

Chapters

CHAPTER 1—REGIONAL PLANNING

1. **((GP-103)) RP-203** “King County shall continue to support the reduction of sprawl by focusing growth and future development in the existing urban growth area, consistent with adopted growth targets.”

RECOMMENDATION: We support this policy change. It is consistent with State GMA growth-management principles, as well as Countywide Planning Policies. It focusses growth within the UGA, which is the clear intent of the State GMA.

CHAPTER 2—URBAN COMMUNITIES

1. **U-109** -- “King County should concentrate facilities and services within the Urban Growth Area to make it a desirable place to live and work, to increase the opportunities for walking and biking within the community, to more efficiently use existing infrastructure capacity and to reduce the long-term costs of infrastructure maintenance. Facilities serving urban areas such as new medical, governmental, educational or institutional development, shall be located in within the Urban Growth Area, except as provided in policies R-326 and R-327.”

RECOMMENDATION: We support the addition made to this policy, as it aligns with our overall mission (“Keep the Rural Area rural”) by restricting the siting of urban- or largely urban-serving facilities to the Urban Growth Area.

2. **U-185** -- “Through the Four-to-One Program, King County shall actively pursue dedication of open space along the original Urban Growth Area line adopted in the 1994 King County Comprehensive Plan. Through this program, one acre of Rural Area zoned land may be added to the Urban Growth Area in exchange for a dedication to King County of four acres of permanent open space. Land added to the Urban Growth Area for ~~((naturally appearing))~~ drainage facilities that are designed as mitigation to have a natural looking visual appearance in support of its development, does not require dedication of permanent open space.”

CONCERNS: While we have no problems with the original intent of the Four-to-One Program, we do not support annexing of Rural Area acreage into the UGA when it is not part of a recognized Potential Annexation Area (PAA).

RECOMMENDATION: Revisit this augmentation of the Four-to-One Program.

3. **U-207**

COMMENT: Bonded Debt: State law (RCWs 35.13.110; 35.13.270, and 35A.14.801) is rigid here.

RECOMMENDATION: Revisit State law (RCWs 35.13.110; 35.13.270, and 35A.14.801) so that Counties and Cities have the opportunity to “negotiate” any transfer of bonded debt incurred within the annexed area. Approval of County bonded debt could be similar to how cities do so upon annexation by offering a vote to the annexing residents and allow the county to require a disapproval of the annexation should residents vote against the bonded

debt continuance.

QUESTION: *Does the new R-320a policy in CHAPTER 3 take care of this?*

KC EXEC OFFICE RESPONSE: *“Comments noted; see the Workplan section of Chapter 12. It includes a workplan to revisit the Annexation Areas Map and Countywide Planning Policies. This type of analysis may be an important part of this future work.”*

CHAPTER 3—RURAL AREA AND NATURAL RESOURCE LANDS

1. R-201 -- *“Therefore, King County’s land use regulations and development standards shall protect and enhance the following (~~components of~~) attributes associated with a rural lifestyle (the) and the Rural Area: Rural uses that do not include urban or largely urban-serving facilities.”*

RECOMMENDATION: *We strongly support this addition. The Rural Area is no place for “urban or urban-serving facilities.” (see RECOMMENDATIONS under R-326 below)*

2. II. Rural Designation / B. Forestry and Agriculture in Rural King County / 1. Forestry / Item f. -- *“Conduct projects on King County park lands to demonstrate sustainable forestry practices, and.”*

CONCERN: *King County has several types of “lands”--“Recreation Parks, Multi-Use Parks, Working Forest Lands, Natural Areas, Regional Trail Properties, Flood Hazard Properties, and Other Public Lands”--all identified on “King County’s Open Space System 2016” map accompanying Chapter VII--Parks, Open Space, and Natural Resources. Our Rural Area parks (many of which include ballfields for both children and adults) should not see chain saws just to “demonstrate” something.*

RECOMMENDATION: *Eliminate Item “f.”. Otherwise, make the language more specific, so as not to encompass all the lands identified in our CONCERN above, since we don’t think that was the intent.*

3. III. Rural Densities and Development / D. Nonresidential Uses

CONCERN: *This section does not address resource-based businesses in unincorporated areas, such as Marijuana production, processing and retail uses. Policies should preclude siting of Marijuana production, processing, and retail uses in residential areas in the Rural Area. SEPA reviews should ensure the particular issues associated with such businesses, such as Public Safety, are included and fully addressed. An excellent example in the Rural Area is the proposed Marijuana Processing Facility at the end of 200th Ave SE, a narrow (18 ft at its worst), unshouldered one-lane country road that is bordered by residences on both sides. The Commercial Site Development Permit Application already was found complete by KC DPER and the KC PAO has provided an opinion that all future permit applications are fully vested. The GMVUAC discussed this issue with Deputy KC Executive Fred Jarrett at its May 19, 2015, Community Service Area Meeting and he requested full documentation, which the GMVUAC provided to Mr. Jarrett, DPER Director John Starbard, and the KC Ombudsman Office. This went nowhere.*

