

**Joint Rural Team Proposed Line Amendments to KC Council**

No.	Topic	Pp./Line Nos. ***	Joint Rural Team PROPOSAL	Rationale
JRT-1	<p align="center"><b>Rural Neighborhood Commercial Centers (RNCCs)</b></p> <p align="center">[This also addresses Facilities in Rural Area]</p>	<p>p. 208: Lines 4497 - 4505</p> <p>Ch 3, p. 3-14: Lines 685 - 688</p> <p>Ch 3, p. 3-22: Lines 1128 - 1130</p>	<p><a href="#">SECTION 7479, Ordin. 10870, Sect. 30, as amended, and K.C.C. 21A.04.090</a> are hereby amended to read...:</p> <p><b>A. The purpose of the neighborhood business zone (NB) is to provide convenient daily retail and personal services for a limited service area and to minimize impacts of commercial activities on nearby properties and ((in urban areas on properties with the land use designation of commercial outside of center,)) to provide for limited residential development. These purposes are accomplished by:</b></p> <p>Delete <b>highlighted strikethrough</b> and <b>add back in</b> the Executive’s phrase <b>highlighted underlined</b> as follows:</p> <ol style="list-style-type: none"> <li><b>Limiting nonresidential uses to those retail or personal services ((which)) that can serve the everyday needs of a surrounding urban or rural residential area;</b></li> <li><b>Allowing for ((mixed use (housing and retail/ service))) mixed-use developments to provide workforce housing ((and)) in urban areas and rural towns;...</b></li> </ol> <p><b>Eliminate highlighted</b> subparagraph b.:</p> <p><b>R-((302))303</b>  <b>b. In rural neighborhood commercial centers at low or middle densities that support housing co-located with commercial development, to provide workforce housing, compatible with rural character and service levels; and</b></p> <p><b>Add</b> the following <b>highlighted underlining</b>:</p> <p><b>((R-402)) R-334 c. Third, to support rural-serving sustainable economic development that is sized and scaled at levels appropriate for the Rural Area((s)) and Natural Resource Lands and does not ((foster)) promote urbanization.</b></p>	<p>The phrase “in urban areas and rural towns” was added by the Executive in his 12/7/23 “Recommended Plan” to Council, but is <i>deleted</i> by the Council’s LS&amp;L-U Committee in its Striker. The distinction enumerated by this phrase is important and should be added back in. Such “mixed-use development” has no place in Rural Neighborhood Business Districts. There also is no accepted standard definition of “workforce housing.”</p> <p>Subparagraph <b>b.</b> was <i>not</i> part of the Executive’s Recommend Plan (12/7/23), but added in by the Council’s LS&amp;L-U Committee. There also is no accepted standard definition of “workforce housing.”</p> <p>These two changes are necessary to be <u>consistent</u> with the stated intent in lines 1106-1108: “The policies below set forth King County’s general approach to providing services and setting facility standards for the Rural Area and provide guidance for siting those facilities that require Rural Area locations.” KCCP policies should reflect the clear County direction and goals that only those facilities that <i>require</i> a Rural Area location and primarily serve local rural residents can be so located.</p>

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JRT-1 cont'd	RNCCs cont'd	Ch 3, p. 3-25:  Lines 1261 - 1269	<p><b>Eliminate</b> the following <b>highlighted underlining</b>:</p> <p><b><del>((R-501)) R-401</del> The <u>uses allowed on lands with the Rural Neighborhood Commercial Center((s designated on the Comprehensive Plan Land Use Map are)) land use designation shall be limited to:</u></b></p> <p><b>a. <del>((s))Small-scale ((business areas)) businesses that ((should)) provide convenience shopping and services for ((the surrounding community)) surrounding Rural Area and Natural Resource Land residents, such as retail, community and human services, and personal services; and</del></b></p> <p><b><u>b. Workforce housing, when part of a mixed-use development that is appropriately sized and scaled to be compatible with rural character.</u></b></p>	<p>The “<i>Rural Neighborhood Commercial Center</i>” designation is for local small businesses that serve Rural Area residents, <u>not</u> for multistory, multifamily housing. Such housing placed in rural settings, not only displaces needed local small businesses, but also is not “<i>affordable</i>” as there is little to no infrastructure—no transit, limited one-lane-each-way County roads, no sewers, no water. etc. The KC Executive was correct in eliminating such housing. Citizens have been working to eliminate such housing for <u>over seven years!</u></p>

