River Coalition (GRC); and Friends of Sammamish Valley (FofSV).

Introduction

King County Code (KCC) Title 21A22.050 [DEVELOPMENT STANDARDS - MINERAL EXTRACTION] Periodic review. states:

“A. In addition to the review conducted as part of the annual renewal of a mineral extraction or processing operating permit, coal mine permit or materials processing facility permit, the department shall conduct a periodic review of mineral extraction or processing, coal mine, materials processing facility or fossil fuel facility site design and operating standards at five-year intervals from the date of issuance of the permit.

B. The periodic review is a Type 2 land use decision.

C. The periodic review shall:

- 1. Determine whether the site is operating consistent with all existing permit conditions and, if not, establish corrective actions; and*
- 2. Apply the most current site design and operating standards to the site through additional or revised permit conditions as necessary to mitigate identifiable environmental, public health and public safety impacts.*

(Ord. 19146 § 59, 2020; Ord. 15032 § 28, 2004; Ord. 11157 § 21, 1993; Ord. 10870 § 443, 1993).”

This Code section describes *Periodic Reviews* of mineral extraction (i.e., mining) and/or materials processing sites to be conducted at 5-yr intervals. Unfortunately, for the sake of our shared environment and for residents' quality of life, King County (KC) Department of Local Services-Permitting Division (DLS-P) interprets **21A22.050** as not to include the reclamation phases on such sites, even though no permits are issued for such operations without the permittee committing to specific reclamation actions.

The implementing King County Comprehensive Plan (KCCP) Policy is **R-688** (2020 *Mid-Point Update*, p. 3-74):

“The periodic review process for mineral extraction and processing operations shall include sufficient public notice and comment opportunities. The purpose of the periodic review process is to provide opportunities for public review and comment on the mineral resource facility's fulfillment of state and County regulations and implementation of industry-standard best management practices, and for King County to modify, add or remove conditions to address new circumstances and/or



King County

unanticipated project-generated impacts. The periodic review process is not intended to re-examine the appropriateness of the mineral resource use, or to consider expansion of operations beyond the scope of existing permitted operations since that review would be accomplished through the County's permitting process. The periodic review is intended to be a part of King County's ongoing enforcement and inspections of mineral resource sites, and not to be a part of the County's permitting process."

This KCCP Policy specifically states that the *"periodic review is intended to be a part of King County's ongoing enforcement and inspections of mineral resource sites,..."* However, again, KC DLS-P interprets the *Periodic Review* as not being applicable to the reclamation phases on such sites.

This is a loophole that deprives the general Public of Code-required periodic reviews.

Request

To ensure there is no misinterpretation of *Periodic Reviews*, we propose the following changes (*using standard editing: additions—underlined and deletions—~~strikethrough~~*) to both KC Code and KCCP Policy:

KCC Title 21A22.050 [DEVELOPMENT STANDARDS - MINERAL EXTRACTION] Periodic review.:

"A. In addition to the review conducted as part of the annual renewal of a mineral extraction or processing operating permit, coal mine permit or materials processing facility permit, the department shall conduct a periodic review of mineral extraction or processing, coal mine, materials processing facility or fossil fuel facility site design and operating standards at five-year intervals from the date of issuance of the permit.

B. The periodic review is a Type 2 land use decision.

C. The periodic review shall:

- 1. Determine whether the site is operating consistent with all existing permit conditions and, if not, establish corrective actions; and*
- 2. Apply the most current site design and operating standards to the site through additional or revised permit conditions as necessary to mitigate identifiable environmental, public health and public safety impacts.*

3. Address all reclamation activities prior to final closure of the operation.

(Ord. 19146 § 59, 2020: Ord. 15032 § 28, 2004: Ord. 11157 § 21, 1993: Ord. 10870 § 443, 1993)."

KCCP Policy R-688:



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"The periodic review process for mineral extraction, and processing, and reclamation operations shall include sufficient public notice and comment opportunities. The purpose of the periodic review process is to provide opportunities for public review and comment on the mineral resource facility's fulfillment of state and County regulations and implementation of industry-standard best management practices, and for King County to modify, add or remove conditions to address new circumstances and/or unanticipated project-generated impacts. The periodic review process is not intended to re-examine the appropriateness of the mineral resource use, or to consider expansion of operations beyond the scope of existing permitted operations since that review would be accomplished through the County's permitting process. The periodic review is intended to be a part of King County's ongoing enforcement and inspections of mineral resource sites, and not to be a part of the County's permitting process."

Supporting Rationale

Washington State RCWs

78.44.081: "Reclamation permits required—Applications.

After July 1, 1993, no miner or permit holder may engage in surface mining without having first obtained a reclamation permit from the department. Operating permits issued by the department between January 1, 1971, and June 30, 1993, shall be considered reclamation permits. A separate permit shall be required for each noncontiguous surface mine. The reclamation permit shall consist of the permit forms and any exhibits attached thereto. The permit holder shall comply with the provisions of the reclamation permit unless waived and explained in writing by the department."

RCW 78.44.081 clearly states that a reclamation permit be obtained **prior** to the commencement of any mining operation, thus establishing that reclamation is part and parcel of the mining operation and thus, by inference, indicating that any subsequent Code or Policy that calls for *Periodic Reviews* of mining operations **include** reclamation activities. Consequently, *Periodic Reviews* apply to reclamation activities.

VISION 2050 (adopted October 2020)

Protecting the general public and maintaining Rural Area character in relation to industrial-scale operations such as mining are discussed in:

MPP-DP-32: *"Contribute to improved ecological functions and more appropriate use of rural lands by minimizing impacts through innovative and environmentally sensitive land use management and development practices."*



King County

MPP-DP-37: *“Ensure that development occurring in rural areas is rural in character and is focused into communities and activity areas.”*

MPP-DP-41: *“Establish best management practices that protect the long-term integrity of the natural environment, adjacent land uses, and the long-term productivity of resource lands.”*

Each of these **MPPs** apply to ensuring mining site reclamation is conducted and completed in a manner as to protect the environment and the general Public. To do so, the Public must be kept informed and the *Periodic Review* process used to do so.

Countywide Planning Policies (CPPs) (2012 as amended in 2016; currently undergoing a major update in 2021)

Maintaining Rural Area character and siting of industrial-scale operations are discussed in:

EN-1: *“Incorporate environmental protection and restoration efforts into local comprehensive plans to ensure that the quality of the natural environment and its contributions to human health and vitality are sustained now and for future generations.”*

This **CPP** calls for the **KCCP** and its policies to include “...*environmental protection and restoration efforts*...” To do this **KCCP** policies calling for *Periodic Reviews* must include mining site reclamation activities.

KCCP (adopted July 2020)

Maintaining Rural Area character with respect to industrial-scale mining operations are discussed in:

Chapter 3. **RURAL AREAS AND NATURAL RESOURCE LANDS**, Part I. **Rural Area** (our emphases):

“Preserving rural King County plays a key role in ensuring a continuing variety of landscapes, maintaining the diverse communities that often portray the rural legacy, and supporting the evolving rural economic opportunities for the county and its residents.... Rural Areas and rural- based economies contribute to the range of choices and enhance the quality of life of all county residents.... King County is committed to sustaining rural economic clusters and rural character....The glacial soils and terrain that give King County its natural beauty also create significant environmentally critical areas, such as steep, erodible slopes, wetlands and groundwater recharge areas. Maintenance of tree cover,



King County

natural vegetation and wetlands are critical to the continued functioning of the ecosystem and preservation of rural character. The interplay of forest cover, soils and water are essential to watershed health, ensuring adequate unpolluted groundwater recharge, stormwater runoff flow control and pollution reduction, carbon sequestration and habitat functions. Conserving Rural Areas and Natural Resource Lands in King County is integral to providing diversity in lifestyle choices; sustaining farming, livestock, and forestry economies; protecting environmental quality and wildlife habitat; providing recreation opportunities and maintaining a link to the county's resource-based heritage."

This KCCP section specifically calls for: "*Conserving Rural Areas and Natural Resource Lands....*" This cannot be done without proper and adequately monitored reclamation of mining sites. Public disclosure and participation are integral to such oversight

Closing Remarks

Environmental Impacts

It is relevant and factual to point out that multiple mining facilities in King County (particularly in SE King County) have a record of substantial environmental, permit and code violations during the "reclamation" phase, which can take as long or as in a number of cases in SE King County, take far longer than the mining activity. Further, there is a record of such sites causing harm to public resources, including, but not limited to, waters of the state. Site examples include: Reserve Silica, Erickson/Wagner site, John Henry Mine, and Landsberg (Rogers Seam).

State Department of Ecology

Also worthy of note, when the State Department of Ecology (DOE) was updating the National Pollution Discharge Elimination System (NPDES) permit for stormwater and mine-water discharges from the John Henry Mine, it wrote requirements both for a return to active mining (which was still a potential at the time), or reclamation as it was DOE's opinion that reclamation activities at the John Henry Mine posed a *substantial* threat of pollution to waters of the state.

Reclamation

Clearly, the aforementioned examples demonstrate that reclamation activity can and frequently has lasted for decades. Claimed reclamation is often historically and presently paired with disposal. Reclamation is often abused through disposal of off-specification or hazardous materials. The current interpretation by DLS-P serves to keep such reclamation/disposal activity opaque and out of the public view, which in turn only serves to increase the opportunities for additional harm to rural residents and public resources, in particular through pollution of surface and groundwater that can last for many decades beyond the completion reclamation activity (as seen with high pH and arsenic discharges from the Reserve Silica site that continue today).



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Enforcement

Reclamation requires significant permitting and enforcement review, just like mining itself, and is clearly an activity associated with mining and part of the integrated planning, design, and permitting of mines in King County. Consequently, it is illogical and a source of significant harm to require *Periodic Review* and opportunity for public comment during mining, but not during reclamation that includes many if not most of the same impacts and violations of code as active mining, with the addition of potential illegal disposal activities. There is no valid argument to conclude that the necessity of the *Periodic Review*, and opportunity for public comment should apply for active mining, but not apply, or isn't necessary for reclamation.

Conclusions

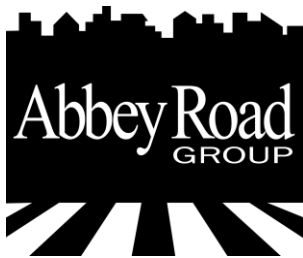
The changes in King County Code and KCCP Policy enumerated in this Docket Request will resolve the problems detailed herein for the good of all.

III. FOR MORE INFORMATION

The purpose of the Docket Submittals Report is to provide notification regarding the proposals that have submitted. The report is posted shortly after the Docket deadline of December 31 and is therefore released prior to conducting analysis on the request(s). The next steps in the process are described in the aforementioned Docket Reports.

Contact: Ivan Miller, ivan.miller@kingcounty.gov, 206-263-8297.

Attachment A: Additional Submitted Materials – Docket 6: Foley Split Parcels



Service Disabled Veteran Owned Small Business

20 December 2021

King County
Office of Performance, Strategy, & Budget
Regional Planning Section
Chinook Office Building
401 Fifth Ave, Suite 810
Seattle, WA 98104

RE: 21-112 | 21409 Renton Maple Valley, King County Comprehensive Plan Docket Process Form submittal for Parcel 2752200005 located at 21409 Renton-Maple Valley Rd SE, Maple Valley and within the jurisdiction of King County.

To Whom It May Concern:

On behalf of our client Sean Foley, Abbey Road Group Land Development Services is submitting King County Comprehensive Plan Docket Process Form for the property located at 21409 Renton-Maple Valley Rd SE, Maple Valley WA 98038, Parcel 2752200005.

This property is unique in that it is split zoned as RA-5/NB-P. Per the King County Municipal Code, the RA-5 zone is for rural residential allowed uses and NB Neighborhood Business. The existing use and structures on the property currently fall in the NB zone which is the use of the property.

This Docket Process Form is in support of a Rezone of the property from the current split zone of RA-5/NB-P to NB (Neighborhood Business) only. The rezone of the property to NB-P which allows for the existing allowed use of the property for a Food Produce stand and matches adjacent properties and the King County Comprehensive Plan for Neighborhood Businesses. A NB zoned parcel ensure visual compatibility, establish a logical outer boundary, and preserve the character of the existing community consistent with the Grown Management Act.

Through this Docket Process for a Rezone and Land Use Designation amendment the property will be brought into compliance with the King County Municipal Code and would aid our client, the property owner, from having to pursue a lengthy and costly rezone classification process.

Project Site Information:

Current Lot:

- Zoning: RA-5/NB-P (Rural Area, one DU per 5 acres; Neighborhood Business)
- Site Area: 43,995 sf (NB-P zone: ~27,518.7 sf; RA-5: ~16,476.3 SF)

Access:

- SE 214th St
- Renton Maple Valley Rd SE

Proposed Zone:

- NB – Neighborhood Business

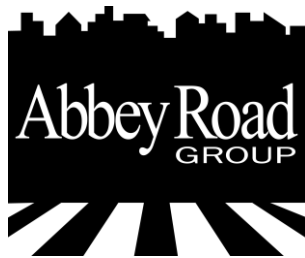
Enclosure(s):

Abbey Road Group Land Development Services Company, LLC

PO Box 1224, Puyallup, WA 98371

Phone: 253-435-3699 Fax: 253-446-3159

www.abbeyroadgroup.com



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- Cover Letter
- Docket Process Form
- Vicinity Map
- Zoning Map
- Boundary and Topographic Survey
- Site Observation Report

If you have questions or would like to request additional information, please do not hesitate to contact me by phone at (253) 435-3699 or via e-mail at Gil.Hulsmann@AbbeyRoadGroup.com.

