

**KC Council 2024 KCCP Update
Local Services & Land-Use Committee Briefings
Joint Rural Area Team Oral Testimonies
January thru March, 2024**

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January 17 — LSLU Committee – Briefing 1

Overview, Schedule, Process [Peter]

Good morning. My name is Peter Rimbos. I am the Coordinator for a Joint Team of ten Rural Area organizations and three Rural Technical Consultants. We endeavor to review, consult, develop, and offer solutions on issues of interest to people who live in a wide expanse of King County's unincorporated Rural Area. Each of our organizations considers its work on the KCCP one of its most important duties and responsibilities. Indeed, our Joint Team has been through multiple successive Major Updates with some of our member organization's work on same going back nearly 20 years and others further back to the pre-Growth Management Act days, when there were no formal KCCPs.

For this Update we began engaging with KCCP Manager, Chris Jensen, in early 2022. We have reviewed materials and submitted detailed comments throughout the process. We have reviewed the Executive's December 7 "*Recommended Plan*" and have drafted a set of detailed comments—150 pp and counting, which should be ready to submit to you by February 7. We plan to fully participate in all of your Briefings.

Given the importance of this 10-year Update and the complexity of its many Chapters, Appendices, Reports, etc., we strongly urge the Committee to *re-consider* its schedule as follows:

(1) Meet every week. Do not combine several major topics into one meeting. For example:

(a) The February 7 meeting includes: *Chapter 1: Regional Planning; Chapter 2: Urban; and Growth Targets & UGA Appendix*. To give such important topics justice, two separate meetings are warranted.

(b) The April 3 meeting includes: *Chapter 7: Parks, Open Space, & Cultural Resources; Chapter 8: Transportation; Transportation Appendix; and TNR Appendix*. This is even tighter. In fact, the three Transportation topics *alone* warrant two separate meetings.

(2) Move up "*Development Regulations*" from its May 1 meeting to a much earlier meeting and devote the entire meeting to this topic. KC Code is simply too important to the entire process and all of us.

Thank you.

SVNE Subarea Plan [Mike B.]

My name is Mike Birdsall. I am a member of the Joint Rural Area Team of ten organizations, and I serve as its Transportation Technical Consultant. I have decades of experience helping cities and counties to prepare transportation plans under the Growth Management Act. I am here to discuss the SVNE Subarea Plan on behalf of the Joint Team.

Other Joint Team members participated with county staff in developing the land use and environmental portions of the Subarea Plan. Those elements are well done, due in part to extensive engagement of members of the Public. Findings of the Subarea Plan strongly support and echo Joint Team concerns for protection of the Rural Area, Agricultural lands, and Forest lands with a priority on sustaining a healthy rural ecosystem and lifestyle, and no increase in urban lands, or urban-serving businesses.

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That said, we are disappointed in Chapter 8 (Transportation) for its lack of useful information. Although transportation conditions in the SVNE Subarea are going from bad to worse, the Public Review Draft released last June was just six pages of boilerplate with no substantive information. I objected to that last summer, but this current version remains unchanged. There is still no substantive identification of tangible transportation issues let alone discussion thereof. My comments submitted last summer gave extensive direction for the type of additional substantive information needed. I don't know why no changes were made to improve the current version. The current Vashon Subarea Plan has a much more detailed Transportation Chapter, while covering a smaller, less complex area. The comparison is striking.

My extensive comments last summer remain valid. They were submitted then as an independent observer, but the Joint Team is now in full agreement. Therefore, the Joint Team will be **re-submitting** those same comments in its detailed Written Comments. We hope to see substantial expansion of this chapter *before* it is adopted later this year.

Chapter 11: Subarea Planning [Karen]

My name is Karen Meador. I am a member of the Green Valley/Lake Holm Association, one of the many organizations that comprise the Joint Rural Area Team. We also are one of three organizations that fall under the Southeast King County Community Service Area (CSA). We are concerned that completion and approval of some of the CSA *Subarea Plans* are now pushed out as far as the middle of the next decade. A number of the Joint Team organizations serve under three CSAs—Bear Creek/Sammamish; Southeast King County; and Four Creeks/Tiger Mountain. Under the current schedule, they will not have their *Subarea Plans* approved until 2031, 2032, and 2036, respectively.

We respectfully recommend the DLS Permitting Division retain sufficient Planners to conduct subarea planning simultaneously for two CSAs, thus condensing the current schedule (we believe there only are two Planners and they may have other duties.) There are a number of cultural and heritage venues within each of the CSAs, as well as limited natural resource lands. The GV/LHA and Enumclaw Plateau Community Association, both within the SE King County CSA, are each home to a King County-designated Heritage Corridor, as well as a King County-designated Agricultural Production District. Such venues are found in a number of the King County CSA's. As a writer and historian, I have researched and written about a number of them, and believe condensing the Subarea Planning Schedule would assure many of us an opportunity to assist in preserving the rural character, heritage venues, scenic qualities, and other distinct features that make King County's CSAs unique legacies for future generations to appreciate and enjoy.