RECOMMENDATION: *Marijuana growing operations,*

processing/manufacturing facilities, or distribution businesses should not be sited in Rural Area residential neighborhoods. Such businesses could be quite lucrative both with valuable product on the premises and amount of cash on hand. However, the County Sheriff's Office budget has been continually pared down and can no longer provide adequate Police protection to the Rural Area. This is a dangerous mix. Such operations must be recognized as incompatible with the Rural Character the County and the people strive to maintain. In addition, KC Code definitions 21A.06.605 Home industry and 21A.06.610 Home occupation should be revised back to their pre-2008 Comprehensive Plan definitions to address the existing loophole whereby a residence can be converted to a business establishment without maintaining "the primary use of the site as a residence."

4. **R-309** -- "The RA-2.5 zone has generally been applied to (~~rural areas~~) Rural Areas with an existing pattern of lots below five acres in size that were created prior to the adoption of the 1994 Comprehensive Plan. These smaller lots may still be developed individually or combined, provided that applicable standards for sewage disposal, environmental protection, water supply, roads and rural fire protection can be met. A subdivision at a density of one home per 2.5 acres shall only be permitted through the transfer of development rights from property in the designated Rural Forest Focus Areas. The site receiving the density must be approved as a Transfer of Development Rights receiving site in accordance with the King County Code. Properties on Vashon-Maury Islands shall not be eligible as receiving sites."

CONCERNS: We have two major concerns:

1. *Allowing such 2.5 zoning perpetuates existing traffic flow issues, consequently, identifying a viable plan to address the traffic issue should be part of any subdivision adjustment, not just TDR agreements. To address Transportation Concurrency we recommend the language be changed to require all the TDRs to not only be purchased from the Rural Area, but also from the same Travel Shed. To do this, we recommend the following be added to the end of the third sentence: "...within the same Travel Shed."*

2. *That said, Rural Area properties should not serve as receiving sites for any TDRs.*

RECOMMENDATION: The third sentence in R-309 should be modified as follows:

"In the RA-2.5 zone a subdivision at a density of one home per 2.5 acres shall only be permitted through the transfer of development rights from property in the designated Rural Forest Focus Areas within the same Travel Shed."

RECOMMENDATION: Add a new fourth sentence to be consistent with the intent of C. Transfer of Development Rights Program (immediately below R-311): "Rural Area properties should not serve as receiving sites for any TDRs." [this could necessitate changes to **CHAPTER 8--TRANSPORTATION**]

5. **COMMENT:** *Following R-309 regarding the RA-2.5 zone, there needs to be*

more specifics related to the RA-5 zone, especially as related to private wells.

CONCERN: The King County Board of Health Code's Title 13's references to the "1972" cutoff and "5-acre" minimums (13.04.070 Domestic water supply source., B. Private individual well source: "A private well on a lot five acres or greater in size or a lot created prior to May 18, 1972,...") are not consistent with the "1994 Comprehensive Plan" cited in R-309.

RECOMMENDATION: Add a new Policy as follows:

"R-309a The RA-5 zone is typical of the Rural Area. However, there exist numerous legal parcels of less than five acres in size. These smaller lots may still be developed individually or combined (at the owner's discretion) and private wells allowed, provided applicable King County Board of Health separation requirements can be met for sewage disposal and water supply. Water treatment is an acceptable means of providing, and proving the existence of, an adequate water supply."

RATIONALE: In 1992 State Attorney General issued the following opinion in AGO 1992 No. 17, Re: Requirement of Adequate Water Supply Before a Building permit is Issued: (our emphasis shown)

"If a local building department chooses not to apply public water system standards to other water sources, then it may apply any other criteria that it determines are appropriate to ensure that the water supply for a building is of sufficient quality and quantity for the intended use of the building. These criteria must be based on considerations of water quality and quantity, and not on other considerations, such as limiting density or the construction of unpopular facilities. Furthermore, the local building department may not act in an arbitrary and capricious manner in setting the criteria. E.g., Rosen v. Tacoma, 24 Wn. App. 735, 740, 603 P.2d 846 (1979). This means that its actions must not be willful and unreasoning, taken "without consideration and in disregard of facts and circumstances." e.g., Pierce Cy. Sheriff v. Civil Serv. Comm'n, 98 Wn.2d 690, 695, 658 P.2d 648 (1983)."