Sincerely,

Gil Hulsmann

CEO - Director of Land Development Services

Abbey Road Group Land Development Services Company, LLC

253-435-3699 Phone (ext 101) | 253-446-3159 Fax

253-405-1246 Cell

Gil.Hulsmann@AbbeyRoadGroup.com

www.AbbeyRoadGroup.Com

GFH/rj

Job # 21-112

T:\PROJECTS FILES (ACTIVE)\21-112, 21409 Renton Maple Valley RD\PERMITTING\Docket Process

Enclosure(s):

- Cover Letter
- Docket Process Form
- Vicinity Map
- Zoning Map
- Boundary and Topographic Survey
- Site Observation Report
- Feasibility Report

Abbey Road Group Land Development Services Company, LLC

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SITE OBSERVATION NARRATIVE
FOLEY RENTON-MAPLE VALLEY
PROJECT

21409 Renton- Maple Valley Rd SE
Renton, Washington (King County)

Job #21-112

March 2021

Prepared for:
Sean Foley
PO Box 1290
Maple Valley, Washington 98038

2102 East Main Ave, Suite 109, Puyallup, WA 98372
P.O. Box 1224, Puyallup, WA 98371
(253) 435-3699 / Fax (253) 446-3159



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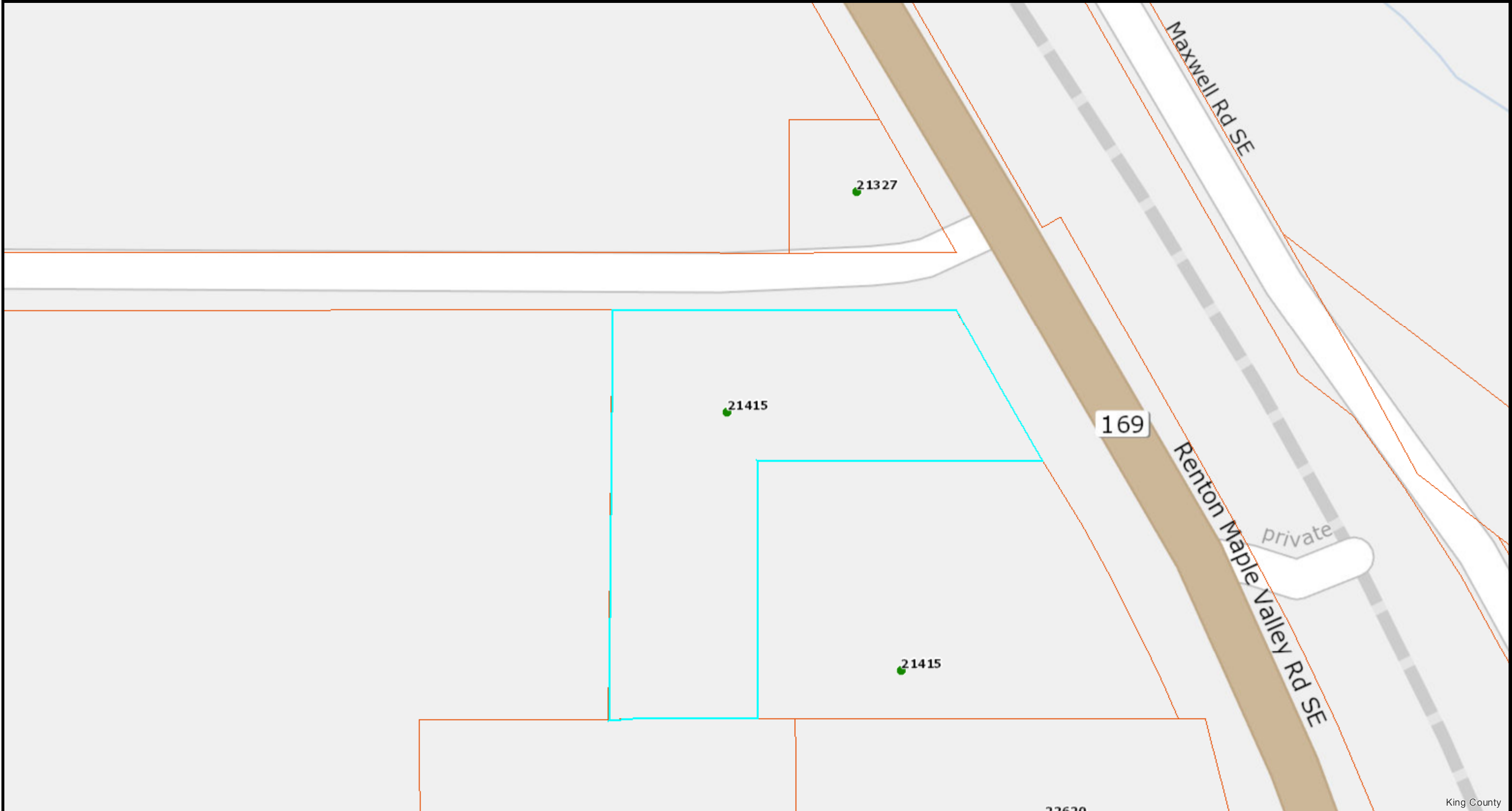
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King County Parcel Map



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Date: 3/18/2021

Notes:



King County Aerial Map



King County, EagleView Technologies, Inc.

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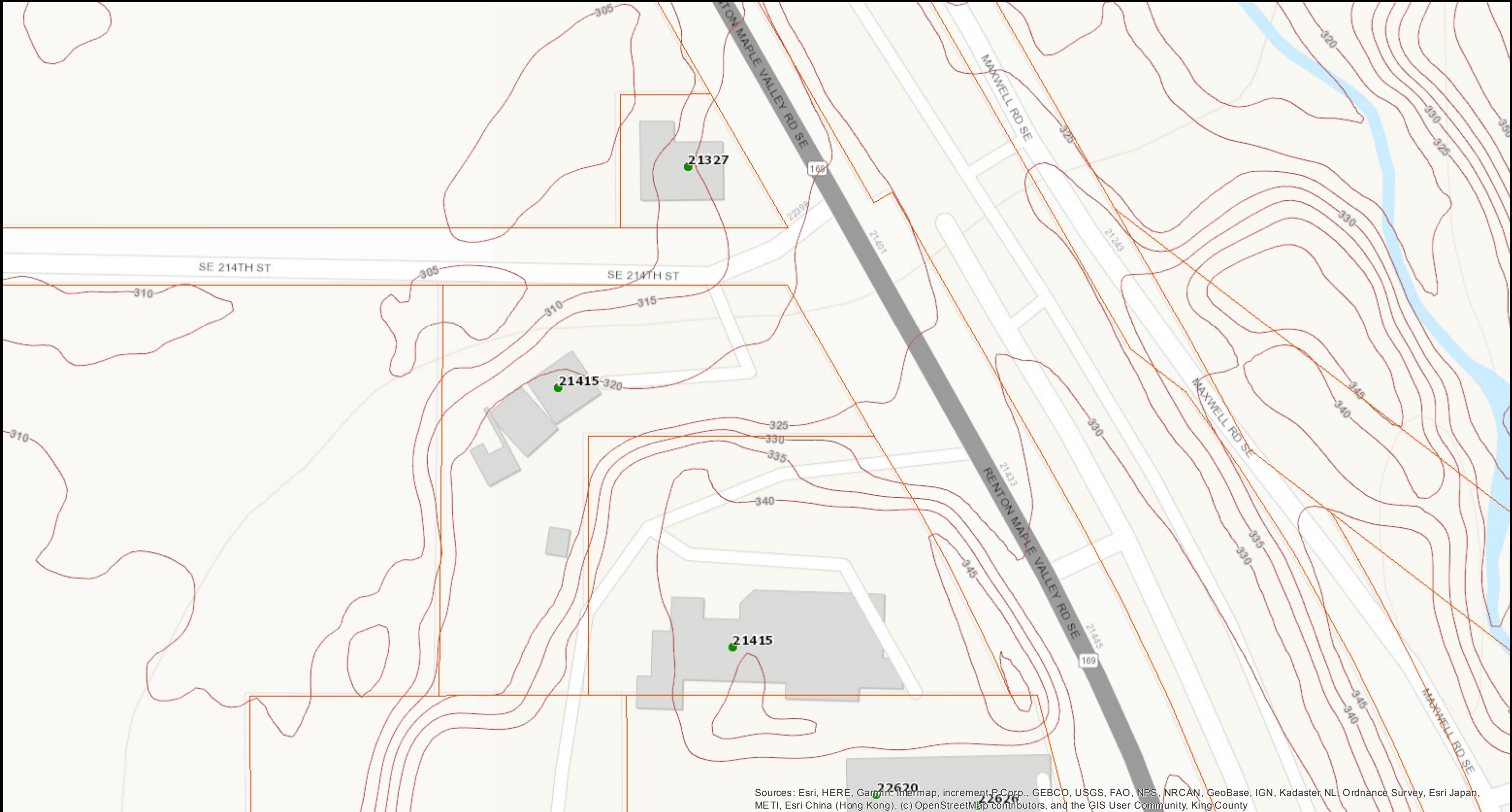
Date: 3/18/2021

Notes:



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King County Topo Map



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, King County

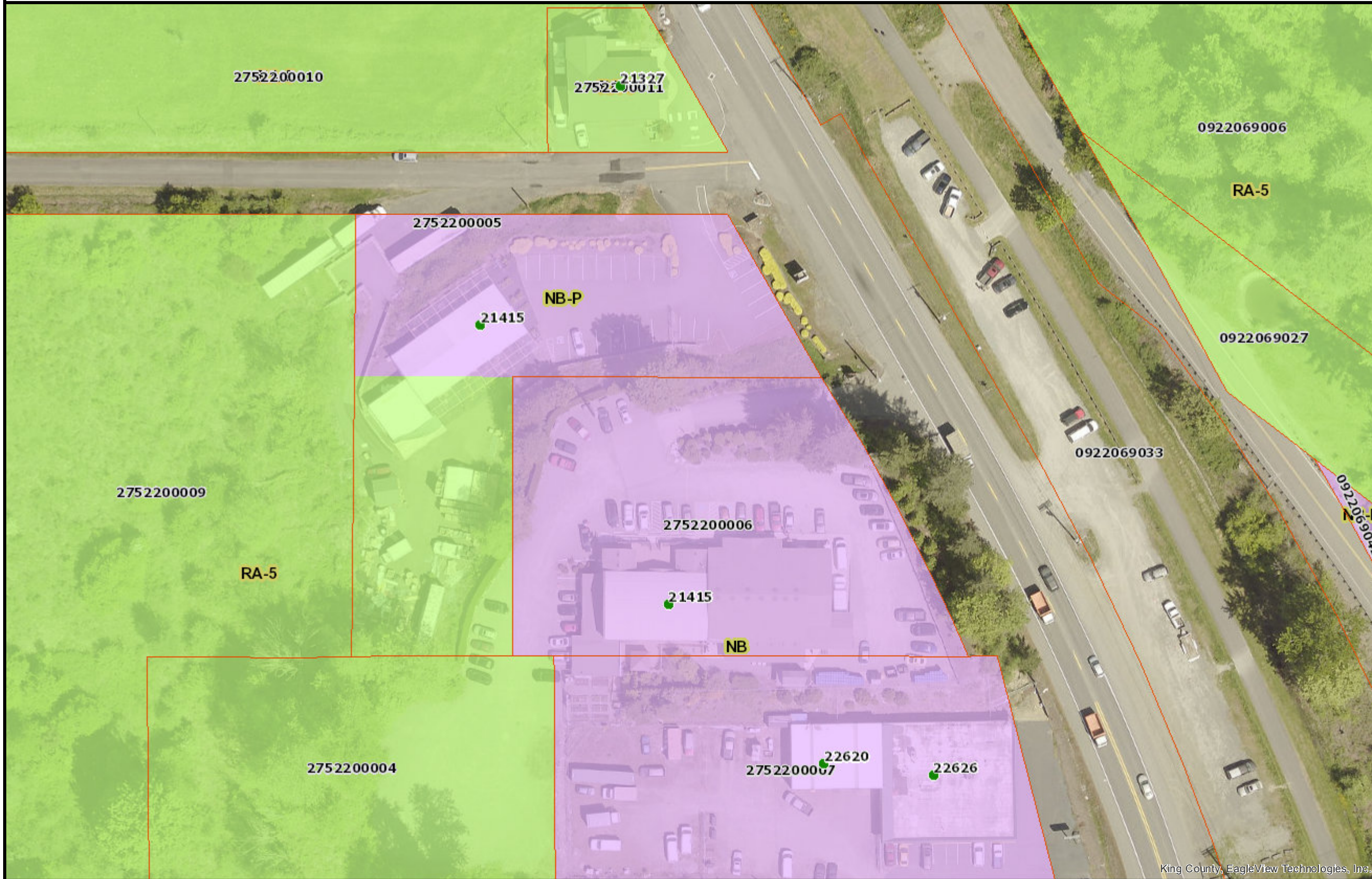
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Notes:



King County Zoning Map



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King County Critical Areas Map



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Date: 3/18/2021

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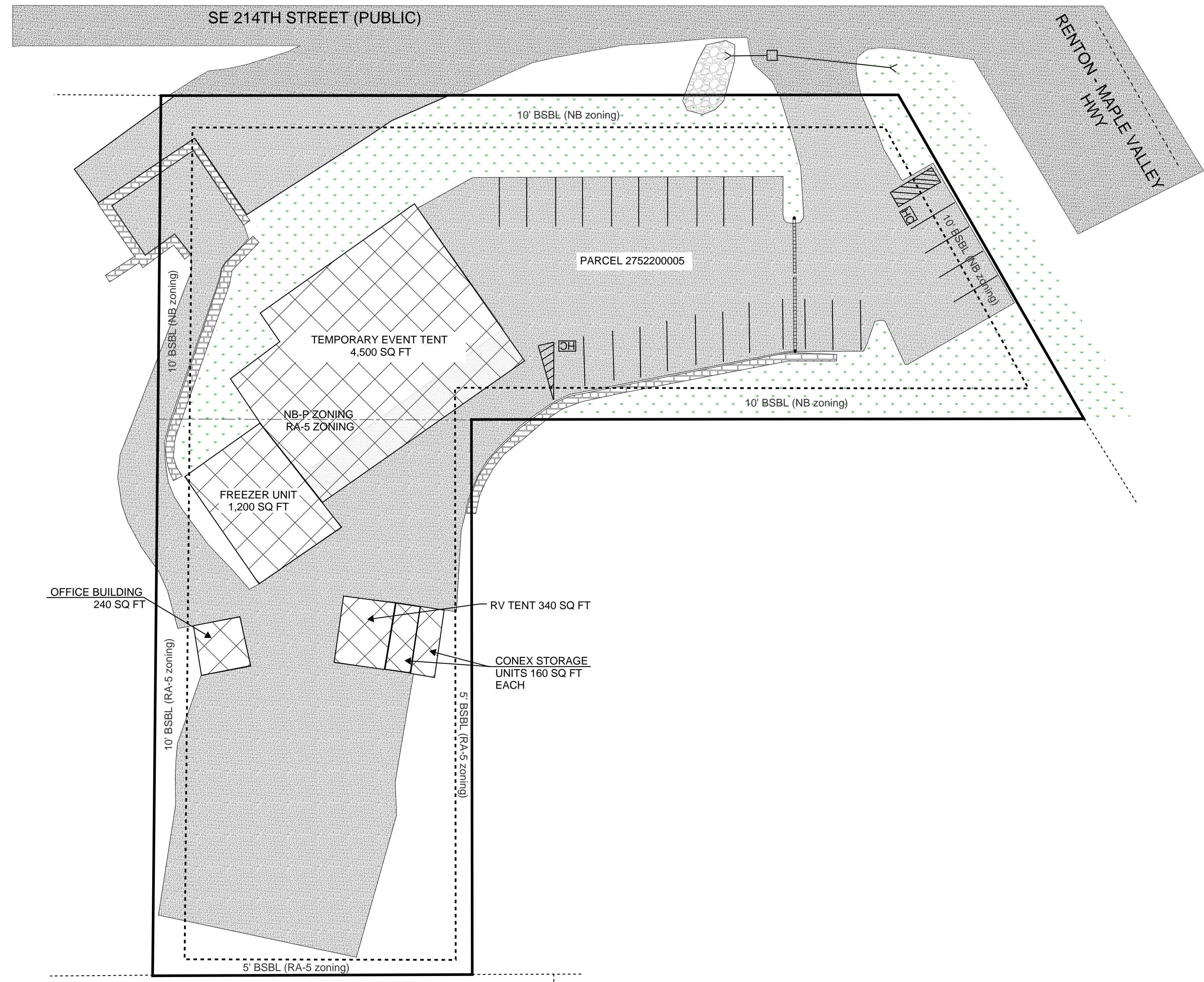
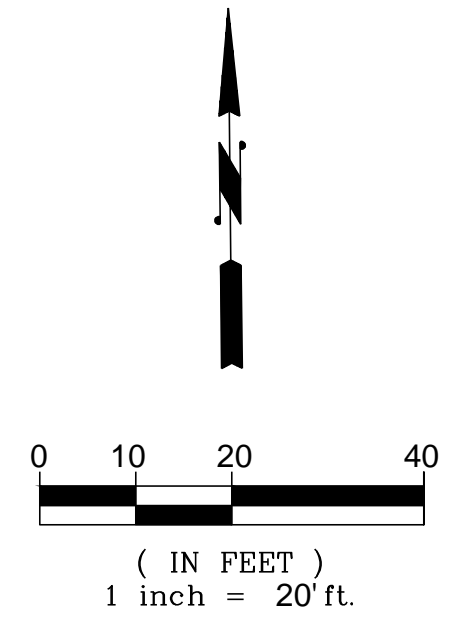


