

**KC Council Meeting  
November 19, 2024  
Agenda Item 25. 2024 KCCP Update Public Hearing**

***Joint Rural Team Oral Testimonies***

**Peter Rimbo**  
**Greater Maple Valley Unincorporated Area Council (GMVUAC)**  
**Coordinator, Joint Rural Team**

My name is Peter Rimbo. I am a member of the Greater Maple Valley Unincorporated Area Council (GMVUAC). I coordinate the Joint Rural Team of organizations that covers most of the Rural Area.

For nearly 3 years we have reviewed and commented on every aspect of the **2024 KCCP Major Update** with both the Executive's office and the Council's Local Services & Land-Use Committee.

We proposed a set of Line Amendments to the Committee. We met with most of you and/or your Staffs seeking sponsorships of same. We have reviewed the latest Striker and, today, you will hear from several of our organizations.

I will address *Rural Neighborhood Business Centers*, the purpose of which is to serve nearby Rural Area residents with small local businesses of convenience, not multifamily, multistory housing. We provided specific Policy and Code Line Amendments to eliminate such out-of-place housing—where there is no sewer service, no water, no transit, and is typically served by single-lane County roads. The Executive's office agrees with our proposals, as does Futurewise and the Sierra Club.

One last point, and probably most important, is the risk the Update might not be certified by the PSRC Growth Management Policy Board and, thus, King County would no longer be eligible for Federal transportation monies.

Because of the changes we see that open up the Rural Area to more growth than is considered within GMA directives and PSRC *VISION 2050* guidelines, we believe the Update will be in violation of the GMA critical requirement for internal consistency. The Update's Land-Use, Rural, and Transportation elements are not internally consistent. We urge you to consider all our proposed Line Amendments, and others, to help avert this potential problem.

Thank you.

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**Ken Konigsmark**  
**Joint Rural Team Growth Management Technical Consultant**

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I'm Ken Konigsmark, a rural resident from Preston area and a member of the Joint Rural Team.

Our team has spent nearly 3 years analyzing the Comp Plan update and, while good in its intentions and most of its updates, our team implores you to understand that without sufficient and focused Code Enforcement actively ensuring compliance all these good Policies and Code are mostly for naught....good words on paper that aren't in fact being upheld or enforced on the ground.

We rural folks see this playing out everyday as bad actors willingly violate codes for zoning, land use, home occupations, event centers, mining, rural and ag protections, and more...fully knowing that King County will not penalize them...not because you can't but rather because there is a lack of sufficient enforcement staff combined with a lack of will to use the enforcement tools that exist. This creates a wild west of rampant abuses in the rural area that continues to worsen in spite of your good efforts on policies and codes.

As important as this Comp Plan update is, it is equally essential to support and strengthen Code Enforcement in your 2025 budget. We urge you to increase funding to add enforcement staff while also providing clear direction to Mr. Richardson and his team that the County Council expects and demands that they uphold our Comp Plan policies and get far more aggressive and effective in forcing compliance onto those who willingly violate the good policies you will have put in place in this Comp Plan.

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**Mike Birdsall  
Joint Rural Team Transportation Technical Consultant**

Good morning. My name is Michael Birdsall, a retired transportation engineer and resident of Hobart in rural King County. I participated extensively in the year-long process for developing this new Comprehensive Plan.

On behalf of the Joint Rural Team, I provided 17 specific proposals for Line Amendments in the area of transportation last April and July. Many of these aimed to satisfy requirements in state law relating to the Growth Management Act (GMA).

None of these were accepted in the current Striker. The only substantive new material is updated language about how the county will continue to seek new funding sources – essentially hoping for new assistance from the state.

Wishful thinking is not good enough. GMA requires an actual demonstration of a fiscally balanced plan over the next ten years. It must show how the cost of growth-driven

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needs - based on the Land Use Element - is balanced with funds available - based on current law and adopted Level of Service standards.

This Transportation Element does not demonstrate that required balance, and is thus inconsistent with the Land Use Element. Its two appendices, though of great size, do not contain the analysis that GMA requires. As it stands, this Comprehensive Plan might fail to receive PSRC Certification. King County would not be eligible for grant funds if that happens.

I urge you to at least reconsider the Line Amendments that the Joint Team proposed to your LSLU committee last June. That would show at least an attempt to achieve compliance with GMA, and set the stage for full compliance.