[Ref: <http://www.atg.wa.gov/ago-opinions/requirement-adequate-water-supply-building-permit-issued>]

Consequently, such criteria must be based on "water quality and quantity," not to limit density, which is under the purview of and, thus, a decision made by the legislative body (i.e., King County Council), not the Board of Health or other agency.

6. R-324 "Nonresidential uses in the Rural Area shall be limited to those that:
- a. Provide convenient local products and services for nearby Rural Area residents;
 - b. Require location in a Rural Area;
 - c. Support natural resource-based industries;
 - d. Provide adaptive reuse of significant historic resources; or
 - e. Provide recreational opportunities that are compatible with the surrounding Rural Area.

RECOMMENDATION: We strongly support the addition to item a.

RECOMMENDATION: Add a new item f., such that:

“e. Provide recreational opportunities that are compatible with the surrounding Rural Area; or

f. Include home occupations and home industries.”

7. R-326 “Except as provided in R-327:

a. New schools and institutions primarily serving rural residents shall be located in neighboring cities and rural towns;

b. New schools, institutions, and other community facilities primarily serving urban residents shall be located within the ((UGA)) Urban Growth Area; and

c. New community facilities and services that primarily serve rural residents shall be located in neighboring cities and rural towns, with limited exceptions when their use is dependent on a rural location and their size and scale supports rural character.”

CONCERN: Siting of Urban facilities in the Rural Area: Policies must be strengthened to forbid siting and approval of urban- or largely urban-serving facilities in Unincorporated or Rural Areas. As an example, the following King County Code should be amended:

KCC 21A.08.060 A. Government/business services land uses. under “Specific Land Use” – “Utility Facility” by adding Note #38 as a Development Condition to all Zoning Designations.

Note #38: Utility Facilities consisting of regional surface water flow control and water quality facilities that are proposed to be wholly located within a Resource or Rural-designated area and associated in whole or in part with an existing or new proposed private residential development that is located wholly within an Urban-designated area are prohibited. Where such conditions are proposed for a new facility or where substantial facility or service area modifications to an existing regional surface water flow control and water quality facility are proposed, the requirements under Note #8 shall apply to Utility Facilities.

RECOMMENDATION: Add a new item “d.” to R-326 as follows:

“d. New stormwater facilities primarily serving urban needs shall be located within the UGA.”

COMMENT: There was an attempt to address this in CHAPTER 9, F-230, by adding a new subsection: “i. To the extent allowable under the Growth Management Act, the locational criteria in policy R-326.” However, the problem actually stems from King County Code. We are on record recommending a change to: KCC 21A.08.060 A. Government/business services land uses. under “Specific Land Use” – “Utility Facility” by adding a Note #38 as a Development Condition to all Zoning Designations:

Note #38: Utility Facilities consisting of regional surface water flow control and water quality facilities that are proposed to be wholly located within a Resource or Rural-designated area and associated in whole or in part with an existing or new proposed private residential

development that is located wholly within an Urban-designated area are prohibited. Where such conditions are proposed for a new facility or where substantial facility or service area modifications to an existing regional surface water flow control and water quality facility are proposed, the requirements under Note #8 shall apply to Utility Facilities.

8. **R-512** “The creation of new Industrial-zoned lands in the Rural Area shall be limited to those that have long been used for industrial purposes, do not have potential for conversion to residential use due to a historic designation and that may be accessed directly from SR-169.”

QUESTION: How is this consistent with the proposed “Demonstration Project” at Pacific Raceways? If the land is in the Rural Area and not zoned “Industrial,” then this policy should preclude consideration of such a “Demonstration Project.”

9. **VI. Resource Lands / E. Mineral Resources**

CONCERN: “Demonstration Projects” must not be used to convert resource-based lands into housing subdivisions, as has been proposed in the past and continues to be proposed (e.g., Reserve Silica site in Ravensdale). King County Code Title 21A.55 -- DEMONSTRATION PROJECTS (.010 thru .030) should be strictly adhered to. The Code states the following:

1. **The purpose of “Demonstration Projects” as to: “...evaluate alternative development standards and processes prior to amending King County policies and regulations” and “test the efficacy of alternative regulations that are proposed to facilitate increased quality of development and/or increased efficiency in the development review processes;...” and that “All demonstration projects shall have broad public benefit through the testing of new development regulations and shall not be used solely to benefit individual property owners seeking relief from King County development standards.” (ref.: KCC Title 21A.55.010)**
2. **The following should be specified: “5. The process through which requests for modifications or waivers are reviewed and any limitations on the type of permit or action; 6. The criteria for modification or waiver approval; 7. The effective period for the demonstration project and any limitations on extensions of the effective period;...” (ref.: KCC Title 21A.55.020)**
3. **“Demonstration projects must be consistent with the King County Comprehensive Plan. Designation of a demonstration project and its provisions to waive or modify development standards must not require nor result in amendment of the comprehensive plan nor the comprehensive land use map.” (ref.: KCC Title 21A.55.030)**