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JRT-2	Agricultural & Forestry Product Processing	<p>Ch 3 p. 3-23:</p> <p>Lines 1178 - 1184 of the markup version</p> <p>p. 236: after Line 5122 [21A.06. 1014 is <u>not</u> listed]</p> <p>&amp;</p> <p>p. 326:</p> <p>Lines 6709 ...</p>	<p>Clear <u>definitions</u> must be established for what is meant by "agriculture and forestry product processing" in policies such as:</p> <p><b>((R-513)) R-337 Rural Public Infrastructure Maintenance Facilities, and agriculture and forestry product processing should be allowed in the Rural Area. Other new industrial ((uses)) developments in the Rural Area shall be ((permitted)) <u>allowed only on existing Industrial zoned properties</u> in Rural Towns and ((in the designated industrial area adjacent to the Rural Neighborhood Commercial Center of)) <u>the Preston Industrial Area.</u></b></p> <p>Also in KC Code <b>21A.06.1014F</b> and <b>21A08.080</b>.</p> <p>We <b>recommend</b> for such definitions the following:</p> <p><b>"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."</b></p>	<p><b>Local "processing" should be fostered and encouraged,</b> not processing of raw materials brought in from outside the County. We need to support our local farmers and industries.</p>

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JRT-3	<p><b>Home Occupations &amp; Industries</b></p> <p>(KC Code 21A.30.085)</p> <p align="center">&amp;</p> <p>(KC Code 21A.30.090)</p>	<p>p. 683; Lines 13121 - 13132</p> <p>Lines 13204-13205</p> <p>After line 13247</p>	<p><a href="#">SECT. 299.</a> Ordin. 15606, Sect. 20, as amended, and K.C.C. 21A.30.085 are hereby amended to read as follows:</p> <p>In the A, F, and RA zones, residents of a dwelling unit may conduct one or more home occupations as accessory activities, <del>((under the following provisions))</del> <a href="#">as follows</a>:</p> <p><b>A. The total floor area of the dwelling unit devoted to all home occupations shall not exceed twenty percent of the dwelling unit((-));</b></p> <p><b>Add the following prior to the semicolon:</b></p> <p><b><u>. The dwelling unit is the primary residence of the owner and operator of the home occupation business. Attached garages are not considered part of the dwelling unit ground floor area for purposes of the provisions for home occupations.</u></b></p> <p><b>Amend C.2.</b> and <b>add</b> a new <b>3.</b> as follows:</p> <p><b>C. Total outdoor area of all home occupations shall be ((permitted)) as follows: ...</b></p> <p><b>2. For lots one acre <u>to five acres, one percent of the area of the lot, up to a maximum of two thousand square feet; and</u></b></p> <p><b>3. <u>For lots five acres</u> or greater: One percent of the area of the lot, up to a maximum of five thousand square feet((-));</b></p> <p><a href="#">SECT. 300.</a> Ordin. 10870, Sect. 537, as amended, and K.C.C. 21A.30.090 are hereby amended to read as follows:</p> <p><b>Add</b> a new subsection <b>L.</b> as follows:</p> <p><b><u>L. The dwelling unit is the primary residence of the owner and operator of the home occupation business.</u></b></p>	<p>This is designed to put the "Home" back in Home Occupation activities. There are numerous cases of an entity buying or leasing a <u>residential property</u> and using it to site a <u>commercial business</u>, at which the owner/operator does not live. Sometimes the house is rented to an employee to satisfy existing code. In some these cases, this appears to be an arrangement on paper only to satisfy the "residents" clause. Standards would need to be identified for what proof of residency is required to meet this condition. The sentence on <u>attached garages</u> clarifies what portion of a house may be used for the calculation of total floor area.</p> <p>Lots under 5 acres tend to be located in neighborhoods which are more residential in character. This provision will reduce the visual intrusion on neighbors and works in harmony with other subsections.</p> <p>This new subsection is designed to put the "Home" back in Home Industry activities. There are numerous cases of an entity buying or leasing a <u>residential property</u> and using it to site a <u>commercial business</u>, at which the owner/operator does not live. Sometimes the house is rented to an employee to satisfy existing code. In some these cases, this appears to be an arrangement on paper only to satisfy the "residents" clause. Standards would need to be identified for what proof of residency is required to meet this condition.</p>