Map Amendments [Tim]

My name is Tim O'Brien. I am the Chair of the Enumclaw Plateau Community Association, one of the many organizations that comprise the Joint Rural Area Team. Personally, I have a background in heavy equipment and construction. We suggest adding the following **Map Amendment**: *[NOTE: HIGHLIGHTED ITEMS BELOW NEED NOT BE STATED IN ORAL TESTIMONY, ONLY IN OUR WRITTEN COMMENTS.]*

Map Amendment XX: Countywide – P-Suffix Zoning / Development Conditions

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1. Remove P-Suffix zoning (EN-P01, FC-P02, SV-P37, SV-P037, SV-P11, SV-P12, SV-P13, SV-P15, SV-P17, SV-P18, SV-P19, SV-P20, SV-P21, SV-P25, SV-P26, SV-P28, TR-P09, TR-P21, TR-P22) for commercial, industrial or mining activities in the Rural Area of unincorporated King County, if the condition is not currently met and remains out of compliance for one year, then zoning reverts back to underlying/original (non-commercial) zoning. Further, if the ownership changes, the uses would revert to underlying zoning.

2. Repeal P-Suffix Development Conditions EN-P01, ES-P04, FC-P02, GR-P04, GR-P03, GR-P02, GR-P01, SV-P37, SV-P037, SV-P11, SV-P12, SV-P13, SV-P15, SV-P17, SV-P18, SV-P19, SV-P20, SV-P21, SV-P25, SV-P26, SV-P28, TR-P09, TR-P21, TR-P22 from Zoning Atlas.

Effect:

- ***Most of these P-Suffix development conditions are many years out of date and not transparent to the Public. This would allow parcels that do not meet the commercial development conditions to revert back to underlying zoning for more clarity and transparency in zoning, provide more land for additional housing units, reduce impact of and cost to regulate commercial business in the Rural Area and restore Rural Character and help improve tourism and more sustainable economic development in the Rural Area.***

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January 18, Council Chambers — LSLU Special Committee Meeting

Public Hearing on Draft EIS [Peter]
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My name is Peter Rimbos. I am the Coordinator for the Joint Team which consists of *Enumclaw Plateau Community Association, Friends of Sammamish Valley, Greater Maple Valley Unincorporated Area Council, Green River Coalition, Green Valley/Lake Holm Association, Hollywood Hill Association, Soos Creek Area Response, Upper Bear Creek Unincorporated Area Council, and Vashon-Maury Island Community Council*. We also have three Rural Technical Consultants: Ken Konigsmark—Growth Management Focal; Mike Birdsall — Transportation Focal; and Terry Lavender— Environment/Open Space Focal.

With respect to the *Draft EIS*, we support much of what is described in the **Extensive Change Alternative** considered, such as: *“Require cities to pay impact fees and implement traffic demand management strategies for large developments that impact unincorporated areas;”* however, we do have several concerns:

- (1) Greater land conversions in the Rural Area and Natural Resource Lands and urban development in the Rural Area.
- (2) *“... greater urban development within unincorporated rural areas. Tourism, resort, and economic development-oriented buildings ... allowed to a greater degree in the Rural Area, on Natural Resource Lands, and within agricultural zones...”*
- (3) *“Allow additional clearing of trees and vegetation in unincorporated King County, without a permit, for habitable structures and utilities.”*
- (4) *“Make substantive updates to the 4:1 program requirements, such as allowing for: a reduced open space ratio...noncontiguous open space...nonresidential projects...and projects not likely to be timely annexed.”*
- (5) *“Modify and expand the TDR program, such as ... allowing urban open spaces that were previously acquired using conservation futures tax funding ... to become TDR sending sites, removing specific goals for reduction of development potential outside the Urban Area, ... and allowing for payment into the TDR bank when TDRs are not available.”*
- (6) *“Make substantive updates to the existing land use designations and zoning classifications ... such as ... incentivizing agritourism...”*
- (7) *“Expand SEPA exemptions to the maximum allowed by WAC 197-11-800.”*
- (8) Several suggested *“land use designation and zoning classification changes.”*

Thank you.

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February 7 — LSLU Committee – Briefing 2

Chapter 1: Regional Planning [Ken]

My name is Ken Konigsmark, a rural Preston resident. I'm on the Joint Rural Area Team and have served on several County committees related to rural issues, conservation, growth management, and the critical areas ordinance.

My over 30 years experience in these issues reveals that despite good plans, good policies, well-intentioned Execs and Councilmembers, and well-designed County Guiding Principles, I and large numbers of rural residents remain frustrated because often your own codes, policies, and principles are poorly followed or ignored.

The words are great, we love and support them, but it's the actions or inaction that follow that truly matter. These words ring hollow unless King County truly upholds and enforces them.

For example, we fully support all six King County Guiding Principles listed in Chapter 1 REGIONAL PLANNING. However, we too often see the County making decisions directly affecting the Rural Area that seem to defy and *circumvent* at least *three* of those principles.

**Preserving and Maintaining Open Space and Natural Resource Lands
Directing Development Toward Existing Communities
Achieving Environmental Sustainability**

Examples of such actions (or *non-actions*) that defeat these principles and policies and infuriate rural residents include, but are *not* limited to:

- Cedar River Asphalt Facility (Determination of Non-Significance; *no* Environmental Impact Statement [EIS])
- Cedar Hills Regional Landfill (piecemeal expansion)
- Code Enforcement (poor to none): Violators routinely win and citizens who seek to uphold County codes and policies are forced to spend enormous sums trying to protect their own property, the rural area, and the environment, often AGAINST King County!
- Illegal Clearcutting
- Illegal Event Centers allowed to continue
- Illegal "Recycling" Centers that violate multiple codes
- Pacific Raceways (piecemeal expansion without an EIS)
- Permits routinely granted for development that violates zoning laws and the principles underlying them
- Wineries / Breweries / Distilleries allowed to continue in the RA

I could go on but will end by simply imploring you to not just approve these guiding principles and the entire Comprehensive Plan, but to then fight to uphold them when needed, to support the rural residents who truly wish for King County to uphold their own policies and enforce their own laws. Take a strong stand on OUR side!