CHAPTER 4—HOUSING AND HUMAN SERVICES (No review)

CHAPTER 5—ENVIRONMENT

1. I. Natural Environment and Regulatory Context / B. Policy and Regulatory Context / 2. Clean Water Act

((E-106)) E-112b *“The protection of lands where development would pose hazards to health, property, important ecological functions or environmental quality shall be achieved through acquisition, enhancement, incentive programs and appropriate regulations. The following critical areas are particularly susceptible and shall be protected in King County:*

- a. Floodways of 100-year floodplains;
- b. Slopes with a grade of 40 percent or more or landslide hazards that cannot be mitigated;
- c. Wetlands and their protective buffers;”

CONCERN: *As Wetland buffers must be protected, we remain concerned with the use of “in-lieu fees” in wetland buffer mitigation policies, because major developers, who typically can have a large impact on the nearby environment, shouldn’t be able to “buy their way” out of important and necessary environmental requirements.*

RECOMMENDATION: *Do not use “In-lieu fees” as a mitigation method.*

2. IV. Land and Water Resources / A. Conserving King County’s Biodiversity / 4. Fish and Wildlife Habitat Conservation Areas / b. Species and Habitats of Local Importance

E-442 *“King County should conserve and restore salmonid habitats by ensuring that land use and facility plans (transportation, water, sewer, electricity, gas) include riparian and stream habitat conservation measures developed by the county, cities, tribes, service providers, and state and federal agencies. Project review of development proposals within basins that contain hatcheries and other artificial propagation facilities that are managed to protect the abundance, productivity, genetic diversity, and spatial distribution of native salmon and provide harvest opportunities should consider significant adverse impacts to those facilities.”*

CONCERN: *It was not apparent this was done in late 2013 / early 2014 when King County and Yarrow Bay negotiated and signed a Development Agreement for the 77-unit Reserves at Woodland upland from the Muckleshoot hatchery west of the City of Black Diamond.*

3. IV. Land and Water Resources / D. Aquatic Resources / 2. Wetlands

E-488 *“King County should be a regional service provider of compensatory mitigation through the Mitigation Reserves Program by working with local cities, other counties, and state agencies to establish partnerships for implementation of inter-jurisdictional in-lieu fee mitigation.”*

CONCERN: *(See E-112b CONCERN under Item 1. above).*

4. IV. Land and Water Resources / F. Flood Hazard Management

COMMENT: *We support the Executive’s proposed additions of Policies E-499q1 and 499q2 to “implement a comprehensive floodplain management program” and “continue to exceed the federal minimum standards stipulated by the National Flood Insurance Program for unincorporated areas,” respectively.*

5. V. Geologically Hazardous Areas /F. Coal Mine Hazard Areas

E-513 *“King County shall allow development within coal mine hazard areas if the*

proposal includes appropriate mitigation for identified, mine-related hazards using best available engineering practices and if the development is in compliance with all other local, state and federal requirements.”

CONCERN: *This Policy incurs a risk to the Public which may not be justified. If anything, extraordinary study should be required before any such development is contemplated within these hazard areas, many of which are inadequately mapped.*

6. C. Achieving the Open Space System / Priorities

CONCERN: *Policies should not allow siting and approval of urban or largely urban-serving facilities in Unincorporated or Rural Areas as a tradeoff to secure additional Open Space and/or Trail Connections, as was partly done through the Development Agreement between the County and Yarrow Bay concerning the Reserves at Woodlands just west of the City of Black Diamond in early 2014. In this case the “urban-serving facility” was a massive Stormwater Retention “Lake” (~20-ac in size with a 40-ac footprint) to serve (and help enable) the adjacent Yarrow Bay Master-Planned Developments wholly contained within the City of Black Diamond.*

CHAPTER 6—SHORELINE MASTER PROGRAM (No review)

CHAPTER 7—PARKS, OPEN SPACE, & CULTURAL RESOURCES

1. I. Parks, Recreation and Open Space / B. Components of the Regional Open Space System / 6. Backcountry Trails

P-118a (Backcountry trails; was P-108): Our ***CONCERNS/QUESTIONS*** regarding access to Taylor Mountain Park were not addressed:

QUESTION: *Will King County Parks work with the City of Seattle Public Utility Department to ensure the SE 208th St access to Taylor Mountain Park via the Seattle Watershed will remain open to the Public for hiking and horseback riding? There also is a large off-road parking area at stake here, again, all on the Seattle Watershed property.*