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FOLEY RENTON MAPLE VALLEY HWY PROJECT

SECTION 9, TOWNSHIP 22N, RANGE 6E., W.M. KING COUNTY, WASHINGTON

EXISTING SITE CONDITIONS

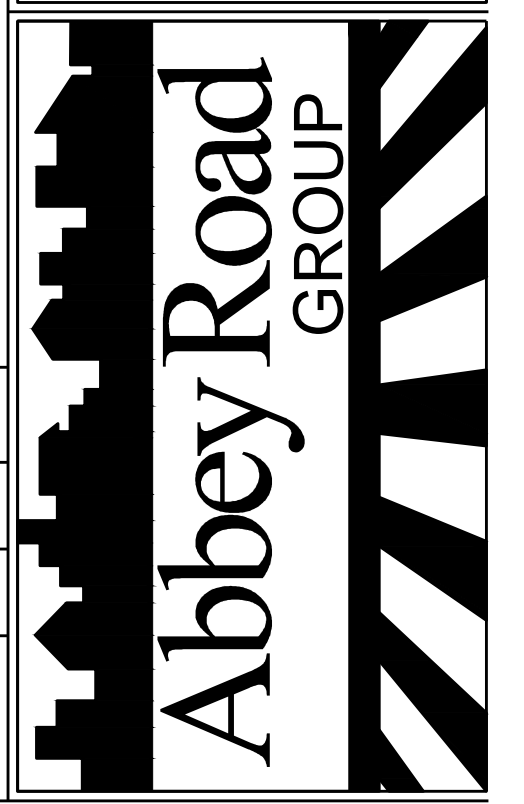


PARCEL 2752200009

TITLE:

FOR:

Abbey Road Group
 Land Development
 Services Company, LLC
 2102 EAST MAIN AVE, SUITE 109
 PUYALLUP, WA 98372
 P.O. Box 1224, Puyallup, WA 98371
 (253) 435-3699, Fax (253) 446-3159



REVISIONS:	BY:	CHK:	APR:	DATE:	PER:

JOB #:	DESIGNED BY:	DEVELOPMENT REVIEW:	APPROVED BY: GIL HULSMANN	DRAFTED BY:	DATE:	SHEET:
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**CALL 1-800-424-5555
 BEFORE YOU DIG**



Service Disabled Veteran Owned Small Business

Site Observation Narrative

Proposed Parcel Research Location

This property assessment consists of 1 parcel: 2752200005. The physical address of this site is as followed: 21409 Renton-Maple Valley Rd SE Renton, Washington 98038.

Parcel Legal Description:

GIBBON W D FARM UNREC N 275 FT OF E 260.70 FT MEAS ALG N LN AT R/A THTO LESS BEG 620 FT E & 100 FT S OF NW COR TH S 175 FT TH E TO W LN OF HWY TH NWLY TO A PT 200 FT M/L E FR BEG TH W 200 FT M/L TO BEG LESS CO RD Plat Block: Plat Lot #1 .

Narrative Purpose:

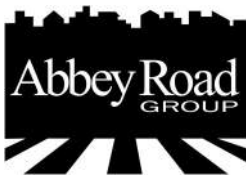
The information in this narrative is intended to provide substantial and accurate information of the above parcel in question to aid in the resolution for King County Code Violation Code Enforcement Case #ENFR20-0079. This narrative will be limited to only onsite observations of the existing site conditions as well as some use of historical aerial photographs taken of the parcel provided by King County GIS Portal.

This report will reference King County Code Violation Code Enforcement Case #ENFR20-0079 documents and these items will be included in Appendix A of this report.

King County Code Violation Code Enforcement Case #ENFR20-0079

This case was investigated by King County Code Enforcement Office Holly Swain and was reported to Mr. Sean Foley on the date of February 26th, 2020. The reported violations are listed below:

1. Operation of a fruit and vegetable market from a parcel divided into two different zones (NB-P allows businesses, RA-5 does not allow business) in violation of Section 21A.08.070 (Section 21A.08.070 is a Retail Land Used Table)
2. Construction and Site Development:
 - a. A cooler (900 Sq ft with 360 sq ft attached roof structure)
 - b. Two-story wood building (approximately 250 sq ft Office Bldg.)
 - c. Setup of a Tent Structure (frame left up year round, canvas put on structure for several months of the year) without required fire permit.
 - d. Over 2,000 sq ft of new impervious for parking and other purposes, cumulative clearing over 7,000 sq ft. Structures within setbacks and use of the RA-5 portion of the parcel, which is not zoned for this business, in violation of sections 16.02.240, 16.82.051, 21A.12.030, 21A.12.040, 21A.28.020 of the parcel zoned NB-P All setbacks would need to be met.



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Site Observation Remarks

Upon reviewing this project and the King County alleged violations a Site Observation was conducted to verify or refute the allegations presented to Mr. Sean Foley. The below is a brief narrative of items observed onsite.

Structures:

Permanent Building Structures :

Two Story Wooden Office Building /Shack (Total 240 SQ FT). The office building is actually a 12’x 16’ (192 SQFT) building with a 4’ wide porch on the front side, and the Freezer Unit (1,200 SQ FT). Both structures have been provided power. The Freezer unit appears to have a roof drain systems and French drain associated with it.

2 Conex Storage Containers (160 SQ FT Each). These two items are technically a mobile items as they are shipping containers.

Temporary Structures:

The temporary event tent which is also the seasonal sales area for the Retail Nursery, Garden Center and Farm Supply Stores. Is approximately 4,500 Sq ft total, this area is split between NB-P zoning and RA-5 Zoning. The portion of the Covered area in RA-5 Zoning is 745 SQ FT. with the remainder 3,755 SQ FT being on the NB-P Zoning portion of the parcel. The King County Violation References King County Code Section 21A.08.070. The below is the chart for this specific code. Under Rural Retail Nurseries are permitted with a conditional use permit that meets the condition listed below:

21A.08.070 Retail land uses.

A. Retail land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (30)
*	Building Materials and Hardware Stores		P23						P2	P	P		
*	Retail Nursery, Garden Center and Farm Supply Stores	P1 C1			P1 C1				P	P	P		
*	Forest Products Sales	P3 and 4	P4		P3 and 4						P		
*	Department and Variety Stores						C14a	P14	P5	P	P		
S4	Food Stores						C15a	P15	P	P	P	C	P6
*	Agricultural Product Sales (28)							P25	P25	P25	P25	P25	P25
*	Farmers Market	P24	P24		P24	P24	P24	P24	P24	P24	P24	P24	P24

B. Development conditions.

1.a. As a permitted use, covered sales areas shall not exceed a total area of two thousand square feet, unless located in a building designated as historic resource under K.C.C. chapter 20.62. With a conditional uses permit, covered sales areas of up to three thousand five hundred square feet may be allowed. Greenhouses used for the display of merchandise other than plants shall be considered part of the covered sales area. Uncovered outdoor areas used to grow or display trees, shrubs, or other plants are not considered part of the covered sales area;



Service Disabled Veteran Owned Small Business

An additional temporary RV Tent (340 SQ FT) was also observed on site and is used for additional storage.

Lastly, the ecology block walls through out the parcel are considered a structural item. The ecology block walls in the "Loading Dock Area" are technically under 4-feet of height so they should not require a building permit. Unfortunately, approximately 60 linear feet of this portion of the eco block wall is constructed on the parcel to the west: Parcel 2752200009. This parcel is not currently owned by Mr. Sean Foley, because this was constructed on property that Mr. Sean Foley does not own then it is highly recommended to either remove the wall, request an easement for the structure, or purchase this area from the current owner of parcel 2752200009. In addition to the wall section being constructed on the neighboring property there is approximately 25 linear feet of wall that has been constructed in the building setback area. This was specifically mentioned in the King County Violation Report.

The wall along the southeastern property line shares the same complication as the loading dock section of the wall. This can be observed in the Existing Conditions Plan shown on Page 7 of this report.

New Impervious Surfaces:

This site has had added additional impervious surfaces over the years to include expanding the asphalt paved parking area, the gravel storage / work areas, additional buildings, and the small asphalt path to the loading dock area along the western property line.

The total asphalt / gravel impervious surface on site totals approximately 24,640 SQ FT for both onsite and office constructed surfaces.

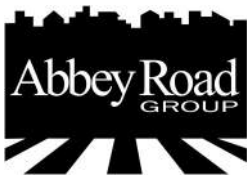
The small asphalt path (approximately 10-feet Wide) has approximately 475 SQ FT of asphalted path constructed on the neighboring parcel 2752200009. Like the situation with the wall constructed on the neighboring property this portion of pavement will need to be addressed through easements, purchase, or removal.

Violation Remarks:

King County Violation item number 1 Operation of a Fruit and Vegetable Market from a parcel divided into two different zones is in violation of Section 21A.08.070.

There is a number of resolutions to this violation, but it is Abbey Road Groups Recommendation that a conditional use permit be applied for as the Violation specifically states that the RA-5 Portion of the property is in violation, which is currently the case only because a Conditional Use Permit has not been applied for at this time. With the area of sales facility in RA-5 is under 2,000 SQ FT the application should be considered.

If this option does not satisfy violation #1 then rezoning the parcel to be NB-P should be pursued.



Service Disabled Veteran Owned Small Business

King County Violation #2A – A cooler has been constructed on the RA-5 Portion of the property.

This will require a building permit and will need to be included in the conditional use permit application process.

King County Violation #2B - Two story Office approximately 250'

This will require a building permit as an accessory and will need to be included in the conditional use permit application process.

King County Violation #2C- Setup of a Tent Structure (Temporary Use)

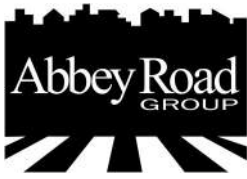
This will require an additional permit – further investigation will need to be conducted for which permit type would be the most applicable for this facility. King County recommends a fire permit. This permit may be a yearly permit. This also will need to be included in the Conditional Use permit application.

King County Violation #2D- Over 2,000 SQFT of new impervious surface, clearing, and set back issues.

The site will need to resolve the items that have been constructed offsite or in the process of resolving or prior to submitting a King County ABC (already been constructed) Permit. This permit will require a site plan and engineering calculations for walls, stormwater management, building structural engineering, etc. This will also need to be included in the Conditional Use permit.

Note: Some of the violations can be resolved by simply contesting the violation. For example, King County's Definition of "Clearing" is as followed: "Clearing" means the cutting, killing, grubbing, or removing of vegetation or other organic material by physical, mechanical, chemical or any other similar means. KCMC 16.82.020(D).

If this is truly accurate then every time someone mows their lawn in King County they are in violation of this code.



Service Disabled Veteran Owned Small Business

Appendix A

King County Violation Case ENFR20-0079

Document



King County
Department of Local Services
Permitting Division
Code Enforcement Section
35030 SE Douglas St., Ste. 210
Snoqualmie, WA 98065-9266
206-296-6600 TTY Relay: 711
www.kingcounty.gov

February 26, 2020

Sean Foley
Foley's Produce LLC
PO Box 1290
Maple Valley, WA 98038

RE: King County Code Violation Code Enforcement Case #ENFR20-0079
At: 21415 Renton Maple Valley Rd SE Zoning: NB-P & RA-5

Dear Mr. Sean Foley,

An inspection of the subject property and/or review of the file has confirmed the following violation(s) of the King County Code exists on the subject property.

1. Operation of a Fruit and Vegetable market from a parcel divided into two different zones (NB-P allows business, RA-5 does not allow business) in violation of Section 21A.08.070 of King County Code.
2. Construction and site development:
 - a.) a cooler (900 sq.ft. with 360 sq.ft. attached roof structure.
 - b.) two-story wood building (approximately 250 sq.ft. used as office and storage)
 - c.) setup of a tent structure (framing left up year round, canvas put on structure for several months of the year) without the required fire permit
 - d.) over 2,000 sq. ft. of new impervious for parking and other purposes (estimated over 27,000 sq.ft. of new impervious surface) cumulative clearing over 7,000 sq.ft. (most of parcel is cleared, with over 4,000 sq.ft. of clearing after 2011)

With structures within setbacks and use of the RA-5 portion of the parcel which is not zoned for this business, in violation of Sections 16.02.240, 16.82.050, 16.82.051, 21A.12.030, 21A.12.040, 21. A.28.020 of the King County Code and Sections 105.1 and 114 of the International Building Code.

Note: Entire fruit and vegetable business (including trucks, structures) would need to be relocated to the portion of the parcel zoned NB-P. All setbacks would need to be meet.

To correct these violation(s):

1. And 2.

1a. Apply for and obtain the required permits, inspections and approvals with complete application to be submitted by the following schedule:

- A. Submit complete commercial permit pre-screening meeting request by **April 6, 2020.**

Note: Foley's Produce business would need to be entirely on the NB-P portion of the parcel.

B. Submitted application to the Health Department (if required) within 30 days of the permit pre-screen meeting; provide a copy of the Health Department application to Code Enforcement.

NOTE: A Critical Areas Designation (CAD) from Permitting may be required prior to Health Department submittal if a new septic design is required.

C. Submit complete building permit application is to be submitted **within 45 days of the building permit pre-application meeting.**

NOTE: Application for a permit does not ensure that a permit will be issued. An applicant should also be aware that permit fees and/or site conditions and/or repair expenses may make the application cost prohibitive. The only alternative may be to demolish the non-permitted construction.

D. Meet all deadlines for requested information associated with the permit(s) and pick up the permit(s) within the required deadlines. Request a building inspection **within 15 days of building permit issuance**, make any required corrections and obtain final approval for occupancy **within one year** of permit issuance.

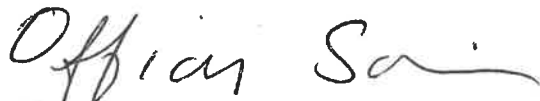
E. **If permit application or any required approvals including but not limited to Health Department approval is denied**, apply for and obtain a demolition and grading permits to remove the new construction and address the grading issues. Demolition must be completed **within 60 days of permit issuance** even though a demolition permit is good for 1 year. The grading permit must be finalized within the one-year issuance time period.

OR

1b. Relocate business to a new location. Obtain a a demolition permit and follow 1a above for violation 2d. construction. Demolition must be completed **within 60 days of permit issuance** even though a Date to be determined. Based on our conversation this is not a preferred option.

Our office will follow up to determine compliance after the compliance date above. If the violations are not corrected at the time of the follow up, our office has the authority to and will issue a legal notice which requires compliance by a specific date. The legal notice, also known as a Notice and Order, subjects you to civil penalties and is recorded against your property title. To avoid the Notice and Order you have the option of entering into a Voluntary Compliance Agreement (VCA) to achieve compliance. Similar to the Notice and Order, the VCA is a legal document in which you acknowledge that you have violations on your property and agree to bring them into compliance by a specific date. The VCA can also subject you to civil penalties and is recorded against your property title.

Please contact me at (206) 477-0291 or by email at holly.sawin@kingcounty.gov. Thank you for your cooperation.