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Growth Targets & UGA Appendix [Peter]
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My name is Peter Rimbo. I am the Coordinator for the Joint Team. I will speak on Growth Targets.

Unfortunately Growth Targets cannot be enforced to keep *irresponsible* cities, such as Black Diamond, from *grossly* overgrowing *directly* impacting County roads and rural residents and *vastly* underpaying for road maintenance based on their proportional usage.

The numbers in *Figure 5: King County Jurisdiction Growth Targets ...* were adopted in the 2021 CPPs and we offered detailed written comments at the time. Black Diamond, a designated “*City in the Rural Area,*” has been allocated a 2044 Housing Target of 2,900, which its *already approved* Master-Planned Developments will *grossly* exceed. It also has major non-MPD permit applications under consideration.

To make matters worse, Black Diamond has been allocated a 2044 Job Target of *only* 690—an *anomaly* compared to the *Housing/Job Target* ratios for every other city listed! Thus, the *vast majority* of its 20,000+ new residents will commute on County roads to their jobs in the major cities, as they avoid the increasingly congested SR-169. All other cities listed are handling their *Targets* in a professional and civil manner, leaving Black Diamond alone as an *irresponsible* city that is knowingly overloading County roads and imposing an unfair and inequitable financial burden on the Rural Area taxpayers.

While the *Urban Growth Capacity Report* finds sufficient capacity available for *total* UGA projected growth, it does *not* state any concern or remedy for those cities that *grossly exceed* their projected growth and what “*reasonable measures*” they should take to correct such inconsistencies and the resulting burdens placed on their neighbors. Consequently, such inconsistencies will not be addressed by these cities in their respective 2024 Comprehensive Plans. We call for the Growth Management Planning Council to have such cities regularly report on how they are handling such inconsistencies and resulting burdens.

The current Growth Target and Allocation system is badly flawed and, by ignoring those flaws, we perpetuate them *ad infinitum*.

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February 8,, Covington — LSLU Special Committee Meeting

Executive's Recommended Plan [Peter]

My name is Peter Rimbos. I am the Coordinator for the Joint Team of ten Rural Area organizations and three Rural Technical Consultants. Since the beginning of 2022 we have interacted with KCCP Manager, Chris Jensen, in the Executive's Office on the 2024 KCCP Major Update. We have been through Scoping, Public Review Draft, and now the Executive's "Recommended Plan."

We conducted an in-depth review resulting in our 161-pg submittal to you on Tuesday, February 6—a set off comprehensive Comments on each Chapter, Policy Amendment, Code Amendment, Appendix, Report, Study, etc.

Throughout this process the Update has improved. King County has many excellent Policies, strong Code, and a well-thoughtout Vision and Guiding Principles. Thank you.

But, we do offer recommended changes to Policies and Code. In some cases, e.g., Mineral Resources, we offer several *new* Policies. Throughout we provide supporting rationale. Please review our Comments and contact us with any questions.

The full Council assigned review and Amendments of the Update to your Committee, because you have purview over II of King County's Unincorporated area, both Urban and Rural.

In fact, a key requirement for successful *implementation* of the KCCP is a strong and well-funded Department of Local Services (DLS). DLS's Mission must flow from the KCCP. DLS must have the direction and resources to ensure the permits it issues are consistent with King County Policy. The Conditions it places on those permits must be adequately enforced through periodic inspections. Enforcement of such Policies, Conditions, and Code is King County's mechanism for continuous Quality Control [*that is coming from a retired Boeing Principal Engineer*].

Some of the Joint Team's south King County Organizations will introduce themselves and offer some brief comments tonight.

Thank you.

Executive's Recommended Plan [Karen Meador, GV/LHA]

My name is Karen Meador. I am a member of the Green Valley/Lake Holm Association, one of the three organizations that comprise the SE King County Community Service Area (CSA). Our Association is also a member of the Joint Rural Area Team.

As home to one of only five King County-designated Agricultural Production Districts, we strongly encourage policies and efforts in support of our vital local farming community. The King County-designated Green Valley Road Heritage Corridor, one of only nine such roads in the County, is the central part of our Community Area, surrounded by farmland. We are also home to a number of heritage properties, which include Neely Mansion, a National Landmark, and an 1879 barn, one of the oldest buildings in King County.

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Given our unique setting, the citizens of our Community Area have a vested interest in a wide range of concerns, all of which are addressed in the Comments submitted by the Joint Rural Area Team on February 6. These concerns include protection of the Environment, Rural Areas and Natural Resource Lands, as well as Parks, Open Space and Cultural Resources. While King County generally maintains sound policy regarding these matters, implementation and funding of such policies sometimes falls short of the goals advocated.

Permitting issues regarding injudicious development as well as road capacity and maintenance have been notable issues, as have impacts from adjoining cities. The adjacent City of Black Diamond has grown considerably in the past few years, causing ill-considered effects on surrounding communities, which include the surrounding Rural Area and local Agricultural Production District.

As a showcase of King County's history and agricultural development it is vitally important that we preserve the rural character, heritage venues, scenic qualities, and other distinct features that make SE King County's CSAs unique legacies for future generations to appreciate and enjoy.

Executive's Recommended Plan [Mike Birdsall, Transportation Focal]

Good evening. My name is Michael Birdsall. I am a retired transportation planning engineer with decades of experience in comprehensive planning. I am a resident of rural Hobart, and part of the Joint Team of Rural Organizations.