2. I. Parks, Recreation & Open Space / C. Achieving the Open Space System / 2. Criteria

P-124 (Trades for Open Space lands): Our ***CONCERN*** regarding allowing the siting and approval of urban or largely urban-serving facilities in Unincorporated or Rural Areas as a tradeoff to secure additional Open Space and/or Trail Connections was not addressed:

RECOMMENDATION: *Add a third sentence to P-124 as follows: “Open Space and/or Trail Connections land trade agreements should not allow siting and approval of urban or largely urban-serving facilities in Unincorporated or Rural Areas.”* [Example: In early 2014, a Development Agreement between King County and YarrowBay concerning the Reserves at Woodlands just west of the City of Black Diamond permitted, in exchange for Open Space and some trail connections, an “urban-serving facility”--a massive Stormwater Retention “Lake” (~20-ac in size with a 40-ac footprint)--to serve (and help enable) the adjacent YarrowBay Master-Planned Developments wholly contained within the City of Black Diamond.]

CHAPTER 8—TRANSPORTATION

1. **T-102** “As a transportation provider and participant in regional transportation planning, King County should support, plan, design, and implement an integrated, coordinated and balanced multimodal transportation system that serves the growing travel needs of the county safely, effectively and efficiently and promotes a decrease in the share of trips made by single occupant vehicles.”

CONCERN: Regional policies should explore the establishment of County road “networks,” which know no jurisdictional boundaries (similar to State roads), funded by all County taxpayers. We reviewed the January 2016 recommendations of the County Bridges and Roads Task Force, but they inexplicably did not include establishing County road “networks.” We urge the Council to to explore this concept and, therefore, we make the following **RECOMMENDATION**.

RECOMMENDATION: A second sentence should be added to T-102: “King County should explore establishing county-wide “road networks,” which know no jurisdictional boundaries, or a Transportation Benefit District, both funded by all County taxpayers.”

2. **T-208** “King County shall not add any new arterial capacity in the Rural Area or ~~((natural resource lands))~~ Natural Resource Lands, except for segments of rural regional corridors that pass through ~~((rural or resource lands))~~ Rural Areas and Natural Resource Lands to accommodate levels of traffic between urban areas. Rural regional corridors shall be identified in the Transportation Needs Report (Appendix C) and shall meet all of the following criteria:

- a. Connects one urban area to another, or to a highway of statewide significance that provides such connection, by traversing the Rural Area and Natural Resource Lands;
- b. Classified as a principal arterial;
- c. Carries high traffic volumes (at least 15,000 ADT); and
- d. At least half of P.M. peak trips on the corridor are traveling to cities or other counties.”

CONCERN: Such “rural regional corridors,” so designated “to accommodate levels of traffic between urban areas,” cannot be sustainably funded simply by Rural Area property taxes. T-208 simply provides a means of identifying such “corridors,” but provides no solutions. The same could be said for Policies T-403 and T-407 later in this chapter. They state solutions should be found, yet identify none.

RECOMMENDATIONS: Besides **RECOMMENDATIONS** given under T-102 above, to begin to address the Rural road usage/funding imbalance problem State laws (RCWs 36.78, 46.68, 120-124, & 84.52) could be reviewed for opportunities to enable a more transportation-sustainable allocation of gas tax monies and provide more flexibility in revenues used. Working with the State, some mechanism should be developed, along with incentives, for cities to share revenues with Counties, possibly tied to growth that occurs in the absence of job opportunities. While we understand State law changes are outside the scope of the Comprehensive Plan update, policies

herein should explore the Puget Sound Regional Council's (PSRC's) Transportation 2040 user-pays model by providing authority for usage charges, such as tolling key roads and methods to implement such strategies.

3. **T-212** *"King County shall work with cities for the annexation of county-((owned)) roadways and/or street segments located in the urban area and within or between cities, in order to provide for a consistent level of urban services on the affected roads and reduce the burden on unincorporated taxpayers that are supporting this urban infrastructure."*

RECOMMENDATION: *We strongly support the Executive's recognition of the unsustainable funding problem for unincorporated transportation infrastructure.*

4. II. Providing Services and Infrastructure that Support the County Land Use Vision / ((H)) **G. Concurrency**

CONCERN: *Concurrency must have an enforcement mechanism, be linked to a public dialog, and include "regional" perspective among multiple jurisdictions. Infrastructure needs should be identified as early and accurately as possible, with implementation of identified improvements truly concurrent, otherwise the development approval must be delayed or denied.*

5. **T-224** *"In the Rural Area, the concurrency test may include a provision that allows the purchase of Transferable Development Rights in order to satisfy transportation concurrency requirements."*