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JRT-4	<p><b>Materials Processing Facilities</b></p> <p>(KC Code 21A.08.080)</p>	<p>Pp. 316-319;</p> <p>Lines 6512 - 6515</p> <p>p. 326;</p> <p>Lines 6670-6677</p>	<p><a href="#">SECT. 167. Ordin. 10870, Sect. 335, as amended, and K.C.C. 21A.08.080</a> are hereby amended to read as follows:</p> <p><a href="#">A. Manufacturing land uses.</a></p> <p><b>Amend</b> the Use Table to <b>remove any “Materials Processing Facility” permitted uses in the F zone.</b></p> <p>Also, eliminate the <b>highlighted</b> portions of Development Condition 14 as follows:</p> <p><b>14. Only on the same lot or same group of lots under common ownership or documented legal control, which includes, but is not limited to, fee simple ownership, a long-term lease, or an easement, and:</b></p> <p><b>a. does not include retail sales of processed materials; and:</b></p> <p><b>b.(1) as accessory to a primary mineral use and may only process materials generated from on-site or properties within three miles of the site; or</b></p> <p><b>((b-) (2) as a continuation of a mineral processing use only for that period to complete delivery of products or projects under contract at the end of mineral extraction.</b></p> <p><b>Amend</b> the Use Table to <b>restore “Wood Products” Conditional-use permits in the F and RA zones.</b></p>	<p>For “<b>Materials Processing Facility</b>” for zones F, M, and RA the Executive made changes in response to <i>our</i> Docket Request (2022, #8). While the “<b>Striker Amendment</b>” has added a CUP for the F zone, that does not go far enough. <b>Material processing needs to be better defined, and limited to Agricultural-zoned, and not Forest-zoned areas.</b> There are really no by-product materials from forest lands that need to be processed, aside from the lumber itself. The by-products are from the industrial lumber mill and not the harvesting activities. Agricultural-zoned areas are different, where there are by products taken offsite from farms. Consequently, we suggest the processing of agricultural materials stay close to the source and remain on agricultural-zoned land and be limited to scale to agricultural needs and use consistent with the character of the surrounding land use – as the valid operations would propose. <b>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.</b></p> <p>For “<b>Wood Products</b>” in the F and RA zones <b>CUPs should be restored</b>, otherwise it would allow stump grinding and stockpiling activities, such as had been proposed by Enumclaw Recycling Center (located on Franklin Rd north of the City of Enumclaw, just south of the Green River Gorge), and now by same owners site in Ocoola that is now partially permitted because they say they produce a mix of coarse chips of bark and wood that is called “<i>hog fuel.</i>” It would also tend to allow facilities such as Buckley Recycling Center (located in the Rural/Agricultural area just north of the City of Auburn), which, due to well over a decade of litigation between it and King County, <b>the County is well aware of the environmental and other adverse issues of allowing large scale stump grinding, wood waste processing, and stockpiling in agriculturally zoned lands.</b></p>