Officer Sawin
King County Code Enforcement

Enclosure:

Commercial ABC permit pre-screen application packet
21A.08.070 King County Code
Code Enforcement Brochure



Service Disabled Veteran Owned Small Business

Appendix B

Site Observation Narrative Photographs



Service Disabled Veteran Owned Small Business



Above: Looking west at face of parcel

Below: Looking West inside gate





Service Disabled Veteran Owned Small Business



Above: looking Southwest at wall and temp tent

Below: Ecology Block wall (2 Blocks High) 53" tall





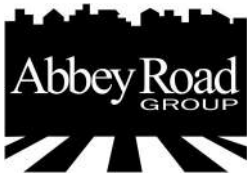
Service Disabled Veteran Owned Small Business



Above: Looking West along wall

Below: Looking Northwest over parking lot





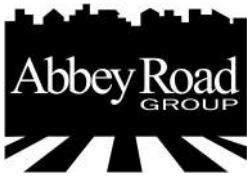
Service Disabled Veteran Owned Small Business



Above: Looking Northeast over northern portion of parking lot and lot drain

Below: Looking at Rip rap pad where lot drains to as well as CB in eastern parking lot





Service Disabled Veteran Owned Small Business



Above: Looking at Temp Tent structure

Below: Temp Tent Structure tie-downs north side of tent





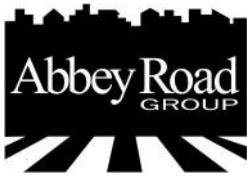
Service Disabled Veteran Owned Small Business



Above: Temp Tent tie downs south side

Below: tent tie downs and gravel walking / operating path





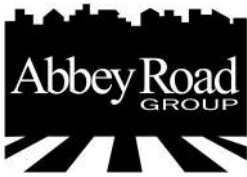
Service Disabled Veteran Owned Small Business



Above: Wall on south side of Parking lot showing Handy-cap stall

Below: Showing the east side of the Freezer Unit





Service Disabled Veteran Owned Small Business



Above: Freezer unit south side of building

Below: Freezer unit west side of building





Service Disabled Veteran Owned Small Business



Above: freezer unit west side of freezer unit

Below: Freezer unit north side





Service Disabled Veteran Owned Small Business



Above: Freezer unit French drain

Below: Freezer unit 4" concrete pad below unit





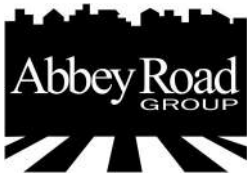
Service Disabled Veteran Owned Small Business



Above: RV Cover Temp and Conex storage unit

Below: Both Conex storage units





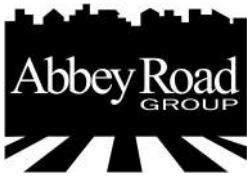
Service Disabled Veteran Owned Small Business



Above: Office Building east side of structure

Below: 10' wide asphalt path to loading dock





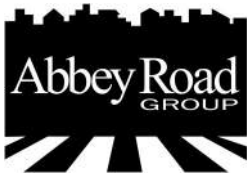
Service Disabled Veteran Owned Small Business



Above: 10' wide asphalt path to loading dock looking north

Below: 10' wide asphalt path to loading dock and eco block wall looking north





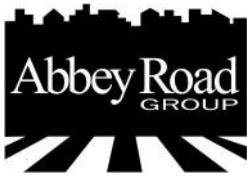
Service Disabled Veteran Owned Small Business



Above: loading dock looking northeast

Below: Loading dock looking west





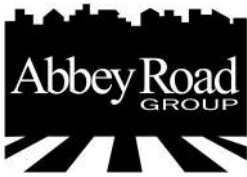
Service Disabled Veteran Owned Small Business



Above: loading area north of loading dock looking north

Below: Loading dock area looking south from Road





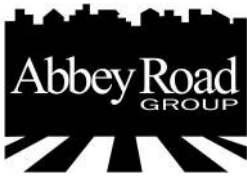
Service Disabled Veteran Owned Small Business



Above: Loading area looking southeast from road

Below: Looking north at driveway access and storm drain out fall





Service Disabled Veteran Owned Small Business



Above: Rip Rap Pad drainage from Renton Maple Valley Road and Parking Lot outfalls here

Below: Driveway access looking northeast





Service Disabled Veteran Owned Small Business



Above: Driveway access showing catch basin looking north

Below: Eastern Parking Lot looking south





Service Disabled Veteran Owned Small Business

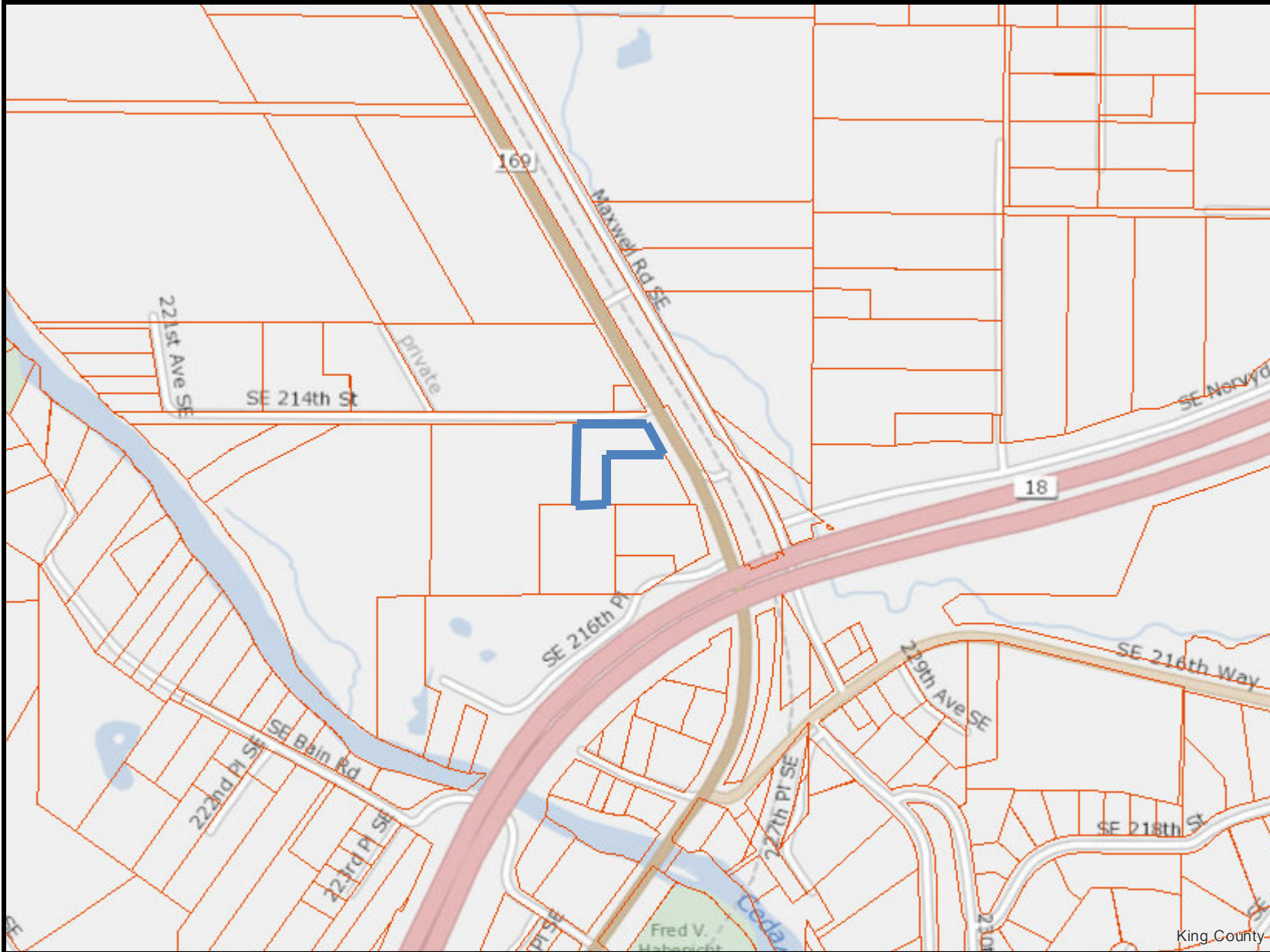


Above: Eastern Parking Lot looking south

Below: Eastern Parking Lot looking east



21- 112 vicinity Map



Legend

Parcels

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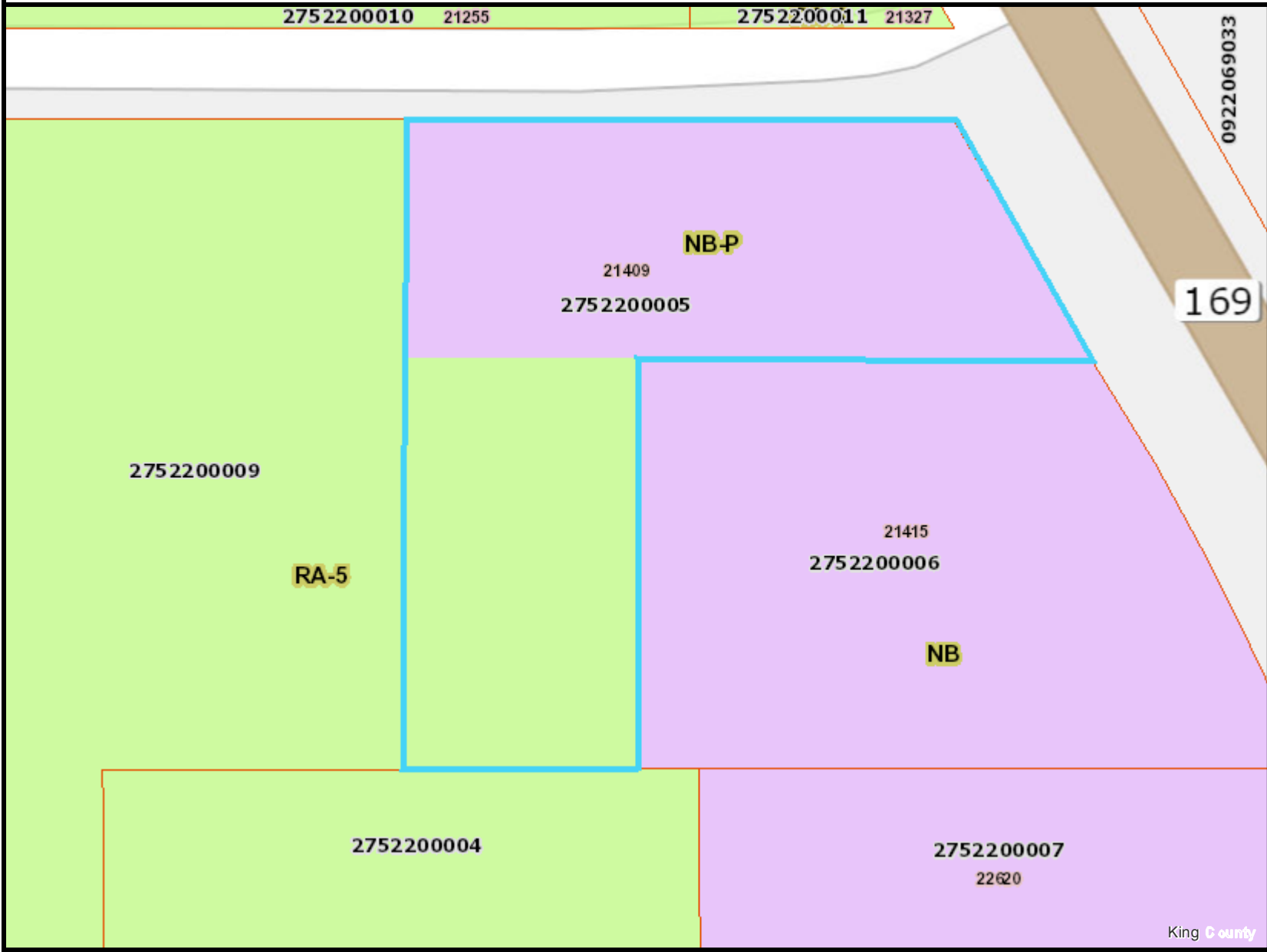
Date: 2/2/2021

Notes:



King County

21-112, Zoning Map



- ### Legend
- Parcels
 - Unincorporated KC zoning**
 - A-10 - agricultural, one DU per 10 acres
 - A-35 - agricultural, one DU per 35 acres
 - F - forest
 - M - mineral
 - RA-2.5 - rural area, one DU per 5 acres
 - RA-5 - rural area, one DU per 5 acres
 - RA-10 - rural area, one DU per 10 acres
 - UR - urban reserve, one DU per 5 acres
 - R-1 - residential, one DU per acre
 - R-4 - residential, 4 DU per acre
 - R-6 - residential, 6 DU per acre
 - R-8 - residential, 8 DU per acre
 - R-12 - residential, 12 DU per acre
 - R-18 - residential, 18 DU per acre

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Date: 12/29/2021

Notes:

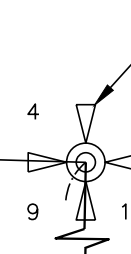
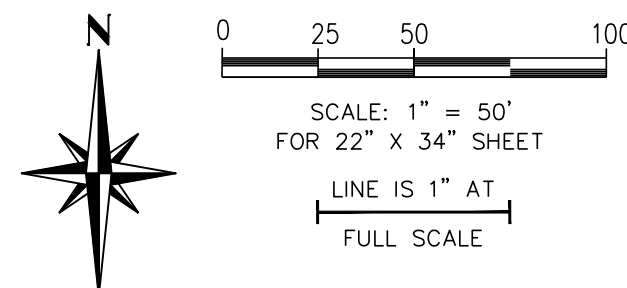


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21409 Renton Maple Valley Road SE

BOUNDARY AND TOPOGRAPHIC SURVEY A PORTION OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 09, TOWNSHIP 22 NORTH, RANGE 06 EAST, WILLAMETTE MERIDIAN COUNTY OF KING, STATE OF WASHINGTON



CALCULATED POSITION OF THE NORTHEAST CORNER OF SECTION 9, PER R1

LEGAL DESCRIPTION

AS PER FIRST AMERICAN TITLE INSURANCE COMPANY SUBDIVISION GUARANTEE, GUARANTEE NUMBER 5003353-3404192, DATED MARCH 22, 2021
THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 22 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SUBDIVISION AND RUNNING THENCE NORTH 89°48'32" WEST ALONG THE SOUTH LINE THEREOF 820.00 FEET;
THENCE NORTH 0°11'28" EAST 567.60 FEET;
THENCE NORTH 89°49'28" EAST 288.53 FEET TO THE WESTERLY LINE OF P.S.E. NO. 5, RENTON-MAPLE VALLEY ROAD, AND THE TRUE POINT OF BEGINNING;
THENCE SOUTH 89°49'28" WEST 260.70 FEET;
THENCE SOUTH 0°11'28" WEST 275.00 FEET;
THENCE NORTH 89°49'28" EAST 92.17 FEET;
THENCE NORTH 0°11'28" EAST 175.00 FEET;
THENCE NORTH 89°49'28" EAST 224.44 FEET TO THE WESTERLY LINE SAID P.S.H. NO. 5;
THENCE NORTH 29°06'30" WEST, ALONG SAID WESTERLY LINE, 114.26 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT THAT PORTION THEREOF CONVEYED TO KING COUNTY FOR ROAD BY DEED RECORDED MARCH 4, 1980 UNDER RECORDING NO. 8003040707.

(ALSO KNOWN AS PORTION OF TRACT 1 OF W.D. GIBBON FARM, UNRECORDED.)
SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

BASIS OF BEARINGS

HELD PUBLISHED NAD 83/91 STATE PLANE NORTH ZONE GRID BEARING OF S 43° 55' 50" E BETWEEN A FOUND MONUMENT AT KING COUNTY HORIZONTAL CONTROL POINT DESIGNATION #6358 TO A FOUND MONUMENT AT KING COUNTY HORIZONTAL CONTROL POINT DESIGNATION #6137.

HORIZONTAL DATUM

NAD 83/91 STATE PLANE, NORTH ZONE AS COMPUTED FROM KING COUNTY DATA SHEETS AS HELD BY THE WGS SURVEY CONTROL RECORDS ARCHIVE (https://www.wgsorchive.org/). ALL DISTANCES SHOWN HEREIN ARE GROUND. PUBLISHED COORDINATES AT KING COUNTY HORIZONTAL CONTROL POINT DESIGNATION #6137 WERE HELD. UNIT OF MEASUREMENT IS U.S. SURVEY FEET.