We wholly concur with Docket Item #15 to eliminate T-224 as TDRs should not be used to satisfy Concurrency testing anywhere within the Rural Area. Concurrency is a tool used to ensure infrastructure keeps up with development. The use of TDRs to satisfy Concurrency testing does nothing to help reach that goal and, in fact, can hinder reaching that goal. Consequently, we provide the following:

CONCERN: *Within a failing Travel Shed purchasing TDRs should not allow granting of a Concurrency certificate, since traffic is still being added to a failing area. We asked KCDOT if examples exist where T-224 was applied? KCDOT's Ruth Harvey responded the Policy has never been applied. We have communicated with KC DNRP's Darren Greve regarding the TDR program. Consequently, we suggest the following RECOMMENDATIONS:*

RECOMMENDATION: *Eliminate Policy T-224, as TDRs should not be used to satisfy Concurrency testing anywhere within the Rural Area.*

Concurrency is a tool used to ensure infrastructure keeps up with development. The use of TDRs to satisfy Concurrency testing does nothing to help reach that goal and, in fact, can hinder reaching that goal.

RECOMMENDATION: *Add a new Policy under Concurrency to address the item the KC Council added to "Scope of Work" as follows:*

T-xxx *When conducting concurrency testing, King County shall collaborate with other jurisdictions to ensure infrastructure improvement strategies help prevent travel shed failure caused by unfunded city and state projects and traffic generated outside the unincorporated area.*

6. P. 8-38: **IV. Financing Services and Facilities that Meet Local and Regional Goals/ B. Road-Related Funding Capabilities.** Rural Area taxpayers should not be providing diminishing tax monies any more than they already are to enhance or expand urban-to-urban travel corridors. King County should adopt a long-term vision that recognizes the reality of long-term road revenue shortfalls and should act proactively to avoid decreases in future funding levels. Policies herein should be based on such realities in order to be successful. Consequently, we recommend the following :

RECOMMENDATION: *On p. 8-38, add the following to the end of the second paragraph:*

“Without a critical revision to our statewide tax code or the State gas tax jurisdictional distribution formula being modified to reflect the reality that many County roads are used by Urban commuters, it is highly predictable that the tax base for Roads funding will never return to pre-recession values in real terms.”

CHAPTER 9—SERVICES, FACILITIES, & UTILITIES

1. **F-230** Please see **RECOMMENDATION** under **R-326c** above.

2. **F-236** *“In the Rural Area, King County land use and water service decisions support the long-term integrity of Rural Area ecosystems. Within the Rural Area, individual private wells, rainwater catchment, Group B water systems, and Group A water systems are all allowed. If an existing Group A water provider cannot provide direct or indirect service to new development per the exceptions in Policy F-233, a new public water system or private well may be established if it is owned or operated by the following, in order of preference:*

- a. *By a satellite management agency approved by the state Department of Health under contract with the Group A system in whose service area the system is located, provided that the existing Group A water system remains responsible for meeting the duty to serve the new system under RCW 43.20.260; and*
- b. *By a satellite management agency or an existing Group B system approved by both the State Department of Health and King County. If service cannot be obtained by means of the above stated options, then water service may be obtained by creation of a new system, use of private wells or rainwater catchment. All new public water systems formed in the Rural Area shall connect to the Group A water system in whose service area the new system is located when direct service becomes available.”*

CONCERN: *Small Group B water systems should not be required to connect to Group A water systems when they become available.*

RECOMMENDATION: *In the last sentence of subitem “b.” change “shall” to “may.”*

3. **F-240** *“King County shall require any new or expanding Group B water system to have a totalizing source meter and make information from the meter available upon request of King County.”*

CONCERN: *Our biannual Citizen Surveys, which have been conducted and published over the past decade, continually have indicated Rural Area*

residents do not want their wells metered.

RECOMMENDATION: Strike F-240 in its entirety.

CHAPTER 10--ECONOMIC DEVELOPMENT

1. Overarching comments:

CONCERN: *The County does not have in place an Economic Development Organization to coordinate, execute, and implement policies and deploy resources.*

RECOMMENDATION: *The Executive should establish a position for Economic Development Director within his Office, who is assigned an ongoing mission to foster economic development vision throughout the County and interacts with the Economic Development Council of Seattle and King County.*

CONCERN: *The chapter should include both aquaculture and fisheries.*

2. **ED-103** *King County policies, programs, and strategies shall recognize the importance of, and place special emphasis on, start-up companies as well as retaining and expanding homegrown firms in basic industries that bring income into the county and increase the standard of living of ((our)) the County's residents.*

RECOMMENDATION: *Add the following immediately after “...in basic industries”:*

“...that demonstrate their innovativeness, intellectual property development, production, and/or services and...”