A copy of those Line Amendments is included in my written statement sent to you this morning. Thank you for listening.

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**Don Huling  
Soos Creek Action Response (SCAR)  
Member of the Joint Rural Team**

My name is Don Huling, I am a member of SCAR, part of the Joint Rural Team.

We are concerned the Striker proposes to expand the definition of industrial uses in the Rural Area.

**Policy R-338** is proposed to be changed to cover development regulations for new industrial development **only** “*on Industrial-zoned properties*” in the Rural Area. Therefore, it no longer would cover all other industrial uses and we see no new Policy that would cover what **R-338** no longer would cover. This is problematic.

Regarding proposed changes to **KC Code**, there is a new SECTION 128, which states:

*“There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:*

*Industrial use: An industrial use is one that primarily involves the manufacturing, assembly, fabrication, or processing of raw or previously prepared materials; bulk handling and storage; research facilities; warehousing; or heavy trucking.”*

This proposed definition for “*industrial use*,” is one we have not seen before. It is difficult at this time to determine its potential ramifications. But, we are concerned it is coupled with the changes proposed for Policy **R-338**.

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The Rural Area already is dotted with mining, reclamation, materials processing, and other industrial activities. We do not want to see any expansion of such activities as our communities already are detrimentally affected and our roads cannot currently handle all the existing truck traffic and its resulting impacts.

We are surprised to see no clear definitions for *"agriculture and forestry product processing."* Consequently, we recommend the following:

*"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."*

Finally, we believe *"material processing"* needs to be better defined, and limited to Agricultural-zoned, and not Forest-zoned areas. We suggest the processing of agricultural materials stay close to the source and remain on agricultural-zoned land. Allowing material processing in Forest-zoned areas will lead to improper land use, code violations, environmental damage, and increased fire risk for the forest and people living there.

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**Janet Dobrowolski  
Greater Maple Valley Unincorporated Area Council (GMVUAC)  
Member of the Joint Rural Team**

My name is Janet Dobrowolski. I am a longtime resident living adjacent to the CHRLF and a member of the Joint Rural Team.

I'd like to discuss the Green Energy Special District Overlay proposal. The proposal for the Green Energy Special District Overlay Area to include the 3 parcels should **NOT** be approved at this time.

This proposal is a SITING decision and as such, the county should have complied with their policy **F-427**, page 444 - *"Communities with a disproportionate share of existing facilities (~~should~~) shall be actively engaged in the planning and siting process for new facilities or the expansion of an existing facility"* — before proposing this overlay. To approve it is reminiscent of the Asphalt plant. The permitting process is too late for the communities to have voice as the policy allows. The Asphalt plant proves that. If the County chooses to disregard this policy, then we still believe this overlay is premature and should not be approved.

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**Landfill usage should be removed from all overlays.** “Landfill” usage is allowed “when supportive of regional solid waste system, recycling or diversion.” However, policy **F-441**, page 447, states “The County shall not seek a replacement landfill in King County for the Cedar Hills Regional Landfill.”

If Cedar Hills is open, send the waste there. If it has closed, export it out of the county. **No new landfills for municipal solid waste.** Would you really want the owners & operator of Queen City Farms EPA Superfund site allowed to operate another landfill?

Transparency and public oversight is critical. Facilities, such as mass burn, requiring a substantial amount of monitoring and regulation should not be operated by a private company. In dealings with publicly owned Cedar Hills Regional Landfill and privately owned Cedar Grove Compost, the difference in transparency and accountability is glaring. For what the public does have access to, Cedar Grove has not been a model of compliance—permitted capacity exceedances, fined for numerous leachate pond regulation violations without mitigation, multiple legislative attempts to curtail public odor complaints, 3 lawsuits. Observation of sewage sludge on the 2 parcels with untreated runoff being discharged into the Cedar River was by chance.

More research & detail is needed for the other “allowed uses.” The descriptions are too broad to make an informed decision on whether any of them should be allowed.

We respectfully ask the Council to not approve this proposed overlay.

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**Michael Tanksley  
Hollywood Hills Association (HHA)  
Member of the Joint Rural Team**

My name is Michael Tanksley. I Reside in Rural unincorporated King County outside Woodinville. I represent the Hollywood Hill Association and contribute to the Joint Rural Team.

I would like to address putting the element of “Home” back into Home Occupations & Industries.

Code provisions for Home Occupations are intended to provide a wide variety of opportunities for people to operate small businesses in their homes.