The Transportation chapter needs more work to show how the known needs can be met because current finances only cover 12% of the problem. Worse, many of the needs are driven by intercity through traffic, not the access needs of rural residents. So the ones who pay county road taxes are subsidizing the ones who pay nothing. You can fix that. The Team's written comments show how. In brief, we propose six things:

1. **Name the roads and bridges that will be shut down – and when – if funds aren't found.** And right away block through traffic on two or three minor arterials that are used too much by through traffic between cities, and disturbing the locals. We'll show you where.
2. **Ask the state to take over your existing Rural Regional Arterials,** since they function like state highways. Plus a similar arterial near Black Diamond.
3. **Give priority to rural residents ahead of intercity travel.** The current level of service policy for rural roads measures the speed of through traffic. Change that to instead measure the quality of access to/from side streets.
4. **Support active transportation with low-cost "Interim" improvements.** Shoulders are missing from most county roads, to the detriment of bicyclists and pedestrians. But County Road Standards only show ideal designs at high cost. Change county code to allow "interim projects" as well that provide good benefits at low cost.
5. **Increase intercity transit.** Keep more long car trips off the road by increasing transit service between outlying cities and the urban core.
6. **Take the lead creating uniform regional funding solutions.** Such as a traffic impact fee that accounts for trips across borders.

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The details are in our written comments. Thank you for listening.

Executive's Recommended Plan [Greg Wingard, GRC]

NO WRITTEN NOTES. Greg introduced himself and stated he was the President of the Green River Coalition (GRC), which is a member of the Joint Team. He addressed Joint Team concerns about a proposal to add the Druid Glen site as a Map Amendment to the 2024 KCCP Major Update, by designating it a *Master Plan Resort*. This would get it around the zoning requirements, which otherwise wouldn't allow this type of intense urban development in the Rural Area. He focused on the GRC's serious concerns, but that it hadn't yet taken a position on the matter, pending discussion at its upcoming board meeting.

Executive's Recommended Plan [Tim O'Brien, EPCA]

NO WRITTEN NOTES. Tim spoke on the topic of Mineral Resources and several new Policies proposed by the Joint Team. He also mentioned the very large ~1,000-acre Mine proposed along the Green River Gorge by Segale. The proposed mine (actually five *separate* mines) would extract and process aggregates, as well as construct an asphalt plant and be developed in four phases within 35-year span.

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February 21 — LSLU Committee – Briefing 3

Chapter 5: Environment [Terry]

My name is Terry Lavender. I am a member of the Joint Rural Area Team and serve as an Environmental Technical Consultant. I have been involved in Basin Planning, Land Conservation, and Comprehensive Plan reviews for many years. I am specifically commenting on Chapter 5 of the Executive Recommended 2024 King County Comprehensive Plan.

We are pleased to see the Climate Action Plan permeates every aspect of this chapter. Almost all Climate Actions are “*shall*” making the intent strong. The language throughout is updated to match current practices and the Climate Action Plan. New to the Climate Plan is *Climate Equity* and equity language is added throughout and strengthened with “*shall*.”

There are strong statements for a multi-species approach and biodiversity. It is stated that Biodiversity refers to species, habitats and their interactions across all landscapes. There is an emphasis on preserving and restoring ecosystem processes. All of this adds up to our best opportunity to really achieve these goals.

I applaud the focus on mapping, collaboration and monitoring.

At one of the first King County meetings I went to back in 1988, the public was there to ask about Beavers. I applaud the statement that King County supports coexistence of beaver and people, but I do wonder what implementation will look like.

There is much to love about the proposed Chapter 5. However, while we find strong policies in the Executive’s “*Recommended Plan*,” they depend on how they are implemented, if and how periodic monitoring is funded and staffed, and that enforcement happens when needed. Our experience has been that each of these are problems currently and historically. Structural changes and funding issues will need to be solved before the County can truly honor and accomplish the good policies herein.

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March 7, Duvall — LSLU Special Committee Meeting

General Comments [Terry]

My name is Terry Lavender - a member of the Joint Rural Area Team. I have volunteered in King County Basin Planning, Land Conservation and Comprehensive Plan Policies for decades.

I arrived here tonight after turning off the County Road I live on to the Woodinville Duvall Road. Making the turn is becoming increasingly challenging due to growing streams of traffic in and out of Duvall, Monroe and Sultan and going to and from the cities. My local road has seen no maintenance for years resulting in simple, small problems become much larger needed repairs. It is no secret that Rural Road funding is broken. I ask you use your leadership and find a solution before we endure significant infrastructure failure and increasing arterial gridlock at both the local and regional levels.

We are seeing many applications for Conditional Use Permits for multiple large events in the rural and Agricultural areas. These will impact rural roads, Ag's ability to operate and resident's ability to simply get anywhere. Approve one and more will follow with huge impacts.

The Joint Team is reviewing the Executive Recommended Comprehensive Plan. I focus on the rural and environmental aspects and there is much to like. Climate action permeates the plan with equity language and shalls throughout. There are strong statements on multi-species and biodiversity that preserves and connects species and habitants across the landscape. There is a focus on mapping, collaboration and monitoring.

But, these are just nice words without dedication to action and implementation. It requires funding for staff and a commitment to translate policies into action across rural neighborhoods and the landscape. Enforcement is essential when needed. My experience is these are problems currently and historically. Just like roads, leadership is needed to correct structural issues in how Permitting and Enforcement operates, is funded and puts policies and code into action.

Traffic Comments [Mike B.]

