



Docket Form

King County Comprehensive Plan

Date of submittal	April 6, 2021		
I. APPLICANT INFORMATION			
Name <i>(if multiple, list all)</i>	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)		
Property Address	N/A		
Phone	N/A	Email	info@gmvuac.org
Council District	9		

II. TYPE OF REQUEST			
Comp. Plan Policy or Text Amendment	<i>See pp. 3-5</i>	Land Use Designation Amendment	
Development Regulation Amendment	<i>See pp. 3-5</i>	Zoning Classification Amendment	
Four to One Proposal		Other	
Has this been submitted previously?	Yes No	If yes, please indicate the year	
If yes, what was the outcome?			

III. AMENDMENTS TO COMPREHENSIVE PLAN POLICY OR TEXT, OR DEVELOPMENT REGULATIONS	
Requested Change	<i>See pp. 3-5</i>
Why amendment is needed or useful?	<i>See pp. 3-5</i>
How is this amendment consistent with the Growth Management Act?	<i>See pp. 3-5</i>

IV. AMENDMENTS TO PROPERTY-SPECIFIC LAND USE OR ZONING	
General location	N/A
Total Acres	N/A
Tax Parcel ID <i>(if multiple, list all)</i>	N/A

IV. AMENDMENTS TO PROPERTY-SPECIFIC LAND USE OR ZONING

Current Land Use Designation	Click here	Requested Land Use Designation	Click here
Current Zoning Classification	Click here	Requested Zoning Classification	Click here
Is there a Special District Overlay or Property Development Condition?	N/A		
Requested Change and Rationale	N/A		
Proposed Uses of Parcel	N/A		
How will change affect adjoining parcels?	N/A		
How is change compatible with the surrounding area?	N/A		
Additional information?	N/A		

For property owner representatives...

Name		Email	
Phone		Click to testify you have legal authorization to submit a docket for the property	

How to Submit a Docket Form:

Print form and submit by mail:
 Comprehensive Planning Manager
 King County Office of Performance, Strategy and Budget
 401 Fifth Avenue, Suite 810, Seattle, WA 98104

OR

***Save form to your computer,
 then attach to an email and send to:***
[**CompPlan@kingcounty.gov**](mailto:CompPlan@kingcounty.gov)

Background on King County Docket Process

The Docket process responds to the requirements of the Growth Management Act at **36.70A.470** and is codified at King County Code **Title 20.18.107** and **.140**. Docketing means compiling and maintaining a list of suggested changes to the comprehensive plan or development regulations in a manner that ensures suggested changes are considered by the county and are available for review by the public.

The docket is open continuously, and on the **last business day of December**, the items registered in the previous twelve months are compiled into the **Docket Report for release on the last business day in April** to the King County Council. There is **no fee** for submitting the docket form. To download this form electronically or learn more about the Docket Process, visit: <http://www.kingcounty.gov/compplan/>

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):

“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 Mmaterials 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)

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.”*