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JRT-5	<b>Mineral Extraction — Site Design Standards</b>  (KC Code 21A.22.060)	Pp. 584-585;  Lines 11344 - 11369  After line 11369	<p><a href="#">SECT. 268. Ordin. 10870, Sect. 444, as amended, and K.C.C. 21A.22.060</a> are hereby amended to read as follows:</p> <p>Except as otherwise provided in K.C.C. 21A.22.040, in addition to requirements in this title, all uses regulated under this chapter shall comply with the following standards:</p> <p><b>Add</b> subsection 5. to B. as follows:</p> <p><b>B. On sites larger than twenty acres, activities shall occur in phases to minimize environmental impacts. The size of each phase shall be determined during the review process(;) in accordance with the following:</b></p> <p>...</p> <p><b>5. Any significant revision of the mining plan or schedule, or ownership, will require the operation to reapply for a permit to conduct mining on the site, including the opening of a Public Comment period. If the revised permit to conduct mining is denied, then the operation must begin reclamation-only activities within one year of such determination.</b></p>	<p>Thank you for amending subsections <b>B.1. thru B.4</b> as per our 2/6/24 Detailed Comments. That said, the original purpose for our 2022 Docket Item was to prevent the typical practice of delaying reclamation by updating mine plans/expansions, and then delaying long enough either to go bankrupt or limit liability by selling site/business to “another” party. A good complement to the above proposed Code changes is to include a statement that <b>major changes in the Reclamation Plan (or Schedule) shall require a new application to conduct mining (with accompanying public comment, etc.)</b>. The presumption is that such a new application is an opportunity to fully review mining on a site like it was a new mine proposal. In fact, <b>KC Code 21A.22.050</b> Periodic Review. should apply to reclamation, not just permitted extraction activities.</p> <p>To be clear, we need stronger protections around this area of mine reclamation/disposal. Currently, under existing Code and how it is interpreted in practice, we are living with the harmful practice of using mining sites, especially former or abandoned mining sites, effectively as waste-disposal facilities where, unfortunately, the standards that are supposed to provide a safeguard are routinely ignored by both the permitting agency and the site owner/operator. This appears to mainly be the case to maximize profits to the site owner/operator. Compounding all of this, is the lack of Periodic Review per Code (also a focus of our 2022 Docket Item), as KC DLS-Permitting simply doesn’t have the person-power to do it, as related to us by Jim Chan on 10/26/21: “<i>We have had significant staff turnover tied to this body of work and are working on a plan to back into alignment with new staff.</i>”</p> <p>As a result, <b>we see the need for more opportunities for Public Comment and Review, especially when there is a proposed change of activity and/or ownership</b>. We have seen too many times when either has precipitated unanticipated problems and the Public is the last to know, but is the most affected. Although the existing KC Code 21A.22.060 Site design standards language could be regarded as already containing this requirement, as generally public comment is “required” as part of the permitting process, the requirement isn’t explicit. We already know from the debacle around the Reserve Silica site in Ravensdale (note: from the start of 2023 we have an ongoing dialogue with KC DLS-Permitting’s Deputy Director, Mark Rowe, and Code Enforcement Manager, Thomas Campbell, on this particular site and operation) that such changes to permits for these types of properties and situations are done without any public notice, involvement, or input. We believe such language is the <b>minimum</b> necessary to address such questionable activities by mine property owners and Permitting.</p>