Good evening. My name is Michael Birdsall. I am a retired transportation engineer with decades of experience in comprehensive plans and growth management, and a resident of rural King County. I was born in Monroe, and my relatives still live on the family homestead in the shadow of High Rock a few miles north of here.

As a professional I know that problems on county roads arise not from the rural residents who live beside them, but rather from population growth in cities – Duvall to start with, but increasingly from Monroe, Sultan, Gold Bar, Index, and Skykomish.

As a 10 year old I actually rode my bicycle from Seattle to that farm near High Rock. It was safe back then because traffic was light on Woodinville Duvall Road, West Snoqualmie Valley Road to the High Bridge and then Tualco Valley Road into Monroe. Today that same route is filled with commuter traffic from Monroe and beyond. Those commuters should use state highways 522 and 203. But they are taking farm roads instead. Thus county roads are becoming de facto state highways.

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The Comprehensive Plan says preserving farmlands is a priority. But farmers can hardly get access to their own road many hours a day. This is a problem for you because the taxes that pay for county roads only come from rural county residents – your farmers. The city dwellers who use county roads pay zero taxes for the county roads they use. And foreseeable county road funds only cover 12% of the foreseeable needs.

King County needs to conserve its limited rural county road taxes to first serve rural residents. Hold the state and cities accountable for the unfunded commuter needs between cities. And greatly increase Metro Transit commuter service out to those cities. These are regional problems across county lines. Find regional solutions.

More details have been submitted to you in writing. Thank you for listening.

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March 20 — LSLU Committee – Briefing 5

Chapter 3: Rural & Natatural Resource Lands [Peter, Don for Greg, Karen, Michael T., Ken, Serena, Susan B-S, Susan H., Bernie, Tim, and Mike B.]

Rural Area [PETER RIMBOS]

My name is Peter Rimbos. I am the Coordinator for the Joint Team of ten Rural Area organizations and three Rural Technical Consultants. The Joint Team has provided you with extensive Detailed Comments on the entire Update.

The **GMA**, **VISION 2050**, **CPPs**, **KCCP**, and **KC Code**—all seek to protect the Rural Area from sprawl, the extension of urban infrastructure, and siting of urban-serving facilities:

GMA: (RCW 36.70A.11) defines rural lands; **(36.70A.020)** includes planning goals for rural lands; **36.70A.070** defines the Rural element for Comprehensive plans.

VISION 2050 Multi-County Planning Policies state: **(RGS 13)** “... avoid the conversion of rural land into commercial uses;” **(RGS 14)** “Manage and reduce rural growth rates over time ...;” **(DP-37)** “Ensure ... development ... is rural in character;” **(PS-5)** “Do not provide urban services in rural areas.”

CPP Development Pattern planning policies state **(DP-46)** “... Growth levels should not create pressure for conversion of nearby Rural or Natural Resource lands;” **(DP-47)** “Limit growth in the Rural Area to prevent sprawl and the overburdening of rural services...;” **(DP-52)** “... limit new nonresidential uses located in the Rural Area to those ... demonstrated to serve the Rural Area.”

KCCP: Chapter 3 policies state: **(R-201)** “... maintain the character of (the) Rural Area. ... development patterns that are considered rural, historical or traditional and do not encourage urban growth or create pressure for urban facilities and service. ... Traditional rural land uses of a size and scale that blend with historic rural development; and Rural uses that do not include primarily urban-serving facilities;” **(R-202)** “The Rural Area geography ... shall include areas that are rural in character and that...have significant environmental constraints that make the area generally unsuitable for ... urban development;” **(R-203)** “The Rural Area geography is considered to be permanent ...;” **(R-324)** “Nonresidential uses in the Rural Area shall be limited to those that: ... Require location in a Rural Area.”

The introduction to Chapter 3 states: “...sections of this chapter satisfy the GMA’s mandatory rural element by designating Rural Area lands to limit development and prevent sprawl, by permitting land uses that are supportive of and compatible with ... rural character.... These sections also satisfy the mandatory land use element by indicating the population densities that are appropriate for the Rural Area.” It also states: “...the County recognizes a profound difference between the nature and character of unincorporated rural King County as compared to the urban areas...”

In conclusion, at every level of planning Rural Areas are to be designated and protected from urban sprawl—essentially the bedrock purpose of the GMA!

Overall Recommendations [DON HULING for GREG WINGARD]

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My name is Don Huling. I am a member of Soos Creek Area Response (SCAR), a part of the Joint Rural Area Team. We have two major recommendations for the Committee and the full Council to consider:

(1) Establish a Rural Area Advisory Commission/Committee

Like the Rural Forest Commission and the Agricultural Commission described in the section **Natural Resource Lands** starting on p. 3-42, the County should consider establishing a Rural Area Advisory Commission/Committee comprised of rural residents from across the County, so that any proposals, policy changes, or code updates that affect the Rural Area may first be discussed with members and feedback provided to County staff, Council, and the Executive, as necessary. Our ten Rural Area Organizations and multiple Rural Technical Consultants would offer very qualified and experienced people to serve on such a Rural Area Advisory Commission/Committee.

(2) Establish a Rural Landowner Incentive Program

There are *Forestry and Agricultural Incentive Programs* as described in Policies **R-206** and **R-209**, respectively, and Policy **R-609**. We seek a *new Policy for a Rural Landowner Incentive Program*, such as: "King County shall expand and improve existing programs and explore new programs to incentivize rural landowners to enhance their land by creating new or expanded forestlands, farmlands, or other uses that can benefit climate change goals, the environment, and wildlife."