RECOMMENDATION: *Also add the word “may” between “that” and “bring.”*

3. **ED-213** *“King County shall coordinate with a broad range of partners, organizations, businesses and public sector agencies to support the development of business innovation districts and related initiatives in lower income communities, with an emphasis on food innovation districts, in particular. Food innovation districts may encompass anchor food businesses, small food business incubation, food industry education and training, markets and food hubs, food programs and partnerships with urban and rural food growers and cooperatives, and food aggregation and processing.”*

RECOMMENDATION: *Add the following sentence to the end of ED-213:*

“Food may include sourcing from land and marine sources, such as aquaculture, aquaponics, and water bodies served by fishing means.”

4. **ED-302** *“King County supports the King County Workforce Development Council, established by the federal (~~Workforce Investment Act of 1998~~) Workforce Innovation and Opportunity Act of 2014, composed of high-level representatives from business, local government, labor, education and training institutions, advocacy organizations, and human service providers. The purpose of the council is to coordinate and improve employment, training, literacy, and vocational rehabilitation programs to meet the needs of workers and employers. King County will work with the Workforce Development Council to emphasis the need in and highlight opportunities for communities that have the highest unemployment rates in the region.”*

RECOMMENDATION: *Add the following sentence at the end of ED-302:*

“This includes programs for self-employment and self-directed

employment opportunities seeking business marketing skills.”

5. **ED-404** “Through local subarea planning and partnerships with other agencies and organizations, King County should use zoning, incentives, or other measures to ~~((ensure that an appropriate proportion of the land adjacent or near to major public infrastructure facilities is used to capitalize on the economic benefit of that infrastructure. The surrounding land uses should be compatible with the economic development uses or a buffer provided as necessary))~~ capitalize on the economic benefit of infrastructure projects, in a manner consistent with existing and forecasted land uses, and other locational criteria.”

CONCERN: *ED-404 should not be used as a pretext to conceiving and approving “Demonstration Projects” in the Rural Area even if those sites are near major arterials, since most already are congested during ever-longer AM and PM traffic commutes. For example, the Cedar Hills Subarea is near SR- 169, but the wait at the intersection traffic light is long and once successfully navigated, one sits in an 8-mile-long backup just to reach the I-405 gridlock in both north and south directions, and then the journey begins to major business centers of Seattle, Tacoma, Bellevue, and Everett.*

CHAPTER 11—COMMUNITY SERVICE AREA PLANNING (No comments)

CHAPTER 12— IMPLEMENTATION

1. **I-203** Item b.

COMMENT: *This appears to ameliorate our past and ongoing concerns related to the proposed Reserve Silica Demonstration Project. We strongly support such a change. The Executive has not supported this project, nor have we. Members of the Public in our area also strongly oppose this project. It never has been consistent with other policies in the Comprehensive Plan. The County should follow its standard methods for transitioning mining sites when resource extraction is complete, which we and the Public do support, with the land reverting to the underlying zoning as code and practice has long required. This best protects the County's forest and rural resources. [Please also see our related detailed comments above under Chapter 3, VI. Resource Lands / E. Mineral Resources (listed as Item 9.)]*

Technical Appendices

Land-Use and Zoning Amendments (No comments.)

Technical Appendix A—CAPITAL FACILITIES (No review.)

Technical Appendix B—HOUSING (No review.)

Technical Appendix C—TRANSPORTATION (No comments.)

Technical Appendix C1—TRANSPORTATION NEEDS REPORT (TNR)

1. CONCERN:

A great dichotomy exists between growth targets, which are not forecasts, and identifying and addressing transportation needs. Such a gap complicates planning efforts and, as more development occurs, could result in inadequate infrastructure to meet GMA Concurrency requirements. Clearly realistic forecasts, not allocated growth targets, should be the primary information used in Comprehensive Planning and identification of infrastructure needs.

The PSRC states: “No direction is given in the GMA as to the methodology for setting growth targets. Cities and counties have a duty to accommodate the targets, but are provided broad discretion on how they do so.” (“Growth Management by the Numbers,” July 2005, p. 11.) This can result in an opaque process through which cities utilize selective criteria to furnish information they deem relevant or advantageous.

Further, jurisdictions can grossly exceed their growth targets. This was the case in 2012, as a small city in Southeast King County, in one of the fastest growing and heavily congested areas in the State, with a growth target of 1,900 new residences, signed Development Agreements that would eventually bring an additional 6,050 residences, or approximately 20,000 people, into the city. This scenario could easily repeat itself throughout the county and state as long as it remains to each county and its cities to determine what is relevant in developing such projections.