VERTICAL DATUM

NAVD 88

PROJECT BENCHMARK

KING COUNTY PUBLISHED HORIZONTAL/VERTICAL CONTROL DESIGNATION NO. 6358
PUBLISHED ELEVATION: 332.32 FEET NAVD 88
DESCRIPTION: 1 1/2" ALUMINUM DISK WITH "X" STAMPED "KING COUNTY 6358 1996" SET IN SHOULDER OF SR-169 (RENTON MAPLE VALLEY ROAD). MONUMENT IS 0.15' BELOW THE ASPHALT.

METHODOLOGY AND EQUIPMENT

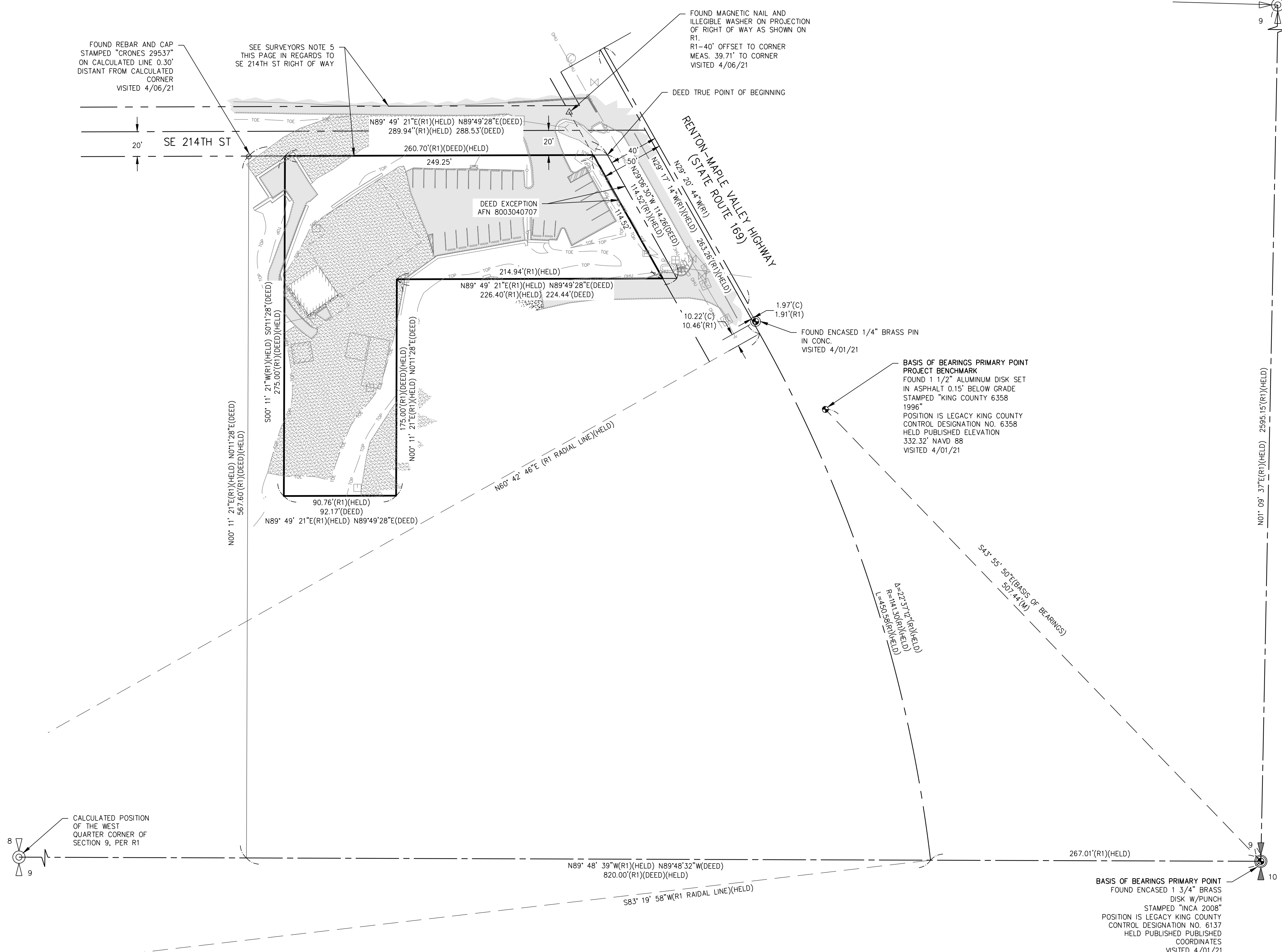
THIS SURVEY WAS PERFORMED BY FIELD TRAVERSE AND RADIAL METHODS WITH A TOPCON PS 103A 3" TOTAL STATION TOGETHER AND MEETS OR EXCEEDS THOSE STANDARDS IDENTIFIED BY WAC 332-130-090.

REFERENCES

- 1. RECORD OF SURVEY AFN 20010816900004 (R1)
- 2. DEED AS CONTAINED WITHIN FIRST AMERICAN TITLE INSURANCE COMPANY SUBDIVISION GUARANTEE, GUARANTEE NUMBER 5003353-3404192, DATED MARCH 22, 2021 (DEED)

SURVEYORS NOTES

- 1. THE PURPOSE OF THIS SURVEY TO SHOW THE EXISTING CONDITIONS OF THE SUBJECT PARCEL.
- 2. DATE OF SURVEY: APRIL OF 2021.
- 3. NO DEED CORNERS WERE SET THIS SURVEY.
- 4. THE SURVEY IS BASED UPON THAT CERTAIN RECORD OF SURVEY AS RECORDED UNDER 20010816900004. THE CENTERLINE OF RENTON-MAPLE VALLEY HIGHWAY, SECTION INFORMATION AND DEED LINES ARE BASED FROM SAID SURVEY. THIS SURVEY AGREES WITH OTHER SURVEYS PERFORMED IN THE AREA.
- 5. IT APPEARS THAT THE ROAD BUILT FOR SE 214TH ST DOES NOT FALL WITHIN CALCULATED RIGHT OF WAY. THE CALCULATED CENTERLINE AGREES WITH MANY SURVEYS PERFORMED IN THE AREA ALONG THE SOUTH MARGIN THEREOF. AN UNRECORDED SURVEY DONE BY ROY STOREY TITLED "SURVEY OF TRACT 1, W.D. GIBBON'S FARM TRACTS", DATED SEPT. 1948 DEPICTS THE CENTERLINE AS SHOWN HEREON. IT IS NOT THE INTENT OF THIS SURVEY TO RESOLVE ANY MATTERS PERTAINING TO RIGHTS OF THE CLIENT NOR RIGHT OF THE COUNTY PERTAINING TO THIS MATTER.
- 6. THIS SURVEY DOES NOT PURPORT TO SHOW ANY OR ALL EASEMENTS OF RECORD. THERE MAY EXIST MATTERS OF TITLE OR EASEMENTS NOT SHOWN HEREON. FULL RELIANCE WAS PLACED UPON THE SUPPLIED TITLE REPORT STATED HEREIN.
- 7. IN ACCORDANCE WITH REVISED CODE OF WASHINGTON (R.C.W.) 58.09 AND THE WASHINGTON ADMINISTRATIVE CODE (W.A.C.) 332-130, THIS SURVEY MAY DEPICT OCCUPATIONAL INDICATORS THAT DIFFER FROM THE DEEDED LOT LINES (SUCH AS FENCES, ETC.). THESE INDICATORS, IF AT ALL PRESENT, MAY REPRESENT A POTENTIAL FOR CLAIMS OF UNWRITTEN TITLE. THIS SURVEY DOES NOT PURPORT TO RESOLVE SUCH MATTERS. DO NOT REMOVE SUCH ITEMS WITHOUT OWNERS CONSENT AND/OR LEGAL COUNCIL.
- 8. THE CONTOUR INTERVAL SHOWN IS 2 FOOT AND WAS GENERATED THROUGH DIRECT FIELD OBSERVATIONS.
- 9. THE UTILITIES SHOWN HEREON, IF ANY, ARE BASED UPON SURFACE EVIDENCE FIELD OBSERVATIONS AS DISCOVERED DURING THE PROCESS OF CONDUCTING THE FIELD SURVEY. NO UTILITY LOCATE SERVICES WERE UTILIZED THIS SURVEY. UTILITIES MAY EXIST THAT ARE NOT SHOWN HEREON.
- 10. THE LIMITS AS AGREED UPON BETWEEN ABBEY ROAD GROUP AND THE CLIENT WERE LIMITED THE SUBJECT PARCEL, TO THE SOUTHWESTERLY FOGLINE OF RENTON-MAPLE VALLEY HIGHWAY, AND AS CONSTRUCTED CENTERLINE OF SE 214TH STREET.
- 11. THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF SEAN FOLEY AND DOES EXTEND TO ANY UNNAMED PERSON OR PERSONS WITHOUT EXPRESS CERTIFICATION BY SURVEYOR NAMING SAID PARTY.



TITLE REPORT SCHEDULE B "RECORD MATTERS"

- 1. NOT AN SURVEY ITEM.
- 2. NOT AN SURVEY ITEM.
- 3. NOT AN SURVEY ITEM.
- 4. NOT AN SURVEY ITEM.
- 5. NOT AN SURVEY ITEM.
- 6. EASEMENT, INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN. RECORDING INFORMATION: DECEMBER 17, 1917 UNDER RECORDING NO. 1179410 IN FAVOR OF CHICAGO, MILWAUKEE AND ST. PAUL RAILWAY COMPANY FOR: RIGHT TO ERECT AND MAINTAIN AN ELECTRIC TRANSMISSION SYSTEM SAID EASEMENT IS BLANKET IN NATURE AND HAS NOT BEEN PLOTTED HEREON.
- 7. RIGHT TO MAKE NECESSARY SLOPES FOR CUTS OR FILLS UPON SAID PREMISES FOR ROAD AS GRANTED BY DEED. RECORDED MARCH 04, 1980 UNDER RECORDING NO. 8003040707. SAID DOCUMENT GRANTS KING COUNTY THE RIGHT TO MAKE ALL NECESSARY CUTS/FILLS UPON THE SUBJECT PROPERTY. THE LIMITS ARE NOT DEFINED AND HAS NOT BEEN PLOTTED HEREON.
- 8. CONDITIONS, NOTES, EASEMENTS, PROVISIONS AND/OR ENCROACHMENTS CONTAINED AND/OR DELINEATED ON THE FACE OF THE SURVEY RECORDED UNDER RECORDING NO. 20010816900004, RECORDED IN VOLUME 147 OF SURVEYS, AT PAGE(S) 13, IN KING COUNTY, WASHINGTON. SAID SURVEY DEPICTS A ASPHALT DRIVEWAY. SAID DRIVEWAY HAS BEEN PLOTTED HEREON.

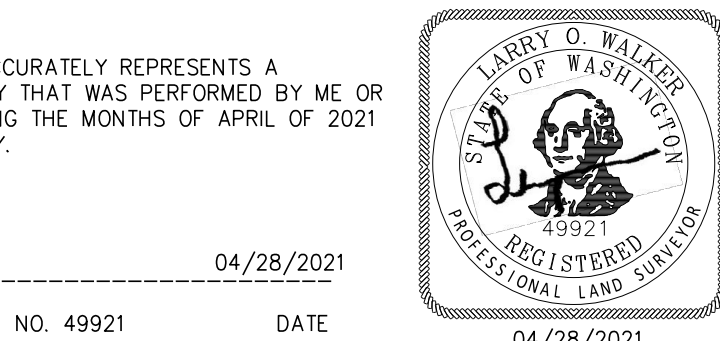
TITLE REPORT SCHEDULE B "RECORD MATTERS"(CONT'D)

- 9. NOT AN SURVEY ITEM.
- 10. EASEMENT, INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN. RECORDING INFORMATION: JANUARY 28, 2009 UNDER RECORDING NO. 20090128000517 FOR: PARKING. SAID EASEMENT GRANTS KING COUNTY TAX PARCEL NO. 2752200011 (PARCEL B AS CONTAINED WITHIN EASEMENT DOCUMENT) A NON-EXCLUSIVE PARKING EASEMENT IN FAVOR OF PARCEL B FOR SHARED PARKING OF NOT LESS THAN EIGHTEEN (18) PARKING SPACE LOCATED PARCEL A (SUBJECT PARCEL DEPICTED ON THIS SURVEY). THE EXACT PARKING STALLS WERE NOT DELINEATED IN THE EASEMENT DOCUMENT. ALL THE PARKING STALLS THAT WERE OBSERVED ON THE SUBJECT PARCEL HAS BEEN PLOTTED HEREON.

LEGEND

- (M) MEASURED
- (C) CALCULATED
- (RX) SEE REFERENCED DOCUMENTS LIST
- (DEED) DEED METES OR BOUND AS CONTAINED WITHIN REFERENCED TITLE REPORT
- CALCULATED SUBJECT PARCEL DEED LINE
- CALCULATED ROAD CENTERLINE
- CALCULATED ROAD RIGHT OF WAY MARGIN
- CALCULATED SECTIONAL LINE

LARRY O. WALKER P.L.S. WASH. REG. NO. 49921 DATE 04/28/2021



REVISIONS:	CHK:	APP:	DATE:	PER:
BY:				
JOB #:	21-112	DESIGNED BY:		
DEVELOPMENT REVIEW:		APPROVED BY:	L. WALKER	
		DRAFTED BY:	L. WALKER	
		DATE:	APRIL 28, 2021	
		SHEET:	SV-01 (SHEET 1 OF 2)	

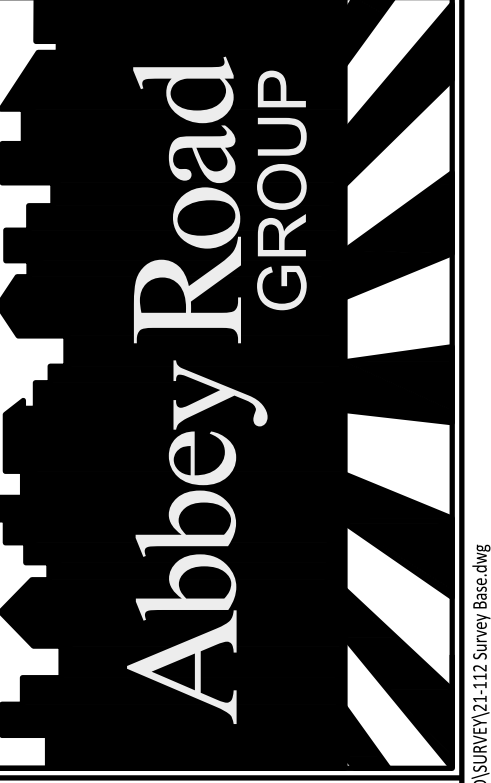
Abbey Road Group Land Development Services Company, LLC
923 SHAW ROAD, SUITE A
PUYALLUP, WA 98372
P.O. Box 1224, Puyallup, WA 98371
(253) 435-3699, Fax (253) 446-3159