With such a program Rural Area landowners would be eligible to obtain property tax breaks for enhancing their land which do not fall under the *Current Use Taxation* program.

Rural Area and Natural Resource Lands [KAREN MEADOR]

My name is Karen Meador. I am a member of the Green Valley/Lake Holm Association, a part of the Joint Rural Area Team, and a King County Writer and Historian. While we applaud the enhancements made in policy **R-101**, especially the change to the word "*shall*," we wonder if the "*Cities in the Rural Area*" change will necessitate King County to "collaborate with" the City of Black Diamond, a "*City in the Rural Area*," that is on its way to quintupling in population. This will result in peak-hour congestion -- more likely, gridlock -- on every King County Road in and out of the city and no obligation whatsoever to mitigate that congestion or fund improvements on those roads.

We support the description of "*rural character*" in Chapter 3 and throughout the King County Comprehensive Plan. However, we have found throughout the decades that the County does not value this definition, nor follow its own Policies to protect and preserve "*rural character*" as well as it could and should. For a recent example, there is nothing in the entire issue surrounding the County Council's Adult Beverage Ordinance (i.e., Wineries, Breweries, and Distilleries—WBDs) that honors "*rural character*," or "*agricultural preservation*," both of which contribute to a vibrant and resilient community, balancing economic, environmental and cultural values.

Rural Area Designation [MICHAEL TANKSLEY]

My name is Michael Tanksley. I am the president of the Hollywood hills Association, a part of the Joint Rural Area Team.

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I would like to introduce some changes that we propose for the Home Occupation codes. As the word Home suggests, these codes are intended to allow people to have small businesses in their homes, where they live, in ways that are compatible with the surrounding community and resource land protections. There are many examples of how this works well in our neighborhoods.

Putting the issue of enforcement aside, the problems we are increasingly running into fall into two general categories. One is with code liberalizations that were adopted about 15 years ago and the other is with how the existing language has been interpreted by Permitting.

Starting with the interpretation problem, existing code language reads: *“residents of a dwelling unit may conduct one or more home occupations as accessory activities.”*

That is to say...accessory to their residential use of the property.

While the intent of this language may seem self-evident, Permitting has interpreted this to say that as long as there is a dwelling unit on a piece of property, then a business can be sited there, regardless of whether the business owners lives there or not. This has led to a number of problems from non-resident business owners, specifics upon which we can expand later. But in this update, we would like to see the language clarified to reflect the intent that Home Occupation businesses are permitted activities only on properties that are the business owner’s primary residence.

Second, about 15 years ago, the codes for HOs were significantly liberalized at the behest of our previous councilmember. This included allowances for more on-site employees, more outdoor equipment storage and a number of other changes.

We argued against adoption of those changes, unsuccessfully, and now we witness the negative consequences. Thus, we are proposing tightening some of these provisions closer to what their original codes permitted, and so, to put the Home back into Home Occupations.

Rural Public Facilities and Services [KEN KONIGSMARK]

My name is Ken Konigsmark, I live in the rural area near Preston, and have been deeply involved in King County rural and land use issues and the Comp Plan for over 30 years and am part of the Joint Rural Team. Today I will comment on Rural Public Facilities and Services.

Our Joint Team written comments offered proposed changes for Policies **R-401** thru **R-403** to ensure that only facilities truly requiring a rural location are allowed in the RA. The Rural Area must not become the site for locating urban serving facilities simply because of convenience.

It is a fundamental truth that it violates the GMA to locate urban serving facilities on rural lands and doing so would defeat the many laudable goals and policies that King County has in place to protect rural and ag lands. It's also true that the rural area lacks the road, water, and safety infrastructure to support such facilities.

Two current examples clearly illustrate the challenge: Remlinger Farms and Carnation Farms, which I'll categorize as facilities for this example, both seek to host mega-concert events at levels of 6000 and 4000 attendees each, dozens of times per year, using the gaping loophole of the Temporary Use Permit process or in the case of Remlingers, supposed historic, ongoing use. These massive, urban serving events should never be allowed in the rural area. They will inundate substandard rural roads with hordes of traffic and impacts due to the lack of adequate road infrastructure, there is no sewage system in place to handle such crowds, public

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safety will be jeopardized, surrounding rural residents will be traumatized, and adjoining King County lands to each site, purchased to protect the ecosystem and salmon, will suffer damages.

We need you and the full Council to block these attempts to locate urban serving facilities and events in the Rural Area. The Comp Plan has many good policies documented but without you holding the line to stop these kinds of facilities and events the Comp Plan's goals will fail.

Event Centers [SERENA GLOVER]

I am Serena Glover, Executive Director, Friends of Sammamish Valley (FoSV). FoSV is also member of the Joint Rural Area Team.

I would like to propose a striker amendment to the Comp Plan update. **Event Centers** should be a defined use in Code. By Event Center I mean any **business where the primary top line revenue comes from hosting events on an ongoing basis, either year-round or clumped in good weather months**. By events I broadly mean large parties, corporate functions, weddings, and music venues.

To be clear, Code already allows homeowners and legitimate Rural businesses to conduct 2 events per year, without any additional permits. These should be allowed and should not fall under the definition of an Event Center.

Event Centers should not be allowed in the Rural Area (RA) and Agricultural (A) zones in the land use tables in Code. Event Centers are **urban-serving businesses**, whose success is dependent on drawing in large crowds of urban residents. They require an urban level of service infrastructure such as sewer hookup, parking lots, lighting, sidewalks, improved roads, and policing, that are not available in the RA and A zones.

