

RE: TEMP25-0009 — Carnation Farms Temporary Use Permit Application

Submitted to: King County Department of Local Services – Permitting Division Comment Deadline: April 24, 2026 Project Manager: Christi Vogler (christine.vogler@kingcounty.gov)

From: Friends of Sammamish Valley (FoSV), Tim O'Brien (Enumclaw Plateau/Cumberland area), Ken Konigsmark, Mike Birdsall (Transportation Technical Consultant), Susan Boundy-Sanders, Michael Tanksley

Date: April 24, 2026

I. Requested Action

The above signatories respectfully requests that King County DLS-Permitting **DENY** Temporary Use Permit **TEMP25-0009**.

II. Reasoning: Settled Case Law

This application proposes an urban-serving commercial event venue in the Agricultural (A-35) zone. Two previous decisions by the Washington State Supreme Court and the Growth Management Hearings Board are relevant when considering this TUP request.

In *FoSV et al. v. King County*, GMHB Case No. 20-3-0004c (Order Nunc Pro Tunc Correcting Scrivener's Errors in Final Decision and Order, January 27, 2022), the Growth Management Hearings Board concluded in part that:

"Ordinance 19030 fails to maintain and enhance agricultural and fisheries industries by thwarting the conservation of productive agricultural land and discouragement of incompatible uses, in violation of RCW 36.70A.060(1)(a)."

"Ordinance 19030 fails to restrict agricultural accessory uses and activities to those that are consistent with the size, scale and intensity of the existing agricultural used of the property and the existing building on the site in violation of RCW 36.70A.177(3)(b)(ii)."

"The Board is firmly convinced that adopting the Ordinance without adequate environmental review or sufficient development regulations to ensure new allowable uses are compatible with" (a) the natural environment ... (h) traditional rural land uses of a size and scale that blend with historic rural development, and (i) Rural uses that do not include primarily urban-serving facilities" thwarts the County's implementation of policy R201. The Board finds that the Ordinance is internally inconsistent with KCC Policy R201 in violation of RCW 36.70A.130(d)."

The Washington State Supreme Court, in case No 102177-1, September 19, 2024, upheld the GMHB decision to invalidate Ordinance 19030 and went on to further say, in part:

"In King County, 142 Wn.2d 543, we established that while counties have broad discretion to develop plans and development regulations suited to unique local circumstances, such discretion does not allow a proposed action to convert agricultural land to uses that do not support agricultural land preservation. The GMA does not allow "innovative" techniques that convert prime agricultural soil to unrelated uses. The explicit purpose of RCW 36.70A.177 is to provide for creative alternatives that still maintain and enhance the agricultural environment. The Board correctly concluded that the Ordinance has the opposite potential effect."

"The holding of King County supports the Board's order. In that case, we held that the County could not construct temporary soccer fields in an agricultural area because the project would result in removal of designated agricultural land from its availability for agricultural production, and even on a temporary bases, we concluded that removal violated the statue. We noted that GMA mandates conservation of limited irreplaceable agricultural resource land, and recreational facilities were not consistent with conservation. King County, 142, Wn.2d at 562-63. Under that case, constructing temporary grass soccer fields was not consistent with the mandates of the GMA. Applying that reasoning here, we hold that constructing permanent WBD facilities and paved parking areas cannot be consistent with GMA."

Despite arguments from those defending Ordinance 19030 that WBDs were an "agricultural use" the courts clearly understood the urban serving nature of these facilities and the incompatibility of their retail, event, and entertainment activities with farmland preservation and rural character. The courts also previously ruled that even temporary conversion of farmland to other non-farming uses violates GMA.

Here, the applicant in their project description is seeking an event center for weddings, conferences, family retreats, dances, musical events, memorial services, and other large gatherings. Clearly these are urban serving uses, and arguably even less related to agricultural production than WBDs.

The TUP code and process purports to allow "temporary" uses. KC Code allows for renewals "up to a total of five consecutive years." But there is nothing to prevent an applicant from applying for a new TUP once renewals have been exhausted on the original TUP. Economics dictate that no business would invest needed resources to put in place an event center facility then give it up after a few years. A rational business goal is a permanent facility. But regardless of whether the intent is permanent or temporary, the courts have ruled that even temporary conversion of farmland to incompatible uses violates GMA.

III. Reasoning: The proposal fails the KC Code TUP requirement for compatibility.

KCC 21A.32.100 states in part:

Temporary use permits - uses requiring permits. Except as provided by K.C.C. 21A.32.110, a temporary use permit shall be required for any of the following:

A. A use not otherwise permitted in the zone that can be made compatible for a period of up to sixty days a year;.....

This proposal is not compatible because of the already known impacts these types of facilities cause in Rural areas:

A. Environmental & Agricultural Impacts

- **Soil compaction** from parking on agricultural land, permanently reducing soil productivity.
- **Stormwater runoff, erosion, and sedimentation** from impervious surfaces and disturbed soils reducing soil productivity.
- **Loss of agricultural land** to event-related infrastructure, including additional impervious surface area.
- **Inadequate sewage management** due to lack of sewer hookup in Rural.
- **Habitat disruption** for wildlife, including salmon-bearing streams and riparian corridors.
- **Increased wildfire risk** from fireworks, smoking, and vehicle activity.
- **Water use impacts**, especially during summer drought periods.

B. Economic & Community Impacts

- **Speculative land purchases**, driving up land prices and making farming unaffordable.
- **Displacement of farm families**, as land becomes too expensive for agricultural use.

- **Decreased property values** for neighboring rural homes.
- **Reduction of local food production** due to loss of arable land.
- **Pressure on adjacent landowners** to convert their properties to similar commercial uses.
- **Loss of Rural Character**, which negatively impacts those who chose to live a rural lifestyle.
- **Creation of a “Disneyland of fun farms”**, where rural land is used for entertainment rather than agriculture.
- **Precedent-setting effect**, encouraging more event centers and accelerating Rural commercialization.

C. Traffic, Transportation & Infrastructure Impacts

- **High-volume traffic surges** on rural roads not designed for event loads.
- **Congestion on SR-203 and connecting rural corridors**, affecting residents, farm operations, and emergency response.
- **Blocked driveways and access points** during events.
- **Increased wear and damage to rural roads**, which are funded **only by Rural/Unincorporated Area residents**, not event attendees.
- **Insufficient parking**, leading to overflow onto private property and road shoulders.
- **Pedestrian safety risks** from attendees walking along narrow rural roads.

D. Noise, Nuisance & Quality-of-Life Impacts

- **Loud amplified music** audible for miles in quiet rural valleys.
- **Screaming, cheering, and party noise** late into the night.
- **Fireworks**, increasing wildfire risk and disturbing livestock and wildlife.
- **Loss of quiet enjoyment** of rural homes and properties.
- **Nighttime lighting and glare**, incompatible with rural darkness and wildlife patterns.
- **Frequent weekend disruptions**, especially during summer months.

E. Trespass, Safety & Security Impacts

- **Trespassing** by intoxicated or lost attendees onto private property.
- **People sleeping in vehicles or camping illegally** on nearby parcels.
- **Increased risk of theft, vandalism, and confrontations** with property owners.
- **Strain on law enforcement**, which is already limited in rural areas.
- **Sanitation issues**, including litter, human waste, and illegal dumping.

IV. Conclusion

For all the reasons above the above signatories respectfully requests that King County DLS-Permitting DENY Temporary Use Permit TEMP25-0009.