BOUNDARY WORKSHEET,
LEGAL DESCRIPTION,
NOTES

FOR: Sean Foley
21409 Renton Maple Valley Rd SE
Maple Valley, WA 98038

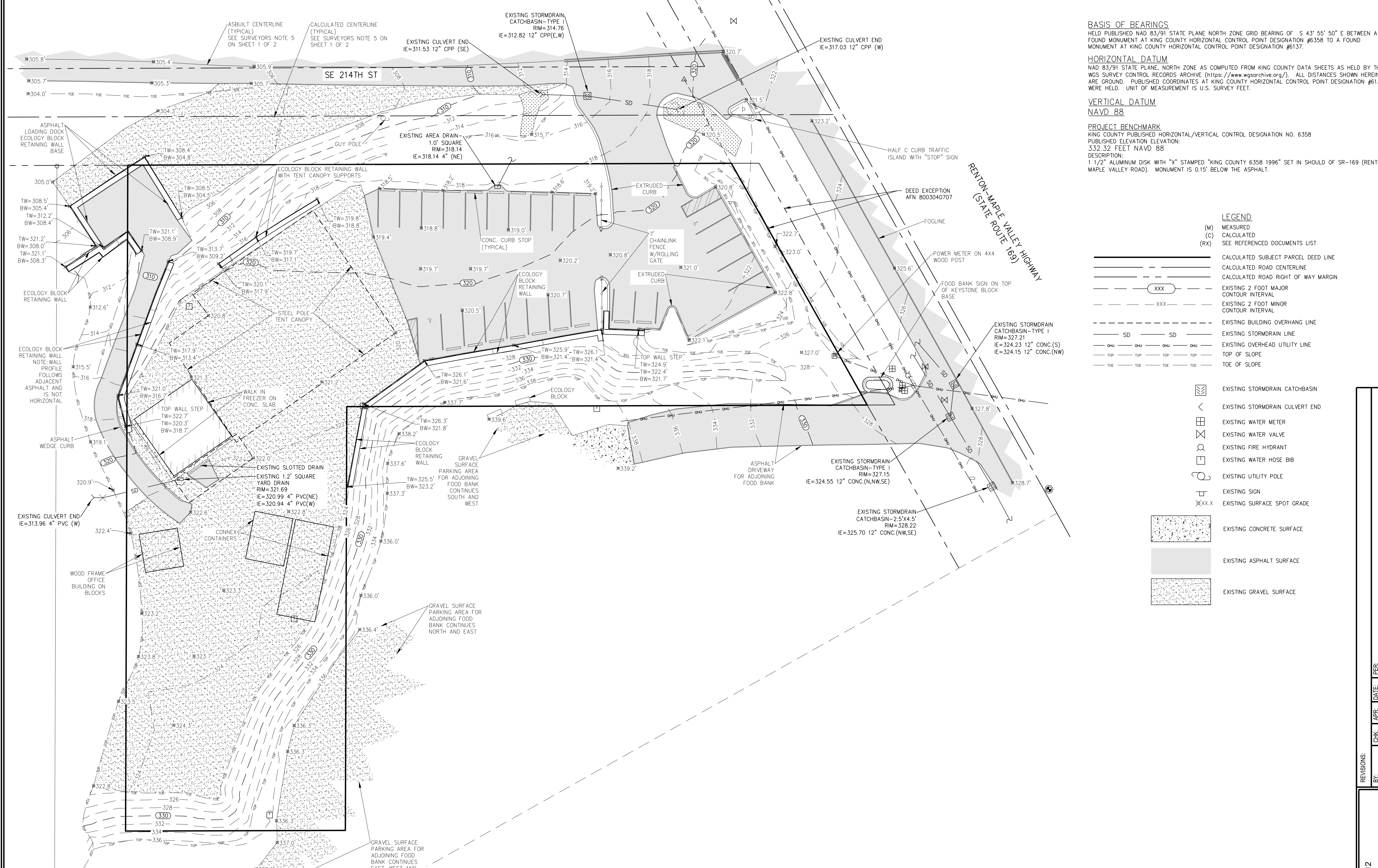
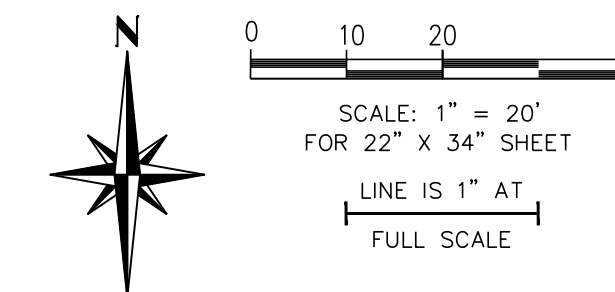


Abbey Road Group
Land Development
Services Company, LLC
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(253) 435-3699, Fax (253) 446-3159



21409 Renton Maple Valley Road SE

BOUNDARY AND TOPOGRAPHIC SURVEY
A PORTION OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 09,
TOWNSHIP 22 NORTH, RANGE 06 EAST, WILLAMETTE MERIDIAN
COUNTY OF KING, STATE OF WASHINGTON



BASIS OF BEARINGS
HELD PUBLISHED NAD 83/91 STATE PLANE NORTH ZONE GRID BEARING OF S 43° 55' 50" E BETWEEN A FOUND MONUMENT AT KING COUNTY HORIZONTAL CONTROL POINT DESIGNATION #6358 TO A FOUND MONUMENT AT KING COUNTY HORIZONTAL CONTROL POINT DESIGNATION #6137.

HORIZONTAL DATUM
NAD 83/91 STATE PLANE, NORTH ZONE AS COMPUTED FROM KING COUNTY DATA SHEETS AS HELD BY THE WGS SURVEY CONTROL RECORDS ARCHIVE (<https://www.wgsarchive.org/>). ALL DISTANCES SHOWN HEREIN ARE GROUND. PUBLISHED COORDINATES AT KING COUNTY HORIZONTAL CONTROL POINT DESIGNATION #6137 WERE HELD. UNIT OF MEASUREMENT IS U.S. SURVEY FEET.

VERTICAL DATUM
NAVD 88

PROJECT BENCHMARK
KING COUNTY PUBLISHED HORIZONTAL/VERTICAL CONTROL DESIGNATION NO. 6358
PUBLISHED ELEVATION ELEVATION:
332.32 FEET NAVD 88
DESCRIPTION:
1 1/2" ALUMINUM DISK WITH "X" STAMPED "KING COUNTY 6358 1996" SET IN SHOULDER OF SR-169 (RENTON MAPLE VALLEY ROAD). MONUMENT IS 0.15' BELOW THE ASPHALT.

- LEGEND**
- (M) MEASURED
 - (C) CALCULATED
 - (RX) SEE REFERENCED DOCUMENTS LIST
- CALCULATED SUBJECT PARCEL DEED LINE
 - CALCULATED ROAD CENTERLINE
 - CALCULATED ROAD RIGHT OF WAY MARGIN
 - XXX --- EXISTING 2 FOOT MAJOR CONTOUR INTERVAL
 - XXX --- EXISTING 2 FOOT MINOR CONTOUR INTERVAL
 - EXISTING BUILDING OVERHANG LINE
 - SD --- EXISTING STORMDRAIN LINE
 - OHU --- EXISTING OVERHEAD UTILITY LINE
 - TOP --- TOP OF SLOPE
 - TOE --- TOE OF SLOPE

- [Symbol] EXISTING STORMDRAIN CATCHBASIN
- [Symbol] EXISTING STORMDRAIN CULVERT END
- [Symbol] EXISTING WATER METER
- [Symbol] EXISTING WATER VALVE
- [Symbol] EXISTING FIRE HYDRANT
- [Symbol] EXISTING WATER HOSE BIB
- [Symbol] EXISTING UTILITY POLE
- [Symbol] EXISTING SIGN
- [Symbol] EXISTING SURFACE SPOT GRADE
- [Symbol] EXISTING CONCRETE SURFACE
- [Symbol] EXISTING ASPHALT SURFACE
- [Symbol] EXISTING GRAVEL SURFACE

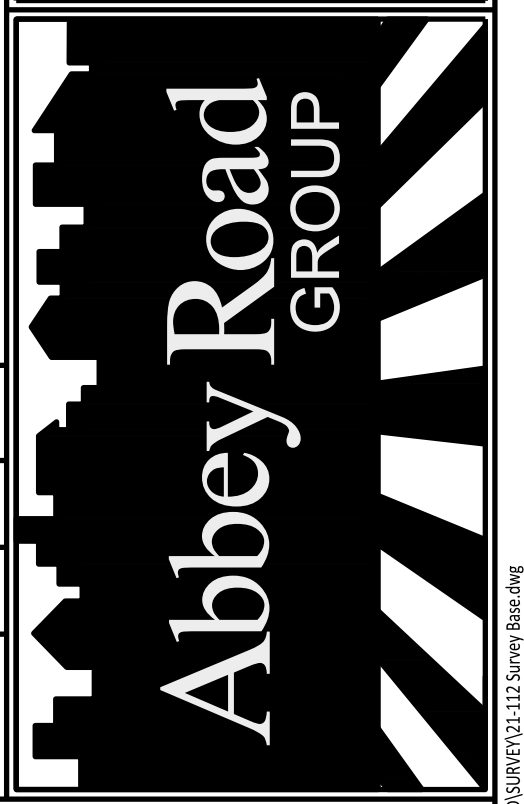
SHEET INDEX:
SV-01: BOUNDARY WORKSHEET, LEGAL DESCRIPTION AND NOTES
SV-02: TOPOGRAPHIC SURVEY MAP

TOPOGRAPHIC SURVEY

FOR: Sean Foley
21409 Renton Maple Valley Rd SE
Maple Valley, WA 98038



Abbey Road Group
Land Development
Services Company, LLC
923 SHAW ROAD, SUITE A
PUYALLUP, WA 98372
P.O. Box 1224, Puyallup, WA 98371
(253) 435-3699, Fax (253) 446-3159



JOB #:	21-112
DESIGNED BY:	
DEVELOPMENT REVIEW:	
APPROVED BY:	L. WALKER
DRAFTED BY:	L. WALKER
DATE:	APRIL 28, 2021
SHEET:	SV-02 (SHEET 2 OF 2)

2024 King County Comprehensive Plan Update
Executive Summary of "Mini-Docket" Scoping Requests

#	Proponent	Request		Summary of Executive Response
1	Julie Buck	Requested Change?	I would like Urban Government services to include publicly accessible restrooms as a regional plan component subarea that tracks location and capacity, and includes them in planning.	The Executive will evaluate this request further as part of 2024 Update or identify another appropriate venue if warranted as analysis continues. Because this is a more discrete issue, this is not included in the Executive proposed high-level 2024 Scope of Work.
If addressed already in the plan or code, what change is needed?				
Why is this amendment needed?	The King County Comprehensive Plan has prioritized pro-equity actions and includes institution for public health and the environment. Places to use the restroom without charge are in line with equity and address both public health and the environment.			
What are the expected or desired outcomes of this change?	There are several expected desired outcomes to this being a part of the county's planning purview: fewer people urinating/defecating in public, lower amounts of untreated biowaste washing into Puget Sound, lower amounts of biowaste in public areas and the attendant risk of disease. It also would alleviate one of the major complaints from business owners and housed people about unhoused people, and offer a lot of people a modicum of dignity.			
What are the potential positive or negative impacts of this change?	A positive impact of including restrooms as a public good planned for and inventoried by the county would alleviate the burden for restroom access from being borne solely by business owners and their staff, and provide coverage for when businesses are not open. Providing bathrooms to people is a secondary service for restaurants and cafes, not their primary responsibility, but they're often the only ones available. A negative impact might be the amount of time and effort to consolidate across parks, privately-managed rest stops, and [SIC]			

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		How is this amendment consistent with the Growth Management Act?	The GMA defines capital facilities to include public health and environmental protection services, and Urban Governmental Services like sanitary sewer systems. However, the current King County Comprehensive Plan does not track publicly accessible restrooms. Restrooms that are publicly available and limited-mobility-accessible are not currently "inventoried and showing locations and capacities". But access to restroom facilities is both a matter of public health and environmental protection, and an important component of creating a pro-equity environment in King County.	
		Requested Change?	I would like to request some changes to the planning of mass transit, including Metro service and rail expansion, as a part of the comprehensive plan. I would also like to[SIC]	This request is beyond KCCP scope and more appropriate for more detailed Metro and Sound Transit plans. Based on this, the Executive does not support advancing this request as part of the 2024 Update.
		If addressed already in the plan or code, what change is needed?	I would propose that additional funding needs to be sourced from employers beyond the voluntary ORCA card as a commute benefit. I would also like to see additional transit planning to address shift workers outside of the 9-5 workday and essential workers, and a better solution for particularly rural areas around a streetcar suburb/spoke model.	
		Why is this amendment needed?	It seems likely that the COVID-19 pandemic will have a permanent shift on the number of daily commuters, shifting away from a consistent Monday through Friday flow of office workers, which puts commute benefit programs into jeopardy as a source of funding. However, we can shift our service to help both people who work nontraditional hours and are more likely to need to be physically in their place of employment, and people who transit to places besides work. King County is experiencing a crisis	

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			<p>paying for rural road upkeep. Part of this is because rural populations have little choice but to drive, and individual car traffic means more congestion and more wear on roads. 81% of travel in King County is individual car trips according to the last update; that doesn't make sense from an accessibility, equity, or climate perspective. We need both more funding and more transit to shift the culture on how people get from place to place.</p>	
		<p>What are the expected or desired outcomes of this change?</p>	<p>I expect/desire a more consistent employer-based transit funding source, additional early morning and late night routes, and additional service within corridors in suburban/semi-rural areas between commercial and residential zones.</p>	
		<p>What are the potential positive or negative impacts of this change?</p>	<p>The positive impacts include fewer car trips, more stable funding to allow for easier planning, and greater mobility, particularly for seniors. The negative impact could be that employers may not like having to contribute to a public good, even if it benefits their employees.</p>	
		<p>How is this amendment consistent with the Growth Management Act?</p>	<p>This is consistent with the Growth Management Act concerns on climate change and equity, and transit is one of the county-level services that the GMA oversees.</p>	
2	Peter Eberle	<p>Requested Change?</p>	<p>There are language conflicts in service provision within potential annexation areas. These are in the Comp Plan and also in other documents used by King County such as the KC Annexation Databook. In the comp plan the language is on page 2-37 and in u-207 page 2-40. In the Annexation Databook the language is in PF-3 on page 9.</p>	<p>The current language on page 2-37 and in Policy U-207 of the Comprehensive Plan is consistent with the directives of the Washington State Growth Management. Additionally, amending PF-3 of the Countywide Planning Policies is out of the scope of</p>

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		If addressed already in the plan or code, what change is needed?	remove language that favors cities over Special Service Districts that currently provide services to PAA's.	the Comprehensive Plan (and the current language, as amended in 2021 as policy PF-4, is also consistent with the directives of the Growth Management Act). Based on this, the Executive does not support advancing this request as part of the 2024 Update.
		Why is this amendment needed?	This is needed to protect SSD's financially from losing customer base that share in costs associated with maintaining and replacing aging infrastructure. Without this, debt load would be placed on a smaller base of customers and cause undue raises in rates.	
		What are the expected or desired outcomes of this change?	Many Special Service Districts find themselves with aging infrastructure that needs upgrading and or replacement. If it is thought that cities would take over systems in the PAA's on annexation they may be forced to change their business model and shift their focus to service areas outside of the PAA's. Also an outcome should be that all current service providers are to be part of any conversation about annexation and participating with any interlocal agreements with cities and the county.	
		What are the potential positive or negative impacts of this change?	The positive is that current capital plans and comprehensive plans of SSD would continue in the PAA's.	
		How is this amendment consistent with the Growth Management Act?	It should be consistent with GMA.	
3	Futurewise	<p>Incorporate the updated housing element requirements in RCW 36.70A.070(2).</p> <p>We recommend that the comprehensive plan and development regulations update incorporate the new housing element requirements in RCW 36.70A.070(2). This will advance equity and affordable housing.</p>		Implementation of the updated housing element requirements of RCW 36.70A.070(2) (as adopted by House Bill 1220) is included in the Executive's proposed 2024 Scope of Work.