Comp Plan policies such as **R-201** and **R-324** clearly state that it is a fundamental KC goal to maintain Rural Character, to not create pressure for urban services, and to enhance the natural environment. Furthermore, nonresidential uses shall be limited to those that provide convenient local products for nearby residents. **Event Centers fail to meet these policies and many more that KC is required to uphold.**

Today, because Event Centers are not defined in code, they can use the TUP process as a giant loophole to legitimize their operations. By defining Event Centers in code, they will no longer be able to use the TUP process.

Furthermore, the TUP code needs revision. There is nothing “*temporary*” about allowing 60 occurrences of any activity per year. 60 occurrences is an ongoing business. **TUPs should allow 5 occurrences per year**, which would satisfy the need for any activity not defined in code that is truly “*temporary*.”

The pressure to urbanize Rural lands is increasing, particularly for Event Center uses. The number of TUP requests for Event Centers has recently escalated and we expect this trend to continue based on county-wide, on-the-ground observations from knowledgeable Rural leaders and organizations. We urge County Council to deal with this issue in the current Comp Plan update process. If King County waits for the next Comp Plan update process it will be too late for preservation of Rural Area and Agriculture lands.

Agriculture [SUSAN BOUNDY SANDERS]

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My name is Susan Boundy Sanders. I am a member of the Friends of Sammamish Valley. I was a member on the Woodinville City Council.

We support the following Executive's-proposed changes (Policies **R-656a** and **R-656b**). However, we urge that the *exception* for removal of land from one APD and replacement in another APD should *only* be exercised by a governmental entity for purposes of public/resource benefit or for essential utility needs and should not be used by private entities (individuals or non-utility businesses) for any purposes that would enable increased development on APD lands. This stipulation is particularly important to protect the APDs under the most risk of urbanization such as Lower Green Valley, Sammamish Valley, etc.

Rural Densities [SUSAN HARVEY]

My name is Susan Harvey. I serve on the Greater Maple Valley Unincorporated Area Council, a member of the Joint Team.

Regarding Rural Growth, we fully support the Policy **R-301** "to limit growth in the Rural Area and Natural Resource Lands, such as land use designations, development regulations, level of service standards and incentives," but cannot emphasize enough that one of the most important tools King County has at its disposal is adequate enforcement of its Policies and Codes, which it simply does not do.

We have concerns with the Policy **R-309** regarding the RA-2.5 zone and call for the following addition: "... These smaller lots may still be developed individually or combined, provided they satisfy the minimum lot dimensions provided in King County Code, or combined to satisfy those requirements, and provided that applicable standards for ... can be met."

Regarding Nonresidential Uses, while we agree with the spirit of Policy **R-324**, we have big concerns with subparagraph **e.** and *what criteria* are used to determine whether "*recreational or tourism opportunities*" are "*compatible with the surrounding Rural Area.*" Such criteria need to be laid out either in Policy or Code along with details on who it is that determines if any activity or proposal is compatible. The Rural Area is *not* intended to be a playground for urban residents, it is in fact the "*rural residential area.*" There already are several examples (Wineries, Breweries, and Distilleries; Event Centers; etc.) that cater to urban residents, while creating severe problems related to noise, illegal/dangerous parking, congested roads, and nuisance impacts to neighbors. These facilities and venues already violate county codes, yet are allowed to continue operations. The county needs to crack down on violators and should *not* be encouraging any more of these or similar

Because non-residential uses in the Rural Area can and do have disproportionately large impacts on rural character, County road use, and safety, we propose the following addition to Policy **R-324a**: "((These)) Nonresidential uses in the Rural Area shall be sited, sized and landscaped to complement rural character as defined in policy R-101 and R-201, prevent impacts to the environment, limit burden and maintain safety on rural roads, and function with rural services, including on-site wastewater disposal."

We propose the following addition to Policy **R-325**: "Golf facilities shall be permitted as a conditional use in the RA-2.5 and RA-5 zones and when located outside of Rural Forest Focus Areas, Regionally Significant Resource Areas and Locally Significant Resource Areas((, as a conditional use, in the RA-2.5 and RA-5 zones)). King County will seek willing sellers to buy out Golf facilities already located in Rural Forest Focus and Regionally and Locally Significant Resource Areas with appropriate and available funds to convert into farmland, salmon habitat, new river channels, or other environmental improvements compatible with their location and resource potential."

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We propose the following changes to Policy **R-328**: “Large airports, as well as, sSmall airfields beyond those already established in the Rural Area shall should not be permitted, due to their large and/or cumulative impacts on air traffic and nearby uses.”

Non-Resource Uses [BERNIE MCKINNEY]

My name is Bernie McKinney. I am a member of the Green River Coalition, a part of the Joint Rural Area Team.

Regarding Non-Resource Industrial Uses and Development Standards in the Rural Area, while we requested some of the changes currently shown in Policy **R-513**, we still have some concerns. While we understand KC Code **Title 21A.06.1014F** allows Materials Processing Facilities and Composting Facilities such as Cedar Grove Compost, etc., we also note that according to KC Code Title 21A08.080--MANUFACTURING LAND USES, Materials Processing Facilities are permitted (Condition 16) “Only [on] a site that is ten acres or greater and that does not use local access streets that abut lots developed for residential use” or subject to a Conditional Use.