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JRT-6	<p><b>TUPs</b></p> <p>(KC Code 21A.32.100 &amp; 120)</p>	<p>[TUPs &amp; CUPs are not shown, but would fit on p. 690, after line 13276 following SECT. 301]</p>	<p><b>Eliminate</b> permitting of “Event Centers” as <i>temporary</i> uses. Forty, fifty, or sixty (as current Code allows) events per year is not “temporary.” “Businesses” that hold events, such as weddings and family or group reunions, should <u>not</u> be granted a TUP, but rather should fall under KC Code <b>21A.06.958 - Recreation, active, as large-scale gatherings or social events.</b></p> <p><b>Place</b> “Events” in a <u>separate</u> category such that places with a few events per year would be allowed and those essentially run “Event Centers” in the RA and A zones as a <u>business</u> under a Temporary-Use Permit (TUP) would be disallowed. Currently, TUPs allow “up to sixty days a year” (e.g., ~7 months of Saturdays and Sundays, which clearly is not “temporary.” “Temporary” should be no more than “ten days a year” (e.g., 5 Summer weekends). By defining Event Centers in code, they will no longer be able to use the TUP process.</p>	<p><b>Continuing to allow the siting and permitting of urban-serving facilities and events in the Rural Area defeats one of the purposes of the GMA and violates RCW 36.70A.070 which defines the Rural element for Comprehensive plans.</b></p> <p>“Event Centers” do not belong in the Rural Area. Granting TUPs for Event Centers in the Rural Area allows <i>special-interest commercialization</i> of the Rural Area. State and County laws that protect rural and resource lands must be upheld. County actions should be consistent with its own Code, Policies, and practice and protect rural and resource lands from illegal, special-interest, and unnecessary <i>urban-use commercial development</i>. Allowing Event Centers in the Rural Area essentially grants special privileges to the few, at the expense of the many: farm businesses, rural residents, the environment, and taxpayers. Such urban-serving businesses belong in the UGA, <u>not</u> the Rural Area.</p> <p>The Comprehensive Plan has many good policies, but without holding the line to stop these kinds of facilities and events its goals and the following policies (currently adopted KCCP numbering) to protect and preserve the Rural Area will fail:</p>
	<p><b>CUPs</b></p>		<p><b>Provide</b> sufficient funding to allow DLS-Permitting to conduct Code Enforcement, including enforcing the conditions it imposes with the issuance of CUPs. Otherwise, stop issuing CUPs and stop issuing permits to chronic violators, take them to court instead to save time, effort, money and to portico the Public and the environment.</p> <p>KC Code <b>21A.08.040 Recreational/cultural land uses</b> already allows certain activities in the Rural Area either outright or with a Conditional Use Permit (CUP). However, a CUP must be consistent with the KCCP policies for the Rural Area and <b>KC Code 21A.44.040</b> criteria. Should CUPs be sought, then there should be <i>real</i> conditions imposed <u>and</u> enforced.</p>	<p><b>R-201</b> “... <u>maintain ... character of (the) Rural Area. ... development patterns that are considered rural, historical or traditional and do not encourage urban growth or create <u>pressure for urban facilities and service.</u> ... Traditional rural land uses of a size and scale that <u>blend with historic rural development;</u> and Rural uses that <u>do not include primarily urban-serving facilities;</u>”</u></p> <p><b>R-202</b> “The Rural Area geography ... shall include areas that are rural in character and that...have <u>significant environmental constraints that make the area generally unsuitable for ... urban development;</u>”</p> <p><b>R-203</b> The Rural Area geography is considered to be <u>permanent ...;</u>”</p> <p><b>R-324</b> “<u>Nonresidential uses in the Rural Area shall be limited to those that: ... Require location in a Rural Area.</u>”</p> <p>TUPs and CUPs must be focussed and limited; while permit exceptions should be just that—exceptions for a very specific purpose meeting very specific, temporary, and non-recurring situations or conditions, not the rule.</p>

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JRT-7	Mineral Resource Policies	pp. 366-371; Lines 3550 - 3826	We <i>re-iterate</i> the new text and ten new policies we proposed to the committee in our February 6, 2024, Detailed Comments, ( <a href="#">Comments--Exec's "Recmd'd Plan"</a> , pp. 24-31) on the Executive's December 7, 2023, " <i>Recommended Plan</i> ." Although a few were addressed—in some fashion—in the LS&L-U Committee's <i>Recommendation</i> , most were not.	<p><b>To mitigate the ongoing environmental train wreck and to eliminate same in the future.</b> There are many problems associated with extraction of mineral resources in KC. <b>There is little to no Code Enforcement, no code-required 5-yr Periodic Reviews), and Reclamation is a gigantic loophole that becomes bigger when paired with no enforcement.</b> All of this undermines KC's <i>relatively</i> good Code on mineral resource extraction. However, the key to make this work is Code Enforcement, and behavior of these businesses, i.e. they do not feel they need to comply with the conditions of their permits, shows us that there is little to no code enforcement of industrial and resource extraction in unincorporated King County. <b>Permitting and Code Enforcement also needs to prioritize enforcement of these industrial and mining sites vs. residential properties, as the industrial and mining sites have a much large impact on the environment and community.</b> Ideally, there should be a moratorium placed on new permits or for extending existing/expiring permits until proper code enforcement of these sites can be put in place. One area of code that can be changed to help the situation is to <b>adopt new rules proposed that prevent permit holders from extending permits by simply changing their mining or reclamation plans.</b> Further, permits should be issued for no more than 10 years at a time.</p>

\*\*\* All page and line references in column 3 above are based on these two documents:

[Attachment A -- 2024 King County Comprehensive Plan](#) (11/14; **KCCP** markup as revised by Striking Amendment)  
[Striking Amendment S1 to Proposed Ordinance 2023-044](#) (11/14; **KC Code** as markup revised by Striking Amendment)

These comparable redline documents were used to provide some clarification guidance, but are not referenced in the matrix above:

[Redline version of Attachment A](#) (11/14; **KCCP redline** markups shown)  
[Redline version of Striking Amendment S1](#) (11/14; **KC Code redline** markups shown)