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		<p>We support addressing climate change mitigation and adaption in the comprehensive plan.</p> <p>We support the decision to address climate in the comprehensive plan. Both mitigation and adaption to climate change are needed to address the adverse impacts of climate change. Comprehensive planning is an important method of reducing greenhouse gas pollution, mitigation, and adapting to the changes caused by climate change. The U.S. Environmental Protection Agency (EPA) found that state and local governments can significantly reduce greenhouse gas emissions through land and materials management practices such as materials efficiency, industrial ecology, green design, land revitalization, sustainable consumption, smart growth, pollution prevention, and design for environment. Land use planning that focuses growth in existing cities and towns and encourages the use of transit, walking and cycling, and the creation of mixed-use urban centers can improve air quality by reducing automobile trips and congestion. Focusing growth away from flood plains, areas with low instream flows and closed basins, and into existing cities and towns especially areas near high-capacity transit stations can help adapt to climate impacts on lands uses.</p> <p>Since HB 1099 will likely pass before the comprehensive plan update deadline if not this legislative session, we recommend that the requirements of HB 1099 be incorporated into the comprehensive plan and development regulations.</p> <p>We appreciate that the last comprehensive plan update included measures to address sea level rise. However, a recent analysis of sea-level measurements for tide-gage stations, including the Seattle, Washington tide-gauge, shows that sea level rise is accelerating. As of 2020, Seattle’s sea level rise was 1.974 millimeters a year and it was accelerating at a rate of 0.038 millimeters per year. Virginia Institute of Marine Science (VIMS) “emeritus professor John Boon, says ‘The year-to-year trends are becoming very informative. The 2020 report cards continue a clear trend toward acceleration in rates of sea-level rise at 27 of our 28 tide-gauge stations along the continental U.S. coastline.’” “‘Acceleration can be a game changer in terms of impacts and planning, so we really need to pay heed to these patterns,’ says Boon.”</p>	<p>Advancing the climate change mitigation and adaptation directives of the 2020 SCAP, as well as local implementation of related elements of HB 1099, are included in the Executive proposed 2024 Scope of Work</p>

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		<p>Unless wetlands and shoreline vegetation can migrate landward, their area and ecological functions will decline. If development regulations are not updated to address the need for vegetation to migrate landward in feasible locations, wetlands and shoreline vegetation will decline. This loss of shoreline vegetation will harm the environment. It will also deprive marine shorelines of the vegetation that protects property from erosion and storm damage by modifying soils and accreting sediment. This will increase damage to upland properties.</p> <p>We appreciate that the sea level rise requirements adopted in the last update will provide increased protection for structures by elevating the structures and well casings. These requirements are well supported by the science and Futurewise supported them. We also recommend that new lots and new buildings be located outside the area of likely sea level rise where possible. These requirements will provide better protection for buildings and people and will also allow wetlands and marine vegetation to migrate as the sea level rises.</p> <p>In addition, we suggest that the County take a more comprehensive approach to adapting to sea level rise and its adverse impacts modeled on the process California’s coastal counties and cities use. The process includes six steps.</p> <ol style="list-style-type: none"> 1. Determine the range of sea level rise projections relevant to King County’s marine shorelines. The California Coastal Commission recommends analyzing intermediate and long-term projections because “development constructed today is likely to remain in place over the next 75-100 years, or longer.” 2. Identify potential physical sea level rise impacts in King County’s marine shorelines. 3. Assess potential risks from sea level rise to coastal resources and development. 4. Identify adaptation strategies to minimize risks. The California Coastal Commission Sea Level Rise Policy Guidance includes recommended adaptation strategies to consider. 5. Adopt an updated comprehensive plan and development regulations incorporating the selected adaption strategies. 6. Implement the updated comprehensive plan and development regulations and monitor and revise as needed. Because the scientific data on sea level rise is evolving, the California Coastal Commission recommends modifying “the current and future hazard areas on a five to ten year basis or as necessary to allow for the incorporation of new sea level rise science, monitoring results, and information on coastal conditions.” 	
		<p>The Transportation and Capital Facilities Plan Elements should invest equitably and in historically underserved communities.</p>	<p>Advancing equitable investments and supporting</p>

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		<p>King County has excellent equity principles. One important method of implementing those principles is to ensure that the investments in the transportation and capital facility plan elements equitably invest in unincorporated King County. This should include investing in historically underserved communities and neighborhoods.</p> <p>Policies and regulations should require that new development must comply with applicable instream flow rules.</p> <p>Permit-exempt wells are reducing instream flows, reducing instream habitat, increasing temperatures, and reducing dissolved oxygen levels. The adverse impacts of development on instream flows is one of the reasons that RCW 36.70A.590 requires in part that “[d]evelopment regulations must ensure that proposed water uses are consistent with RCW 90.44.050 and with applicable rules adopted pursuant to chapters 90.22 and 90.54 RCW when making decisions under RCW 19.27.097 and 58.17.110.” The rules adopted pursuant to chapters 90.22 and 90.54 RCW are the instream flow rules. The County should adopt policies and regulations that require developments using wells to comply with the applicable instream flow rules. Policies and regulations should also ensure that developments relying on existing water systems only connect to water systems that also comply with instream flow rules. Climate change is increasing winter flows and floods and decreasing summer and fall flows. So, the problem of low flows in county rivers and streams is only going to get worse. Policies and regulations that comply with RCW 36.70A.590 are needed now. In addition to being a climate and environmental issue, this is also an equity issue. Low flows are suppressing salmon production, reducing the salmon available to everyone and especially Native American Tribes and Nations that have a treaty right to salmon. Equity, climate, and environmental concerns all require the County to address this important issue now.</p> <p>King County has a well-earned reputation for conserving agricultural land. Maintaining working farms and ranches requires water. We recommend that King County adopt a comprehensive plan policy and development regulations prohibiting the transfer of agricultural water to allow residential development. These policies and regulations are well within the County’s authority to conserve agricultural land and regulate subdivisions and other forms of residential development.</p>	<p>efforts to invest upstream are included in the Executive proposed 2024 Scope of Work.</p> <p>Consistent with state law requirements, King County has long-standing policy direction that limits new permit-exempt wells and requires new development to be connected to larger public water systems, known as Group A water systems. Additionally, King County continues to participate in the State's watershed planning efforts required to further address the new instream flow rules. The County continues to evaluate whether local regulatory changes are needed to implement the watershed plans as they are completed; what vehicle this occurs under (such as in the 2024 Update or some other body of work) will be evaluated as needed.</p>

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		<p>The County needs policies and a system for directing traffic from cities off county roads and for obtaining mitigating from city projects that degrade county roads.</p> <p>Some cities located away from the large contiguous urban growth area (UGA), such as Black Diamond, are planning for growth that will result in increased traffic on county roads. Other cities within the large contiguous UGA are not planning for the housing needed to support their planned job growth. These growth trends will increase demands for capacity improvements to County roads, increase the need for safety improvements, and increase maintenance costs as more traffic than planned use those roads. The County needs clear policies that it will not provide capacity increases for county roads in rural areas and on natural resource lands. The County also needs policies and regulations to obtain funding from city developments that create the need for safety improvements and increased maintenance needs on county roads.</p>	<p>The Executive will evaluate this request further as part of 2024 Update, including advancing related 2021 Countywide Planning Policy DP-11. Because this is a more discrete issue, this is not included in the Executive proposed high-level 2024 Scope of Work.</p>
		<p>The County needs to take a fresh look at its policies and regulations for the conservation of agricultural land to make sure they are conserving farmland and update them.</p> <p>King County is justifiably proud of its Farmland Preservation Program. Unfortunately, both the Farmland Preservation Program and the County’s Agricultural zones allow estates that do not farm the land on preserved farmland and within the Agricultural zones. As housing prices increase, estates on farmland are an increasing problem that will price farmers off the land. These estates can locate their large homes in areas that make continued farming operations difficult. They can also complain about nearby agricultural operations, increasing the difficulty of farming.</p> <p>Skagit County has directly addressed this problem by using siting criteria for residential uses in its agriculture of long-term commercial significance zone to require residential uses to have an association to the agricultural use of the land. King County should adopt policies and regulations limiting residential uses allowed in the Agricultural zones to dwelling units occupied by those who own or work on the farm and their relatives. A comprehensive review of the County’s other agricultural policies and regulations may identify other needed reforms to keep farmland available to farmers.</p>	<p>Review of resource regulations is included in the Executive proposed high-level 2024 Scope of Work, including ways to increase the amount of farmland in active production</p>
		<p>King County needs to adopt regulations to protect forest cover and limit impervious surfaces to protect salmon and steelhead habitat.</p>	<p>The Executive will evaluate this request further as part of</p>

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		<p>The declining salmon in King County and Washington State show the need to better protect the aspects of the environment that provide salmon habitat. These include forests and pervious areas. Forest cover is declining and impervious surfaces are increasing and we must reverse these trends.</p> <p>Unfortunately, King County’s innovative 65/10 requirements were struck down by the Court of Appeals. The continued decline of the salmon underlines the need to update those requirements to comply with the court’s decision or to adopt a new measure to accomplish the same purposes.</p> <p>For example, King County had been working on a method that could be used as an alternative to clearing and impervious surface limits, the “Suitability (Limitations) and Sensitivity Analysis: A Framework for the Choice of Best Management Practices for Landowners.” This is a promising alternative.</p> <p>Require case-by-case determinations of landslide buffers based on the risk to the proposed development.</p> <p>The March 22, 2014, Oso landslide “claimed the lives of 43 people, making it the deadliest landslide event in United States history. Of the approximately 10 individuals who were struck by the landslide and survived, several sustained serious injuries.” So properly designating geologically hazardous areas and protecting people from geological hazards is very important.</p> <p>Homeowner’s insurance does not cover the damage from landslides. “Insurance coverage for landslides is uncommon. It is almost never a standard coverage and is difficult to purchase inexpensively as a policy endorsement.”</p> <p>None of the Oso victims’ homes were covered by insurance for landslide hazards. And that is common when homes are damaged by landslides. For example, on March 14, 2011, a landslide damaged the home of Rich and Pat Lord. This damage required the homeowners to abandon their home on Norma Beach Road near Edmonds, Washington. Because their homeowner’s insurance did not cover landslides, they lost their home. This loss of what</p>	<p>2024 Update. Because this is a more discrete issue, this is not included in the Executive proposed high-level 2024 Scope of Work.</p> <p>The Executive will evaluate this request further as part of 2024 Update. Because this is a more discrete issue, this is not included in the Executive proposed high-level 2024 Scope of Work.</p>

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		<p>may be a family’s largest financial asset is common when homes are damaged or destroyed by landslides or other geological hazards.</p> <p>Landslide buyouts are rare and when they occur the property owner often only recovers pennies on the dollar. The property owners bought out after the Aldercrest-Banyon landslide in Kelso, Washington destroyed their homes received 30 cents on the dollar.²⁵ This underlines why preventing development in geologically hazardous areas is just plain ordinary consumer protection.</p> <p>Landslides in King County and Western Washington can run out long distances. The 1949 Tacoma Narrows Landslide, in Tacoma “failed catastrophically along steep” 300 feet high bluffs and ran out 1,500 feet into Puget Sound.²⁶ This is five times the buff height. The 2014 Oso slide ran out for over a mile (5,500 feet) even through the slope height was 600 feet. This was nine times the slope height. Recent research shows that long runout landslides are more common than had been realized. This research documents that over the past 2000 years, the average landslide frequency of long runout landslides in the area near the Oso landslide is one landslide every 140 years. The landslides ran out from 656 feet to the 6,561 feet of the 2014 landslide. The 2013 Ledgewood- Bonair Landslide on Whidbey Island extended approximately 300 feet into Puget Sound. In a study of shallow landslides along Puget Sound from Seattle to Everett, the average runout length was 197.5 feet (60.2 m) and the maximum runout length was 771 feet (235 m). So limiting landslide buffers to 75 feet as K.C.C. 21A.24.310B.2. does if a critical area report is not submitted will not adequately protect people and property. Further, as the long runout distances documented above show, limiting the requirement for a critical area report to steep slope hazard areas that only extend into property being developed or into the coastal high hazard areas or the sea level rise risk areas will also not protect people or property due to the long landside runouts from the source of the slide.</p> <p>The Joint SR 530 Landslide Commission recommends identifying “[c]ritical area buffer widths based on site specific geotechnical studies” as an “innovative development regulation[]” that counties and cities should adopt. So we recommend that all properties that may be adversely impacted by a steep slope hazard should have their buffers based on a critical areas report for that site. Construction should not be allowed in buffer areas.</p>	

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		<p>Some argue that adopting landslide buffers that reflect actual runout data would consume too much land. The Washington Geological Survey inventoried known landslides in the western two-thirds of King County, including the part of Bothell in Snohomish County. The survey identified 2,838 landslides and 1,251 landslide fans covering approximately 4.3 percent of the study area. The survey identified a high landslide density along Puget Sound bluffs, river corridors, and in the upland areas of the Cascade Range. While these landslides pose a significant risk to life and property, the landslides and their buffers do not occupy a large enough area to affect the land available for development.</p>	
4	Julie Seitz	<p>Preface: "This cemetery" is 23646 Military Rd S, Kent, WA in unincorporated South King County.</p> <p>King County Zoning Title 21A.06.180, 21A.27.030</p> <p>I. This cemetery</p> <p><i>Requested Land Use Designation Amendment:</i> What we are looking for on Docket Form Page 2 under "Requested Land Use Designation Amendment" doesn't exist in the drop-down menu. We request a cemetery be used exclusively for a cemetery and for cemetery purposes. Land use designations on a cemetery property should have a specific cemetery use, not anything unrelated to a cemetery. Regarding economic development, a wireless facility siting and collocation (modification of antenna) are not cemetery uses and not accessory uses to a cemetery. The cell tower project here is inside active Burial Block 13 at this historic 2-acre cemetery. Humans, pets, and K-9 Officers are buried here since 1948. The property is officially eligible for King County Landmark designation per King County HPP.</p> <p><i>Requested Zoning Classification Amendment:</i> What we are looking for on Docket Form Page 2 under "Requested Zoning Classification Amendment" also doesn't exist in the drop-down menu. We request a separate zoning for cemeteries and/or a suffix to NB zone to clearly show zoning means that this is a cemetery and land uses will be restricted. We request a cemetery be used exclusively for a cemetery and for cemetery purposes. Regarding economic development, a wireless facility siting and collocation (modification of antenna) are not cemetery uses. The two permits (wireless facility siting 2020 and collocation 2021)</p>	<p><i>Change land use designation on Parcel 1522049162 (Pet Cemetery) from Industrial to Neighborhood Business Center to match NB zoning -</i> The Executive will evaluate this request further as part of 2024 Update. Because this is a more discrete issue, this is not included in the Executive proposed high-level 2024 Scope of Work.</p> <p><i>Regulate cemetery uses (add a p-suffix to this specific pet cemetery property to limit it to only cemetery activities/uses; change land use tables in K.C.C. Title 21A to limit cemetery properties to only have cemetery activities/uses; create a Cemetery zone; and/or require notification of cemetery patrons of proposed land use actions on such</i></p>