Given the history of Wineries / Breweries / Distilleries (WBDs) which claim to do *“agricultural processing,”* we recommend clear definitions be established for what is meant by *“agriculture and forestry product processing.”* Specifically, we recommend a definition that states: “Processing applies to agriculture or forestry products grown/produced within King County. It does not apply to raw materials that are trucked in from other locations to be processed at industrial facilities in the King County Rural Area.” If definitions are *not* tightened up, potatoes grown in Eastern WA could be shipped to a potato chip factory in the Rural Area.

We support Policy **R-515** regarding “Existing industrial uses in the Rural Area outside of Rural Towns” and thank the Executive’s Office for making the above changes, which we specifically requested. However, to *complement* them and to *reinforce* other Rural Area policies herein—that seek to protect fragile ecosystems and, especially, those in which the County has invested much money, effort, and time, we recommend adding the following new Policy: “To protect the Cedar River ecosystem, King County should pursue elimination of all Industrial Zones along the Cedar River by requiring redesignation of the Industrial Zones either upon sale of the properties or upon agreement of the property owners.”

Mineral Resources [TIM O’BRIEN]

My name is Tim O’Brien. I Chair the Enumclaw Plateau Community Association, a member of the Joint Rural Area Team. I have a background in mining and heavy machinery.

We see an issue with mining uses being converted to *non-resource* uses (such clustered housing, etc.), rather than what the County Code and KCCP Policies intend, i.e., those lands, on completion of mining, are to revert back to the rural forest resource land base. This has resulted in *permanent* loss of our rural resources land base. It also further fragments habitat and decreases our ability to respond and adapt to climate change. In fact, mining resource land conversion to *non-resource* uses conflicts with both some of our oldest and some of our newest land-use policies for the Rural Area. Consequently, we recommend adding ten new policies, asking the County to:

- 1) Conserve proven mineral resources in the Forest Production District.**

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- 2) **Protect forest cover, working forests, salmon habitat and watershed health** when siting mining and mineral and gravel extraction. **Sites further away from watershed basin resources shall be considered for higher priority for development over sites that have greater impact on watershed resources. When mining ends, a high priority shall be given to mining site forest restoration to the fullest extent possible.**
- 3) **Size mines to only as large as needed**; reclamation plans shall be defined before development; and any subsequent changes to the permit or plan shall not delay reclamation by more than 25% of the period allowed on the original permit.
- 4) **Site mines closest to where extracted materials are consumed.**
- 5) **Transport of these extracted materials shall be considered in planning** -both to where they will be consumed, and to deliver materials for fill and reclamation.
- 6) The County shall project the amount of mineral resources needed for medium and longer term growth, and where these materials are expected to be consumed. Such information shall be **shared with affected communities for an informed discussion of which mines are targeted for expansion, which can be targeted to close, and approximately where more new mines are needed to meet future growth.**
- 7) **Prohibit importing wood waste from land clearing (e.g., tree stumps), construction & demolition waste, or any toxic substances at any mineral extraction site.**
- 8) **Offer a monitoring and complaint process** specifically designed for review of mineral extraction or rural- industrial activities.
- 9) **Prevent and limit the privileges to apply for permits of owner/operators of mineral extraction who repeatedly fail to comply with permit conditions, county code, or state and federal laws and rulings.**
- 10) **Review non-conforming sites to reduce their potential negative impacts.** Sunsets for each of these sites shall be defined. **Funded reclamation plans shall not be delayed.**

Infrastructure—Roads [MIKE BIRDSALL]

Good morning. My name is Michael Birdsall. I am a retired transportation engineer who spent much of my career preparing transportation plans for cities and counties. There's been some talk about locating more new housing in the rural area to relieve pressure on the urban area. I am here to tell you what that idea looks like just from the transportation perspective.

The traffic consequences of new houses in rural area are much greater than for urban houses:

- First, commute trips to urban jobs are much longer
- Second, trips generated per home are higher due to differences in daily activities
- Third, there's no transit to speak of to reduce car travel.

These factors combine to cause as much as 3 times more travel per rural house compared to urban houses, measured by vehicle-miles added to the road system. And climate impacts go up in direct proportion. That's

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the complete opposite of transit-oriented development that is so important to urban planning. And there are other environmental consequences others may talk about.

How much of a shift are we talking about? I ran some numbers assuming a 5% shift of urban growth into the rural area. Is that reasonable for the urban area? The total countywide growth planned for the next two decades is about 300,000 new homes. 5% of that is 15,000 homes. Now, 5,000 homes are already baked into the growth target for rural King County. So that 5% shift would make a total of 20,000 homes added to the rural area. Is that reasonable for the rural area? Today there's just 40,000 homes in all of rural King County. So a 5% reduction of urban growth translates to a 50% increase of rural homes. That's a hard pill for rural residents to swallow, yet it's hardly a dent in the urban area's growth target.

And traffic gets a lot worse.

It takes only about 2,000 new homes to completely use up a two-lane road at full capacity, meaning highly congested. So 20,000 new rural homes would need at least the equivalent of roughly ten new two-lane roads, each many miles in length. More likely, the expansion of ten existing arterials from 2 to 4 lanes. But that's the exact opposite of what county policy, plans, and funds say about road building. Result? We'll see total gridlock in the rural area long before anyone figures out what to do about it. People looking for affordable housing will prefer homes closer to work, back in the urban area. But before that happens, the rural area as we know it will be gone, smothered in congestion.

The growth pains of this region are the direct consequence of its economic prosperity. That's an urban phenomenon. Sacrificing the very nature of the rural area, to only slightly alleviate urban growing pains is a bad trade. It will end up costing the region much more for infrastructure and services. Stay the course. Solve urban problems in urban areas. Keep rural growth to a minimum.