RECOMMENDATION:

Although outside this Comprehensive Plan update, potential solution paths for discussion could include changes in State law to establish criteria that will ensure realistic forecasting, not minimum growth targets, inform Comprehensive Planning and Transportation Needs Reports. The following RCWs could provide such opportunities:

RCW 43.62 -- DETERMINATION OF POPULATIONS -- STUDENT ENROLLMENTS

43.62.035 -- Determining population -- Projections

RCW 36.70A -- GROWTH MANAGEMENT -- PLANNING BY SELECTED COUNTIES & CITIES.

36.70A.040 -- Who must plan -- Summary of requirements—Development regulations must implement comprehensive plans [Requires cities and unincorporated areas to plan for future growth through formation of Comprehensive Plans. In King County, Comprehensive Plans are reviewed/revised every four years with the current target year of 2025. Many King County cities currently are updating their Comprehensive Plans to be completed by June 2015.]

Technical Appendix C2—REGIONAL TRAILS NEEDS REPORT (No comments)

Technical Appendix D—Growth Targets and Urban Growth Area (No comments)

Technical Appendix R—PUBLIC OUTREACH FOR DEVELOPMENT OF
COMPREHENSIVE PLAN (No comments)

Attachments

Attachment—SKYWAY-WEST HILL ACTION PLAN (No review)

Attachment—AREA ZONING STUDIES

1. Cedar Hills/Maple Valley--Future Subarea Plan:

CONCERN: *The greater community (unincorporated area councils, community organizations, rural residents, and rural business owners, including forest and farm owners, and rural communities, towns, and cities) must be involved with such Subarea planning, not just the owners of the twelve specific properties identified. Future changes in this subarea could have major impacts on the quality of life of surrounding residences and greatly increase traffic on Cedar Grove Rd, Lake Francis Rd, and SR-169.*

RECOMMENDATION: *Provide the Public with the formal process the County uses to define Subarea Plans.*

Attachment--DEVELOPMENT CODE STUDIES

1. **CONCERN:** *There is a need for a Development Code Study #X --*

Scope of Work: *Consider code changes regarding the definitions of “Home Industry” and “Home Occupation.”*

Background: *This requested development code review is in response to expressed concerns about businesses being set up in the Rural Area that are wholly incompatible with the surrounding dwellings and neighborhoods. Examples include Marijuana growing, processing, and distribution facilities and operations. The following is County Code as it currently exists:*

“21A.06 TECHNICAL TERMS AND LAND USE DEFINITIONS

21A.06.605 Home industry. *Home industry: a limited-scale sales, service or fabrication activity undertaken for financial gain, which occurs in a dwelling unit or residential accessory building, or in a barn or other resource accessory building and is subordinate to the primary use of the site as a residence. (Ord. 13022 § 7, 1998: Ord. 10870 § 161, 1993).*

21A.06.610 Home occupation. *Home occupation: a limited-scale service or fabrication activity undertaken for financial gain, which occurs in a dwelling unit or accessory building and is subordinate to the primary use of the site as a residence. (Ord. 13022 § 8, 1998: Ord. 10870 § 162, 1993).”*

Discussion: *The 2008 Comprehensive Plan Update changed the definitions of both “Home Industry” and “Home Occupation.” The pre-2008 condition that such activities are permitted only as “... subordinate to the use of the*

site as the primary residence of the business owner.”

The purpose of this change is to narrow a loophole where a residence is converted to a business establishment without maintaining “*the primary use of the site as a residence.*”

It should be noted that should this change be adopted it would be somewhat more lenient than the associated language pre-2008, which mandated that a “Home Industry” and “Home Occupation” was permitted in an RA, F, or A zone only as accessory to the primary use of the site as a residence of the “*property owner.*” Also, should this change be adopted, a renter or a property owner could operate a “Home Industry” and “Home Occupation” as long as the site is her/his actual “*primary residence.*”

RECOMMENDATION: Amend K.C.C. Titles 21A.06.605 and 21A.06.610 as follows:

“21A.06.605 Home industry. *Home industry: a limited-scale sales, service or fabrication activity undertaken for financial gain, which occurs in a dwelling unit or residential accessory building, or in a barn or other resource accessory building and is subordinate to the ~~primary~~ use of the site as a the primary residence of the business owner. (Ord. 13022 § 7, 1998: Ord. 10870 § 161, 1993).”*

“21A.06.610 Home occupation. *Home occupation: a limited-scale service or fabrication activity undertaken for financial gain, which occurs in a dwelling unit or accessory building and is subordinate to the ~~primary~~ use of the site as a the primary residence of the business owner. (Ord. 13022 § 8, 1998: Ord. 10870 § 162, 1993).”*

Attachment—POLICY AMENDMENT ANALYSIS MATRIX (No comments)

Attachment—PUBLIC PARTICIPATION REPORT (No comments)