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		<p>were permitted under IP zone. The cemetery property has never been zoned IP. This cemetery property is zoned NB. You cannot have a 100 foot cell tower in an NB zone. How did this happen? To avoid confusion in the future, a cell tower project in a cemetery will not be permitted.</p> <p><i>Requested removal of cell tower project:</i> The cell tower project here was a relocate from a Sound Transit eminent domain takeover a little less than a half mile away. It was imposed on the multi-diverse, racial and ethnic, marginalized South King County neighborhood and marginalized cemetery patrons. This is a neighborhood of immigrants and lower income people. We request the cell tower project be removed on grounds of social justice and equity.</p> <p>II. This cemetery and every cemetery in King County</p> <p>Requested notification of cemetery patrons for proposed land use actions. A cemetery in King County should have its own zone or a zone with or without a suffix so that the cemetery property be used exclusively for a cemetery and for cemetery purposes.” A cemetery be “... used exclusively for a cemetery and for cemetery purposes.” RCW 68.24.040 Every cemetery in King County should be subject to state cemetery laws and codes.</p>	<p><i>properties</i>) - The County does not create broad land use regulations to address situation/site-specific concerns. Aside from the concerns with this current cell tower on this pet cemetery property, the County has not experienced or heard about concerns/issues regarding its cemetery regulations. Based on this, the Executive does not support advancing this request as part of the 2024 Update.</p> <p><i>Removal of existing permitted cell tower</i> – This request is outside of the scope of the 2024 update. In addition, the cell tower has already been permitted and the permit was not appealed; so, the County does not have authority to revoke the permit. Based on this, the Executive does not support advancing this request as part of the 2024 Update.</p>
5	Joint team of King County Unincorporated Rural Area organizations -	<p>1. Event Centers Event Centers are not defined in KC code and, therefore, not allowed in the Rural Area. However, the Winery/Brewery/Distillery (WBD) controversy opened a can of worms. There are several entities that just want <i>Event Centers</i>, and they thought they were going to get</p>	There is Winery/Brewery/Distillery legislation currently being reviewed by the Council that could address this issue. That is currently the most

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	Enumclaw Plateau Community Association (EPCA), Friends of Sammamish Valley (FoSV), Greater Maple Valley Unincorporated Area Council (GMVUAC), Green River Coalition (GRC), Green Valley/Lake Holms Association (GV/LHA), Hollywood Hills Association (HHA), Soos Creek Area Response (SCAR), and Upper Bear Creek Unincorporated Area Council (UBCUAC)	<p>them through the WBD legislation. That seems highly unlikely at this point, given the conflict with the GMA. However, we fear is that if these people don't get Event Centers as part of WBD legislation, they will come back to the County and try to get them another way.</p> <p>Consequently, we seek a KC Code change such that Event Centers, as "stand-alone" operations, are not allowed in the Rural Area and on Ag-zoned parcels. We also seek a definition for Special Events be included in the KC Code.</p> <p>2. Rural Area As Receiving Site for TDRs Existing KCCP Policy R-313 states: "<i>The purpose of the Transfer of Development Rights Program is to reduce development potential in the Rural Area and designated Natural Resource Lands, and its priority is to encourage the transfer of development rights from private rural properties into the Urban Growth Area.</i>"</p> <p>This should be retained and language should be made clear that parcels in the Rural Area should <u>not</u> be receiving sites.</p> <p>3. Agricultural Production District Mitigation In the 2020 KCCP Mid-Point Update the KC Council rejected this Line Amendment: "<i>Amends mitigation requirements for when land is removed from an agricultural production district. Land is required to be replaced at a 1:1 ratio in the same agricultural production district, at a 1.5:1 ratio in a different agricultural production district, or 2:1 ratio for the financial value of the land if no other land is available.</i>"</p> <p>The <i>existing</i> code language that requires a 1:1 swap in the <i>same</i> Agricultural Production District (APD) should be retained and strengthened.</p> <p>BACKGROUND RATIONALE:</p>	<p>appropriate venue to address concerns about such events. Based on this, the Executive does not support advancing this request as part of the 2024 Update. However, the Executive proposed 2024 Scope of Work in reviewing regulations for resorts in the rural area, which might include regulation of other events associated with those resort uses, pending additional analysis.</p> <p>Review of Transfer of Development Rights regulations is included in the Executive's proposed 2024 Scope of Work.</p> <p>This topic was recently addressed in the 2020 midpoint update of the Comprehensive Plan. Based on this, the Executive does not support advancing this request as part of the 2024 Update.</p>

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		<p>The effect of the failed language above is that speculators will buy land in close-in APDs near urban centers (such as the Sammamish Valley APD) and try to swap it out for land in APDs that are in farther flung corners of the County. This will destroy the close-in APDs. Even worse, the subsequent line amendment allows for financial consideration. All a speculator has to do is pay off at twice the value in cash and they can sit on farmland.</p> <p>It might be argued that speculators won't get development rights from permitting, but there is never a guarantee. Further, any sign that the Council is weakening protections for APD farmland means speculators will be more encouraged to buy and hold for a future weakening. Even if a speculator can't get it developed in the near term, just sitting on it—which they can usually afford to do—means it is not leasable to farmers. Farmers require 10-year leases to justify the improvements they must make to the land. Speculators won't do long-term leases to farmers, removing access to APD farmland for farmers, which fundamentally destroys farming.</p> <p>Speculation is not theory. This situation already exists in the Sammamish Valley APD, where speculators (and WBD violators) are just sitting on APD farmland waiting to see what happens with the WBD code. They ultimately want to commercialize the APD land and are willing to wait out the legal process to see if they will be able to do so, and to what extent. Weakening the swap rules puts yet another "For Sale" sign on farmland and signals to speculators the tide is turning in their direction.</p> <p>Also important to consider is that an APD ecosystem need to maintain enough protected acreage and rural buffer areas to remain ecologically viable for farming. Chipping away bit by bit at rural buffer areas and the farmland itself can set in motion a chain reaction that ultimately renders the entire APD unusable for farming.</p>	
		<p>4. Pacific Raceways Map Amendment</p> <p>In the 2020 KCCP Mid-Point Update the KC Council approved this Line Amendment: <i>"Modifies Map Amendment 9 to modify the uses allowed on the site, the reversion of the zoning to RA-5 if the racetrack use is abandoned, the procedural and substantive requirements for a conservation easement, and a process to undo the</i></p>	<p>Map Amendment 9 in Attachment D to the 2020 Comprehensive Plan is a reference map that is specific to direction of zoning classification changes on properties in the zoning atlas map and/or land use</p>

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		<p><i>changes in the Map Amendment if the requirements of the conservation easement aren't met."</i></p> <p>We refer to Map Amendment 9: Pacific Raceways contained in the adopted KCCP, Attachment D to Ordinance 19146: "Amendments to Land Use and Zoning Maps 2020 update to 2016 King County Comprehensive Plan," dated July 20, 2020 (https://kingcounty.gov/~media/depts/executive/performance-strategy-budget/regional-planning/2020-Comprehensive-Plan-Update/2020-CompPlan-Adopted/2020_KCCP_Attachment_D_MapAmendments.ashx?la=en).</p> <p>We seek changes to the Pacific Raceways Map to reflect:</p> <ol style="list-style-type: none"> (1) Recently enacted conservation easement with Pacific Raceways which additionally requires revegetation of the currently disturbed areas within the conservation easement area. (2) Buffer requirement on the steep slopes in the northwest area of Pacific Raceways property where Soos Creek flows. 	<p>designation changes on properties on the land use map. These requested "mini-docket" changes are about unrelated reference information that do not address zoning classifications and/or land use designations. Therefore, it would not be appropriate to change the reference information in that map at this time if no additional zoning and/or land use designation changes are being proposed. Further, even such information was added to a current proposed map amendment, it would only be for point-in-time reference purposes and would not carry any legal weight, as zoning and land use map amendments do not and cannot impose or implement conservation easements or critical areas and their buffers. Based on this, the Executive does not support advancing this request as part of the 2024 Update.</p>
		<p>5. Non-Resource Industrial Uses in the Rural Area</p>	<p>This topic was recently addressed in the 2020 midpoint update of the</p>

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		<p>We seek to strengthen KCCP Policy language. <i>“Non-Resource Industrial Uses in the Rural Area”</i> were addressed during the 2020 KCCP Midpoint Update KC Council deliberations and striker proposals, some of which sought to <i>“Modif(y) Policy R-512 to limit new industrial-zoned lands to existing sites or those that have long been used for industrial or comparable purposes with similar impacts.”</i> That was completely <i>inconsistent with existing policy</i> and the <i>SEPA</i> review, e.g., changing wording that states there are three sites to citing three named sites simply as <i>“examples”</i> and changing policies to allow sites to be zoned Industrial if they have <i>“long been used”</i> for <i>“comparable purposes with similar impacts”</i> to industrial. Clearly, these were last-minute changes that were not well thought-out, nor vetted, and had no place in the <i>Update</i>, as they would have allowed <i>new</i> sites to be added during any annual update and allow them to be located anywhere in the Rural Area.</p> <p>Fortunately, our concerns were heeded by the KC Council when it decided to <u>retain</u> the <i>existing</i> KCCP language.</p> <p>We seek to retain the existing language and strengthen it, as non-resource industrial-scale facilities simply do not belong in the Rural Area.</p>	<p>Comprehensive Plan. Further, the Executive does not support the premise that non-resource industrial facilities do not belong in the rural area. Based on this, the Executive does not support advancing this request as part of the 2024 Update.</p>
		<p>6. Non-Hydroelectric Facilities in the Rural Area</p> <p>Current County Code TITLE 21A.08.100 Regional land use allows such facilities in the Rural Area under Development Conditions 12 and 29 using a CUP or SUP, respectively. Such facilities should not be sited in the Rural Area.</p> <p>At a minimum, all such facilities sited in the Rural Area should require a SUP and the requirements under Development Condition 29.</p>	<p>This topic was recently addressed in the 2020 midpoint update of the Comprehensive Plan. Further, the Executive does not support the premise that non-hydroelectric facilities do not belong in the rural area; and the Executive feels the very limited allowance of accessory facilities via a conditional use permit is appropriate. Based on this, the Executive does not support advancing this</p>

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			request as part of the 2024 Update.
		<p>7. Property Specific Development Standards/Special District Overlays</p> <p>We are concerned with existing standards for <i>alternative</i> development for sites with unique characteristics not addressed by the general zoning requirements of KC Code. These include “<i>Property Specific Development Standards</i>” (-P Suffix) and the designation for “<i>Special District Overlay</i>” (-SO Suffix), as described in County Code Chapter 21A.38, General Provisions- Property Specific Development Standards/Special District Overlays.</p> <p>We seek changes to Chapter 21A.38 that would tighten up language on definitions and requirements related to both the -P and -SO suffixes.</p>	Existing p-suffix property-specific development regulations and special district overlays are required by the King County Code to be reviewed, and updated where appropriate, as part of the development and adoption of subarea plans. This allows for both the available to resources and appropriate phasing to tackle this very large body of work. It also allows for robust community-centered engagement in the review and refinement of these standards. Based on this, the Executive does not support advancing this request as part of the 2024 Update.
		<p>8. Demonstration Projects in the Rural Area</p> <p>KC Code Title 21A.55 DEMONSTRATION PROJECTS states in 21A55.010 Purpose that: “<i>All demonstration projects shall have broad public benefit....</i>” However changes in code language are needed that backs up and reinforces this purpose.</p> <p>For example, 21A55.105 Regional motor sports facility – master planning process demonstration project and 21A55.1010 Remote tasting room – demonstration project A do not belong in the Rural Area.</p>	The current provisions for adopted demonstration projects appropriately reflect applicable code requirements. Based on this, the Executive does not support advancing this request as part of the 2024 Update.

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		<p>9. Surface Water Management—Drainage Districts</p> <p>Proper Surface Water Management (SWM) requires Drainage Districts to have their activities directed and managed by King County, otherwise Drainage Districts should be re-thought and King County perform their functions, including maintaining ditches/waterways.</p> <p>We seek changes to King County Code to address this issue.</p>	<p>This request is inconsistent with the authority of drainage districts as established under state law. Based on this, the Executive does not support advancing this request as part of the 2024 Update.</p>
		<p>10. Cumulative Impacts of Mineral Extraction Operations</p> <p>Limitations are needed on the number of mineral extraction sites in a Subarea. Mitigation of <i>collective</i> impacts on roads, safety, environment need to be systematically addressed per King County goals to reduce Greenhouse Gas (GHG) emissions 80% by 2050.</p> <p>In addition, operations at mineral extraction sites should not include material processing/debris storage/disposal operations (no stumps, or “<i>inert material</i>” allowed from offsite), as allowing same creates additional impacts and makes mitigation within a Subarea much more difficult to identify and monitor.</p> <p>Although we have more research to conduct here, we cite the following KCCP Policies: R-616, R-681, R-686, and R-690. We seek appropriate changes in KCCP Policy and King County Code, as necessary.</p>	<p>The Executive will likely be reviewing some of the County's mineral processing regulations as part of the 2024 Update. The scope and nature of this review will be dependent on available resources, which is still to be determined, however. But the Executive will aim to consider this request as part of that review, where possible. Because this is a more discrete issue, this is not included in the Executive proposed high-level 2024 Scope of Work.</p>
		<p>11. Code Compliance for Permitting on Resource Lands</p> <p>It is important that King County retain productive resource lands—mines and forests. However, due to lack of enforcement of King County Code and specific Permit Conditions, the retention of productive resource lands is in jeopardy. When bad actors continue to have compliance issues, yet continue to receive permit after permit, the system begins to fall apart. Besides the obvious long-term environmental issues that arise, such behavior costs King County money.</p>	<p>There is existing code language that already allows the County to deny permit applications if there are outstanding code compliance issues related to the property/site/project that a</p>

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		<p>We seek changes in King County Code, so that permits are not granted to applicants with outstanding compliance issues on the same or other applicant-owned properties. We see that the Rural Forest Commission (RFC) possesses the similar concerns (see the soon-to-be-published King County Rural Forest Commission Strategic Priorities: Recommendations and Actions for Conservation of Forestland in King County, January 2022—Focus Area 1: Protection, Restoration, and Stewardship of Private Forestland; <i>1.6.7 Revise King County Code so that permits are not granted to applicants with outstanding compliance issues on the same or other applicant-owned property.</i>)</p>		<p>permit is applied for. The Executive has concerns about the legality of taking such action for properties/sites/projects owned by a person that is subject of an unrelated code enforcement case on a different property/site/project. Based on this, the Executive does not support advancing this request as part of the 2024 Update.</p>
6	Water District 90	Requested Change?	The King County Annexation Databook, page 9, policy PF-3 states “Within the Urban Growth Area, as time and condition warrant, cities will assume local urban services provided by special service Districts.	<p>Amending the language of Policy PF-3 of the Countywide Planning Policies as referenced in an informational County report is out of the scope of the Comprehensive Plan. Not only is that report not part of the Comprehensive Plan, but any changes to that policy would need to be proposed, reviewed, and approved as a formal amendment to the Countywide Planning Policies (which is separate from the Comprehensive Plan). Further, the current language of the policy (as amended in 2021 as policy PF-4), is consistent with the directives of the Growth Management</p>
If addressed already in the plan or code, what change is needed?	Included in previous Comp Plans and included in the Databook as noted above.			
Why is this amendment needed?	We strongly disagree with this statement and feel that there is no evidence to support it. Why should cities be the preferred providers of services. Since all we do is water (no parks, streets, police, etc.) why isn't there a presumption that Special Purpose Districts can actually do this job better.			
What are the expected or desired outcomes of this change?	We would like this policy revised as it is not accurate. Please see facts about SPD at economic_impact_flyer.pdf (waswdmap.org)			

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		What are the potential positive or negative impacts of this change?	Special Purpose Districts (SPD) serve potable water to 19% of the state, and sewer services to 14%. SPD's are paid by ratepayers, not tax payers. Annually SPD's spend \$135 Million on infrastructure improvements; SPD's pay \$17 million in Excise tax. Now most SPD's are also taxed by their city and/or county.	Act. Based on this, the Executive does not support advancing this request as part of the 2024 Update.
		How is this amendment consistent with the Growth Management Act?	Chapter Nine of the 2016 Comp Plan, updated in 2020 includes policy F-101 & F-102. These policies do a better job of stating the intended relationship between the city/county/special purpose Districts. See page 9-2.	