Hair salons, custom woodworking shops, CPA and attorney offices, crafts with on-line sales - are just a few examples that fit nicely into our Rural communities.

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Such low-key activities - in people's homes - enhance our neighborhoods and rarely cause problems because the operators are doing so amongst their neighbors.

What needs to change?

The existing code language for **Home occupations** starts with:  
*..., residents of a dwelling unit may conduct one or more home occupations as accessory activities,*

And for **Home industry**. *A resident may establish a home industry as an accessory activity,*

The interpretation of this language would seem self-evident.

Alas, The problem is that this language has been interpreted by Permitting to mean that as long as there is some residential use on the property, it complies with provisions for Home Occupations.

The result is that some businesses have bought or leased residential properties in the Rural area, generally our more affordable housing, and convert the property to commercial uses, but the owner/operator of the business does not live there.

The result is that such businesses tend to be more disruptive and incompatible with our neighborhoods, transportation infrastructure and resource land protections.

We propose the addition of a single line to the existing codes that would read:

***A. The dwelling unit is the primary residence of the owner and operator of the home occupation business.***

So, whether a resident owns or rents the property, as long as that is their primary residence, this will allow operation a small business - and it will help staunch the conversion of our residential properties and resource lands to incompatible commercial uses.

I will provide to each of you our proposed amendments and will be happy to review it with you.

Thank you.

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**Serena Glover**

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**Friends of Sammamish Valley (FoSV)  
Member of the Joint Rural Team**

Good afternoon. I am Serena Glover, Executive Director, Friends of Sammamish Valley and a member of Joint Rural Team.

Thank you for improvements in the comp plan update that protects farmland. However, the update still contains code from Beverage Ordinance 19030 that has been invalidated in state courts. This code should be repealed and removed.

In addition, the update unfortunately does not address Temporary Use Permits as requested by Joint Team. With an allowance of **60** instances per year, the TUP mechanism is not about a temporary activity. It is instead a major loophole to establish permanent businesses in Rural zones that would otherwise not be allowed.

A public records request on TUPs over a recent 6-year period showed that almost all granted TUPs were for Event Centers. Event centers are urban serving and should not be allowed in Rural zones. The courts recently overturned the Beverage Ordinance in part because it did not ensure for Rural uses that do not include primarily urban-serving facilities.

Changes to the Comp Plan that push more commercial development into Rural zones are often done under the guise of “*rural economic development*.” Taking a step back it is worth considering that the County is predominately urban. The little Agricultural and Rural Area land we have left needs protection, not commercial development which can locate in nearby cities. And the 5% of citizens who do live in Rural areas mostly work and shop in those nearby cities.

To create healthy, livable, sustainable cities for the 95% of County citizens who live in them, we need to protect our farmland for food security, our waterways for clean water and salmon, and our open spaces for wildlife habitat and the mental and physical health of all citizens. Protecting Rural is the other side of the coin for building livable cities.

In summary, the cumulative effect of increased development allowances in Rural in the comp plan update could lead to lack of PSRC certification and Growth Management Hearings Board challenges.

Thank you.

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**Susan Boundy-Sanders  
Joint Rural Team Government Technical Consultant**

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Good morning Council, I'm Susan Boundy-Sanders, retired from 12 years on the Woodinville City Council and today speaking as a representative of the Joint Rural Team commenting on the Comp Plan, agenda item 25.

The overall theme of my comments is loopholes in the Comp Plan striker, and the context is the Washington Supreme Court decision regarding Ordinance 19030.

The Washington Supreme Court has reinstated the Growth Management Hearings Board's final decision and order, which invalidates most of Ordinance 19030. Yet content which was invalidated two months ago appear in the striker.

One example loophole is value-adds to agricultural production. Please specify that value-added products sold from Agricultural land – must be from materials grown or extracted from that site. This addresses the loophole that King County tried to create in Ordinance 19030, which tried to treat wine made in eastern Washington, from grapes grown in eastern Washington, as a value-added agricultural product at sham wineries on Agricultural land in King County.

The striker contains other loopholes such home occupation and temporary use permits which the Joint Rural Team has presented to you starting in 2022. I will also send you a follow-up email to my comments today.

Finally, my thanks to Councilmember Dembowski for his understanding of the urban-rural bright line in the Growth Management Act, and his early and unwavering support for protecting agricultural and rural lands and environment.

Thank you.

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